

DECISION

Case number: NDR002-12

Applicant: Mr Trevor John Hay
Mr Ewan Michael James Hay

Respondent: Mr Robert Adrian Genge

Before: Mr Thomas Cowen,

Date: 6 November 2012

Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Tribunal directs Mr Genge, the Respondent, to prune the Almond Beech trees so that no branches protrude beyond the boundary of the Applicants' property and the height of the trees does not exceed ten (10) metres, and maintained at the height.
2. The subject trees are to be pruned to the Australian standard and maintained to that level on a regular basis for 24 months.
3. The trees are to be pruned within 28 days.
4. The Tribunal does not consider the leaf litter from the trees, at this time, to constitute a substantial interference with the use and enjoyment of the Applicants' yard and so that part of the application is dismissed.
5. Each party to pay their own costs.

Signed

Mr Thomas Cowen

Queensland Civil and Administrative Tribunal

Date: 6 November 2012