

## ORDER BY CONSENT

**Case number:** NDR222-13  
**Applicants:** Dawn Hills, Malcolm Hills  
**Respondent:** Catherine Hibberd  
**Before:** Member Paratz  
**Date:** 24 February 2015  
**Proceeding Type:** Compulsory Conference

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### THE TRIBUNAL ORDERS THAT:

1. The registered owner of the lot at 19 Giufre Crescent WONGALING BEACH QLD 4852 ("the Tree-Keeper") arrange to have the following works carried out on the trees the subject of the dispute ("the Initial Works"):
  - (a) The 1 x *Schefflera actinophylla* (Umbrella tree) be removed;
  - (b) The 1 x *Citharexylum spp* (Fiddle wood tree) and 1 x *Brachyton acerifolius* be removed;
  - (c) The Epicormic regrowth and saplings growing from the *Mangifera indica* (Mango tree) stump be removed permanently;
  - (d) The 1 x *Ficus virens* (fig tree) and the 1 x Hills fig tree be pruned along the fence line;
  - (e) The *Bambusa Vulgaris spp* (clumping bamboo) be cut back to two (2) metres at the base from the fence line.
2. After all Initial Works are carried out, the Tree-Keeper arrange to have the following works carried out on the trees the subject of the dispute ("the Subsequent Works"):
  - (a) The 1 x *Ficus virens* (fig tree) and the 1 x Hills fig tree be pruned on a regular basis to ensure the trees do not extend beyond the fence line;
  - (b) The *Bambusa Vulgaris spp* (clumping bamboo) be pruned on a regular basis so that the base is 2 metres from the fence line and so that it does not extend beyond the fence line.
  - (c) All trees growing along the fence line have branches pruned annually thereafter.
3. The Initial Works and the Subsequent Works must be carried out:
  - (a) By an appropriately insured Arborist with a minimum of Australian Quality Training Framework Level 3.

(b) In accordance with Australian Standard 4373-2007 "Pruning of Amenity Trees".

4. The Initial Works must be carried out within sixty (60) days of the date of this Order.
5. The owner of the property at 21 Giufre Crescent, Wongaling Beach, will give all reasonable co-operation and reasonable access to the property to allow these orders to be carried out.

Signed

**Member Paratz**  
**Queensland Civil and Administrative Tribunal**

<set out the decision in numbered paragraphs>

THE TRIBUNAL DIRECTS THAT:

1. <set out terms in numbered paragraphs if required>

Signed

**Member Paratz**  
**Queensland Civil and Administrative Tribunal**