

DECISION

Case number: NDR174-15; NDR043-16; MCDO2584-15
Applicant: Michael Barrington Tindale and Marilyn Faye Tindale
Respondent: Sylvia Stock

Before: Member Dr Cullen
Date: 14 March 2016
Proceeding Type: Compulsory Conference

IT IS THE DECISION OF THE TRIBUNAL THAT, BY CONSENT:

1. Sylvia Stock agrees to remove to ground level the palm trees on either side of her driveway. The work will be performed by a licensed arborist no later than 1 June 2016.
2. Michael Tindale and Marilyn Tindale agree to remove the trees number 1 through 4, and possibly 5, on the attached Exhibit #1. The work will be performed by a licensed arborist no later than 1 June 2016. If Tree #5 is still in existence, it will be included in the removal.
3. Sylvia Stock agrees to pay RACQ's \$600.00 deductible so that the claim made by Sylvia Stock for \$1,404.50 for damage caused to the Tindale's roof guttering can be processed.
4. Sylvia Stock agrees to contribute \$1,000.00 of the \$3,960.00 quote for fencing along driveway from Taylor'D Fencing, and the Tindale's to pay balance (\$2,960.00). The fencing work will be completed no later than 60 days from the removal of the trees.
5. The parties agree to pay half each of the cost of replacing rear fence, quote from Taylor'D Fencing of \$1,608.75 (each party to pay \$804.40).
6. Sylvia Stock agrees not to make any claim in relation to her driveway and the Tindale's agree not to make a claim for costs of stormwater and stinkpipe repair.
7. This resolves all matters raised between the parties in NDR174-15, NDR043-16 and MCDO2584-15.

Signed

Member Dr Cullen
Queensland Civil and Administrative Tribunal