

DECISION

Case number: NDR192-15
Applicant: Colleen Terese Hall
Respondents: Robert Spence and Catherine Spence

Before: Member Milburn
Date: 9 May 2016
Proceeding Type: Compulsory Conference

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

1. Without admission of liability of any nature whatsoever:
 - a. The respondents are to remove the rosewood tree (also known as a tipuana tree) the subject of the proceedings (the tree) within two months.
 - b. Removal of the tree includes either removal or poisoning of the tree stump.
 - c. The respondents are to pay for the cost of removal of the tree and removal or poisoning of the tree stump.
 - d. If poisoned, the process of poisoning will be effective to the extent that there will be no regrowth of the roots.
2. The respondents do not concede that the tree has caused damage to the applicant's property.
3. The hearing of this matter is to continue with respect to the other financial issues raised in the application.
4. The matter is set down for a directions hearing in Brisbane on **2 June 2016 at 11:30am**.
5. Colleen Terese Hall has leave of the tribunal to attend the directions hearing by remote conferencing.

Signed



Member Milburn
Queensland Civil and Administrative Tribunal