

DECISION

Case Number: NDR173-15

Applicants: Peter Charles Asimus and Laurel Margaret Asimus

Respondents: Mark Nott and Deborah Nott

Before: Senior Member Brown

Hearing date: 16 June 2016

Hearing type: Directions hearing

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

1. Mark Nott and Deborah Nott will arrange to undertake the following tree works ("the tree works"):
 - (a) Trees numbered 3, 5 and 7 identified on the diagram "Figure #2", annexed hereto and marked "A", will be removed;
 - (b) Tree numbered 6 identified on the diagram "Figure #2" will be trimmed if, after the removal of trees 3, 5 and 7, tree 6 obstructs the view from the dwelling of Peter Charles Asimus and Laurel Margaret Asimus; and
 - (c) The tree work referred to in order 1 (b) will be limited to such work as may be recommended by a qualified level 5 arborist to achieve the outcome of reducing any view obstruction and maintaining the viability of the tree.
2. The tree works will be carried out within ninety (90) days of the date of this order.
3. Mark Nott and Deborah Nott will be responsible for the cost of the tree works.
4. The application for a tree dispute filed 24 November 2015 is otherwise dismissed.

Signed

Senior Member Brown
Queensland Civil and Administrative Tribunal

“A”

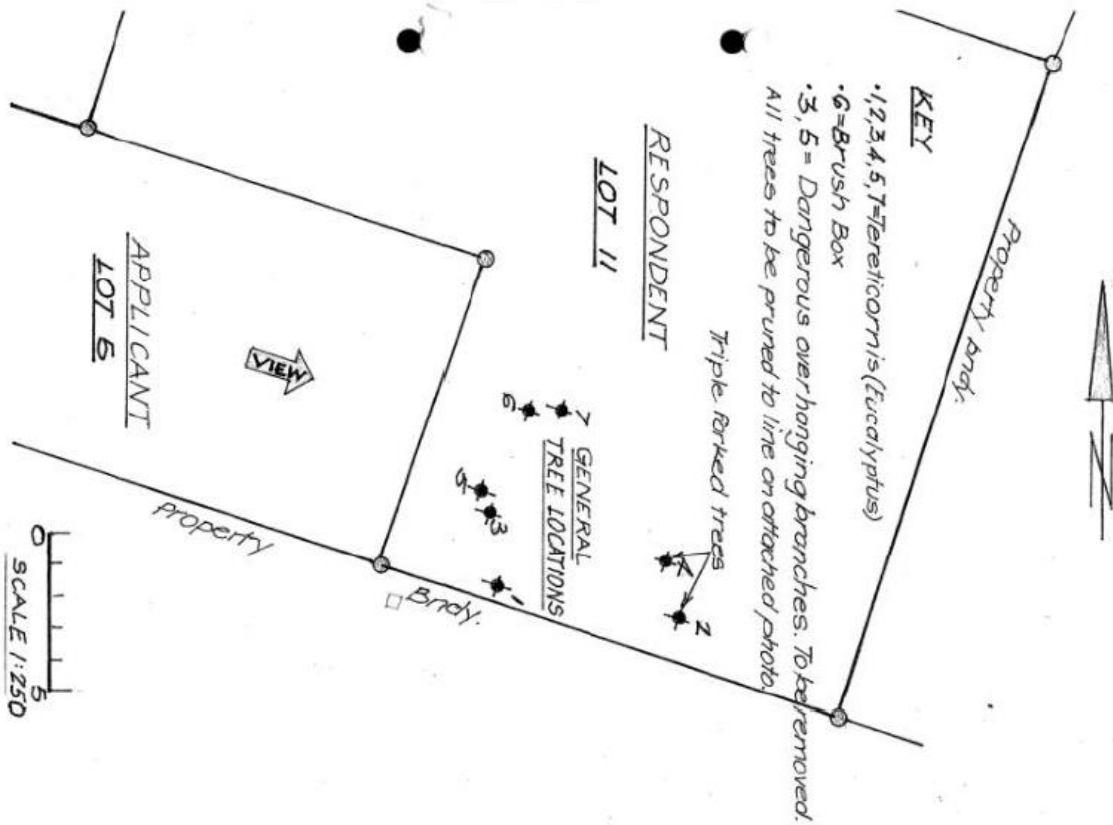


Figure #2 (not to scale): Site Plan provided by the Applicant (in same orientation as figure #1) indicating the approximate location of existing subject Trees (#1- #7) and site boundaries with direction of view.

The subject trees of concern #1- #7 are growing entirely on the Tree Keepers property at 8 Griffith Lane within the boundaries and have been identified and described in 2.1. The subject trees #1- #7 are to the east of the applicants dwelling.