

DECISION

Case Number: NDR060-16
Applicant: Scott MacDonald
Respondent: Vanran Pty Ltd (TTE)
Before: Member Bertelsen
Date: 28 September 2016

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

1. Vanran Pty Ltd (TTE) must lodge an application and seek approval from the local authority (Gold Coast City Council) for the subject "works order" for the tree removal within 5 working days from date of QCAT formal orders.
2. Vanran Pty Ltd (TTE) must complete the satisfactory removal of the subject trees (T2a, T2b, T3, T4 & T5) as per the attached indicative tree legend (Appendix A), within 10 working days after receiving the above mentioned local authority's "works order" approval.
3. Vanran Pty Ltd (TTE) agrees to have the remaining tree stumps poisoned in order to prevent any regrowth and further damages that may result from continued tree root existence.
4. Vanran Pty Ltd (TTE) must engage the services of an appropriate licensed, qualified and adequately insured professional tree arborist / specialist to complete the satisfactory removal of the subject trees.
5. Vanran Pty Ltd (TTE) must provide Scott MacDonald with evidence that the tree arborist/specialist engaged to complete the subject works has adequate and appropriate insurances.
6. Vanran Pty Ltd (TTE) must provide Scott MacDonald with adequate notice of the intended date to which the subject trees are to be removed from Vanran Pty Ltd (TTE's) property.
7. Scott MacDonald agrees not to pursue the fence issue or seek any monetary claim from Vanran Pty Ltd (TTE).

Signed

Member Bertelsen
Queensland Civil and Administrative Tribunal

For more information on QCAT

Call 1300 753 228 or visit www.qcat.qld.gov.au
GPO Box 1639, Brisbane Qld 4001 Fax: 07 3221 9156
Email: enquiries@qcat.qld.gov.au ABN: 13 846 673 994

