

DECISION

Case number: NDR128-19
Applicant: Paul James Lake, Slavica Lake
Respondent: Stuart Gordon Hermann, Wendy Janet Hermann
Before: Member Richard Oliver
Delivered On: 26 October 2022
Hearing Date: 14 June 2022
Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Stuart Gordon Hermann and Wendy Janet Hermann remove such of the Golden Cane Palms and Alex Palms along the common boundary between lineal metre 1 – lineal metre 20.2 (Golden Canes 1- 9), as shown in Annexure 1 to the reasons, so that there is at least a 75cm buffer between Golden Cane Palms and the Alex Palms and the common boundary of Paul James Lake and Slavica Lake’s land and Stuart Gordon Hermann and Wendy Janet Hermann’s land.
2. Stuart Gordon Hermann and Wendy Janet Hermann remove completely Umbrella trees 1 and 2 as shown on Annexure 1 to the reasons.
3. Stuart Gordon Hermann and Wendy Janet Hermann lop, prune and reduce in size the Buckinghamia Tree (Ivory Curl Tree) located on the common boundary as shown in Annexure 1 to these reasons so that its canopy does not extend into or overhang Paul James Lake and Slavica Lake’s property by more than 50cm.
4. Stuart Gordon Hermann and Wendy Janet Hermann undertake the removal of such of the root base of the Buckinghamia Tree (Ivory Curl Tree) located on Paul James Lake and Slavica Lake’s land so that there is no damage to the tree.
5. Stuart Gordon Hermann and Wendy Janet Hermann install a root barrier to prevent further root intrusion from lineal metre 22 – 31 as shown in Annexure 1 to the reasons.
6. Stuart Gordon Hermann and Wendy Janet Hermann carry out the work referred to the subject of these orders including Order 7 **by 27 January 2023**.

IT IS FURTHER ORDERED BY CONSENT THAT:

7. Stuart Gordon Hermann and Wendy Janet Hermann reduce the trunk height of the eucalypt/gum tree to a height of approximately 3 metres.

Signed



Member Richard Oliver
Queensland Civil and Administrative Tribunal