

DECISION

Case number: NDR211-22
Applicant: Denis Spry
Deborah Spry
Respondent: Malcolm Fraser
Irene Fraser

Before: Member Bishop
Date: 17 April 2024
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 28 June 2024**, the Respondents, **Malcolm Fraser** and **Irene Fraser**, must poison the 37 Syzygium Assie Southern stumps (identified as Tree 1 in Mr Richards' Tree Assessment Report dated 29 July 2023). Tree 1's stumps must be re-cut prior to the application of the poison and the poison must be applied within 30 seconds of the cutting to ensure Tree 1's stumps do not continue to grow or shoot sprouts.
2. **On or before 4:00pm on 31 July 2024**, the Respondents, **Malcolm Fraser** and **Irene Fraser**, must undertake pruning on the Mangifera indica, Citrus reticulata and Citrus sinensis (identified as Tree 3, Tree 4 and Tree 5 in Mr Richards' Tree Assessment Report dated 29 July 2023) to keep branches clear of the shared boundary fence, to reduce branches if extending beyond the dividing fence to prevent fruit dropping onto the Applicants', **Denis Spry's** and **Deborah Spry's**, land and to reduce the size of Tree 3, Tree 4 and Tree 5 to the size depicted in Mr Richards' Tree Assessment Report dated 29 July 2023.
3. The Respondents, **Malcolm Fraser** and **Irene Fraser**, must maintain Tree 3, Tree 4 and Tree 5 by undertaking the work outlined in Order 2 in **July** of each year.

Signed



Member Bishop
Queensland Civil and Administrative Tribunal