

## DECISION

**Case number:** NDR055-13  
**Applicants:** Peta Louise Gregg  
Nicholas Gregg  
**Respondent:** Elaine Oram  
**Before:** Member Beckinsale  
**Date:** 28 February 2014  
**Proceeding Type:** Hybrid Hearing

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Peta Louise Gregg & Nicholas Gregg, the registered owners of the lot at 18 Milford Avenue FRENCHVILLE, QLD ("The Neighbour") are at liberty to have the following works carried out on the tree/s the subject of the dispute ("the Initial Works"):
  - (a) The Golden Cane palms pruned to remove any stems over 50 millimetres in diameter that intersect the property line of the lot at 18 Milford Avenue FRENCHVILLE, QLD. The stems are to be removed at stump level.
2. The Initial Works may be carried out at any time up to and including **31 May 2014** subject to giving Elaine Oram, the registered owner of the lot at 16 Milford Avenue FRENCHVILLE, QLD ("the Tree-Keeper") the required notice.
3. Peta Louise Gregg & Nicholas Gregg are at liberty to arrange the works described above, each May in subsequent years ("the Subsequent Works").
4. The Initial Works and Subsequent Works be carried out by an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture.
5. The cost of the Initial Works and any Subsequent Works is to be borne by Peta Louise Gregg & Nicholas Gregg (the Neighbour).
6. Elaine Oram (the Tree-Keeper) will give access to the arborist engaged by Peta Louise Gregg & Nicholas Gregg (the Neighbour) to carry out the Initial Works and any Subsequent Works.
7. Peta Louise Gregg & Nicholas Gregg (the Neighbour) will give Elaine Oram (the Tree-Keeper) not less than 14 days notice in writing, of the arborist's intention to access 16 Milford Avenue FRENCHVILLE, QLD, to attend to the Initial Works and any Subsequent Works.
8. Elaine Oram (the Tree-Keeper) will not unreasonably refuse access.

Signed



Member Beckinsale  
Queensland Civil and Administrative Tribunal

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