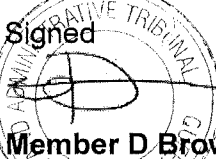


DECISION

Case number: NDR043-21
Applicant: Neil Andrew Gilmore, Alicia Melanie Price
Respondent: Harry Anthony Browne, Viviana Browne
Before: Member D Brown
Date: 28 February 2025
Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Within 60 days of the date of the decision, being on or before 29 April 2025, Mr Harry Anthony Browne and Mrs Viviana Browne must, at their own cost, undertake the complete removal and stump grinding of the single *Glochidion ferdinandi* (Cheese Tree) located on the left side (northwestern) boundary fence of their property at 9 Radford Street, Southport.
2. Any roots from the subject tree growing on Mr Gilmore and Ms Price's property are to be ground down to ground level and all tree debris is to be removed from Mr Neil Gilmore and Ms Alicia Price's property and from Mr and Mrs Browne's property after the tree removal is completed.
3. The work must be performed by either a tree lopper with current public liability and work cover insurances or a minimum Australian Qualifications Framework level three (3) qualified arborist with the same insurances.
4. Any tree lopper or arborist engaged by Mr and Mrs Browne shall be entitled to enter Mr Gilmore and Ms Price's land at 14 Waldash Street, Southport to undertake the work in order 1 and 2, subject to providing 72 hours' notice of the work being done.
5. Mr and Mrs Browne will be responsible for obtaining any necessary council approvals and paying all costs associated with undertaking the removal of the tree in compliance with orders 1-3.
6. If the tree works detailed in Orders 1 and 2 are not completed by 30 April 2025, Mr Neil Gilmore and/or Ms Alicia Price shall be entitled to have the work performed by a suitably qualified tree lopper or arborist with the appropriate public liability and work cover insurance.
7. Any tree lopper or arborist engaged by Mr Gilmore and/or Ms Price shall be entitled to enter Mr and Mrs Browne's land at 9 Radford Street Southport, subject to providing 72 hours' notice of the work being done.
8. If Mr Gilmore and/or Ms Price carry out the work in default of it being done by Mr and Mrs Browne, the costs incurred by Mr Gilmore and/or Ms Price in engaging a tree lopper and/or arborist to do the work and/or in obtaining council approvals, shall be recoverable from Mr and Mrs Browne as a debt without further notice being required to be given.

Signed

Member D Brown
Queensland Civil and Administrative Tribunal