

ORDER

Case number: NDR003-16
Applicant: Montawood Pty Ltd t/as Port Douglas Motel
Respondent: Body Corporate for Verandahs Apartments
Before: Member Coolican
Date: 16 May 2016
Proceeding Type: Compulsory Conference

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The respondent agrees to remove trees 1 to 8 (inclusive) as described in the Arborists report of Central Tree Services (dated 03/02/16) and within 90 days of the date of this order and at the sole cost to the respondent.
2. The respondent must use a suitably qualified tree removal practitioner as per the recommendation in Central Tree Services report dated 03/02/16.
3. As part of the works in orders 1 and 2 above, the respondent will install a root barrier to a depth of 1 metre flush with the existing dividing fence.
4. The applicant agrees to give access to the respondent's trades people to complete the root barrier works.
5. The root barrier is to be installed in 2 stages with the first stage to be completed within 90 days of the date of this order and to the position of tree number 8 in the Central Tree Services report and with the second stage to be completed within 3 years for the balance of the works which is to the rear boundary.
6. Each party is to bear their own costs of an incidental to this application.

Signed


Member Coolican
Queensland Civil and Administrative Tribunal