

DECISION

Case number: NDR091-24
Applicant: Anthony Steven Cook
Wendy Anne Cook
Respondent: Rose Bandera
Christopher Charles Bandera

Before: A/Member J Dalling
Date: 16 JANUARY 2026
Proceeding type: Papers - MOU
Initiating document: Application for tree dispute filed 20 May 2024

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. On or before 4:00pm on 17 July 2026, Rose Bandera and Christopher Charles Bandera must engage a suitable supplier and installer with appropriate insurances (including Public Liability Insurance) to:
 - (a) Install a root barrier of at least 1.2 metres deep along 12 metres of the south-eastern boundary and joined with 6 metres of root barrier along the western barrier of Anthony Steven Cook and Wendy Anne Cook's property located at 84 Sky Drive, Highvale;
 - (b) Ensure that the root barrier has a 30mm – 50mm layer of bentonite placed in the bottom of the trench to seal the bottom of the root barrier.
2. Rose Bandera and Christopher Charles Bandera will be responsible for all costs associated with the carrying out of the work as outlined in Order 1.
3. Anthony Steven Cook and Wendy Anne Cook must give Rose Bandera and Christopher Charles Bandera elected contractor access to their land to undertake the work outlined in Order 1, subject to Rose Bandera and Christopher Charles Bandera giving them three (3) days' notice or in the alternative, as agreed between the parties.
4. If Rose Bandera and Christopher Charles Bandera fail to undertake any of the work outlined in Order 1 ('the incomplete work'), Anthony Steven Cook and Wendy Anne Cook are entitled to engage their own suitable contractor with appropriate insurances (including public liability insurance) to carry out any incomplete work subject to Anthony Steven Cook and Wendy Anne Cook giving Rose Bandera and Christopher Charles Bandera fourteen (14) days written notice of their intention.
5. The cost incurred by Anthony Steven Cook and Wendy Anne Cook engaging their own contractor to undertake any of the incomplete work in default of Rose Bandera and Christopher Charles Bandera shall be recoverable from Rose Bandera and Christopher Charles Bandera as a debt without further notice being required to be given.

6. Rose Bandera and Christopher Charles Bandera must pay to Anthony Steven Cook and Wendy Anne Cook the sum of \$979.50, representing costs of the tree dispute, within 28 days.

Signed



A/Member J Dalling
Queensland Civil and Administrative Tribunal