

DECISION

Case number: NDR003-26
Applicant: Gregory Gavin McManus
Patricia Margaret McManus
Respondent: John Kismet Jashar

Before: Member Gaffney
Date: 22 July 2026
Proceeding type: Compulsory Conference
Initiating document: Application for a Tree Dispute – *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)*

Pursuant to s 84 of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld), in order to resolve the dispute in proceeding NDR003-26, it is ordered **by consent** that:

- (a) The Respondent must, within 60 days from the date of this Order, at his cost, remove:
 - i. the tree marked as '1' on the Annexure PMM-4 to the Affidavit of Patricia Margaret McManus filed on 5 June 2026, and
 - ii. the trunk of the three-trunked tree marked as '2' on Annexure PMM-4.
- (b) The Respondent must band the trees marked '1' through to '10' on Annexure PMM-5 to the Affidavit of Patricia Margaret McManus filed on 5 June 2026.
- (c) The Respondent carries out maintenance of the remaining parts of the tree marked as '3' and '4' on PMM-4 and the trees marked '1-15' on PMM-5 on a 6-monthly basis.
- (d) The Applicants pay to the Respondent within 14 days from the provision of an invoice from the maintenance contractor the amount of \$800.00 or 50% of the amount of the invoice, whichever is the lower.
- (e) The Applicants will file a Notice of Withdrawal in the Tribunal and provide a copy to the Respondent, and on receipt of that notice the proceeding will be de-listed.

Signed



Member Gaffney
Queensland Civil and Administrative Tribunal