

DECISION

Case Number: NDR149-12
Applicant/s: Mr Hans Banneck
Respondent/s: Mr Stuart Birch
Mrs Samantha Birch

Before: Ms Peta Stilgoe, Senior Member
Date: 13 March 2013
Proceeding Type: Directions Hearing
Initiating Document: Application for a tree dispute

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The registered owner of the lot at 11 Grenaside Court, Robina, Queensland 4226 (“the Tree Keeper”) arrange to have the following works carried out on the tree/s the subject of the dispute (“the Works”):
 - a. Remove the upper portion of the subject tree (1 x Ficus Bejamina – Weeping Fig) to a height not exceeding 1 metre above the height of the existing boundary fence; and
 - b. Poison the remaining tree portions (stems and roots) so that it does not re-shoot or continue to grow.
2. The Works are to be completed within 60 days of the date of the final agreement.
3. Part 1(a) of the Works must be carried out by an appropriately qualified arborist with a minimum AQF level 3 or equivalent.
4. Part 1(b) of the Works must be carried out by an appropriately qualified arborist with a minimum AQF level 4 or equivalent.

Signed

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 13 March 2013