

DECISION

Case number: NDR134-13

Applicants: Leonard Hohenhaus
Patricia Hohenhaus

Respondents: Jacques Meon
Margaret Meon

Before: J. Allen, Member

Date: 17 December 2013

The parties have agreed to the works necessary to resolve this dispute in accordance with their agreement.

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application for a tree dispute is dismissed.

Signed

J. Allen
Member
Queensland Civil and Administrative Tribunal

AGREEMENT

Case number: NDR134-13

Applicants: Leonard Hohenhaus
Patricia Hohenhaus

Respondents: Jacques Meon
Margaret Meon

Before: J. Allen, Member

Date: 17 December 2013

THE PARTIES AGREE THAT:

1. The registered owner of the lot at 68 Church Street BOONAH QLD 4310 (“the Tree-Keeper”) arrange to have the following works carried out on the tree/s the subject of the dispute (“the Works”):
 - (a) The overhanging branches of the respondent’s trees should be cut back to the dividing fence (or as close as practical).
 - (b) When dealing with the Moreton Bay Fig, the pruning wounds should not exceed 100mm in diameter.
 - (c) The work should be considerate of the natural shape and form of the trees and should not involve simply cutting back to a vertical line for the entire height of the tree. It is to be expected that ongoing maintenance will be required to keep the regrowth back. All debris will be removed from the applicant’s land and access will be required to do this.
 - (d) The surface roots of the Fig that are growing through the applicant’s lawn can be cut out or ground down below the surface of the lawn. The resulting holes may need to be refilled with garden soil and seeded to make good. This work must not extend to the buttress roots of the Fig. The work to be carried out by the Respondent’s arborist is to have the Applicant’s permission for access and attendance and with soil and lawn seed applied at the Respondent’s cost.
2. The Works must be completed within 60 days of the date of the final agreement.

Date: 17 December 2013

For more information on QCAT

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