

AGREEMENT

Case Number: NDR237-13
Applicant: Sharon Elizabeth Walczuk
Respondent: Gain Property Pty Ltd
Before: Member Allen
Date: 21 May 2014

THE PARTIES AGREE THAT:

1. The registered owner of the lot at 6 Miltiadis Street ACACIA RIDGE QLD 4110 (“the Tree-Keeper”) arrange to have the following works carried out on the trees the subject of the dispute (“the Works”):
 - (a) The 3 Lillypillys in question be reduced to approximately 8 feet as marked with green ribbon. ¹
 - (b) 2 limbs that have been marked with pink paint be removed completely. ¹
 - (c) The limbs over the car park edging be removed vertically to the line as marked by the green ribbon. Effectively this will then bring these Lillypillys into a hedge for continual maintenance. The tree keeper will maintain the trees as a hedge and program yearly trims to achieve this condition.
 - (d) The work is to be done by a company holding appropriate public liability insurances, work cover insurance and the standard of work must comply with Australian Standards. ²
 - (e) For the initial work, both parties agree to pay 50% of the bill for the work to these 3 trees. Both parties shall pay their 50% contribution to the tree company directly and maintain the receipt.
 - (f) Work shall be carried out within 1 month of having agreed quotes by both parties.
2. The Works must be completed within **60 days** of the date of the final agreement.

¹ shown in photos C, D, E and F.

² AS 4373-2007 *Pruning of amenity trees*.

DECISION

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

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application for a tree dispute is dismissed.

Signed

Member Allen
Queensland Civil and Administrative Tribunal