

DIRECTIONS

Case number: NDR131-17

Applicant: Matthew Hunter
Andrew Taylor

Respondent: Susan Patricia Strachan

Before: Senior Member Howard

Date: 28 June 2018

Proceeding type: Directions Hearing

Initiating document: Application for Consent Orders filed 27 June 2018

IN FULL AND FINAL SATISFACTION OF ALL CLAIMS AS RAISED IN THE DOCUMENTS FILED BY MATTHEW HUNTER AND ANDREW TAYLOR IN THESE PROCEEDINGS, THE TRIBUNAL ORDERS BY CONSENT THAT:


1. Susan Patricia Strachan arrange for the following works to be carried out at her expense:
 - (a) Reduce the height of each of the bamboo plants on her property situated at 7 Flagship Court, Castaways Beach QLD on the boundary line with the property owned by Matthew Hunter and Andrew Taylor at 9 Flagship Court, Castaways Beach QLD on or before 31 July 2018 or earlier;
 - (b)
 - i. The datum point of the highest trim must be the Northern end of the guttering on the Eastern side of Susan Patricia Strachan's property; and
 - ii. The trim is to follow a line at that height and parallel to the natural contours of the land along the Eastern boundary of Matthew Hunter and Andrew Taylor's land.
 - (c) There is to be a reasonable allowance of up to 50cm either side of the datum point in the height of the trim, and where possible, the bamboo is to be trimmed to the node closest to the datum point;
 - (d) Maintain the bamboo plants at that height on no less than an annual basis commencing 31 May 2019;
 - (e) All work required by Orders 1(a) and 1(d) is to be carried out by a qualified and insured AQF Level 3 arborist and in accordance with the applicable Australian Standard;
 - (f) The arborist may enter on to the Matthew Hunter and Andrew Taylors' property on the giving of reasonable notice for the purpose of removing any debris which falls onto Matthew Hunter and Andrew Taylors' property during the reduction of the height and maintenance of the bamboo plants required by Orders 1(a) and 1(d); and

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- (g) The arborist must on request by Matthew Hunter and Andrew Taylor produce evidence of the arborist's insurance referred to in Order 1(e).
2. Matthew Hunter and Andrew Taylor must allow access to their property at 9 Flagship Court, Castaways Beach QLD for the purpose of the work to be carried out in accordance with Orders 1(a) and 1(d).
3. Each party must pay their own costs of and incidental to this application.

Signed

Senior Member Howard
Queensland Civil and Administrative Tribunal