

DECISION

Case number: NDR105-25
Applicant: Mark Barry Cook
Liza Ellen Simkin
Respondent: Thomas John Simmons

Before: Member P Roney KC
Date: 29 MAY 2026
Delivered on date: 3 JUNE 2026
Proceeding type: Tribunal Hearing
Initiating document: Application for a tree dispute filed on 1 May 2025

THE TRIBUNAL DIRECTS THAT:

1. Upon the undertakings of the respondent to the Tribunal to continue to conduct maintenance on the stand of golden cane palms on the boundary line between the applicants' and the respondent's properties and to cut any fronds over hanging the boundary line, and to maintain the fibrous roots of the palms so that they did not interfere with the fence or cause any damage to the applicants' property, the application filed 28 April 2025 under the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld) is dismissed.
2. The parties have liberty to apply in respect of any other consequential or other orders which might be required to be made including to enforce the undertakings given by the respondent.

Signed



Member P Roney KC
Queensland Civil and Administrative Tribunal