

## DECISION

**Case number:** NDR039-12

**Applicant:** Mr Barry James McDonald

**Respondent:** Dr Lai Ho

**Before:** Ms Elizabeth Benson-Stott, Member

**Date:** 19 September 2012

**Proceeding Type:** Tribunal Hearing

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Lai Ho, the registered owner of the lot at 16 Curlew Crescent, Eagleby (“the Tree-Keeper”) will arrange for the removal of:
  - a. The *Syagrus Romanzoffiana* (trees 1 and 2 also known as Cocos Palm); and
  - b. The *Corymbia Tessellaris* (tree 3 also known as Moreton Bay Ash)the subject of this dispute (“the Works) and pay for their removal at his own cost.
2. The removal of the *Syagrus Romanzoffiana* (trees 1 and 2 also known as Cocos Palm) and the *Corymbia Tessellaris* (tree 3 also known as Moreton Bay Ash) is to be completed by an appropriately qualified and insured Arborist with a minimum qualification of an Australian Qualifications Framework Level 3.
3. Lai Ho will give Barry McDonald not less than 14 days notice in writing of the aborist’s intention to attend and remove the *Syagrus Romanzoffiana* (trees 1 and 2 also known as Cocos Palm) and the *Corymbia Tessellaris* (tree 3 also known as Moreton Bay Ash).
4. The removal of the *Syagrus Romanzoffiana* (trees 1 and 2 also known as Cocos Palm) and the *Corymbia Tessellaris* (tree 3 also known as Moreton Bay Ash) is to be carried out within 90 days of the date of this order.
5. Each party will bear their own costs to this proceeding.

Signed

Ms Elizabeth Benson-Stott  
Member  
**Queensland Civil and Administrative Tribunal**

Date: 19 September 2012

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