

DECISION

Case number: NDR047-13

Applicants: Mr Richard Searcy
Mrs Lorraine Searcy

Respondents: Mr John Jashar
Ms Nuria Baranano

Before: Mr Jim Allen, Member

Date: 29 May 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

Mr Jim Allen
Member
Queensland Civil and Administrative Tribunal

Date: 29 May 2013

AGREEMENT

Case Number: NDR047-13
Applicants: Richard Searcy & Lorraine Searcy
Respondents: John Jashar & Nuria Baranano
Date: 29 May 2013

THE PARTIES AGREE THAT:

1. The registered owner of the lot at 4 Schwartz Street BUDERIM QLD 4556 ("the Tree-Keeper") arrange to have the following works carried out on the tree/s the subject of the dispute ("the Works"):
 - (a) The bamboo planting adjacent to the shared fence with no. 6 Schwartz St be maintained to a height of 2.4 metres or less and that individual fast growing shooting colms are to be removed before they attain the height of 3 metres.
 - (b) That a trench be dug and maintained between the bamboo hedge and the shared fence to remove and prevent the encroachment of colms into the applicants' land.
2. The Works in:
 - (a) Item 1(a) are of an ongoing nature.
 - (b) Item 1(b) are to be completed within 60 days of the date of the final agreement.

Date: 29 May 2013

For more information on QCAT

Call 1300 753 228 or visit www.qcat.qld.gov.au
GPO Box 1639, Brisbane Qld 4001 Fax: 07 3221 9156
Email: enquiries@qcat.qld.gov.au ABN: 13 846 673 994

