

DECISION

Case number: NDR196-12
Applicant: Mr Cameron Fyfe
Respondent: Mr Giuseppe Camarda
Before: Professor Adrian Ashman, Member
Date: 18 July 2013
Proceeding Type: Hybrid Hearing
Initiating document: Application for a tree dispute filed 19 October 2012

IT IS THE DECISION OF THE TRIBUNAL THAT, BY CONSENT:

1. Mr Camarda will pay to Mr Fyfe the amount of Twelve Hundred and Fifty dollars (\$1,250) within 60 days toward the cost of removal of the tree roots that has been the subject of the application.
2. Mr Fyfe will have sole discretion as to choice of the contractor to be engaged to remove the tree roots.
3. Mr Camarda will allow access to the contractor and its equipment onto 248 Postle Street Acacia Ridge to perform the root removal works described in [1].
4. Mr Fyfe agrees not to seek any further cost from Mr Camarda in regard to the remove of the tree roots from Mr Fyfe's property or the removal and reinstatement of the boundary fence required during the process of removing the roots.
5. Mr Fyfe will not seek recovery of the Tribunal's fee for the present application.
6. Mr Fyfe will give Mr Camarda or his representative Twenty-Four hours (24) notice of the date upon which the root removal is proposed, and any further notice(s) required within the same period.
7. Mr Fyfe will ensure that any damage incurred as a result of the use of Mr Camarda's property for access for the proposed work will be rectified without cost to Mr Camarda.

Signed

Professor Adrian Ashman
Member
Queensland Civil and Administrative Tribunal

Date: 19 July 2013

For more information on QCAT

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