QCAT

Queensland Civil and Administrative Tribunal

DECISION

Case number:	**NDR042-26**
Applicant:	**Anthony William Vale** **Kelly Jayne Vale**
Respondent:	**Andrew Horn** **Joyellen Horn**
Before:	**Member Dennis**
Date:	**26 October 2026**
Proceeding type:	**Compulsory Conference**
Initiating document:	**Application for a tree dispute filed on 3 March 2026**

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

The parties having attended a compulsory conference of the Application for a tree dispute ('the Application') on 26 October 2026 and the parties having reached agreement to settle the matter ('the agreement') the following orders necessary to give effect to the agreement are made:

1. Within twelve (12) weeks of the date of these orders, the Respondents agree to perform the tree works ("the agreed tree works') on the Ficus benjamina (Weeping Fig) and Mangifera indica (Mango tree) located at 94 State Farm Road, Biloela QLD 4715, in accordance with the requirements of order two (2), below.
   If the selected arborist is unavailable to perform the agreed tree works within 12 weeks, a booking must be made/date secured no later than 18 January 2027 for the agreed tree works to be performed as soon as practicable on a date thereafter.

2. The agreed tree works are those identified in the Arboricultural Assessment report of Sam Carr prepared for the Tribunal under the heading "Conclusion and Recommendations", namely pruning and root barrier installation and should include the removal from site of all pruning and loppings, that are removed in consequence of these orders as required.

3. The agreed tree works are to be carried out by a suitably qualified arborist (as identified in the Arboricultural Assessment report of Sam Carr).

4. The cost of the agreed tree works is to be borne by the Respondents.

5. Each of the Applicants and the Respondents will afford all reasonable access to their respective properties, as may be required for the performance of the agreed tree works.

6. The Respondents will notify the Applicants in writing by email not less than 48 hours prior, of the date upon which the agreed tree works are to be carried out.

7. The Respondents are to pay directly to the plumber nominated by the Applicants ('the plumber'), a sum of $580, by way of contribution towards the cost of the replacement of the sewer drainage pipe at the Applicants' property.

8. The Applicants are to arrange for the plumber to issue to the Respondents by email an

invoice for the sum of $580 to be paid by the Respondents in accordance with direction 7 above. The remainder of the cost of the replacement of the sewer drainage pipe is to be borne by the Applicants.

9. The Respondents are to pay the sum of $580 to the plumber within 14 days of receipt of the invoice or in accordance with the terms of the invoice whichever is earlier.

10. The agreement and these orders are in full and final settlement of the Application and without any admission of liability.

11. The Application is dismissed.

Signed



Member Dennis
Queensland Civil and Administrative Tribunal