

DECISION

Case number: NDR218-22

Applicant: Rajesh Velineni Subramanyam
Lavanya Vadalmanni Kodhandiah

Respondent: Andrew Duncan Sinclair-Ford
Angela Elizabeth Sinclair-Ford

Before: Member Pearce

Hearing date: 24 June 2024

Delivered on: 5 December 2024

Proceeding type: Papers - MOU

Initiating document: Application for a tree dispute filed 4 November 2022

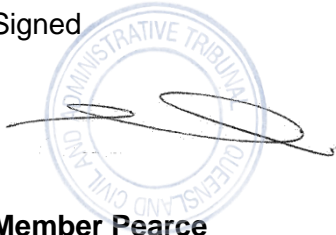
IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The tribunal orders the tree-keepers of Lot 7 RP 109391 to engage a suitably qualified arborist (minimum level III), with appropriate insurance coverage, to remove all accessible deadwoods greater than 25mm in diameter and the reduction pruning of the northern overhanging canopy of the single Gum Tree located on the norther boundary of the tree-keepers' property at 16 Marney Street, Chapel Hill Qld, 4069 as per an arborist's recommendations, with the first instance of the maintenance work to be undertaken within 28 days. The second instance of the maintenance work is to be undertaken within two years of the first and then is to be undertaken on an ongoing basis every two years thereafter.
2. At the time of undertaking such works the arborist engaged is to to monitor the future health and stability of this tree and provide advice to the tree-keepers regarding this.
3. The tribunal orders all tree debris to be removed from the applicants' / tree-keepers' property after the recommended pruning is performed.
4. The tribunal orders the tree-keepers to pay for all expenses associated with the carrying out of these orders.
5. The tribunal authorises a person, including the applicants (or successor in title) or person appointed by the applicants (or successor in title) to enter the tree-keepers' land to carry out these orders.
6. If the applicants (or successor in title) intend to enter the tree-keepers' property (Lot 7 RP 109391) to carry out these orders or engage consultants to do so, then the applicants (or successor in title) must first give 14 days' written notice to that effect to the tree-keepers, at the tree-keepers' last known address.
7. If the applicants (or successor in title) undertake work that should have been done by the tree-keepers pursuant to the terms of this order, and incur costs in doing so, then the tribunal orders the tree-keepers to reimburse the applicants (or

successor in title).

8. If the tree-keepers reconfigure Lot 7 RP 109391 (for example, through subdivision), then these orders continue to have effect over the property or properties created because of the reconfiguration.
9. These orders remain in force and effect for 10 years.

Signed

A handwritten signature in black ink is written over a faint, circular blue seal. The seal contains the text "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around the perimeter.

Member Pearce
Queensland Civil and Administrative Tribunal