

DECISION

Case number: NDR183-14
Applicant: Darryl Exelby
Respondent: Brian Joseph Clarke
Before: Member Coolican
Date: 7 September 2015
Proceeding Type: Compulsory Conference

THE TRIBUNAL DIRECTS THAT BY CONSENT:

1. Brian Joseph Clarke is to arrange removal of trees 1 – 9 as per the QCAT tree assessor's report by assessor WP Taylor dated 27 May 2015 to ground level and remove from the property.
2. Brian Joseph Clarke will obtain at least two quotes to remove the trees from his property at 19 Guthrie Close Bentley Park and will have the responsibility of choosing which arborist business to use for the felling and removal of the trees.
3. The quotes are to be obtained by suitably qualified arborists of AQF level 3 or higher as specified in the tree assessment report.
4. The quotes are to be provided to Darryl Exelby at his nominated address.
5. Darryl Exelby will pay to Brian Joseph Clarke half of the arborist's fee (as chosen by Brian Joseph Clarke) up to the maximum of **\$3,000.00** (three thousand dollars) including GST.
6. Darryl Exelby will pay to the respondent the specified sum in clause 5 within 7 days of being provided with the tax invoice from the arborist to Brian Joseph Clarke.
7. Any necessary council permits are to be obtained by Brian Joseph Clarke and the permits fee is to be included in the shared costs at clause 5.
8. Brian Joseph Clarke is responsible for any revegetation costs.
9. All work is to be completed and payments made within **90 days** of today's date.
10. The Directions Hearing listed for 24 September 2015 is vacated.
11. Each party is to bear their own costs of and incidental to this application.

Signed



Member Coolican
Queensland Civil and Administrative Tribunal