

DECISION

Case number: NDR140-23
Applicant: Kelly Maree Ross
Christopher Mitchell Ross
Respondent: Julie Lee
Christopher Luke Stefan
Before: Member Bishop
Date: 9 October 2024
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 20 December 2024, Julie Lee and Christopher Luke Stefan must:**
 - (a) target prune the epicormic shoots of the Poinciana Tree (identified as Tree 1 in Steven Richards' Tree Assessment Report dated 28 June 2024) (Tree 1) overhanging the parties common dividing fence back to the collars;
 - (b) target prune Tree 1's lopping stubs along the parties shared common boundary back to the collars to minimise the proliferation of epicormic growth; and
 - (c) raise the canopy on the northern periphery of Tree 1 by one (1) metre to facilitate light penetration in winter afternoons.
2. **Julie Lee and Christopher Luke Stefan must undertake pruning on Tree 1 every 18 months to maintain Tree 1's canopy shape. The first maintenance pruning must occur in the month of June 2026.**
3. **Julie Lee and Christopher Luke Stefan's must engage an arborist with a minimum qualification of Australian Qualification Framework level 3 in arboriculture with appropriate insurances (including Public Liability Insurance) to undertake the work on Tree 1 outlined in Order 1 and Order 2.**
4. **Kelly Maree Ross and Christopher Mitchell Ross, must allow Julie Lee and Christopher Luke Stefan elected level 3 arborist with appropriate insurances (including Public Liability Insurance) access to their land to undertake the work outlined in Order 1 and/or Order 2 subject to Julie Lee and Christopher Luke Stefan giving Kelly Maree Ross and Christopher Mitchell Ross three (3) days' notice.**
5. **Julie Lee and Christopher Luke Stefan will be responsible for all costs associated with undertaking the work outlined in Order 1 and Order 2.**

Signed


Member Bishop

Queensland Civil and Administrative Tribunal