

DECISION

Case number: NDR056-15
Applicant: Patricia Mitchell
Respondent: Ian Arthur Kelly, Gail Jane Kelly, Shawn Kelly
Before: Senior Member Brown
Date: 1 December 2015
Proceeding Type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Ian Arthur Kelly, Gail Jane Kelly, Shawn Kelly will undertake the following works (“the tree works”):
 - a. Directional pruning of *Spathodea campanulata* ‘African Tulip’ (refer to photo attachment 1) to reduce overhang of 3 Wellen Street, Bundamba in the state of Queensland;
 - b. Crown lift on the western side of the African Tulip to 6 metres, to allow greater sunlight penetration into the Neighbour’s yard and dwelling;
 - c. Crown lift on the eastern side of *Araucaria cunninghamii* ‘Hoop Pine’ (refer to photo attachment 2) to a height of 6 metres including the removal of whole branches back to the trunk;
 - d. Remove the lowest major limb on the eastern side of *Spathodea campanulata* ‘African Tulip’ (refer to photo attachment 3) overhanging 3 Wellen Street, Bundamba;
 - e. Remove the lowest limb on the eastern side of *Celtis sinensis* ‘Chinese Elm’ (refer to photo attachment 4) extending entirely over 3 Wellen Street, Bundamba and into the property to the North-East;
 - f. Further directional pruning ‘Chinese Elm’ to reduce overhang of 3 Wellen Street, Bundamba.
2. Ian Arthur Kelly, Gail Jane Kelly, Shawn Kelly will undertake the tree works every three (3) years (“the subsequent works”).
3. The tree works and the subsequent works must be carried out:
 - a. In accordance with Australian Standard 4373-2007 “*Pruning of Amenity Trees*”; and
 - b. By an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture.
4. The tree works must be completed within 60 days of the date of this decision.
5. Ian Arthur Kelly, Gail Jane Kelly, Shawn Kelly will be responsible for the cost of the tree works and the subsequent works.

Signed

Senior Member Brown
Queensland Civil and Administrative Tribunal