

## DECISION

**Case Number:** NDR001-12

**Applicant:** Michael Tyson

**Respondent:** Robert Davis and Denise Davis

**Before:** Peta Stilgoe, Senior Member

**Date:** 24 October 2012

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Directions Hearing listed for 14 November 2012 is vacated.

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

1. The registered owner of the lot at 165 Victoria Avenue MARGATE QLD 4019 ("the Tree-Keeper") arrange to have the following works carried out on the tree the subject of the dispute ("the Works"):
  - (a) Removal of the low northern secondary limb (refer to Attachment A).
  - (b) Further directional and reduction pruning in the upper canopy to reduce the size of the limbs overhanging the property at 167 Victoria Avenue, MARGATE QLD 4019 ("the Neighbour").
  - (c) Dead-wood directional pruning to reduce all dead-wood (<30mm) overhanging the Neighbour's property.
2. The Works are to be carried out in accordance with Australian Standard 4373-2007 *Pruning of Amenity Trees*.
3. The Works are to be carried out by a minimum Australian Qualifications Framework level three (3) qualified arborist.
4. The Works are to be completed within 60 days of the date of this decision.

Peta Stilgoe  
Senior Member  
**Queensland Civil and Administrative Tribunal**

Date: 24 October 2012

**For more information on QCAT**

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## Attachment A



Figure 3. – showing lower secondary limb to be removed

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