

DECISION

Case Number: NDR078-12
Applicant: Peter Hanson
Respondent: Lucy Zehonos
Before: Peta Stilgoe, Senior Member
Date: 7 November 2012

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The registered owner of the lot at 64 Ormonde Road, YERONGA QLD 4104 (“the Tree-Keeper”) arrange to have the following works carried out on the trees the subject of the dispute (“the Initial Works”):
 - (a) The *Opuntia sp* – Prickly Pear be removed (refer to Attachment A).
 - (b) The *Dypsis lutesens* – Golden Cane Palm located at the northern end of the garden be pruned back to a minimum distance of 1.2 metres away from the dwelling at 62 Ormonde Road, YERONGA QLD 4104 (“the Neighbour”) (refer to Attachment B).
2. The Tree-Keeper arrange to have the following works carried out on the trees the subject of the dispute (“the Subsequent Works”):
 - (a) The *Dypsis lutesens* – Golden Cane Palm located at the end of the garden be maintained every 3-4 months by pruning back to a minimum distance of 1.2 metres away from the Neighbour’s dwelling.
3. The Initial Works and the Subsequent Works are to be carried out by a minimum Australian Qualifications Framework level three (3) and appropriately insured arborist.
4. The Initial works to be completed within 60 days of the date of this decision.

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 7 November 2012

For more information on QCAT

Call 1300 753 228 or visit www.qcat.qld.gov.au
GPO Box 1639, Brisbane Qld 4001 Fax: 07 3221 9156
Email: enquiries@qcat.qld.gov.au ABN: 13 846 673 994



Attachment A



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Attachment B



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