

## DECISION

<b>Case number:</b>	<b>NDR226-12</b>
<b>Applicant:</b>	<b>Latimer Clarke Corporation Pty Ltd ATF Latimer Clarke Family Trust</b>
<b>Respondent:</b>	<b>Murray Allen &amp; Sabina Allen</b>
<b>Before:</b>	<b>Mr Jim Allen, Member</b>
<b>Date:</b>	<b>10 April 2013</b>
<b>Proceeding Type:</b>	<b>Directions Hearing</b>

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IT IS THE DECISION OF THE TRIBUNAL THAT BY CONSENT:

1. The registered owner of the lot at 10 Kerrydan Street, HOLLAND PARK WEST QLD 4121 ("the Tree-Keeper") arrange to have the following works carried out on the tree the subject of the dispute ("the Initial Works"):
  - (a) The *Tipuana tipu* (Race Horse Tree) be pruned back to almost the boundary line by removing 2 water shoots at the base of the tree, 2 second order branches and some light weight reduction as identified in Attachment A.
2. The Tree-Keeper arrange to maintain the tree by repeating the Initial Works every 3 to 4 years ("the Subsequent Works").
3. The Initial Works and the Subsequent Works must be completed:
  - (a) By an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture; and
  - (b) In accordance with Australian Standard 4373-2007 "*Pruning of Amenity Trees*".
4. The Works must be completed within 90 days of the date of this decision.

Signed

Mr Jim Allen  
Member  
**Queensland Civil and Administrative Tribunal**

Date: 10 April 2013

**For more information on QCAT**

Call 1300 753 228 or visit [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)  
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## Attachment A



*Removal of 2 water shoots from the lower limb*



*Removal of 2 second order branches above the main union will remove the main overhang into the applicants property. This will also maintain the remainder of the tree in good balance.*



*Crown that will be removed as result of the pruning*



*Light weight reduction of the crown will reduce the overhang into 16 Flynn Street and will help to maintain form.*

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