

## DECISION

**Case Number:** NDR145-13  
**Applicant:** Body Corporate for York Court CTS 20282  
**Respondent:** David Manciameli  
**Before:** Member Allen  
  
**Date:** 24 February 2014  
**Initiating Document:** Proposed agreement dated 6 February 2014

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The parties have agreed to the works necessary to resolve this dispute in accordance with their agreement.

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application for a tree dispute is dismissed.
2. The Directions Hearing scheduled for 9:30am on 20 March 2013 is vacated.

Signed

Member Allen  
**Queensland Civil and Administrative Tribunal**

## AGREEMENT

**Case Number:** NDR145-13  
**Applicant:** Body Corporate for York Court CTS 20282  
**Respondent:** David Manciameli  
**Before:** Member Allen  
**Date:** 24 February 2014

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The registered owner of the lot at 19 Kent Street, COORPAROO QLD 4151 (“the Tree-Keeper”) arrange to have the following works carried out on the trees the subject of the dispute (“the Initial Works”):
  - (a) The palms along the joint fence line are to be pruned back at the base one (1) metre from the fence to give space for the palms to grow in a vertical direction with some variation so not to be pushing against the fence and allow for foliage to form without excessive overhang.
  - (b) The Tuckeroo tree is to have some minor pruning to the upper limbs and reduce back to a suitable growth point along the limb (refer to Attachment A).
2. The Tree-Keeper arrange to carry out the works identified in paragraph 1(a) every twelve (12) months.
3. The Initial Works must be carried out:
  - (a) By an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture;
  - (b) In accordance with Australian Standard 4373-2007 “*Pruning of Amenity Trees*”; and
  - (c) Within 14 days of the date of this agreement.
4. The parties agree that the application is dismissed.

Member Allen  
**Queensland Civil and Administrative Tribunal**

**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



### 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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