

## DECISION

**Case number:** NDR188-17  
**Applicant:** Dharsala Anthony  
**Respondent:** Laurie Kapitzke, Bronwyn Kapitzke

**Before:** Member Barker-Hudson

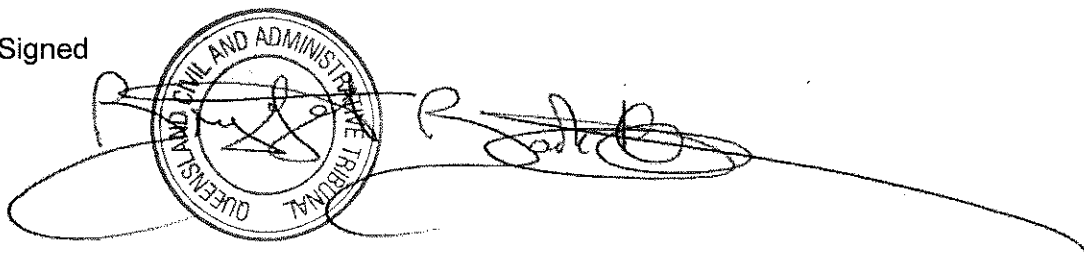
**Date:** 22 June 2020  
**Proceeding Type:** Tribunal Hearing

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### IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Laurie and Bronwyn Kapitzke, the registered owners of the Lot at 4 Maguire Street, Andergrove, Mackay Qld, will arrange to have these works carried out on the trees the subject of this dispute:
  - (a) The large branch on the tree marked "2" on the Arborists sketch be removed;
  - (b) The large branch on the tree marked "3 " on the Arborists sketch be removed;
  - (c) Palm "1" on the Arborists sketch be removed; and
  - (d) Following removal of Palm "1," if Palm "2" poses any risk to the power supply to Dharsala Anthony's house, Palm 2 be removed.
2. All works are to comply with the requirements of Australian Standard 4373-2007 *Pruning of amenity trees*.
3. All works to be completed by an appropriately qualified and insured arborist with a minimum qualification of Australian Qualification Framework level 3.
4. All works to be at the cost of Laurie and Bronwyn Kapitzke.
5. Dharsala Anthony will allow the arborist reasonable access to her property to perform the works with Laurie and Bronwyn Kapitzke giving her seven (7) days' written notice.
6. All works to be carried out within 90 days of the date of this order.

Signed

The image shows a circular seal of the Queensland Civil and Administrative Tribunal (QCAT) with a handwritten signature in black ink over it. The signature is written in a cursive style and extends across the seal and to the right. The seal contains the text 'QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL' around the perimeter.

**Member Barker-Hudson**  
**Queensland Civil and Administrative Tribunal**