

DIRECTIONS

Case number: NDR212-25
Applicant: Laurence Somerset
Respondent: ODALMONT PTY LTD

Before: Member Howe
Date: 6 August 2026
Proceeding type: Compulsory Conference

THE TRIBUNAL DIRECTS THAT:

1. ODALMONT PTY LTD is joined as respondent to the proceeding.
2. Stiina Leinonen is removed as respondent to the proceeding.

THE TRIBUNAL DIRECTS, BY CONSENT, THAT:

3. The respondent tree-keeper shall prune the Eucalyptus tree on its land at 38 Abingdon Street, Woolloongabba as recommended in the tree assessor's report ('the work') dated 31 May 2026, a copy of which is attached to this Order.
4. The work is to be undertaken by a suitably qualified tree lopper with appropriate insurance cover under the supervision of a suitably qualified arborist at the cost of the tree-keeper.
5. The arborist, in the course of performing the works, shall additionally prune any branches overhanging the common boundary from the tree-keeper's land extending into the applicant land to the line of the common boundary.
6. The work shall be completed within 60 days from the date hereof.
7. Should that work not be completed within that time the applicant shall be entitled to have the work performed by a suitably qualified tree lopper with appropriate insurance cover under the supervision of a suitably qualified arborist, and they shall be entitled to enter the tree-keeper's land to carry out the work, subject to the applicant giving 14 days written notice of that intention to the tree-keeper at the tree-keeper's last known address.
8. The costs incurred by the applicant engaging a tree lopper and arborist to do the work in default of the tree-keeper shall be recoverable from the tree-keeper as a debt without further notice or claim being required to be given.
9. The tree-keeper shall ensure a suitably qualified tree lopper with appropriate insurance cover under the supervision of a suitably qualified arborist attends and prunes the Eucalyptus tree referred to in Order 3 to the common boundary every 36 months after the tree is first pruned in accordance with Order 3, Order 4 and Orders 6 to 11 also applying to those subsequent attendances.
10. The tree-keeper and any tree lopper or arborist engaged by the tree-keeper to perform this

work shall be entitled to enter the applicant's land at 3 Ross Street, Woolloongabba, subject to 24 hours written notice being given of the work to be done.

11. A suitably qualified arborist shall be someone with a minimum qualification of Australian Qualification Framework (AQF) level 5 in arboriculture.
12. The respondent tree-keeper shall also engage a fencing contractor with appropriate Queensland Building and Construction Commission licensing to effect repairs to the damaged dividing fences on the applicant's land as identified in the attached arborist's report within 60 days from the date hereof, with repair of the damaged dividing fence other than that of the common boundary between the applicant and respondent tree-keeper being subject to the applicant obtaining the adjacent owner's permission in writing for the fencing contractor to enter that person's land to effect repairs if necessary.
13. Should the fencing work not be completed within 60 days the applicant shall be entitled to have the work performed by a suitably qualified fencing contractor with appropriate Queensland Building and Construction Commission licensing, and the contractor shall be entitled to enter the tree-keeper's land to carry out the work, subject to the applicant giving 14 days written notice of that intention to the tree-keeper at the tree-keeper's last known address.
14. The costs incurred by the applicant engaging a fencing contractor to perform the fencing work in default of the tree-keeper shall be recoverable from the tree-keeper as a debt without further notice or claim being required to be given.
15. These orders shall remain in force and effect for a period of 10 years from the date hereof.
16. The respondent tree-keeper shall pay the applicant costs of \$992.40 within 30 days of the date hereof.

Signed

A handwritten signature in black ink is written over a circular official seal. The seal contains the text 'QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL' around the perimeter. The signature is stylized and extends across the seal.

Member Howe
Queensland Civil and Administrative Tribunal