

## DECISION

**Case number:** NDR139-13  
**Applicant:** Ronald William Coutts  
**Respondent:** Ian MacDonald  
**Before:** J. Allen, Member  
**Date:** 8 October 2013

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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.

Signed

J. Allen  
Member  
**Queensland Civil and Administrative Tribunal**

## AGREEMENT

**Case number:** NDR139-13  
**Applicant:** Ronald William Coutts  
**Respondent:** Ian MacDonald  
**Before:** J. Allen, Member  
**Date:** 8 October 2013

### THE PARTIES AGREE THAT:

1. The registered owner of the lot at 80 Wickham Street AYR QLD 4807 (“the Tree-Keeper”) arrange to have the following works carried out on the tree/s the subject of the dispute (“the Initial Works”):
  - (a) The *Macadamia integrifolia* or commonly known as a macadamia nut is to be pruned back to branch unions within the tree-keepers property by using directional pruning techniques.
  - (b) The *Melaleuca leucadendra* or commonly known as the paper bark is to be pruned back to branch unions within the tree-keepers property by using directional pruning techniques.
  - (c) The *Casuarina cunninghamina* or commonly known as the she-oak is to be pruned back to branch unions within the tree-keepers property by using directional pruning techniques.
  - (d) Exposed roots from the *Alstonia scholaris* or commonly known as the milky pine are to be cleanly cut from the property at 150 Edwards Street, AYR, Qld (“the neighbour”), back inside of the tree-keepers property. The remaining wood tissue is to be removed from the lower section of the weldmesh fence panel and the fence panel to be refastened to the post.
2. A yearly maintenance check on the trees the subject of the dispute (including the *Alstonia scholaris*) to assess for overhanging branching. Any branching of which is overhanging by more than 50 mm is to be pruned back to within the tree-keepers property (“the Subsequent Works”).
3. The Initial Works must be carried out within 60 days of the date of the final agreement.

Date: 8 March 2013

#### For more information on QCAT

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