

DECISION

Case Number: NDR048-12
Applicant: John Kelly
Respondent: Christopher Somerville and Helen Somerville
Before: Peta Stilgoe, Senior Member
Date: 28 November 2012

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Tribunal directions dated 10 October 2012 are vacated.

IT IS THE DECISION OF THE TRIBUNAL THAT, BY CONSENT:

1. The registered owner of the lot at 6 Gable Street, STAFFORD HEIGHTS QLD 4053 ("the Tree-Keeper") arrange to have the following works carried out on the tree the subject of the dispute ("the Initial Works"):
 - (a) Crown clean i.e. remove any major deadwood and cut back any significant branch stubs.
 - (b) Cut back the main branches (refer to Attachment A) that overhang the garden of the lot at 16 Chaplin Street, STAFFORD HEIGHTS QLD 4053.
2. The Tree-Keeper arrange to have the following works carried out on the tree the subject of the dispute ("the Subsequent Works"):
 - (a) Perform biannual inspections.
3. The Initial Works to be carried out within 60 days of the date of this decision.
4. Any pruning works must be carried out in accordance with Australian Standard 4373-2007 – *Pruning of Amenity Trees*.
5. The Initial Works to be carried out by an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3.
6. The Subsequent Works to be carried out by an appropriately insured arborist with a minimum of Australian Qualifications Framework level 5.

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 28 November 2012

For more information on QCAT

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Attachment A



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