

## DECISION

**Case number:** NDR113-13  
**Applicant:** Reuban Phillip Watson  
**Respondent:** Nilotpal Barua  
**Before:** Adjudicator Trueman  
**Date:** 2 May 2014  
**Proceeding Type:** Hybrid Hearing

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Mr Nilotpal Barua, the registered owner of the lot at 4 Government Road, Labrador QLD 4215 ("the Tree Keeper") must arrange to have the following works carried out on the tree/s the subject of the claim ("the works") by:
  - (a) clearing of vines from the stem of the glochidion ferdinandi (Cheese Tree),
  - (b) removal of 1 limb from the Acacia sp. (Wattle tree) within 60 days.
2. Mr Nilotpal Barua, the registered owner of the lot at 4 Government Road, Labrador QLD 4215 must arrange for the removal of the limb with the location of the final cut as detailed on page 5 of the arborist tree assessment report dated 10 October 2013 at his own cost.
3. The pruning of the Acacia sp. (Wattle tree) is to be completed by an appropriately qualified and insured arborist with a minimum qualification of an Australian Qualifications Framework level 3.
4. Mr Reuban Phillip Watson shall take all reasonable steps to ensure compliance with s.94 of the *Neighbourhood Dispute (Dividing Fences and Trees) Act 2011* by:-
  - (a) directing the arborist to provide notice of their intention to enter the land and carry out the relevant work, at least seven days prior to entering the land, to:
    - i. The owner of the land; and
    - ii. Any lessee of the land that they are aware ofand
  - (b) directing the arborist to enter the land for the purpose of completing the work only at a reasonable time and only to a reasonable extent needed to carry out the work.
5. The pruning of the Acacia sp. (Wattle tree) and the clearing of the vines must be carried out within 60 days of the date of this order.

Signed

**Adjudicator Trueman**  
**Queensland Civil and Administrative Tribunal**