

## DECISION

**Case number:** NDR103-23  
**Applicant:** Emily Madden  
**Respondent:** Brian Fletcher  
Jodene Fletcher  
**Before:** Member Bishop  
**Date:** 17 April 2024  
**Proceeding type:** Directions Hearing

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IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 16 August 2024**, the Respondents, **Brian Fletcher** and **Jodene Fletcher**, must prune the Leopardwood Tree (identified as Tree 1 in Mr Richards' Tree Assessment Report dated 29 December 2023) to:
  - (a) undertake a complete canopy clean - including removal of dead or dying limbs, removal of crossing and rubbing branches and internal canopy thinning; and
  - (b) undertake raising for clearance and subduction pruning in the upper canopy to suppress elongation on the western extent (a canopy lift and reduction to the canopy extending onto the Applicant's, **Emily Madden's**, land.)<sup>1</sup>
2. The Respondents, **Brian Fletcher** and **Jodene Fletcher**, must engage an arborist, with a minimum qualification of Australian Qualification Framework level 3 and appropriate insurances, to undertake the work outlined in Order 1 and to formulate an ongoing maintenance and pruning schedule for Tree 1 (the Schedule).
3. The Respondents, **Brian Fletcher** and **Jodene Fletcher**, must engage a contractor with appropriate insurances to undertake the Schedule for Tree 1.
4. The work outlined in Order 1, Order 2 and Order 3 will be at the cost of the Respondents, **Brian Fletcher** and **Jodene Fletcher**.
5. The Applicant, **Emily Madden**, must allow the Respondents', **Brian Fletcher's** and **Jodene Fletcher's**, elected arborist or elected contractor with appropriate insurances, access to her land to undertake the work outlined in Order 1, Order 2 and Order 3 subject to three (3) days' notice or as agreed between the parties.

Signed



**Member Bishop**  
Queensland Civil and Administrative Tribunal

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<sup>1</sup> The Respondents', Brian Fletcher and Jodene Fletcher, may wish to provide their elected arborist or contractor a coloured photocopy of Mr Richards' Tree Assessment Report dated 29 December 2023 to assist in undertaking the work outlined in Order 1, Order 2 and Order 3.