

DECISION

Case Number: NDR043-12
Applicant: David John Fry
Respondent: Jeffrey Edan Cunningham
Before: Peta Stilgoe, Senior Member
Date: 23 November 2012

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Directions Hearing listed for 4:00pm on 12 December 2012 is vacated.
2. The registered owner of the lot at 85 Main Street PARK AVENUE QLD 4701 (“the Tree-Keeper”) arrange to have the following works carried out on the tree the subject of the dispute (“the Initial Works”):
 - (a) Prune bamboo (clear to sky) above the fence; and
 - (b) Remove all bamboo culms within 300mm of the fence.
3. The Tree-Keeper arrange to have the following works carried out on the tree the subject of this dispute (“the Subsequent Works”):
 - (a) Reinspect growth every six (6) months and prune offending culms if necessary; and
 - (b) Annually repeat pruning activities as per the Initial Works.
4. The Initial Works and Subsequent Works must be carried out:
 - (a) In accordance with Australian Standard 4373-2007 – Pruning of Amenity Trees; and
 - (b) An appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture.
5. The Initial Works must be completed within 60 days of the date of this decision.

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 23 November 2012

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Call 1300 753 228 or visit www.qcat.qld.gov.au
GPO Box 1639, Brisbane Qld 4001 Fax: 07 3221 9156
Email: enquiries@qcat.qld.gov.au ABN: 13 846 673 994

