

DECISION

Case Number: NDR136-12

Applicants: Jocelyn William Francis De Wolfe De Wytt

Respondents: Gilbert Hosier & Fiona Hosier

Before: Bevan Hughes, Member

Date: 17 April 2013

Proceeding Type: Tribunal Hearing

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

1. The registered owner of the lot at 4 Holmes Street, TOOWONG QLD 4066 (“the Tree-Keeper”) arrange to have the following works carried out on the tree the subject of the dispute (“the Initial Works”):
 - (a) The Jacaranda tree to be pruned in line with the boundary fence so that the core is sustained and the tree is balanced.
 - (b) Dead wooding required in the lower crown and the exposed stub ends to be collar pruned. Limbs identified in Attachment A.
2. The Tree-Keeper arrange to have a follow up inspection on the Jacaranda tree the subject of the dispute on October 2013 and every year thereafter (“the Subsequent Works”).
3. The Initial Works must be carried out:
 - (a) In accordance with Australian Standard 4373-2007 – *Pruning of Amenity Trees*;
 - (b) By an appropriately insured arborist with a minimum of Australian Qualifications Framework (AQF) level 3 in Arboriculture under the supervision of an arborist with an AQF level 5 in Arboriculture; and
 - (c) Within 90 days of the date of the final agreement.
4. The subsequent works must be carried out by an appropriately insured arborist with a minimum of AQF level 5 in Arboriculture.
5. The Tree-Keeper must give the applicant at least 48 hours notice prior to having the Initial Works and any future works carried out.

For more information on QCAT

6. The applicant must provide necessary access to the arborist hired by the Tree-Keeper for the Initial Works and any future works to be carried out.
7. Each party pay their own cost of and incidental to the Application.

Bevan Hughes
Member
Queensland Civil and Administrative Tribunal

Date: 17 April 2013

Attachment A



For more information on QCAT

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