

DECISION

Case number: NDR240-13
Applicant: Alexander Theologidis
Respondent: David Rodney Wilesmith & Eileen Margaret Jackson
Before: Member Browne
Date: 8 October 2014
Proceeding Type: Hybrid Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The registered owner of the lot at 47 Maine Road, CLONTARF QLD 4019 (“the Tree Keeper”) arrange to have the following works carried out on the trees the subject of the dispute (“the tree works”):
 - (a) the removal of the *Tipuana tipu* to ground level and poisoned;
 - (b) the removal of 6 to 8 of the tallest stems of the *Caryota mitis* to ground level;
 - (c) the pruning of all fronds from the *Archontophoenix alexandrae*, the *Caryota mitis* and the *Livistona australis* overhanging the fence line;
 - (d) the dead-wood and directional pruning on the southern side of the *Eucalyptus major* including:
 - i. the removal of the two lowest 1st order limbs overhanging the property at 45 Maine Road, CLONTARF;
 - ii. the removal of one 2nd order lateral limb growing parallel with the rear boundary of the property at 45 Maine Road, CLONTARF;
 - iii. dead-wood pruning of the crown overhanging the property at 45 Main Road, CLONTARF.
 - (e) the removal of the lowest 1st order limb from the *Glochidion ferdinandi* overhanging the property at 45 Maine Road, CLONTARF.
2. The registered owner of the property at 45 Maine Road, CLONTARF will give access to the arborist engaged by the Tree Keeper to carry out the tree works.
3. The Tree Keeper to arrange to have ongoing maintenance tree works carried out every 48 months on the *Eucalyptus major* by dead-wood and directional pruning on the southern side of the *Eucalyptus major*.

4. The Tree Keeper agrees to be responsible for the financial cost of the tree works.
5. The Tree Keeper to arrange for the initial tree works to be completed within 60 days of this order.
6. The tree works must be carried out in accordance with the following:
 - (a) by an appropriately insured arborist with a minimum of Australian Qualification Framework (AQF) Cert V Arborist, or an AQF III Arborist supervised by an AQF Cert V Arborist.
 - (b) pruning/removal works shall be carried out by a minimum AQF Cert V Arborist to Australian Standard AS 4273-2007 – Pruning of amenity trees, or an AQF III Arborist supervised by an AQF Cert V Arborist.

Signed

Member Browne
Queensland Civil and Administrative Tribunal