

DECISION

Case Number: NDR059-14
Applicant: Fernando Rabago
Respondent: Charlie Cutajar
Before: Senior Member Stilgoe OAM
Date: 9 March 2015
Initiating Document: Proposed agreement

The parties have agreed to the works necessary to resolve this dispute in accordance with their agreement.

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application for a tree dispute is dismissed.

Signed

Senior Member Stilgoe OAM
Queensland Civil and Administrative Tribunal

AGREEMENT

Case Number: NDR059-14
Applicant: Fernando Rabago
Respondent: Charlie Cutajar
Before: Senior Member Stilgoe OAM

Date: 9 March 2015

THE PARTIES AGREE THAT:

1. The registered owner of the lot at 7 Jada Court SLACKS CREEK QLD 4127 (“the Tree-Keeper”) arrange to have the following works carried out on the tree/s the subject of the dispute :
 - (a) Tree 1 – *Syzygium – Lilly Pilly* reduction of over hanging branches (up to 3.9m) over the applicants boundary and shed roof back to the property boundary with corrective pruning of the previously lopped limbs back to the branch collars or nearest branch union. The lopped limbs on the tree keepers side be correctively pruned back to the branch collars or nearest branch union to help balance the overall east west canopy mass (the Works).
 - (b) The Works are to be carried out every 2 years to prevent regrowth from over hanging the boundary and shed roof again (Subsequent Works).
2. The Works and Subsequent Works must be carried out by an Australian Qualification Framework (AQF) Level 3 Arborist who is appropriately insured.
3. All pruning works must be carried out in accordance with Australian Standard AS 4373-2007.

Signed

Senior Member Stilgoe OAM
Queensland Civil and Administrative Tribunal