

DECISION

Case Number: NDR068-12
Applicant: Michelle Anderson
Respondent: Jeff Mabb
Before: Peta Stilgoe, Senior Member
Date: 19 February 2013
Proceeding Type: On-Papers Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The registered owner of the lot at 8 Leo Street MOUNT ISA QLD 4825 (“the Tree-Keeper”) arrange to have the following works carried out on the trees the subject of the dispute (“the Initial Works”):
 - (a) Canopy reduction to remove overhanging branches of the front Fiddlewood tree to give a two (2) metre clearance from the gutter line/roofline of the dwelling located on 6 Leo Street MOUNT ISA QLD 4825 (“the Neighbour”).
 - (b) Canopy reduction to remove overhanging branches of the Kaffir Plum tree to give a two (2) metre clearance from the gutter line/roofline of the Neighbour’s dwelling.
2. The Tree-Keeper arrange to carry out on going maintenance on the trees the subject of the dispute by inspecting and pruning every two (2) years (“the Subsequent Works”).
3. The Initial Works and Subsequent Works be carried out by an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3 in Arboriculture.
4. The Initial Works to be completed within 60 days of the date of this decision.

Peta Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

Date: 19 February 2013

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

