

DECISION

Case number: NDR108-12
Applicant: James Kenton Porteous
Respondent: Victor Poznik
Before: Graham Quinlivan, Member
Date: 11 March 2013
Proceeding Type: Compulsory Conference

That in consideration of James Porteous withdrawing his claim seeking the removal of the mature Monterey Pine (see attachment T3):

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

1. The registered owner (Victor Poznik) of the lot at 12 Poznik Close, Bracken Ridge, Qld will arrange to have the following works carried out on the trees the subject of the dispute:
 - (a) Directional pruning of the following trees to remove any overhanging foliage to approximately 1 metre behind the fence line to the Respondent's property:
 - 1 mature Tipuana (see attachment TG2)
 - Golden Cane Palms (with discretion)
 - Triangle Palm (with discretion)
 - Revolution Green Melaleuca
 - 2 large Tipuana Saplings (TG1)
2. The Respondent arrange ongoing maintenance on the following trees at an interval of 18 months to ensure all foliage is kept at approximately 1 metre behind the fence line to the Respondent's property:
 - 1 mature Tipuana (see attachment TG2)
 - Golden Cane Palms
 - Triangle Palm
 - Revolution Green Melaleuca
 - 2 large Tipuana Saplings (TG1)

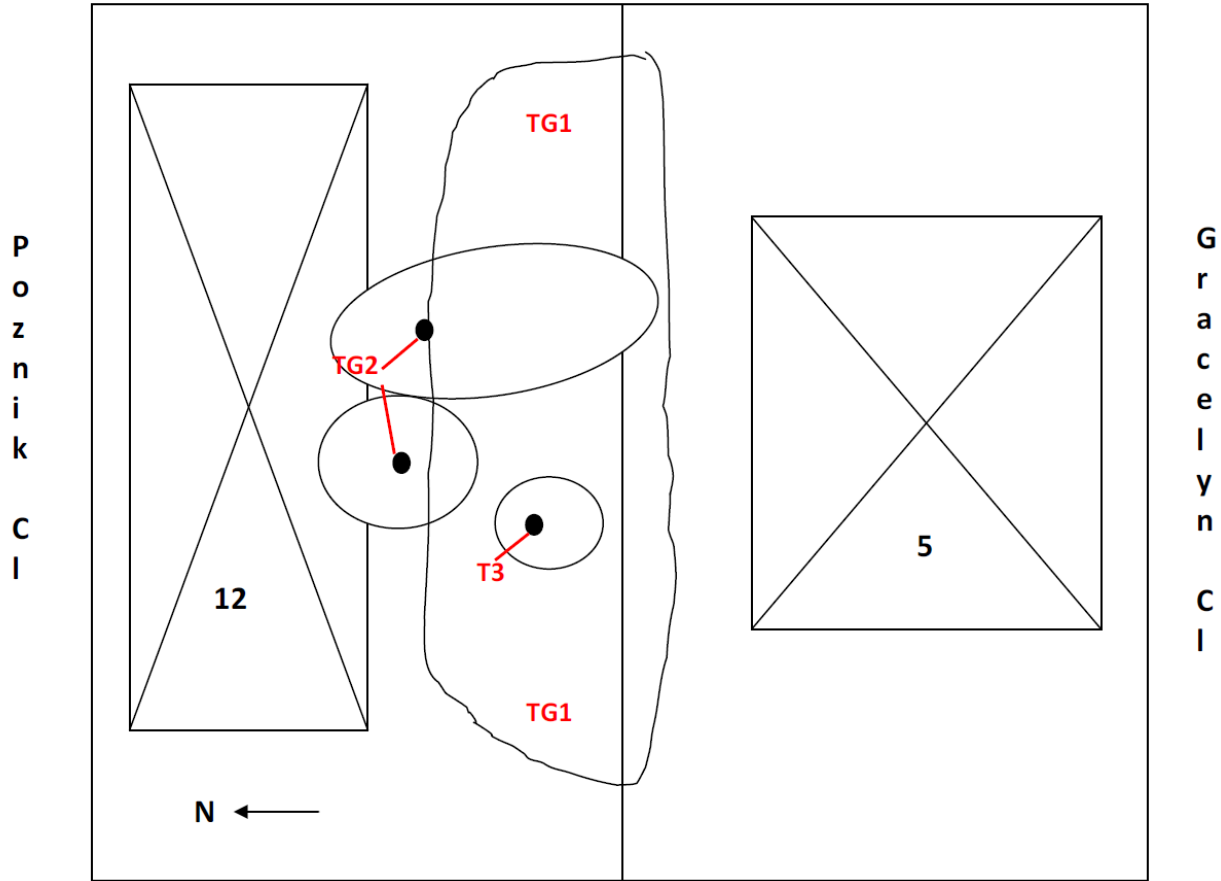
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3. The works are to be carried out initially by the Respondent and then completed:
 - (a) In accordance with Australian Standard 4373-2007, *Pruning of Amenity Trees*; and
 - (b) By an appropriately insured arborist with a minimum of Australian Qualifications Framework level 3.
4. The works are to be completed within 30 days of the date of this decision by consent.
5. The Applicant will give access to his property at 5 Gracelyn Close, Bracken Ridge, Qld to the arborist to carry out the pruning works and removal of the cuttings.

Graham Quinlivan
Member
Queensland Civil and Administrative Tribunal

Date: 11 March 2013

Attachment A



For more information on QCAT

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