

DECISION

Case number:	NDR001-13
Applicant:	Jeffrey Arthur O'Sullivan & Alison Clare O'Sullivan
Respondent:	Ms Judith Anne Stephenson
Before:	Ms Susan Gardiner, Member
Date:	9 July 2013
Proceeding Type:	Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT BY CONSENT:

1. The registered owner of the lot at 9 Bartle-Frere Street, ASPLEY QLD 4034 ("the Tree-Keeper") arrange to have the following works carried out on the tree/s the subject of the dispute ("the Initial Works")
 - (a) Minor directional and formative pruning on the *Corymbia citriodora subsp. Variegata* (T3) ("Spotted Gum") in order to reduce the lower eastern canopy overhanging the Applicants' dwelling (see attachment A for specific limbs targeted for removal).
2. The Tree-Keeper arrange to have maintenance works carried out on the Spotted Gum (T3) every 3 and a half years in order to maintain the lower canopy behind the fence line ("the Subsequent Works")
3. It may be necessary to assess the *Eucalyptus propinqua* – Small-fruited Grey Gum identified as T1 in Attachment B and the Spotted Gum identified as T2 in Attachment B at the same time as the first Subsequent Works in order to ascertain whether directional pruning is required on these trees and provide a copy of the assessment to the Applicants.
4. The initial Works and the Subsequent Works must be carried out:
 - (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 ("AQF") level 3 in Arboriculture under the supervision of an AQF level 5 arborist.
5. The Initial Works must be carried out within 60 days of the date of the final agreement.

For more information on QCAT

Signed


Ms Susan Gardiner
Member
Queensland Civil and Administrative Tribunal

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



Attachment A



looking west up into the eastern, lower canopy of T3, showing limb targeted for removal.



looking west up into the eastern, lower canopy of T3, showing limbs targeted for removal. The red circles surround the branches to be removed, while the red lines indicate the approximate locations of the final cuts to be made.

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Attachment B



looking south from within the applicant's property, showing T1, T2 & T3 overhanging the applicant's dwelling.

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