

DECISION

Case number: NDR018-17

Applicant: Gary Raymond Craig
Sherrill Edith Karel Craig

Respondent: Geoffrey Alan Kilgour
Margaret Kay Kilgour
Suzanne Melissa Kilgour

Before: A/Senior Member Allen

Date: 24 August 2017

Proceeding type: Directions Hearing

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

1. The following definitions apply to this order:
 - (a) “the neighbours” – Gary Raymond Craig, Sherrill Edith Karel Craig
 - (b) “the tree keepers” – Geoffrey Alan Kilgour, Margaret Kay Kilgour,
Suzanne Melissa Kilgour
 - (c) “the neighbours property” – 18 Hooper Street, BIRKDALE QLD 4159
 - (d) “the tree keeper’s property” – 4 Paten Close, BIRKDALE QLD 4159
 - (e) “the trees” – TG1 3 x Royal Cuban palms *Roystonea regia*
T2 Golden Cane palm *Dyopsis lutescens*
T3 Golden Cane palm *Dyopsis lutescens*
T4 Redneck palm *Neodypsis lastelliana*

2. The tree works are as follows (“the works”):
 - (a) Pruning/removal of all fronds from TG1 overhanging the neighbours’ property without the use of spikes or climbing spurs.
 - (b) Installation of a canvas banding around the middle section of the crown shaft of TG1 (as per Figure 1 below) in order to catch and arrest the drop of all fronds and inflorescences, without the use of spikes or climbing spurs.
 - (c) Removal of 4/5 Golden Cane stems from T2 that are within 1 metre of the common boundary in order to remove all overhang into the neighbours’ property.
 - (d) Removal to ground level and poisoning of T3.
 - (e) Dead fronds etc captured by the proposed banding on TG1 to be removed at a minimum of every 10 months, and band reattached as per the original recommendation.
 - (f) Regular pruning and removal of stems from T2 to be carried out to maintain as per the original recommendation.


3. The neighbour and the tree keeper will each obtain one (1) quote from a suitably qualified contractor to perform the works and exchange such quotes within fourteen (14) days from the date of this order.

For more information on QCAT

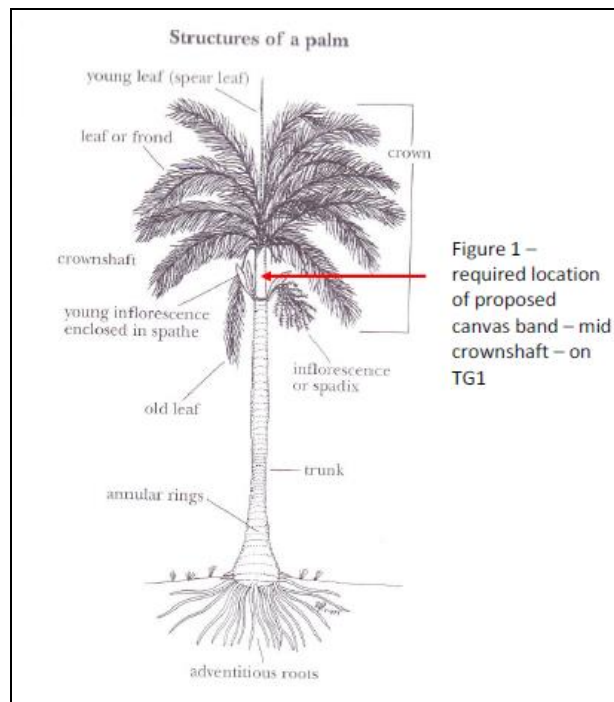
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4. The neighbour and the tree keeper will agree upon a suitably qualified contractor to perform the recommended works within seven (7) days of the exchange of quotes as referred to in (3).
5. In the absence of agreement between the parties in accordance with (4), the contractor who provided the lower of the quotes will be engaged by the tree keeper to undertake the works.
6. The tree keeper will pay the cost of the works.
7. The works identified in paragraph (2(a)) must be carried out within 60 days of the occurrence of the later of the events referred to in (4) or (5).
8. The 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 level 3 in Arboriculture.



Signed

**A/Senior Member Allen
Queensland Civil and Administrative Tribunal**