

DECISION

Case number: NDR061-21
Applicant: Mervin William Cook (Senior)
Respondent: Timothy Andrew Johnson
Megan Maree Taylor-Johnson
Before: Member Bishop
Date: 24 May 2023
Proceeding type: Directions Hearing

BY CONSENT IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Respondents, **Timothy Andrew Johnson & Megan Maree Taylor-Johnson**, must, at their cost, undertake the following work **on or before 4:00pm on 13 September 2023**:
 - a) Reduction pruning of the canopies of the single Jacaranda mimosifolia tree (the Jacaranda Tree) and the two Koelreuteria elegans (the Golden Rain Trees) located on the right western side boundary of their land located at 39 James Street, Kingaroy, Qld, 4610 to behind the alignment of the dividing fence structure; and
 - b) Shaving/cutting the tops off visible exposed roots within the Applicant's, **Mervin William Cook's (Senior)**, rear lawn located at 41 James Street, Kingaroy, Qld, 4610 to below the grass surface.
2. The Respondents, **Timothy Andrew Johnson & Megan Maree Taylor-Johnson**, must, at their cost, undertake maintenance reduction pruning of the canopies to the Jacaranda and two Golden Rain Trees to behind the alignment of the dividing fence structure at intervals not exceeding 18 months.
3. The Applicant, **Mervin William Cook (Senior)**, must allow the Respondents, **Timothy Andrew Johnson & Megan Maree Taylor-Johnson's**, elected arborist to access the Applicant's, **Mervin William Cook's (Senior)**, land to undertake the work outlined in paragraphs 1(a), 1(b) and 2.
4. The Respondents, **Timothy Andrew Johnson & Megan Maree Taylor-Johnson**, are to provide at least three (3) days entry notice of their elected arborist to the Applicant, **Mervin William Cook (Senior)'s**, land.
5. All tree debris must be removed from the Applicant's, **Mervin William Cook (Senior)'s**, land after completing the work outlined in paragraphs 1(a), 1(b) and 2.
6. The works outlined in paragraphs 1(a), 1(b) and 2 must be conducted by an arborist with a minimum Australian Qualification Framework (AQF) of level 3 arborist with current Public Liability and Work Cover insurances.

QCAT

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7. The pruning work must be performed in compliance with Australian Standard 4373-2007 "Pruning of amenity trees."

Signed

A handwritten signature in black ink is written over a circular seal. The seal contains the text "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around its perimeter.

Member Bishop
Queensland Civil and Administrative Tribunal