

DECISION

Case number: NDR149-20
Applicant: Mark William Donald, Rachael Elizabeth Donald
Respondent: Meng Wang, Xiaoxia Jiang

Before: Member Bertelsen

Date: 24 January 2023
Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Respondents will arrange at their cost for an appropriately qualified and insured arborist with a minimum qualification of Australian Qualifications Framework (AQF) level 3 in arboriculture to effect the following works:
 - (a) With respect to tree 1, the subject of this application; a northern canopy reduction of up to six (6) metres to remove the existing upper canopy overhang over the Applicants property, with height reduction by up to six (6) metres with deadwood removal.
 - (b) With respect to tree 2, the subject of this application; effect the removal of four lowest lateral limbs overhanging the Applicants property.
 - (c) With respect to tree 3, the subject of this application; effect the pruning of the entire canopy back to one (1) metre behind the boundary fence between the properties.
 - (d) With respect to tree 4, the subject of this application; effect complete removal.
 - (e) Such reduction, removal and pruning is to be effected within 90 days.
2. The Applicants will allow the arborist reasonable access to their property to perform the works as necessary upon the Respondents giving them seven (7) days written notice.
3. The registered owners of 45 Gordon Street Labrador (the tree keeper) shall arrange to maintain a biannual reinspection regime on the trees subject of this application to ensure no branches overhang the property at 4/60 Broad Street, Labrador. The first biannual inspection shall take place on or before 30 April 2025.
4. The biannual reinspection regime must be carried out by appropriately qualified and insured arborist with a minimum qualification of Australian Qualifications Framework (AQF) level 3 in arboriculture.

Signed



Member Bertelsen
Queensland Civil and Administrative Tribunal