

DECISION

Case number: NDR221-12
Applicant: Irene Keding
Respondent: Loretta Margaret George
Before: P Wonnocott, Member
Date: 17 October 2013
Proceeding Type: Hybrid Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Loretta Margaret George, the registered owner of 83 Upper Dawson Road Allenstown Queensland will arrange for the removal of the fig tree, the subject of this application at her own cost. This includes all roots on the applicant's property at 58 Nicholson Street Allenstown Queensland.
2. The removal of the fig tree is to be carried out by an appropriately qualified and insured arborist with a minimum qualification of an Australian Qualification Framework level 3.
3. The Tree-keeper should take all reasonable steps to ensure compliance with s94 of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*, by:
 - (a) directing the arborist to provide a notice of their intentions to access the property and carry out the relevant work at least seven (7) days prior to entry to:
 - (i) the owner of the land; or
 - (ii) any lessee of the land that they are aware of.
 - (b) directing the arborist to enter the land for the purposes of only completing the work at a reasonable time and only to a reasonable extent required to carry out the work.
4. The removal of the fig tree is to be carried out within **90 days** of the date of this order.

Signed

P Wonnocott
Member

P Stilgoe
Senior Member
Queensland Civil and Administrative Tribunal

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