

DECISION

Case number: NDR053-15
Applicant: Leesa Maree Kevill, Steven John Kevill
Respondent: David Pritchard
Before: Senior Member Brown
Date: 8 October 2015
Proceeding Type: Directions Hearing

THE DECISION OF THE TRIBUNAL IS, BY CONSENT:

1. David Pritchard will arrange to have the following works carried out on the tree/s the subject of the dispute ("the Works"):
 - (a) **Tree #1 - 7 x *Hibiscus rosa-senensis* – Hawaiian Hibiscus** are to be heavily pruned back behind the boundary fence between 27 Cotswald Street and 25 Cotswald Street Mount Warren Park in the State of Queensland by at least 200mm and reduce the height by a minimum of 2m.
 - (b) **Trees #2 -.5 x *Hibiscus rosa-senensis* – Hawaiian Hibiscus** are to be heavily pruned back behind the boundary fence between 27 Cotswald Street and 25 Cotswald Street Mount Warren Park in the State of Queensland by at least 200mm and reduce the height by a minimum of 2m.
2. The Works must be carried out:
 - (a) By an appropriately insured arborist with a minimum of Australian Qualifications Framework (AQF) level 3 in Arboriculture; and
 - (b) Within 60 days of the date of this decision.
3. David Pritchard is responsible for the payment of the Works.
4. David Pritchard:
 - (a) Will maintain the trees the subject of the dispute in accordance with the works specified at order (1);
 - (b) Will maintain the height of the trees at no more than 3.5 metres;
 - (c) Is responsible for the cost of such maintenance; and
 - (d) Will undertake such maintenance every 6 months.

Signed

Senior Member Brown
Queensland Civil and Administrative Tribunal