

## DECISION

**Case number:** NDR012-25

**Applicant:** Mark Lachlan Johnston  
Claire Margaret Johnston

**Respondent:** Sabine Manners

**Before:** Member Bishop

**Date:** 28 May 2025

**Proceeding type:** Directions Hearing

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IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 29 August 2025, Mark Lachlan Johnston and Claire Margaret Johnston** must prune the two (2) gum trees situated on **Sabine Manners'** land and the subject of the Application for a tree dispute (Tree 1 and Tree 2).
2. **Mark Lachlan Johnston and Claire Margaret Johnston** must engage an arborist (with a minimum qualification of Australian Qualification Framework level 3) and with appropriate insurances (including Public Liability Insurance) (Elected Arborist) to:
  - (a) undertake the initial prune of Tree 1 and Tree 2 as outlined in Order 1; and
  - (b) formulate an ongoing maintenance schedule of Tree 1 and Tree 2; and
  - (c) undertake the recommended ongoing maintenance.
3. **Mark Lachlan Johnston and Claire Margaret Johnston** will be responsible for all costs associated with the initial pruning and ongoing maintenance of Tree 1 and Tree 2.
4. **Sabine Manners**, or any subsequent registered owners of **Sabine Manners'** land, must allow **Mark Lachlan Johnston's** and **Claire Margaret Johnston's** Elected Arborist access to their land to undertake the initial pruning and ongoing maintenance of Tree 1 and Tree 2, subject to **Mark Lachlan Johnston and Claire Margaret Johnston** giving **Sabine Manners**, or any subsequent registered owners of **Sabine Manners'** land, seven (7) days' notice, by placing it in **Sabine Manners'** letterbox.
5. The Order remains in force until **4:00pm on 30 September 2035** or until **Mark Lachlan Johnston and Claire Margaret Johnston** are no longer the registered owners of their land, whichever occurs sooner.

Signed



Member Bishop

Queensland Civil and Administrative Tribunal