



Queensland Civil and Administrative Tribunal

## DECISION

**Case number:** NDR095-21  
**Applicant:** Bryan Craig Marshall, Karin Marshall  
**Respondent:** Karen Joy Rodgers, Body Corporate for Bullima Gardens Community Titles Scheme 5018

**Before:** Member Arthur

**Date:** 24 March 2025  
**Proceeding Type:** Oral Reasons

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IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Within 60 days of the date of these orders tree work is to be undertaken by the Body Corporate for Bullima Gardens Community Titles Scheme 5018 as follows:
  - a) The *Buckinghamia celsissima* (the Ivory Curl):
    - i) The tree is to be pruned to the height of five (5) metres and the canopy spread is to be reduced to three (3) metres (being the height and canopy size as at the date of the arborist's report of Mr Richards dated 4 May 2023);
    - ii) Thereafter, being within one (1) month of each anniversary of the pruning referred to in (a)(i), the tree is to be pruned to maintain it at the height of five (5) metres and the canopy spread at three (3) metres, and, to the extent considered appropriate by the arborist, for such pruning to be directionally from the North.
  - b) The *Dypsis lutescens* (the Golden Cane Palms):
    - i) Must be pruned to a height of six (6) metres or the gutter line of Applicant's house, whichever is the lesser, and the canopy spread reduced to two (2) metres on average, and
    - ii) Thereafter, being within one (1) month of each anniversary of the pruning referred to in (b) (i), the palms are to be pruned so as not to exceed 500 mm overhang across the dividing fence and any stems that grow in height to exceed 6 metres or the gutter one of the Applicants' house, whichever is the lesser, need to be culled to prevent obstruction of sunlight.
2. The work is to be completed by a Minimum AQF Level 3 arborist with appropriate insurances;
3. The work must be conducted in accordance with AS4373-2007 Pruning of Amenity Trees;
4. The costs of the work is to be met by the Body Corporate for Bullima Gardens Community Titles Scheme 5018

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5. The Body Corporate is to take such steps as are necessary to ensure that the arborist has access to the subject trees to carry out a quote and to carry out the work required under these orders and to comply with these orders.

Signed



**Member Arthur**  
Queensland Civil and Administrative Tribunal