

CONSENT DECISION

Case number: NDR139-25
Applicants: Alison Sherry
Ann Sherry
Respondent: Phillipa Cowan
Before: Member Scott-Mackenzie
Date: 26 June 2026
Proceeding type: Compulsory conference
Initiating document: Application for a tree dispute – *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)* filed 3 June 2025

BY CONSENT, IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Registry provide Alison Sherry and Ann Sherry with a copy of the tree assessment report dated 6 May 2026 and filed in the Tribunal by email.
2. Phillipa Cowan retain the tree assessor, Andrew Stovell, or another tree assessor agreed between the parties to prune the *Ficus Lyrata* (Fiddle-leaf Fig) tree growing on Phillipa Cowan's land at or near the boundary between Phillipa Cowan's land and Alison Sherry and Ann Sherry's land in accordance with the pruning schedule set out in the tree assessment report.
3. Subject to the availability of Andrew Stovell or another tree assessor agreed between the parties, the work required by order 2 be carried out within eight weeks of this consent decision.
4. The tree be inspected by Andrew Stovell or another tree assessor agreed between the parties on 1 July 2030 and thereafter on or about 1 July of every fourth year and pruned to meet the requirements of the pruning schedule set out in the tree assessment report.
5. The invoices for the pruning required by orders 2 and 4 be sent by Andrew Stovell to Alison Sherry and Ann Sherry and Phillipa Cowan with Alison Sherry and Ann Sherry paying half of the invoice within fourteen days of the date of the invoice and Phillipa Cowan paying the balance of the invoice within fourteen days of the date of the invoice.
6. If Andrew Stovell is not available to carry out the work required by orders 2 and 4 of this consent decision, the work:
 - (a) be carried out by an Australian Qualified Framework (AQF) level 3 arborist with appropriate insurance cover agreed between the parties;

- (b) the arborist carry out the work in accordance with Australian Standard 4373-2007 '*Pruning of amenity trees*'; and
 - (c) the arborist remove from the parties' land branches cut and removed from the tree.
7. Phillipa Cowan give Andrew Stovell or another tree assessor agreed between the parties such access to Phillipa Cowan's land as Andrew Stovell or another tree assessor agreed between the parties may reasonably require to carry out the work in orders 2 and 4 of this consent decision.

A handwritten signature in black ink is written over a blue circular stamp. The stamp contains the text "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around the perimeter. The signature is a cursive, stylized name that appears to be "Scott Mackenzie".

Member Scott-Mackenzie
Queensland Civil and Administrative Tribunal