

## DECISION

**Case number:** NDR004-22  
**Applicant:** Wayne Dunn  
Kristine Dunn  
**Respondent:** Mark Antony Reynolds

**Before:** Member D Brown  
**Date:** 30 January 2024  
**Proceeding type:** On-papers hearing

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### IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Respondent is to prune the canopy of all trees along the eastern boundary of their property, to reduce the height to no more than level with the bottom of the guttering on the roof of the Applicants' dwelling.
2. The Respondent is to conduct lateral reduction pruning of all trees along the eastern boundary of their property, to reduce the canopies to behind the alignment of the dividing fence structure/boundary.
3. The Respondent is to remove the Tuckeroo tree (*Cupaniopsis sp.*) to ground level.
4. All tree debris is to be removed from the Applicants' and Respondent's property after the pruning is performed.
5. The work required by this order is to be carried out:
  - (a) initially within 60 days of this order and thereafter not less than annually to maintain the canopies of the trees on the eastern boundary to the height and spread of the initial pruning.
  - (b) by an Australian Qualified Framework level 3 arborist with relevant public liability and work cover insurance cover.
  - (c) without the use of climbing spurs, climbing gaffs or climbing irons; and
  - (d) at the Respondent's cost
6. If the work is not completed within 60 days, the Applicants may arrange to have the work performed as above.
7. Should the Applicants be required to arrange the work and/or the ongoing pruning stipulated above in default of it being done by the Respondent:
  - (a) the person(s) undertaking the work is/are entitled to enter the Respondent's land to carry out the work upon the Applicants giving 14 days written notice of that intention to the Respondent.
  - (b) the costs incurred by the Applicants engaging a tree lopper and arborist to do the work in default of the Respondent are recoverable from the Respondent as a debt without further notice being required to be given.

# QCAT

Queensland Civil and Administrative Tribunal

8. These orders remain in force and effect for a period of 10 years from the date hereof.

Signed

A circular seal of the Queensland Civil and Administrative Tribunal is partially obscured by a handwritten signature in black ink. The signature is written in a cursive style and overlaps the top and left portions of the seal. The seal's text is partially visible, showing "AND ADMINISTRATIVE TRIBUNAL" at the top and "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around the bottom edge.

**Member D Brown**  
**Queensland Civil and Administrative Tribunal**