

## DECISION

**Case number:** NDR137-23  
**Applicant:** Advantage Storage Pty Ltd  
**Respondent:** MK Garden Pty Ltd

**Before:** Member Bishop  
**Date:** 31 May 2024  
**Proceeding type:** On-Papers Hearing  
**Initiating document:** Application for a tree dispute

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

1. The Tribunal finds that all the trees in dispute are to be maintained as a condition of a development approval issued by the Brisbane City Council. Under section 42 of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*, the Tribunal does not have jurisdiction over trees planted or maintained as a condition of a development approval and, in those circumstances, the Application for a tree dispute must be dismissed.

Signed



**Member Bishop**  
Queensland Civil and Administrative Tribunal