

ORDERS

Case numbers: MCDO570/22
NDR160-22

Applicant: George Raymond Johnson

Respondent: Rachel Amanda Burns

Before: Member Scott-Mackenzie

Date: 10 March 2025

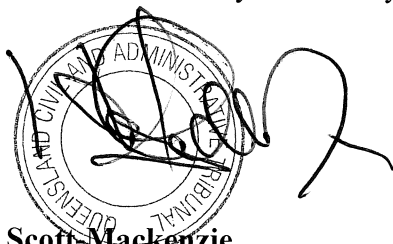
Proceeding type: Application for minor civil dispute – dividing fences filed 2 June 2022
Application for a tree dispute – *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)* filed 2 August 2022

THE TRIBUNAL ORDERS THAT:

1. The respondent, at her cost and within two months of this order:
 - (a) remove tree number one described in the tree table on page 2 of the tree assessment report by Mr Steven Richards dated 8 August 2023 and filed in the Tribunal on 15 September 2023 ('Mr Richards' tree assessment report') and the stump by either stump grinding or suitable chemical poisoning; and
 - (b) prune trees numbers two – nine (both inclusive) described in the tree table on page 2 of Mr Richards' tree assessment report to remove any branches overhanging the applicant's land with any pruning wounds being treated in accordance with Australian Standard 4373-2007 - Pruning of amenity trees.
2. The respondent, at her cost and not less than once a year commencing within twenty-eight days of 1 July 2026 and thereafter within twenty-eight days of 1 July in each succeeding year, prune trees numbers two – nine (both inclusive) described in the tree table on page 2 of Mr Richards' tree assessment report to remove any branches overhanging the applicant's land with any pruning wounds being treated in accordance with Australian Standard 4373-2007 - Pruning of amenity trees.
3. The work required by orders 1 and 2 be carried out:
 - (a) by an Australian Qualified Framework level 3 arborist with appropriate insurance cover; and
 - (b) in accordance with Australian Standard 4373-2007 - Pruning of amenity trees.
4. The respondent keep clear and maintain the area of her land adjacent to the fence on the common boundary between the applicant's land and the respondent's land described in Mr Richards' tree assessment report as an easement to the standard described and depicted in

the report.

5. The applicant give the respondent and any person engaged by her such access to the applicant's land as they may reasonably require to carry out the work in orders 1 and 2 on not less than seven days' notice by email.

A circular seal of the Queensland Civil and Administrative Tribunal (QCAT) is visible. The text around the seal reads "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL". Overlaid on the seal is a handwritten signature in black ink, which appears to be "Scott Mackenzie".

Member Scott Mackenzie
Queensland Civil and Administrative Tribunal