

DECISION

Case number: NDR044-12

Applicant: Body Corporate for Sandalwood Court CTS 35938

Respondent: Mrs Diane Musgrove

Before: Ms Patricia Hanly, Member

Date: 30 January 2013

Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

- 1 The mango tree located on land situated at 58 Station Road Lawnton owned by Diane Musgrove (nee West) be pruned so as to remove branches overhanging the fence line with 64 Station Road Lawnton owned by the Body Corporate for Sandalwood Court CTS35938.
- 2 The pruning is to be back to the fence line and is to be carried out within 60 days of the date of this order by a suitably qualified arborist (AQF Certificate III in Arboriculture) to pruning specifications set out in the Australian Standard (AS4373-2007).
- 3 The cost of the pruning is to be shared between the parties in the proportion of 60/40 with 60% of the cost being borne by the applicant Body Corporate and 40% of the cost being borne by Mrs Musgrove.
- 4 The tree is then to be pruned biennially (every second year) if required and the cost of pruning is to be in the same proportions as stated in Order 3 above.

Signed

Ms Patricia Hanly
Member
Queensland Civil and Administrative Tribunal

Date: 8 February 2013