

DECISION

Case number: NDR055-25
Applicant: Phillip Anthony Stenhouse
Kylie Lunn
Respondent: Alex Alexander
Svitlana Yagolnytska

Before: Member Jensen
Date: 27 February 2026
Proceeding type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. By consent, on or before 4:00pm on 31 May 2026 the respondent will:
 - (a) remove tree 5 (fiddle-leaf fig) and tree 12 (fiddle-leaf fig);
 - (b) prune the branches of tree 22 (poinciana), tree 24 (coconut palm) and tree 25 (coconut palm) back to the boundary line between the applicant's and the respondent's land and to minimise epicormic growth of shoots, as applicable.
 - (c) prune the branches of tree 8 (kauri pine), tree 9 (kauri pine) and tree 10 (kauri pine) to a height of no more than 10 meters.
2. On or before 4:00pm on 31 May 2026 the respondent must prune the branches of tree 4 (weeping paperbark tree) back to the boundary line between the applicant's and the respondent's land.
3. The respondent must engage a contractor with appropriate insurances (including public liability insurance) to undertake the removal work required in order 1(a).
4. The respondent must undertake maintenance pruning of the trees specified in order 1(b), order 1(c) and order 2 every 18 months to maintain the canopy and the trees to the same dimension as the initial pruning carried out under orders 1(b), 1(c) and 2. In addition, the Respondent is required to undertake maintenance pruning of all the trees from tree 1 to tree 27 mentioned in the assessors report back to the boundary, as applicable. The first maintenance pruning must occur during or before the month of November 2027.
5. All pruning and other works are to be carried out;
 - (a) By an Australian qualified framework level 3 arborist with appropriate insurance cover including public liability and Workcover; and
 - (b) In accordance with Australia standard 4373- 2007 pruning of amenity trees.
6. The applicant is required to provide access to the applicant's land for the purposes of undertaking the prescribed work, if required.

7. The respondent will be responsible for all costs and expenses of undertaking all the works outlined in these orders.

AND IT IS NOTED that a reference to a tree number in these orders corresponds to the tree number described in appendix one of the tree assessor report dated 26 May 2025.

Signed

A circular seal of the Queensland Civil and Administrative Tribunal (QCAT) is stamped over a handwritten signature. The seal contains the text "ADMINISTRATIVE TRIBUNAL" at the top and "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" at the bottom. The signature is written in black ink and is partially obscured by the seal.

Member Jensen
Queensland Civil and Administrative Tribunal