

DECISION

Case number: NDR007-23
Applicant: Johannes Cornelius van Bovene
Respondent: Taubin Gay

Before: Member Taylor
Date: 31 July 2024
Proceeding type: On the papers

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. It is declared that, for the purposes of s 46(a)(ii)(C) of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld)*, the applicant's land, described as Lot 4 on SP 299107 Title Reference 51175953, is not land which is affected by a substantial, ongoing, and unreasonable interference with his use and enjoyment of that land, by one or more trees which are presently located on the respondent's adjoining land, described as Lot 42 on RP 14173 Title Reference 50745168.
2. Pursuant to s 47 of the *Queensland Civil and Administrative Tribunal Act 2009 (Qld)*, the applicant's Application for a Tree Dispute filed 17 January 2023 is dismissed.

Signed


Member Taylor
Queensland Civil and Administrative Tribunal