

## DECISION

**Case number:** NDR233-22  
**Applicant:** Lauren Alice Burrridge  
**Respondent:** Peggy Ward

**Before:** Member Burke  
**Delivered On:** 30 September 2024  
**Hearing Date:** 23 September 2024  
**Proceeding type:** On-Papers Hearing  
**Initiating document:** Application for a tree dispute

---

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

1. The Applicant's application for removal of the macadamia tree the subject of the complaint is dismissed.
2. The Respondent is to prune the macadamia tree the subject of the complaint once yearly to prevent epicormic growth extending beyond the dividing fence.
3. Under the supervision of a Min AQF level 5 arborist, the Respondent is required to:
  - (a) engage a contractor to excavate a trench 100mm in width and 500mm in depth along the fence line of the Respondent's property in the vicinity of the subject macadamia tree to identify any roots that encroach into the Applicant's property that are non-structural;
  - (b) engage a contractor to sever any roots most likely to be exacerbating damage to the Applicant's slab footpath in accordance with AS4970-2009 Protection of Trees on Development Sites;
  - (c) attend to the works described in (a) and (b) above on or before 1 March 2025.

Signed



**Member Burke**  
**Queensland Civil and Administrative Tribunal**