

DECISION

Case number: NDR037-26
Applicant: Lloyd Street Investments Pty Ltd
Respondent: Kerry Lee Ciesiolka
Before: Member Cosgrave
Date: 8 October 2026
Proceeding type: On-Papers Hearing
Initiating document: Application for a tree dispute filed 24 February 2026

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The Respondent as tree-keeper of the mango tree situated at 169 Brisbane Road, Booval (the tree), must engage an arborist holding a minimum Australian Qualifications Framework (AQF) Level 3 qualification in arboriculture and current public liability insurance (the arborist), at the Respondent's expense, to prune the tree within 8 weeks of the date of these consent orders and must give a copy of the arborist's qualifications and certificate of currency of insurance to the Applicant at least 7 days before the pruning is carried out.
2. The pruning is to remove all branches of the tree that overhang the common boundary with 167 Brisbane Road, to the extent the arborist considers consistent with the health of the tree]. All cuttings are to be removed from both properties at the Respondent's expense.
3. The Respondent must give the Applicant at least 7 days' written notice of the date on which the pruning is to be carried out.
4. The arborist, and the arborist's employees and agents, may enter the Applicant's land at 167 Brisbane Road, Booval, on the notified date between 8:00am and 5:00pm, to the extent reasonably necessary to carry out the pruning and remove the cuttings. This order does not authorise entry to a dwelling.
5. Both parties or their representatives may attend their respective properties to observe the pruning.
6. The Respondent must ensure that, within 14 days after the pruning, the arborist advises both parties in writing about the appropriate frequency of further pruning of the tree and the time of year when it should occur.
7. After the pruning, the Respondent must, at the Respondent's expense, cause the tree to be pruned by an arborist holding the qualification and insurance described above, in accordance with that advice and in any event at intervals not exceeding 18 months for a period of 10 years as specified in section 78(1) of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* (Qld). The requirements above as to notice, entry and the standard of pruning apply to each such pruning.

Signed

DL Cosgrave



Member Cosgrave
Queensland Civil and Administrative Tribunal