

## DECISION

**Case number:** NDR 146-23  
**Applicant:** Talisia Janice Conway  
**Respondent:** The Station Quarters CTS 45738

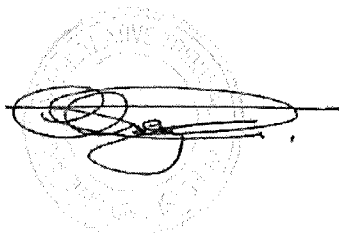
**Before:** Member Taylor  
**Date:** 27 September 2024  
**Proceeding type:** On the papers  
**Initiating Document:** Application for a Tree Dispute filed by the applicant on 9 August 2023

---

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

1. Pursuant to s 60 of *Queensland Civil and Administrative Tribunal Act 2009* (Qld), it is declared that:
  - (a) the tree or trees the subject of the Application for a Tree Dispute filed by the applicant on 9 August 2023 is a tree or are trees planted as a condition of a development approval;
  - (b) pursuant to s 42(4)(c) of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* (Qld), it is not a tree, or they are not trees, to which Chapter 3 of that Act applies; and
  - (c) the jurisdiction of the Queensland Civil and Administration Tribunal under s 61 of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* (Qld) has not been enlivened.
2. Pursuant to s 47(1)(a) and s 47(2)(a) of *Queensland Civil and Administrative Tribunal Act 2009* (Qld), the Application for a Tree Dispute filed by the applicant on 9 August 2023 is dismissed.

Signed



**Member Taylor**  
**Queensland Civil and Administrative Tribunal**