

## ORDER

**Case number:** NDR041-19  
**Applicant:** Yin Fong Yuen  
**Respondent:** Dr. Sylvia Kelso  
**Before:** Member Pennell  
**Date:** 15 July 2019

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IT IS THE ORDER OF THE TRIBUNAL THAT BY CONSENT BETWEEN THE PARTIES:

1. The applicant is to notify the respondent in writing when she considers that it is necessary for the respondent's tree to be pruned.
2. Upon receipt of the applicant's notification, the respondent will arrange for a suitably qualified person involved in tree management and pruning to inspect the tree and to ascertain whether the tree requires pruning. If in the opinion of the person undertaking the inspection that there are branches protruding over the boundary line into the applicant's property sufficiently to require pruning, the tree is to be pruned.
3. Within seven (7) days of the inspection undertaken by the suitably qualified person involved in tree management and pruning, the respondent will notify the applicant of the results of that inspection.
4. If the tree requires pruning, the respondent will within twenty eight (28) days of the inspection, arrange for a suitably qualified person involved in tree management and pruning to prune the tree in a manner so that the tree does not protrude into the applicant's property.
5. If it is necessary for the person involved in the tree management and pruning to enter the applicant's property to undertake the pruning, the applicant will provide access to her property for that to occur.
6. The respondent will pay any and all costs associated with the pruning of her tree.

Signed

  
**Member Pennell**  
Queensland Civil and Administrative Tribunal

