

DECISION

Case number: NDR139-23
Applicant: Rene Bazin
Catherine Margaret Bazin
Respondent: Charmaine Jefferson
Before: Member Cosgrave
Date: 14 MAY 2026
Proceeding type: Tribunal Hearing
Initiating document: Application for a tree dispute filed on 26 July 2023

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Ms Jefferson must, on an ongoing basis at intervals not exceeding 12 months commencing within 90 days of the date of this order, prune the multiple *Viburnum* sp., the *Radermachera sinica* (China Doll), the two *Livistona chinensis* (Chinese Fan Palm) and the multiple *Syzygium* sp. (Lilly Pilly) situated on the eastern side of 19 Cougal Circuit, Caloundra West to maintain their respective heights and canopy spread at or below the heights recorded in Mr Sowden's report of 21 July 2024.
2. All tree debris generated by the works in order 1 is to be removed from both the Bazins' and Ms Jefferson's properties on completion of each round of works.
3. All pruning not done by Ms Jefferson is to be performed in compliance with the requirements of Australian Standard 4373-2007 "Pruning of amenity trees".
4. Climbing spurs/climbing gaffs/climbing irons must not be used during the pruning works.
5. All pruning works not done by Ms Jefferson shall be performed by a minimum Australian Qualifications Framework Level 3 qualified arborist, who shall provide proof of current Public Liability and WorkCover insurances to Ms Jefferson prior to commencing works onsite.
6. The costs of the works required by these orders are to be borne by Ms Jefferson as tree-keeper.
7. The Bazins are to provide Ms Jefferson's contractor with such access to 21 Cougal Circuit as is reasonably required to carry out the works, on not less than seven (7) days' written notice.
8. If Ms Jefferson fails to comply with orders 1 to 5, the Bazins may engage an AQF Level 3 arborist to undertake the works, the cost of which shall be paid by Ms Jefferson on production of a tax invoice.
9. The Bazins' claim for compensation of \$400.00 is dismissed.
10. The application in Q2698-23 is dismissed.
11. No order as to costs in either proceeding.

Signed



Member Cosgrave
Queensland Civil and Administrative Tribunal