

DECISION

Case number: NDR272-25
Applicant: John David Barrie
Respondent: Anthony Reid
Ebesuncoast
Veronica Anne Reid
Before: Member Bellamy
Date: 12 October 2026
Proceeding type: On-Papers Hearing
Initiating document: Application for a tree dispute filed 5 December 2025

IT IS THE DECISION OF THE TRIBUNAL THAT:

The parties have reached a settlement in the terms set out below.

Pursuant to section 84 of the *Queensland Civil and Administrative Tribunal Act 2009*, by consent of the parties, the TRIBUNAL orders that:

1. The Respondent must engage a minimum Level three (3) Australian Qualified Framework ('AQF') arborist, with appropriate insurances to:
 - a. Prune trees 2, 3 and 4 as shown on the site plan in Attachment B of the Tree Assessor report dated 6 July 2026 ('the site plan') to the fenceline, meaning that no branches or foliage cross the fenceline into the Applicant's property; and
 - b. In relation to trees 5 and 6 as shown on the site plan, remove the Melaleuca, remove the deadwood in the canopy of the Ash, and prune the Ash to the fenceline; and
 - c. Remove tree 7 as shown on the site plan; and
 - d. In relation to trees 8, 9 and 10 as shown on the site plan, remove the dead Melaleuca, and prune the other Melaleucas to the fence line.
2. The work in Order 1 must be completed no later than 31 October 2026.
3. In relation to the trees referred to in Order 1 that do not have to be removed, the Respondents must:
 - a. ensure that their branches and foliage do not at any time cross the fenceline into the Applicant's property; and
 - b. inspect the trees at intervals of no longer than 12 months, and engage a minimum Level three (3) Australian Qualified Framework ('AQF') arborist with appropriate insurances to undertake any pruning to comply with Order 3(a).

4. The Respondents must give any arborist engaged to carry out work under Orders 1 or 3 a copy of these Orders and the Tree Assessor report (that these Orders implement) before the work is carried out so it is clear to the arborist what work must be done on which trees.
5. All pruning is to be performed in accordance with the requirements of Australian standard 4373-2007 "Pruning of amenity trees".
6. The Respondents must arrange for all debris to be removed from the Applicant's and Respondents' properties immediately after tree removal and pruning is performed.
7. If the Respondents' arborist requires access to the Applicant's property to perform the work and clean-up required by these Orders, the Respondent must direct the arborist to contact the Applicant or his wife by phone or text message, identify himself including any business name he uses in his capacity as an arborist, and seek permission, preferably giving no less than 14 days' notice.
8. The Applicant must not unreasonably deny the Respondents' arborist access to his property for the purposes of these Orders being carried out.
9. These Orders remain in force and effect for a period of 10 years from the date of the Orders.
10. To remove any doubt, the cost of the work required by these Orders is to be borne by the Respondents.
11. These Orders were made because of a genuine dispute as contemplated by s 67 of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*.

Signed

A circular blue seal of the Queensland Civil and Administrative Tribunal (QCAT) is visible. Overlaid on the seal is a handwritten signature in black ink, which appears to be 'Bellamy'.

Member Bellamy
Queensland Civil and Administrative Tribunal