

DIRECTIONS

Case number: NDR064-21
Applicant: Jennifer Jean Tenni
Piero Paolo Tenni
Respondent: David John Tilt
Jacqualin Rae Tilt

Before: Member Howe
Date: 26 AUGUST 2022
Proceeding type: Compulsory Conference
Initiating document: Application for a tree dispute filed 9 April 2021

1. Jacqualin Rae Tilt is added as a respondent to the action.
2. The name of the applicant Piero Tenni is amended to read Piero Paolo Tenni.
3. The name of the respondent David Tilt is amended to read David John Tilt.

BY CONSENT THE PROCEEDING IS COMPROMISED ON THE FOLLOWING BASIS:

1. David John Tilt and Jacqualin Rae Tilt as tree keepers shall perform the work in respect of the tree described in the attached schedule to this order, on their land at 11 Monash Street El Arish QLD 4855, by the date stated in the schedule.
2. The work is to be undertaken by David John Tilt and Jacqualin Rae Tilt at their cost.
3. Should the work not be completed within the time stated in the schedule Jennifer Jean Tenni and Piero Paolo Tenni shall be entitled to have the work performed by a suitably qualified tree lopper with appropriate insurance cover under the supervision of a suitably qualified arborist.
4. Should Jennifer Jean Tenni and Piero Paolo Tenni be required to carry out the work in default of it being done by David John Tilt and Jacqualin Rae Tilt, a suitably qualified tree lopper with appropriate insurance cover under the supervision of a suitably qualified arborist engaged by Jennifer Jean Tenni and Piero Paolo Tenni shall be entitled to enter David John Tilt and Jacqualin Rae Tilt's land to carry out the work subject to Jennifer Jean Tenni and Piero Paolo Tenni giving 14 days written notice of that intention to David John Tilt and Jacqualin Rae Tilt at David John Tilt and Jacqualin Rae Tilt's last known address.
5. The costs incurred by Jennifer Jean Tenni and Piero Paolo Tenni engaging a tree lopper and arborist to do the work in default of David John Tilt and Jacqualin Rae Tilt shall be recoverable from David John Tilt and Jacqualin Rae Tilt as a debt without further notice being required to be given.

QCAT

Queensland Civil and Administrative Tribunal

6. David John Tilt and Jacqualin Rae Tilt and any tree lopper or arborist engaged by them to perform the work shall be entitled to enter the land of Jennifer Jean Tenni and Piero Paolo Tenni at 15 Ryrie Street El Arish QLD 4855, subject to 24 hours written notice being given of the work to be done.
7. A suitably qualified arborist shall be someone with a minimum qualification of Australian Qualifications Framework (AQF) level 3 in arboriculture.

Signed

A blue circular seal of the Queensland Civil and Administrative Tribunal (QCAT) is partially obscured by a handwritten signature in black ink. The seal contains the text "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around the perimeter. The signature is written over the seal and extends slightly beyond its boundaries.

Member Howe
Queensland Civil and Administrative Tribunal