

DECISION

Case number: NDR178-24
Applicant: Dan Dobe
Kate Louise Dobe
Respondent: David Alex Berwen Paine
Yeon Jeong Lee
Before: Member Bishop
Date: 26 March 2025
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 28 May 2025, David Alex Berwen Paine and Yeon Jeong Lee**, must remove the entire tree in dispute situated on their land (identified as a Chinese Elm Tree in the Application for a tree dispute) (Tree 1) – including the grinding and/or poisoning of Tree 1's stump to ensure Tree 1 is no longer alive (the Removal Work).
2. **David Alex Berwen Paine and Yeon Jeong Lee**, must engage a suitable contractor with appropriate insurances (including Public Liability Insurance) to undertake the Removal Work.
3. **Dan Dobe and Kate Louise Dobe**, must allow **David Alex Berwen Paine's and Yeon Jeong Lee's** elected suitable contractor access to their land to undertake the Removal Work subject to **David Alex Berwen Paine and Yeon Jeong Lee** giving **Dan Dobe and Kate Louise Dobe**, three (3) days' notice.
4. **David Alex Berwen Paine and Yeon Jeong Lee**, will be responsible for all costs associated with the Removal Work.
5. If **David Alex Berwen Paine and Yeon Jeong Lee** fail to undertake the Removal Work, **Dan Dobe and Kate Louise Dobe** can engage a suitable contractor with appropriate insurances (including Public Liability Insurance) to enter **David Alex Berwen Paine and Yeon Jeong Lee's** land and undertake the Removal Work subject to **Dan Dobe and Kate Louise Dobe** giving **David Alex Berwen Paine and Yeon Jeong Lee** 14 days' written notice of that intention.
6. The costs incurred by **Dan Dobe and Kate Louise Dobe** engaging a suitable contractor to undertake the Removal Work in default of **David Alex Berwen Paine and Yeon Jeong Lee**, is recoverable from **David Alex Berwen Paine and Yeon Jeong Lee** as a debt without further notice being required to be given.

Signed



Member Bishop
Queensland Civil and Administrative Tribunal