

DIRECTIONS/DECISION

Case number: NDR142-23

Applicants: Jacob Broman-Minish
Joanna Lee Turner

Respondent: Goutham Sivasuthan

Before: Member Bishop

Date: 28 February 2024

Proceeding type: Directions Hearing

THE TRIBUNAL DIRECTS THAT:

1. Joanna Lee Turner is added as an Applicant in these proceedings.

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. The five (5) trees in dispute (identified as a Liquid Amber, Black Cherry, Lilly Pilly, Lilly Pilly and Lemon Myrtle) (the Trees) will be removed so that the Trees and their roots are dead and will not continue to grow.
2. The work outlined in Order 1 must be completed **by 4:00pm on or before 26 April 2024**.
3. All work outlined in Order 1 is to be undertaken by a relevant contractor with appropriate insurances.
4. The Respondent's, **Goutham Sivasuthan's**, engaged contractor shall be entitled, if required, to enter the Applicants, **Jacob Broman-Minish's** and **Joanna Lee Turner's**, land to perform the work outlined in Order 1 subject to 3 days' notice or as agreed between the parties.
5. The Respondent, **Goutham Sivasuthan**, will be responsible for all costs associated with undertaking the work outlined in Order 1.
6. If the Respondent, **Goutham Sivasuthan**, fails to undertake the work outlined in Order 1 **by 4:00pm on or before 26 April 2024**, the Applicants, **Jacob Broman-Minish** and **Joanna Lee Turner**, shall be entitled to facilitate the work outlined in Order 1. The Applicants, **Jacob Broman-Minish's** and **Joanna Lee Turner's**, engaged contractor with appropriate insurances shall be entitled to enter the Respondent's, **Goutham Sivasuthan**, land and carry out the work outlined in Order 1 subject to the Applicants, **Jacob Broman-Minish** and **Joanna Lee Turner**, giving 14 days' notice of that intention to the Respondent's, **Goutham Sivasuthan's**, Real Estate Agent.
7. The costs incurred by the Applicants, **Jacob Broman-Minish** and **Joanna Lee Turner**, engaging a contractor with appropriate insurances to undertake the work outlined in Order 1 in default of the Respondent, **Goutham Sivasuthan**, shall be recoverable from the Respondent, **Goutham Sivasuthan**, as a debt without further notice being required to be

given.

8. On or before 4:00pm on 17 March 2024, the Applicants, **Jacob Broman-Minish** and **Joanna Lee Turner**, will provide bank account details to the Respondent, **Goutham Sivasuthan**.
9. On or before 4:00pm on 26 April 2024 the Respondent, **Goutham Sivasuthan** will deposit \$729.50 (Australian) into the Applicants', **Jacob Broman-Minish's** and **Joanna Lee Turner's**, nominated bank account.

Signed

A circular seal of the Queensland Civil and Administrative Tribunal (QCAT) is visible. The seal contains the text "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL" around the perimeter. Overlaid on the seal is a handwritten signature in black ink, which appears to read "Bishop".

Member Bishop
Queensland Civil and Administrative Tribunal