

DECISION

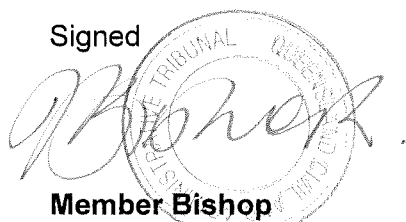
Case number: NDR061-24
Applicant: Karen Faustini
Respondent: Jacalyn Atkinson

Before: Member Bishop
Date: 11 September 2024
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. The General Agreement dated 1 May 2020 made between the Applicant, **Karen Faustini** and the Respondent, **Jacalyn Atkinson** to resolve the dispute in case Q50117-20 is null and void.
2. The Respondent, **Jacalyn Atkinson**, must remove the Lemon Tree (identified as Tree 1 in Document 29 in case Q50117/20) (Tree 1), the Lemon Myrtle Tree (identified as Tree 3 in Document 29 in case Q50117/20) (Tree 3), the shorter Rainforest Tree (identified as Tree 14 in Document 29 in case Q50117/20) (Tree 14), the two Lilly Pilly Trees (identified as Tree 15 and Tree 16 in Document 29 in case Q50117/20) (Tree 15 and Tree 16) and the Wild Triple Tree (identified as Tree 17 in Document 29 in case Q50117/20) (Tree 17) that are still situated on the Respondent's, **Jacalyn Atkinson's**, land **on or before 4:00pm on 20 December 2024**.
3. The Respondent, **Jacalyn Atkinson** will be responsible for all costs associated with the removal of Tree 1, Tree 3, Tree 14, Tree 15, Tree 16 and Tree 17 as outlined in Order 2 (the Removal Work).
4. If the Respondent, **Jacalyn Atkinson**, fails to undertake the Removal Work outlined in Order 2, the Applicant, **Karen Faustini**, shall be entitled to have the Removal Work undertaken by a contractor with appropriate insurances (including public liability insurance). The Applicant's, **Karen Faustini's**, contractor with appropriate insurances (including public liability insurance) shall be entitled to enter the Respondent's, **Jacalyn Atkinson's**, land and carry out the Removal Work subject to the Applicant, **Karen Faustini**, giving 14 days written notice of that intention to the Respondent, **Jacalyn Atkinson**, via the Respondent's, **Jacalyn Atkinson's**, email address.
5. The costs incurred by the Applicant, **Karen Faustini**, engaging a contractor with appropriate insurances (including public liability insurance) to undertake the Removal Work in default of the Respondent, **Jacalyn Atkinson**, shall be recoverable from the Respondent, **Jacalyn Atkinson**, as a debt without further notice being required to be given.

Signed



Member Bishop
Queensland Civil and Administrative Tribunal