

DECISION

Case number: NDR039-24
Applicant: Brett Joseph Talbot
Respondent: Cheryl Anne Gilbert

Before: Member Bishop
Date: 17 February 2025
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL BY CONSENT THAT:

1. **On or before 4:00pm on 30 June 2025, Cheryl Anne Gilbert** must engage a suitable contractor with appropriate insurances (including Public Liability Insurance) to remove the Sydney Blue Gum (as discussed in Pieter Taylor's Tree Assessment Report dated 28 October 2024) (Tree 1) and grind Tree 1's stump and roots.
2. **Jennifer Lynn Nicol** will be responsible for all costs associated with carrying out the work outlined in Order 1.
3. If required, **Brett Joseph Talbot** must give **Cheryl Anne Gilbert's** elected contractor with appropriate insurances (including Public Liability Insurance) access to his land to undertake the work outlined in Order 1, subject to **Cheryl Anne Gilbert** giving him three (3) days' notice or as agreed between the parties.
4. If **Cheryl Anne Gilbert** fails to undertake any of the work outlined in Order 1 (the Incomplete Work), **Brett Joseph Talbot** shall be entitled to engage their own suitable contractor with appropriate insurances (including Public Liability Insurance) to carry out any of the Incomplete Work subject to **Brett Joseph Talbot** giving **Cheryl Anne Gilbert** fourteen (14) days' written notice of that intention.
5. The costs incurred by **Brett Joseph Talbot** engaging their own contractor to undertake any of the Incomplete Work in default of **Cheryl Anne Gilbert**, shall be recoverable from **Cheryl Anne Gilbert** as a debt without further notice being required to be given.

Signed



Member Bishop
Queensland Civil and Administrative Tribunal