

DECISION

Case number: NDR074-23
Applicant: William Thomas Charles McNaught
Alison Hepworth
Respondent: Shannon Smith

Before: Member Bishop
Date: 24 April 2024
Proceeding type: Directions Hearing

IT IS THE DECISION OF THE TRIBUNAL, THAT:

1. The Respondent, **Shannon Smith** must provide the Applicants, **William Thomas Charles McNaught** and **Alison Hepworth** three (3) quotes by a suitably qualified contractor to remove the Gum Tree in dispute (the Work) **on or before 4:00pm on 31 May 2024**.
2. Upon presentation of the quotes outlined in Order 1, the Applicants, **William Thomas Charles McNaught** and **Alison Hepworth** must pay half of the cost (50%) towards the cost of the cheapest quote directly to the suitably qualified contractor **on or before 4:00pm on 7 June 2024**.
3. Upon payment of the Applicants, **William Thomas Charles McNaught's** and **Alison Hepworth's** to the suitably qualified contractor, the Respondent, **Shannon Smith** must engage that suitably qualified contractor to undertake the Work outlined in Order 1.
4. The suitably qualified contractor engaged by the Respondent, **Shannon Smith** must have appropriate insurance to undertake the Work.
5. The Applicants, **William Thomas Charles McNaught** and **Alison Hepworth** must allow the suitably qualified contractor engaged to undertake the Work access to their property upon the provision of three (3) days' notice or notice as agreed between the parties.
6. The Respondent, **Shannon Smith** must organise for the Work to be completed **on or before 4:00pm on 9 August 2024**.
7. The Applicants, **William Thomas Charles McNaught** and **Alison Hepworth** must not object to the application by the Respondent, **Shannon Smith** to seek a fire permit for the burning of residual vegetation following the removal of the tree.

Signed



Member Bishop
Queensland Civil and Administrative Tribunal