

DECISION

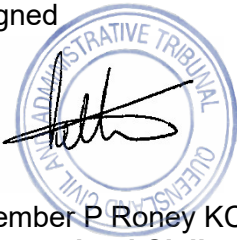
Case number: NDR159-25
Applicant: Sandie Lee
Respondent: David Wallace
Before: Member P Roney KC
Delivered On: 29 June 2026
Hearing Date: 26 June 2026
Proceeding type: Tribunal Hearing
Initiating document: The application for a tree dispute filed 26 January 2026

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The application filed 26 January 2025 under the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (Qld) is allowed.
2. I order the respondent to pay \$5260 to the applicant by way of reimbursement of arborist and surveyor costs, within thirty days of the date of this order.
3. I order that unless the respondent elects to entirely remove the stand of bamboo in question and does so within 60 days of the making of this order, that the following be done by the respondent.
4. I order that within 90 days of the making of this order the respondent shall remove all of the bamboo which encroaches onto the applicant's property that being the encroachment area the surveyor identified by reference to his survey plan WD7 at page 60 of the applicant's affidavit, exhibit SL16, marked with a green undulating line commencing at the plan notation point marked "Cor wall 0.185m clear" at the northern end just south of the garden shed on the respondent's property and "cor wall 0.19 m clear" at the southern end in the location on that plan, where the curved arrow points and below the word "Approximate".
5. The applicant shall provide reasonable access on reasonable notice for that to occur.
6. I further order that within 90 days of the making of this order the respondent shall cause the stand of bamboo to be reduced to a level of 1.5 m for the entire length of the bamboo hedge on the common boundary.
7. I order that the remnant bamboo hedge is required to be subjected by the respondent to periodic maintenance to ensure that it remains limited to a level of 1.5 m for the entire length of the bamboo hedge on the common boundary and that he carries out this maintenance at least three times per year.

8. The parties have liberty to apply in respect of any other consequential or other orders which might be required to be made

Signed

A circular blue stamp of the Queensland Civil and Administrative Tribunal (QCAT) is visible. The text around the perimeter of the stamp reads "QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL". Overlaid on the stamp is a handwritten signature in black ink, which appears to be "P Roney".

Member P Roney KC
Queensland Civil and Administrative Tribuna