

DECISION

Case number: NDR150-25
Applicant: Margaret Kemp
Respondent: Wayne Broad
Roxana Broad

Before: Member Poteri
Date: 15 JUNE 2026
Proceeding type: Oral Reasons

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. The respondents, Wayne Broad and Roxana Broad, must prune the bamboo that is planted on their land which is situated at 102 High Street Russell Island so that the bamboo is no taller than 5 metres from the base of the bamboo on or before 1 September 2026.
2. The respondents must undertake regular maintenance, if required, on or before 1 March and 1 September each year so that the bamboo is no taller than 5 metres from the base of the bamboo on the existing ground level. This requirement will remain enforce for a period of ten (10) years from 1 September 2026.
3. If the respondents fail to undertake any of the maintenance work outlined in Orders 1 and 2 hereof ("Incomplete Work") the applicant, Margaret Kemp, shall be entitled to undertake any Incomplete Work on the giving of 14 days notice in writing to the respondents. If this occurs, then the applicant's nominated contractor shall be entitled to enter the respondents' land and carry out any of the Incomplete Work.
4. If the respondents undertake all of the Incomplete Work prior to the expiration of the 14 days' notice period as outlined in Order 3 hereof, the applicant's or the applicant's contractor's entitlement to enter the respondents' land is extinguished.
5. Any costs incurred by applicant in engaging a contractor to undertake any of the Incomplete Works in default of the respondents undertaking such Incomplete Works shall be recoverable from the respondents as a debt without further notice being required to be given by the applicant to the respondents.
6. Any growth in the base of the bamboo shall be subject to all the orders referred to in orders (1) to (5) hereof.

Signed



Member Poteri
Queensland Civil and Administrative Tribunal