

DECISION

Case number: NDR059-25

Applicant: Damian Shepherd
Respondent: Christopher Miskell

Before: Member McLean-Williams

Date: 26 June 2026
Proceeding Type: Tribunal Hearing

IT IS THE DECISION OF THE TRIBUNAL THAT:

1. Within 6 weeks **Christopher Miskell** is to arrange at his sole expense the pruning of the bamboo in order that no culm on the bamboo either touches the fence or extends more than 2 metres over the boundary into the Applicants land.
2. Within 6 weeks **Christopher Miskell** is to arrange at his sole expense the installation of an appropriate root barrier to a depth of 600mm no less than 500mm inside the common boundary fence with the Applicants land.
3. **Damian Shepherd** is to do all things necessary at his own expense to provide access from his land to enable the pruning of the bamboo and the installation of the root barrier, including the removal of fence panels to enable machinery access.
4. **Christopher Miskell** will conduct at his expense annual maintenance pruning of the bamboo by no later than the anniversary of the first pruning referred to in order 1.
5. **Christopher Miskell** is to pay Damian Shepherd the sum of \$600.00, being fifty percent of the cost of the tree assessor report within 28 days of the date of these orders.

Signed



Member McLean-Williams
Queensland Civil and Administrative Tribunal