



Dedicated to a better Brisbane

22 October 2024

Mr Peter White
Secretary
Body Corporate for St James Estate
stjames4069@gmail.com

Dear Mr White

I refer to my previous correspondence with you of 23 September 2024 in regard to my investigation into concerns you have raised about Council's administrative actions relating to the footbridge that connected St James Estate and Kenmore Plaza. As requested, the scope of the review will include *'Council's administrative actions and specifically Council's decision to refuse to grant a trustee lease allowing for the St James Estate body corporate to construct a new bridge'*.

Accordingly, your concerns were internally reviewed under the AP186 Administrative Action Complaints Procedure (AACP) pursuant to section 250 of the City of Brisbane Act 2010. Please note, to ensure the independence of this review, I can confirm that I have not been involved in any previous decisions made in this matter which is subject to the review.

My role in reviewing your concerns was to determine whether the administrative actions taken by Council were appropriate and reasonable, and whether there were reasonable grounds for making the decisions that were made. If this was not the case, I may consider remedy options provided for the under the AACP.

The methodology used in undertaking this review was as follows:

- (i) gather all relevant information for analysis;
- (ii) review relevant materials including decisions and recommendations; and
- (iii) consider any remedy options available.

Accordingly, the following material was examined:

- (iv) correspondence between you and Council;
- (v) relevant Council policies/ procedures;
- (vi) relevant Local Laws and legislation;
- (vii) relevant Council records.



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Summary of Complaint

As agreed via email on 23 September 2024, the internal review addressed the following:

Council's administrative actions and specifically Council's decision to refuse to grant a trustee lease allowing for the St James Estate body corporate to construct a new bridge.

Summary of Findings

In summary, the review of your concerns under the AACP pursuant to section 250 of the City of Brisbane Act 2010 has determined that the administrative actions taken by Council in relation to your complaint were appropriate and reasonable.

The following points were considered in deciding not to grant a trustee lease allowing for the St James Estate body corporate to construct a new bridge:

- use of the bridge;
- capital costs;
- ongoing future maintenance costs and liability;
- Council's continued obligations as trustee of the land; and
- trustee lease requirements.

This response concludes Council's administrative actions complaints management process. If you remain dissatisfied with Council's handling of the matter, you may contact the Office of the Disputes Commissioner to request an independent review of the matter by emailing your concerns and any evidence you have to support your complaint, including this response, to IndependentReview@brisbane.qld.gov.au.

If you have any further enquiries regarding this matter, please contact me directly on (07) 3403 6849 or wade.fitzgerald@brisbane.qld.gov.au.

I trust this information is of assistance to you and thank you for taking the time to contact Council.

Yours sincerely

Wade Fitzgerald
MANAGER, MAJOR PROJECTS AND ASSET COORDINATION
NATURAL ENVIRONMENT, WATER AND SUSTAINABILITY

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