

St James Estate Bridge

In 1984 all the land on which Kenmore Tavern Plaza and the St James Estate were owned by one of Elders IXL companies. The Kenmore Tavern opened in 1984 and the shops two years later in 1986. The land over which the bridge was built was subject to an Easement Agreement with Brisbane City Council (BCC) for drainage purposes only.

In 1989 application on behalf of Banella Holdings Pty Ltd to BCC to rezone the land on which St James Estate was lodged. The bridge was built as a condition of the rezoning approval for 841 Moggill Road and Boblyne Street
Condition (4iii)

Construction of a footbridge connecting this development to the shopping centre to the satisfaction of the Manager, Department of Works."

In September 1990, the proposed rezoning of the land was approved

(vi) provision of a footbridge connecting this development to the shopping centre to the satisfaction of the Department of Works;

In the Deed of Agreement dated 25th of September 1990 the following clause was included :

1 5. Upon completion and acceptance by the Council of ... the works to be undertaken and provided by the Applicant the same will vest in the Council I and thereafter the Council I shall be responsible for the maintenance thereof. In the event of the said land being developed in stages the provisions of this clause shall apply mutatis mutandis to so much of such works as are included in each stage development. For the purpose of this clause such works shall be deemed to have been accepted by the Council when they have been completed in a proper and workmanlike e manner and to the satisfaction of the Manager.

Internal Council memo confirms that no maintenance was carried out until March 2022. The bridge was not entered into the Council's asset register until March 2022.

N.B. The above information obtained on the 1st of March 2024 under RTI (RTI 2023/24-246).

In February 2019 the Body Corporate were concerned that the balustrade on the bridge did not comply with the latest regulations and arrange an inspection of the bridge by Wood Research and Development :

Based on the visual inspection it's recommended a load restriction be placed on the structure reducing occupancy to 3 persons maximum on the bridge at any one time ,and also recommended that motorised mobility equipment should not be allowed access until repair works are completed. Finally, signage displaying these restrictions should be visible and placed at both ends of the bridge. The overall condition of the elements based on the visual inspection of the Chapel Hill Pedestrian Bridge is poor, with an overall Condition State Rating of 3.

The Body Corporate decided that before money was spent on the repair or renewal of the bridge, they should ensure that they had legal tenure.

The following is some communication with the Titles Office and State Land Asset Management (SLAM).

I recently downloaded SL plan 811444 and with it the current reserve search ,copies are attached. The attached photo of a private foot bridge probably built in 1992 crosses Lot 21 from Lot 40 to Lot 22. Yet there is no reference to an easement or any notation about the bridge that benefits the 32 lot owners who reside in Lot 40.

I am looking for an easement agreement and building plans for a private footbridge that crosses Crown Land from a private estate at 50 Boblyne Street Chapel Hill to Kenmore Tavern Plaza ,Moggill Road Kenmore. The bridge that was probably built in 1992 needs repair or renewal by the Body Corporate for the St James Estate CTS 19922. The building plans are required so as we can understand the weight limitations on the bridge.

SLAM responded with two emails on the 28th and 29th of October 2019 (Ref TF49021075)

They advised that the Council are the trustees for the reserve and is responsible for the ongoing management and maintenance of the land and any improvements on the land.(the Bridge)

We were unable to have the Council address the situation and engaged Cooper Grace Ward to act on our behalf 2). \$25,000 dollars later we received a letter dated 17th of March 2022 from the Council accepting responsibility for ensuring that the bridge remains fit for purpose.

On Wednesday 18th of October 2023, the bridge was closed, with no prior warning.

The following was received from the Council, Max Wilson on the 18th October 2023.

Senior Engineer Structures | Program Planning and Integration :

The engineering team upon review of the most recent inspection yesterday decided that for the safety of the users and the public, that the bridge needed to be closed as there was little confidence in its remaining structural capacity. There has been significant deterioration of the timber over the last few months. Regarding resumed access, at this stage I cannot give you an answer of when access could be resumed. We will need to pass on the options to asset owners for their decision on the future actions. This process has started.

The Council did not provide any updates and it was decided to seek additional information under Right to Information

Decision Notice: Right to Information Application – 2023/24-246:

Scope of Application Your application requested access to:

The construction of the wooden footbridge across Boblyne Street Park No 32. .

The agreement between the Council and the developer for the provision of the footbridge and the ongoing management. From 10/08/1989 to 01/12/2023.(