

# Redland City Council -Request

<b>Request Number:</b>	<input type="text" value="CRDC525874"/>	<b>Priority:</b>	<input type="text" value="003"/>
<b>Date Received:</b>	<input type="text" value="08/10/2021 03:53.55 pm"/>	<b>Resp Workgroup:</b>	<input type="text" value="COM02"/>
<b>Source:</b>	<input type="text" value="00"/>	<b>Raised By:</b>	<input type="text" value="GRAEMEW"/>
<b>Status:</b>	<input type="text" value="Current"/>	<b>User ID:</b>	<input type="text" value="Amanda Minshull"/>
<b>Group:</b>	<input type="text" value="Compliance Development Control Customer Requests"/>		
<b>Category:</b>	<input type="text" value="Non Compliance Development Approvals"/>		
<b>Sub Categories:</b>	<input type="text" value="Material Change Of Use"/>		

**Related AR:**

<b>Property Number:</b>	<input type="text" value="234280"/>
<b>Property Address:</b>	<input type="text" value="Raby Bay Harbour Body Corporate 152-166 Shore Street West Cleveland QLD 4163"/>
<b>Property Description:</b>	<input type="text" value="Lot 0 SP147266"/>
<b>Land Number:</b>	<input type="text" value="315015"/>
<b>Caller Name:</b>	<input type="text"/>
<b>Home Phone:</b>	<input type="text"/>
<b>Caller Address:</b>	<input type="text" value="PO Box 21 CLEVELAND QLD 4163"/>
<b>Work Phone:</b>	<input type="text" value="3829 8999"/>
<b>Mobile:</b>	<input type="text"/>
<b>Email:</b>	<input type="text" value="rcc@redland.qld.gov.au"/>
<b>Fax:</b>	<input type="text"/>
<b>Callback:</b>	<input type="text" value="False"/>

**Request Details:**

CATEGORY 3 - Non Compliance - Material Change Of Use - COUNCILLOR BECAME INVOLVED 16/11/21 - PLEASE ADVISE CLR OF FINAL OUTCOME.

As per emails from SM - please investigate the closure of underground car park to customers. Please speak with SM about inspection and investigation.

**Resolution:**

**Comments:**

**Event History:**

Description	Status	Decision	Commenced Finalised	Target Date	Role Name User
Customer Request Lodged	Past	Complete	08/10/2021 03:53.55 pm 08/10/2021 03:53.57 pm		P1.RES.DEVELOPMENTCONTR
Add Compliance Investigation Log	Past	Complete	08/10/2021 03:53.00 pm 08/10/2021 03:54.15 pm		P1.RES.DEVELOPMENTCONTR
Initial Response - 10 Working Days	Past	Assigned	08/10/2021 03:54.00 pm 08/10/2021 03:54.51 pm	22/10/2021 03:53.57 pm	P1.RES.DEVELOPMENTCONTR
Assigned to Amanda Minshull					
Initial Action	Past	FurtInvest	08/10/2021 03:54.00 pm 11/10/2021 12:00.00 am	31/12/2021 03:54.51 pm	P1.RES.DEVELOPMENTCONTR
11/10/2021 - Amanda Minshull - DCO Research done Refer to CIL for full details					
Follow Up Investigation/Action	Past	SiteInsCon	23/11/2021 03:45.36 pm 23/11/2021 03:46.26 pm	25/10/2021 12:00.00 am	P1.RES.DEVELOPMENTCONTR

# Redland City Council -Request

Description	Status	Decision	Commenced Finalised	Target Date	Role Name User
<b>Notes</b>					
23/11/2021 - Amanda Minshull - DCO Site inspection carried out with SM Nick Tzannes Refer to CIL for full details					
Follow Up Investigation/Action	Past	Breach	23/11/2021 03:46.26 pm 30/11/2021 03:30.50 pm	31/12/2021 03:46.26 pm	P1.RES.DEVELOPMENTCONTR
30/11/2021 - Amanda Minshull - DCO SC Notice drafted and sent to Nick Tzannes Refer to CIL for full details					
Follow Up Investigation/Action	Past	FurtInvest	18/02/2022 02:48.56 pm 18/02/2022 02:48.56 pm	14/12/2021 03:30.50 pm	P1.RES.DEVELOPMENTCONTR
18/02/2022 - Amanda Minshull - ESC Letter sent instead of Show Cause Notice Refer to CIL for full details					
Follow Up Investigation/Action	Past	SiteInsCon	18/02/2022 02:48.56 pm 18/03/2022 12:00.00 am	29/04/2022 02:48.56 pm	P1.RES.DEVELOPMENTCONTR
18/03/2022 - Amanda Minshull - ESC Roadside inspection carried out Refer to CIL for full details					
Follow Up Investigation/Action	Current		24/03/2022 08:26.49 am	31/05/2022 12:00.00 am	P1.RES.DEVELOPMENTCONTR
Breach Notice Issued	Current		30/11/2021 03:30.50 pm		P1.RES.DEVELOPMENTCONTR
Statute Spreadsheet Updated	Future				P1.RES.DEVELOPMENTCONTR
##CLOSE & Advise Complainant of Results##	Future				P1.RES.DEVELOPMENTCONTR
Back Office Note/Comment	Future				P1.RES.DEVELOPMENTCONTR
-- ADD Alleged Offender Association	Future				P1.RES.DEVELOPMENTCONTR
Back Office Note/Comment	Future				P1.RES.DEVELOPMENTCONTR

Right to Information Release

## **COMPLIANCE INVESTIGATION LOG**

**Application No:** CRDC525874

**Date Lodged:** 8/10/2021 3:53:57 PM

**Address:** Raby Bay Harbour Body Corporate 152-166 Shore Street West  
Cleveland QLD 4163

### **Request Details:**

CATEGORY 3 - Non Compliance - Material Change Of Use  
As per emails from SM - please investigate the closure of underground car park to customers.  
Please speak with SM about inspection and investigation.

Assigned to Amanda Minshull

### **11 October 2021 – Amanda Minshull COM005 – Development Control Officer Research**

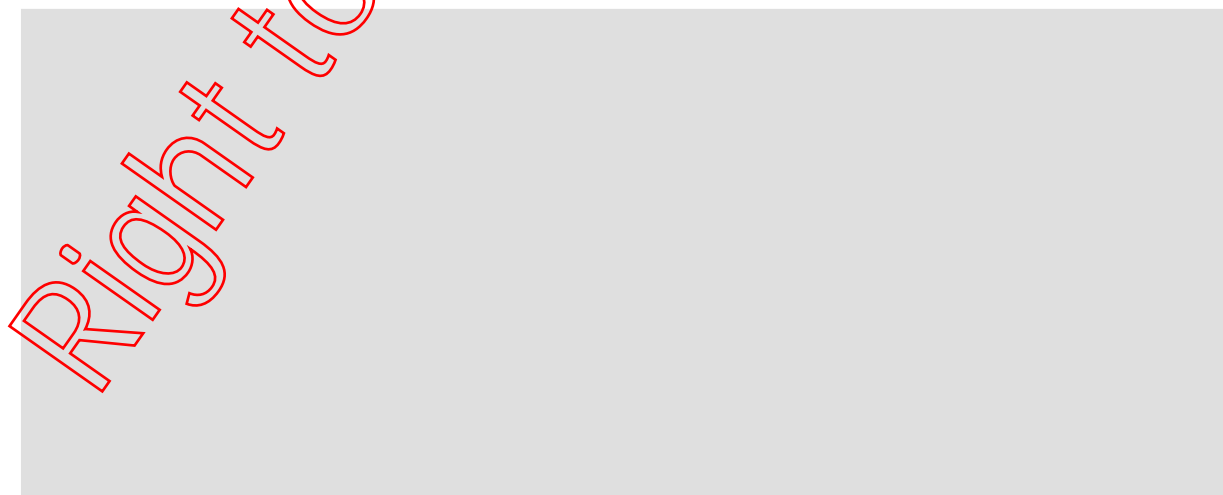
#### **Complainant details:**

Council Officer

#### **Owner details:**

Body Corporate For Raby Bay Harbour Principal CTS 30942  
C/- Archers Body Corporate Management Pty Ltd  
GPO Box 3025  
BRISBANE QLD 4001  
[brisbane@abcm.com.au](mailto:brisbane@abcm.com.au)

#### **Investigations History:**



Right to Information Release

**Property Details:**

SP147266

Right to Information Release



**Approvals:**

SB00463801 Volumetric, Building & Standard Format Subdivision  
Approved 31/10/2002

**Condition 9 – All car parking spaces for non residential use must be free and unallocated**

**23 November 2021 – Amanda Minshull COM005 – Development Control Officer Inspection**

Inspection carried out with Service Manager Nick Tzannes at approximately 2:20pm.

On arrival at Raby Bay Harbour the boom gate and signage was in use restricting parking to the underground parking area. Photos were taken.



There is also another sign stating:

**NO TRAIN PARKING  
WARNING**

**Parking for Customers & Staff, Residents & Visitors ONLY  
24 Hours – 7 Days**

**ALL other vehicles including those not parked in marked parking bays, WILL be towed away at Owner's Expense - \$500.00 (incl GST)**

**Contact 1300 669 046 to collect vehicle**

Subject to Terms & Conditions of Carriage & Storage  
Tow Away Zone



Both Nick and I then proceeded to Centre Management. We spoke with a lady in the office and Nick asked to speak with someone about the possible breach of the Development approval for the parking. The lady responded that the directors are unavailable today. Nick gave her a card in order for them to email him with some dates and times to have a meeting. Nick further explained in response to the lady's questions that it was to do with the subdivision approval and showed her a copy of the Decision Notice (condition 9) that 'All car parking spaces for non residential use must be free and unallocated.'

Nick left a copy of the notice with her and she said she will have Ken email Nick.

**Thursday, November 25, 2021 Nick Tzannes - COM025**

I met with Kent Beal (Centre management office) to discuss a complaint Council has received regarding the Raby Bay Harbour car parking management, that being:

- **Boom gates to be installed in the underground car park.**

Operational from 9am – 4pm (Monday – Friday).

Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).

This plan will alleviate the current issue of public transport users utilising this area and provide **FREE car parking** to our tenants and their patrons at their peak operating times.

Please note, the boom gate is non-operational on weekends, maximizing car parking space to all during these peak times for ground level hospitality.

- **Additional parking adjacent to Raby Bay Harbour & Signage.**

Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of the Raby Bay Harbour precinct.

Kent advised a large percentage of people utilising the onsite car parking space were non patrons/commuters and car parking management plan was required. Given *both levels of commercial and retail/hospitality space are at capacity it was vital to implement such a plan that would benefit all tenants and their patrons moving forward.*

I advised Kent that condition 9 of the Volumetric, Building & Standard Format Subdivision approval (31 October 2002) states as follows:

***9. All car parking spaces for non-residential use must be free and unallocated.***

Kent advised the CMS gives the Body Corporate the power to manage the commercial car park and the current arrangement allows them to provide parking onsite and staff parking on the overflow car park at 185-189 Shore Street West, Cleveland.

Right to Information Release



I advised Kent I don't agree with his position and Council will issue a Show Cause Notice.

**Nick Tzannes**

**Service Manager Development Control**

Environment and Regulation Group | Community and Customer Services Department

|

Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**29 November 2021 – Amanda Minshull COM005 – Development Control**

**Officer**

**Inspection**

Service Manager Nick Tzannes did a site inspection to confirm that signage is erected on the 182 Shore Street West Cleveland site directing traffic to park there as an alternative to Raby Bay. Photos taken



**30/11/2021 - Graeme Wellburn - ERE007 - BSO- Development Control Unit**

As per DCO request – a company search has been conducted for U. I. INTERNATIONAL PTY. LTD.

**25 January 2022 – Amanda Minshull SAG032 – Erosion and Sediment Control Officer Inspection**

Inspection carried to confirm the boom gate is still in operation. Photo taken.

Correspondence will be issued to the body corporate. Letter has been drafted and sent to SM Amanda Schooth.

**18 February 2022 – Amanda Minshull SAG032 – Erosion and Sediment Control Officer Correspondence**

Letter sent to

Att: [REDACTED]  
UI International Pty Ltd (CAN 070 639 422) as Trustee  
152-166 Shore Street West  
CLEVELAND QLD 4163

By Australia Post.

Refer to A6483511 for correspondence details



20220218 -  
CRDC525874 - Raby

**2 March 2022 – Amanda Minshull SAG032 – Erosion and Sediment Control Officer Phone call**

Phone call received from [REDACTED] at Raby Bay Harbour Body Corporate. She said that she only received the letter this morning and she is concerned as the meeting date requested has been and passed. I told her that given the circumstances over the last week with the weather it was obviously delayed. I told her to disregard the timeframe in the letter. If she can contact who she needs to speak to and get back to me with what works. [REDACTED] thanked me and said she will be in touch soon.

**18 March 2022 – Amanda Minshull SAG032 – Erosion and Sediment  
Control Officer  
Inspection**

Roadside inspection carried out confirming that the boom gate is still in place along with the signage. Photos taken.

Right to Information Release

## Kerry Veale

---

**From:** Nick Tzannes  
**Sent:** Friday, 8 October 2021 3:44 PM  
**To:** Graeme Wellburn  
**Subject:** FW: Raby Bay Haarbourside parking: closure of commercial parking from public use during normal working hours- 152-156 Shore St, Cleveland  
**Attachments:** Raby Bay Harbourside DA Plans.obr; Raby Bay harbourside DA conditions.obr

Hi Graeme

Can you please raise a CRDC. - Part One

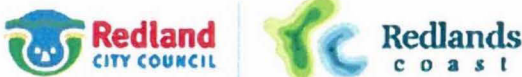
Thanks

**Nick Tzannes**

**Service Manager Development Control**

Environment and Regulation Group | Community and Customer Services Department |  
Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Simon Honeywood

**Sent:** Friday, 8 October 2021 3:19 PM

**To:** Nick Tzannes

**Subject:** Raby Bay Haarbourside parking: closure of commercial parking from public use during normal working hours- 152-156 Shore St, Cleveland

Hi Nick.

I spoke with you a few hours ago about the above site. The owners/ body corporate announced a month or so ago that they intend to close parking off to visitors to Raby Bay Harbourside (marked blue below) during daytime business hours and requiring patrons to park at Wynyard Rd (marked red below).

David Jeanes suggested I speak with you about whether the owners can close off public use in this way, in light of the approved conditions. Parking is a topical issue in Cleveland at the moment and businesses closing off public access to their off street parking can result in parking being forced onto streets, where there is a lot more competition for space.

I understand that part of their rationale for doing this is that they believe that people are parking all day there and therefore locking out employees and shorter term use in their off street parking. The Wynyard St site is a development property that has been used as parking but will be closed for such use when the site is redeveloped.

I understand that the owners of Harbourside intend to or have already installed a boom gate to control who parks there.

If you would please investigate this to see if we have some scope to enable ongoing community use during business hours and ensure that this is enforced.

I will call you shortly to organise sending you the hard copy files, of which there are quite a few (including plans).





Thanks.

Regards,

**Simon Honywood**

**Principal Transport Planner**

**City Planning & Assessment**

**Redland City Council**

P: [redacted] | E: [simon.honywood@redland.qld.gov.au](mailto:simon.honywood@redland.qld.gov.au)



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.



3.3 Infrastructure/Engineering

Road Access and Required Road Frontage Works

The site has frontages to Shore Street and Masthead Drive. Access to the site is gained from both Shore Street (via a left-in / left-out arrangement) and Masthead Drive (via a proposed roundabout).

Shore Street:

Currently kerb and channel is present along the entire frontage of the site.

Construction of a driveway access (left-in / left-out arrangement) shall be required.

Construction of pathways (minimum width of 2.0 metres) in accordance with the design standards set in Development Control Plan 2, Cleveland Town Centre Streetscape Design Manual and Council standards.

Masthead Drive:

Currently kerb and channel is present along the entire frontage of the site.

Construction of a roundabout and associated works shall be required at the Masthead Drive / Compass Court intersection. These works shall include headlight glare amelioration works to the satisfaction of Council.

Construction of pathways (minimum width of 2.0 metres) in accordance with the design standards set in Development Control Plan 2, Cleveland Town Centre Streetscape Design Manual and Council standards.

Internal Traffic Movement and Car Parking

Internal traffic movements, dimensions and layout of the car parking areas generally comply with AS2890, subject to detailed design.

Commercial Car Parking

In relation to the Commercial component of the development, 194 car parking spaces have been supplied on the subject site, which represents a car parking rate of 1 space per 28.6m<sup>2</sup> of Gross Floor Area. The proposed car parking rate is consistent with the car parking rate previously approved over this site on 20 August 1998.

Residential Car Parking

In relation to the Residential component of the development, there is 54 residential units associated with this development, 89 car parking spaces have been supplied on the subject site, for the residential use, which represents a car parking rate of 1.65 spaces per unit. The Residential Code for Multiple Dwelling Developments indicates a required car parking rate of 2 spaces per dwelling unit, which equates to 108 spaces. This proposal, in relation to the residential component, therefore indicates that there will be a shortfall of 19 spaces on the subject site.

In association with development of the subject site, the applicant is undertaking various works in the adjoining parklands. These works, offered by the applicant, shall be provided in lieu of the car parking shortfall.

(Mick Zhanner) - since Manager Dist Centre

Same conditions at 12 November 2001.

File: MCO06379

Right to Information Release

List of Items relevant to code assessment approval for the Raby Bay Harbour Scheme.

This document acts as both a record of outstanding issues as well as an addendum to the Town Planning Report.

so that it presents very little frontage to Shore St.



## 6.0 CARPARKING

### 6.1 Commercial carparking

	APPROVED SCHEME	REVISED SCHEME
GFA of commercial/ retail	6291	5548
Spaces Provided	220	194
Rate of carparking Provided	1/28.6	1/28.6

This proposal provides the same rate as already approved.

**RSC TO ACCEPT**

### 6.2 Residential Carparking

	3 BEDROOM UNITS	2 BEDROOM UNITS
Spaces Provided	44	44
No of units	22	32
Rate per unit	2	1.4

These rates are supported by Stuart Holland - Traffic Engineer.

**RSC TO ACCEPT**



**Stephen Smith**

**From:** Bradley Salton  
**Sent:** Monday, 26 November 2001 8:55 AM  
**To:** Stephen Smith  
**Subject:** FW: MC006379 - Shore Street - Further info required

Here it is.

-----Original Message-----

**From:** Bradley Salton  
**Sent:** Thursday, 22 November 2001 11:42 AM  
**To:** Stephen Smith  
**Subject:** MC006379 - Shore Street - Further info required

**On-site Car Parking Requirements**

As previously indicated the current development proposal does not comply with Council's car parking requirements as stated in the Cleveland Development Control Plan and the Residential Code for Multiple Dwellings (in respect to the residential component of the development).

A review of the on-site car parking requirements should be undertaken by a Professional Traffic Engineer, so as to determine if car parking proposed is adequate to cater for the proposed development. Should the shortfall of car parking spaces not be acceptable to Council (as reviewed by the applicant's Traffic Engineer) a monetary contribution shall be required.

Right to Information Release

## MC006379 - CAR PARKING – FILE NOTE

### Commercial Car Parking

In relation to the **Commercial** component of the development, 194 car parking spaces have been supplied on the subject site, which represents a car parking rate of **1 space per 28.6m<sup>2</sup>** of Gross Floor Area. The Cleveland Development Control Plan No. 2 indicates a required car parking rate of **1 space per 20m<sup>2</sup>** of the Gross Floor Area, which equates to **278** spaces. This proposal, in relation to the commercial component, therefore indicates that there will be a shortfall of **84** spaces on the subject site.

### Residential Car Parking

In relation to the **Residential** component of the development, there is **54** residential units associated with this development, **89** car parking spaces have been supplied on the subject site, for the residential use, which represents a car parking rate of **1.65 spaces per unit**. The Residential Code for Multiple Dwelling Developments indicates a required car parking rate of **2 spaces per dwelling unit**, which equates to **108** spaces. This proposal, in relation to the residential component, therefore indicates that there will be a shortfall of **19** spaces on the subject site.

### Car Parking Shortfall

The **total shortfall** of car parking for the entire development is **103** spaces.

Should Council not be prepared to accept this level of shortfall of car parking spaces, the applicant would be required to make a **monetary contribution** to Council for future car parking, for the shortfall of **103** car parking spaces.

The current contribution rate per car parking spaces is **\$12,500**. This equates to a total monetary contribution (for future car parking) of **\$1,287,500**.



**HOLLAND TRAFFIC CONSULTING PTY**

ABN 48 011 088 152

Our Ref: 01S71.4.SAH

Date: 30 November 2001

Interworks  
GPO Box 2850  
Brisbane 4001

Attention: [Redacted]

Dear [Redacted]

**MASTHEAD DRIVE AND SHORE STREET WEST, RABY BAY: PROPOSED MIXED USE DEVELOPMENT**

We refer to your request for the provision of traffic engineering advices in relation to the proposed provisions for carparking associated with the residential component of the proposed mixed use development at Masthead Drive and Shore Street West, Raby Bay.

The residential component of the development proposes the following secured carparking provisions:

3 bedroom units	22 units at 2 spaces per unit	44 spaces
2 bedroom units	32 units at 1.4 spaces per unit	45 spaces
all units	54 units at 1.65 spaces per unit	89 spaces

Each of the above parking spaces are proposed within secured areas, either within townhouse garages or within areas requiring access via a security shutter. It is understood that each of the proposed secure parking spaces would be allocated to a specific unit, with not more than 2 spaces being allocated to any specific unit. Some units will therefore have 2 designated parking spaces, with the remaining units having a single designated parking space. It is understood that each pair of proposed tandem parking spaces will be allocated to one specific unit.

Visitor parking is proposed within the general commercial and retail parking areas of the mixed use development.

It is understood that the Redland Shire Council requirement for parking provisions at the residential component of the proposed development is 2 spaces per unit, regardless of the number of bedrooms proposed per unit. It is understood that requirement includes provision for visitor parking.

For comparison, a selection of documented unit parking requirements from other sources are as follows.

- (i) Staff Main Roads "Transport Assessment Guide" (June 1995) suggests a parking rate of 1.5 spaces per units for medium density developments
- (ii) The NSW Roads and Traffic Authorities (RTA) "Guide to Traffic Generating Developments" suggests a rate of 1.4 spaces per 2 bedroom unit and 1.7 spaces per 3 bedroom unit in medium density developments.
- (iii) For areas remote from public transport, Brisbane City Council's (BCC) requirements are 1.5 spaces per 2 or 3 bedroom unit, including 0.25 spaces per unit for visitor parking. For areas in close proximity to public transport, BCC's requirement is 1.25 spaces per 2 or 3 bedroom unit, including 0.25 spaces per unit for visitor parking.

From our Red Hill office

Phone: 07 3369 4315  
Fax: 07 3369 4318  
Email: [Redacted]

39 Edith Terrace  
Red Hill 4058

Also at Shelmer [Redacted]

Right to Information Release

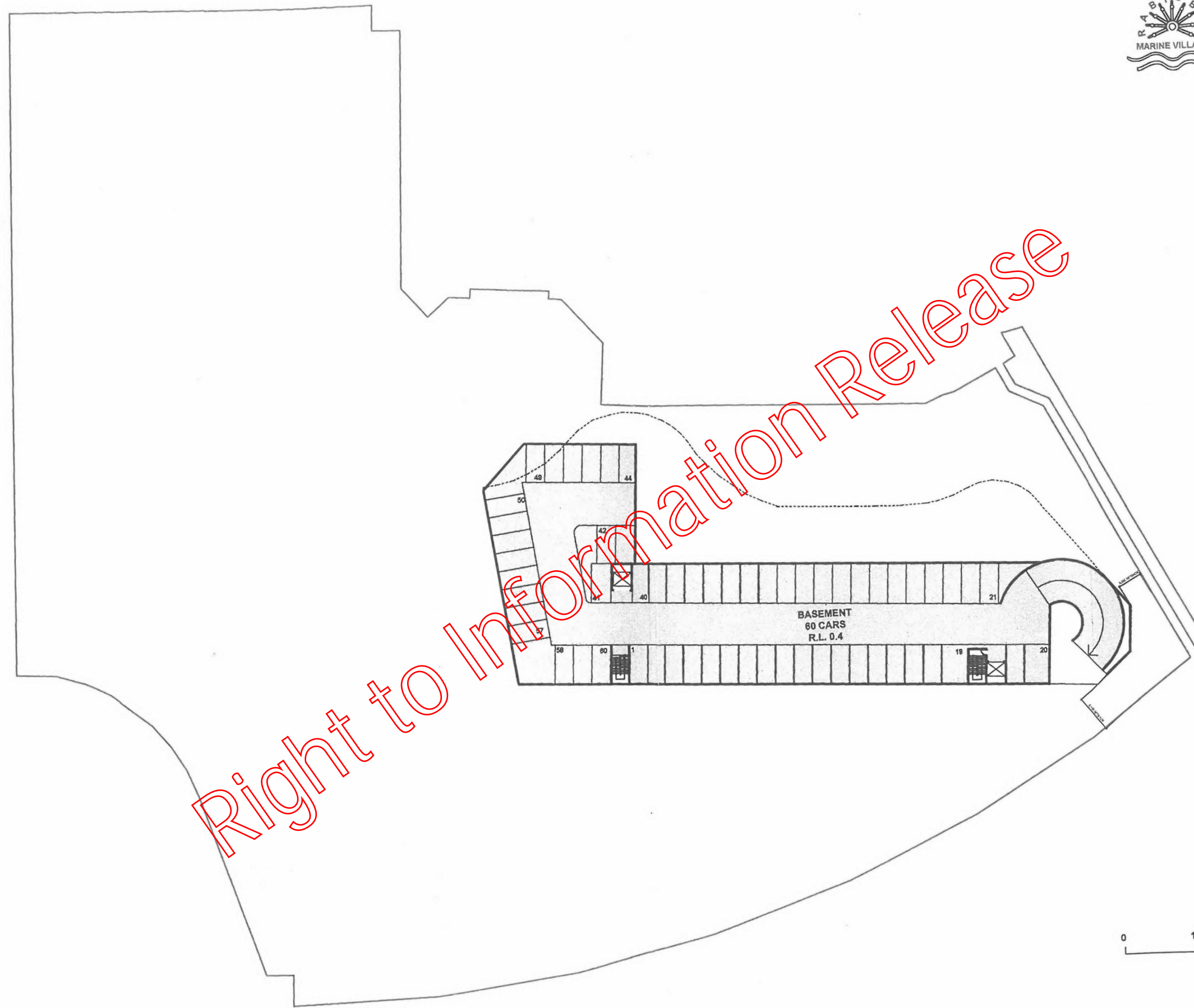
[Redacted]



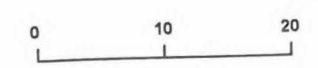


RECEIVED  
06 SEP 2001  
Development Assessment

Right to Information Release



RECEIVED  
06 SEP 2001  
Development Assessment



**BASEMENT PLAN**

BOX: MCG472 RCC: BNE0430765

**RABY BAY MARINE VILLAGE**

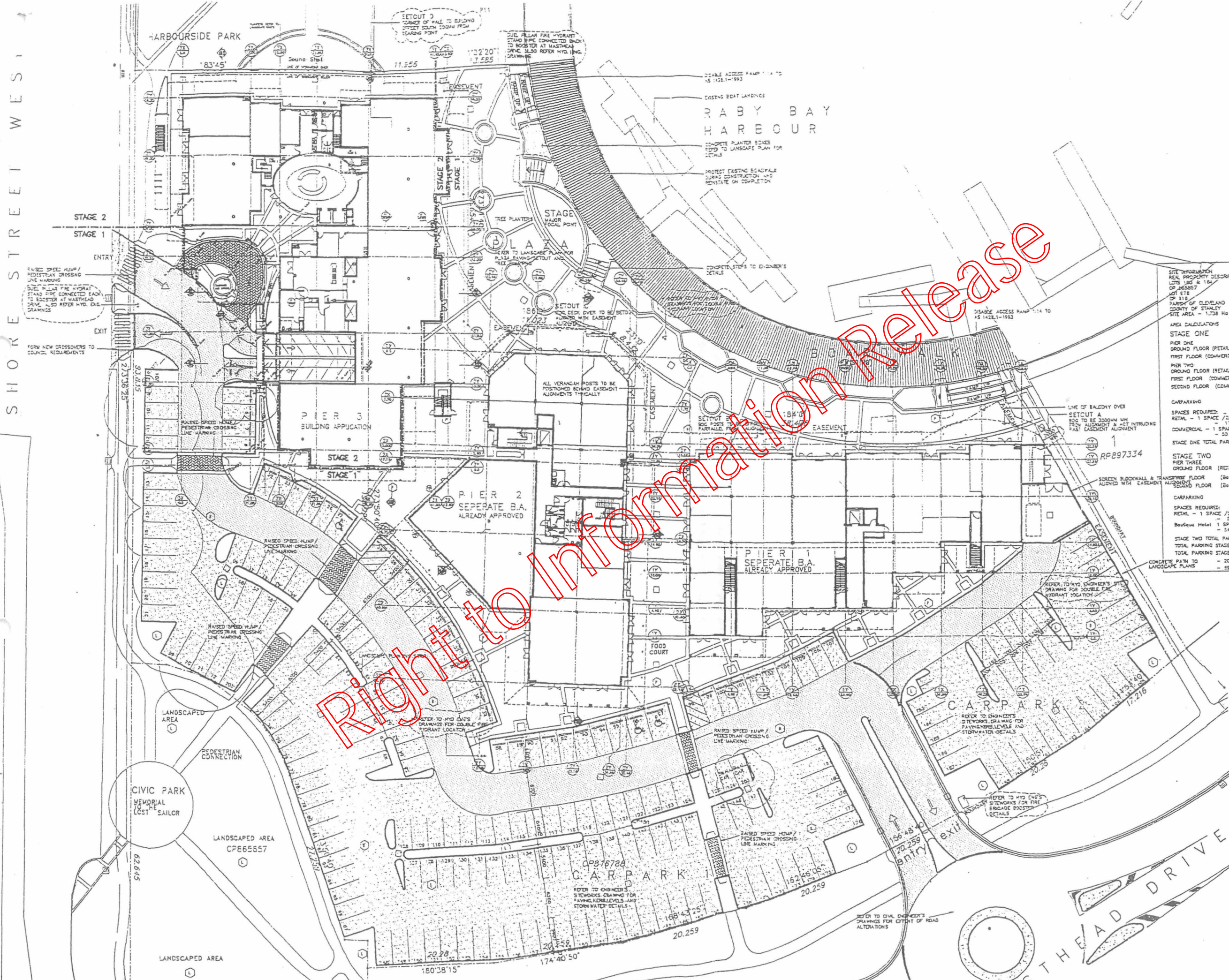
CLIENT U.I.INTERNATIONAL  
SCALE 1:600 AT A3 DATE: 04.09.01

**SKO2D**

GPO BOX 2850  
BRISBANE QLD 4001  
ACN 087 985 402

TEL: (07) 3220 1788





**SITE LEGEND**

- ① STAIR PLATFORM
- ② ELEVATOR SHAFTS AND STAIRS
- ③ FIRE HYDRANT
- ④ RAISED PLANTER BOX - REFER TO SEPARATE LANDSCAPE PLAN
- ⑤ LANDSCAPED AREA - REFER TO SEPARATE LANDSCAPE PLAN
- ⑥ CONCRETE EDGE - REFER TO DET'S DETAILS
- ⑦ 100MM WIDE LINE MARKING
- ⑧ DIRECTIONAL ARROW PAINTED ON PAVEMENT
- ⑨ DISTING LEVEL
- ⑩ DISTING CONTROL
- ⑪ GRADED STAMP
- ⑫ TACTILE INDICATOR TAPE TYPE B TO AS1428.1
- ⑬ REFER TO ENGINEER'S SPECIFICATIONS FOR STORMWATER LEVELS AND PAVEMENT. REFER TO CONSULTANTS DRAWINGS FOR DETAILS OF SITE SERVICES.

**SITE INFORMATION**  
REAL PROPERTY DESCRIPTION  
LOTS 150 & 161 OF RESERVE LOT 678 OF 1118 PARCELS OF CLEVELAND COUNTY OF STANLEY  
SITE AREA - 1,738 Ha

**AREA CALCULATIONS**

**STAGE ONE**

PIER ONE GROUND FLOOR (RETAIL)	GFA - 1,187 SQM	(GLA 1,184 SQM)
FIRST FLOOR (COMMERCIAL)	GFA - 783 SQM	(GLA 842 SQM)
PIER TWO GROUND FLOOR (RETAIL)	GFA - 1,223 SQM	(GLA 1,084 SQM)
FIRST FLOOR (COMMERCIAL)	GFA - 898 SQM	(GLA 674 SQM)
SECOND FLOOR (COMMERCIAL)	GFA - 898 SQM	(GLA 876 SQM)

**CARPARKING**

SPACES REQUIRED - 27 SPACES  
RETAIL - 1 SPACE / 220 SQM GLA (2,216/220) = 111 SPACES  
COMMERCIAL - 1 SPACE / 40 SQM GLA (1,854 / 40) = 46 SPACES  
STAGE ONE TOTAL PARKING REQUIRED: 151 SPACES

**STAGE TWO**

PIER THREE GROUND FLOOR (RETAIL)	GFA - 1,322 SQM	(GLA 1,150 SQM)
GROUND FLOOR (Boulevard Hotel) 27 SELF CONTAINED ROOMS	(51 SQM/RM)	
SECOND FLOOR (Boulevard Hotel) 27 SELF CONTAINED ROOMS	(51 SQM/RM)	

**CARPARKING**

SPACES REQUIRED:  
RETAIL - 1 SPACE / 220 SQM GLA (1,100/220) = 50 SPACES  
Boulevard Hotel 1 SPACE / Rm (54/1) = 54 SPACES  
STAGE TWO TOTAL PARKING REQUIRED: 112 SPACES  
TOTAL PARKING STAGES 1 & 2 REQUIRED - 273 SPACES  
TOTAL PARKING STAGES 1 & 2 PROVIDED - 274 SPACES  
CONCRETE PAVEMENT TO LANDSCAPE PLANS - 205 SPACES ABOVE GROUND  
CONCRETE PAVEMENT TO LANDSCAPE PLANS - 59 SPACES BASEMENT PIER 3

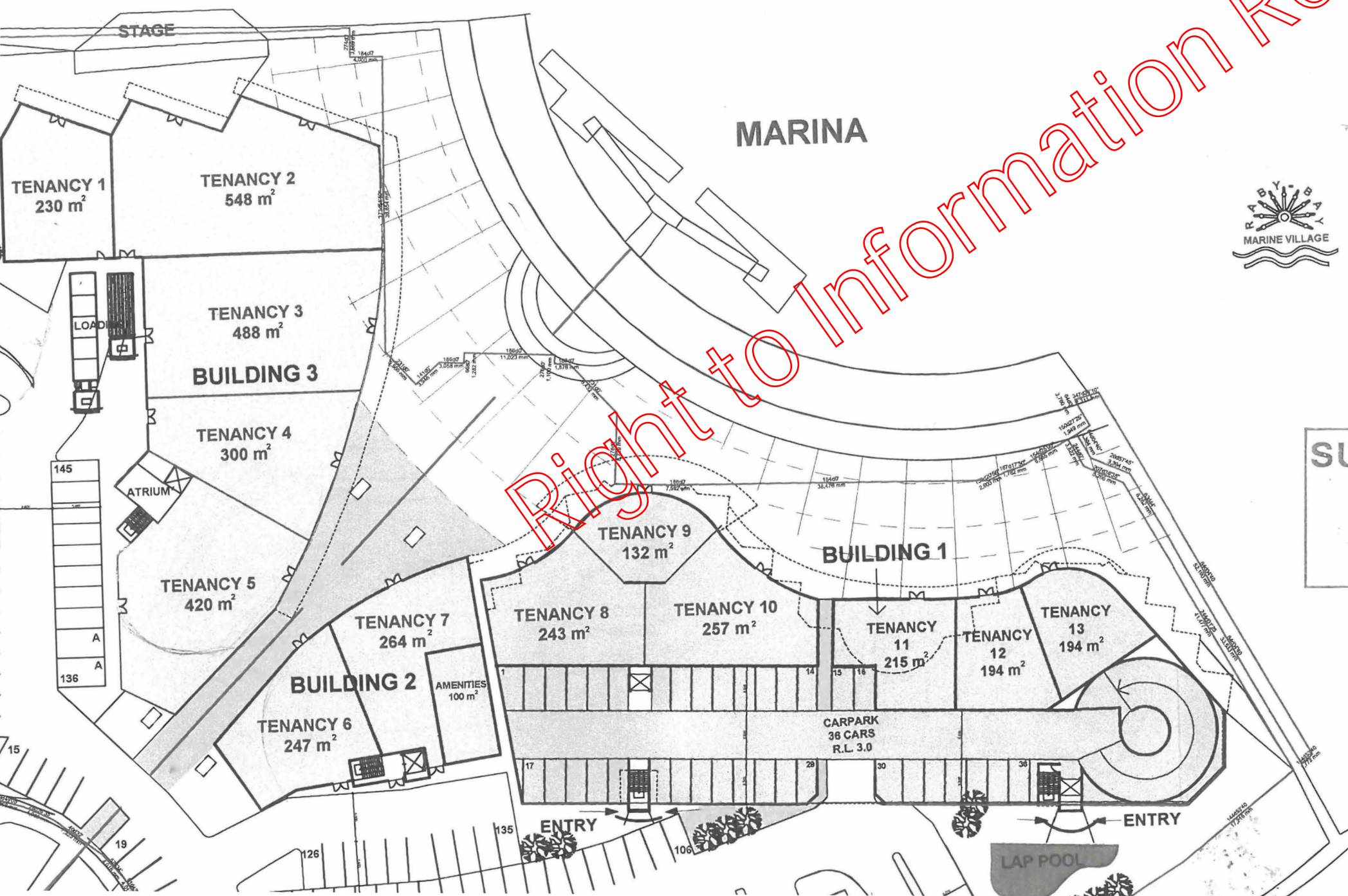
PT 10 SUBFUNCTION SCALE	1:100
PT 11 SUBFUNCTION SCALE	1:100
PT 12 SUBFUNCTION SCALE	1:100
PT 13 SUBFUNCTION SCALE	1:100
PT 14 SUBFUNCTION SCALE	1:100
PT 15 SUBFUNCTION SCALE	1:100
PT 16 SUBFUNCTION SCALE	1:100
PT 17 SUBFUNCTION SCALE	1:100
PT 18 SUBFUNCTION SCALE	1:100
PT 19 SUBFUNCTION SCALE	1:100
PT 20 SUBFUNCTION SCALE	1:100
PT 21 SUBFUNCTION SCALE	1:100
PT 22 SUBFUNCTION SCALE	1:100
PT 23 SUBFUNCTION SCALE	1:100
PT 24 SUBFUNCTION SCALE	1:100
PT 25 SUBFUNCTION SCALE	1:100
PT 26 SUBFUNCTION SCALE	1:100
PT 27 SUBFUNCTION SCALE	1:100
PT 28 SUBFUNCTION SCALE	1:100
PT 29 SUBFUNCTION SCALE	1:100
PT 30 SUBFUNCTION SCALE	1:100
PT 31 SUBFUNCTION SCALE	1:100
PT 32 SUBFUNCTION SCALE	1:100
PT 33 SUBFUNCTION SCALE	1:100
PT 34 SUBFUNCTION SCALE	1:100
PT 35 SUBFUNCTION SCALE	1:100
PT 36 SUBFUNCTION SCALE	1:100
PT 37 SUBFUNCTION SCALE	1:100
PT 38 SUBFUNCTION SCALE	1:100
PT 39 SUBFUNCTION SCALE	1:100
PT 40 SUBFUNCTION SCALE	1:100
PT 41 SUBFUNCTION SCALE	1:100
PT 42 SUBFUNCTION SCALE	1:100
PT 43 SUBFUNCTION SCALE	1:100
PT 44 SUBFUNCTION SCALE	1:100
PT 45 SUBFUNCTION SCALE	1:100
PT 46 SUBFUNCTION SCALE	1:100
PT 47 SUBFUNCTION SCALE	1:100
PT 48 SUBFUNCTION SCALE	1:100
PT 49 SUBFUNCTION SCALE	1:100
PT 50 SUBFUNCTION SCALE	1:100



**LOUCAS ZAHOS ARCHITECTS**  
 1/11 St. James Street, Melbourne, VIC 3000  
 Phone: +61 3 9646 1111  
 Fax: +61 3 9646 1112  
 Email: info@loucaszahos.com.au  
 Website: www.loucaszahos.com.au

PROJECT: RABY BAY HARBOUR SHOPPING CENTRE  
 CLIENT: IMPERIAL LAND PTY LTD  
 DRAWING TITLE: SITE PLAN  
 CHECKED: (PWA) DATE: 17/07/2018  
 DRAWN: (PWA) DATE: 17/07/2018





Right to Information Release



\* F.O.  
 ↓ ENTER DESIGN  
 FOLE COURT ENTRY

**SUPERSEDED**  
 30 OCT 2001  
 Development Assessment



## Kerry Veale

---

**From:** Nick Tzannes  
**Sent:** Friday, 8 October 2021 3:42 PM  
**To:** Graeme Wellburn  
**Subject:** FW: MEMO - Raby Bay Harbour Car Parking Management

Hi Graeme

Part two.

Regards

**Nick Tzannes**

**Service Manager Development Control**

Environment and Regulation Group | Community and Customer Services Department |  
Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Simon Honeywood  
**Sent:** Friday, 8 October 2021 3:36 PM  
**To:** Nick Tzannes  
**Subject:** FW: MEMO - Raby Bay Harbour Car Parking Management

Please find below the e mail from owners/ BC to tenants for RB Harbourside

**From:** Lyn Uhlmann  
**Sent:** Thursday, 19 August 2021 1:15 PM  
**To:** Simon Honeywood <[Simon.Honeywood@redland.qld.gov.au](mailto:Simon.Honeywood@redland.qld.gov.au)>; Ben Clarke <[Ben.Clarke@redland.qld.gov.au](mailto:Ben.Clarke@redland.qld.gov.au)>  
**Subject:** FW: MEMO - Raby Bay Harbour Car Parking Management

Dear Simon and Ben,

Please see the below, which may be of interest to your projects.

Kind regards, Lyn

**Lyn Uhlmann**

**Service Manager Media, Communications and  
Community Engagement**

Communication, Engagement & Tourism

Redland City Council

P [REDACTED]

M



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Michelle Felton  
**Sent:** Tuesday, 17 August 2021 1:19 PM  
**To:** Tourism and Events Team <[TourismandEventsTeam@redland.qld.gov.au](mailto:TourismandEventsTeam@redland.qld.gov.au)>  
**Subject:** FW: MEMO - Raby Bay Harbour Car Parking Management

Hi all harbour parking info fyi.

Kind Regards,  
 Michelle

**Michelle Felton**  
**Tourism Visitor Engagement Coordinator**  
 Communication, Engagement & Tourism  
 Redland City Council

P [REDACTED]  
 M



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** [REDACTED] International [<mailto:account@rabybayharbour.com>]  
**Sent:** Tuesday, 17 August 2021 11:47 AM  
**To:** [REDACTED] UI International <[account@rabybayharbour.com](mailto:account@rabybayharbour.com)>  
**Subject:** MEMO - Raby Bay Harbour Car Parking Management

MEMO

17/08/2021

---

**TO:** ALL RABY BAY HARBOUR TENANTS  
**FROM:** UI INTERNATIONAL PTY LTD  
**SUBJECT:** CAR PARKING MANAGEMENT

---

Due to the positive growth and success of the Raby Bay Harbour precinct, it has come to our attention the need to implement a management system to the current onsite and offsite car parking facilities.

With the harbour currently at full capacity with both downstairs hospitality/retail, and level one commercial tenancies, we find it is now vital to implement such a plan that will seek to benefit all tenants and their patrons moving forward.

#### Stage 1

- **Boom gates to be installed in the underground car park.**

Operational from 9am – 4pm (Monday – Friday).

Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).

This plan will alleviate the current issue of public transport users utilising this area and provide **FREE car parking** to our tenants and their patrons at their peak operating times.

Please note, the boom gate is non-operational on weekends, maximizing car parking space to all during these peak times for ground level hospitality.

- **Additional parking adjacent to Raby Bay Harbour & Signage.**

Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of the Raby Bay Harbour precinct.

This is a **170 car park facility** for all Raby Bay Harbour tenants and their patrons to access FREE of charge/7 days a week.

Additional signage is currently being drafted and to be installed in several locations to direct patrons to the secondary car park facility.

- **Tenants assistance**

In taking all the above in consideration, tenants also have a key role in the success of the management of the car park facilities through designating staff to park in the overflow car park area located across from the harbour. This is an extremely common direction seen at similar mixed-use precincts in SE QLD.

Further to this, your assistance in educating patrons on the location of both onsite and overflow car parking areas will be of great assistance moving forward and eliminate any initial confusion through these changes. Together, we aim for all patrons visiting the precinct to have priority access to these parking areas at their relevant peak operating times.

#### Stage 2

- The new car park management plan will be put into effect 1<sup>st</sup> September 2021 with a 3-month trial period. After this time, relevant improvements and adjustments can be made if required to benefit all involved.

We look forward to working together on this improvement, focusing on client and patron satisfaction at the harbour precinct now and in the future.

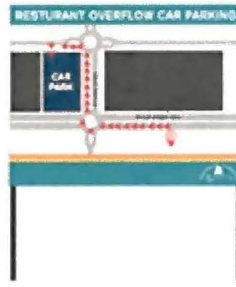
- **Additional Information**

The design work for car parking signage to direct our restaurant customers:

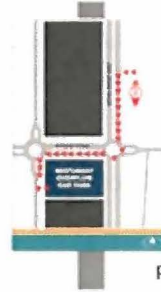




roundabout sign - 1800x2400mm



ramp sign  
900x700mm



post sign - 800x600mm

Right to Information Release

Google map of the car park location (indicated by the red arrow)



Right to Information Release

Kind Regards,

Administrator  
UI International Pty Ltd  
Tel

Right to Information Release

## Kerry Veale

---

**From:** Andrew Ross  
**Sent:** Wednesday, 17 November 2021 3:32 PM  
**To:** Nick Tzannes  
**Subject:** RE: Raby Bay - Parking Compliance

Great ta

**Andrew Ross**  
**General Counsel**  
Redland City Council

P [REDACTED]  
M



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future

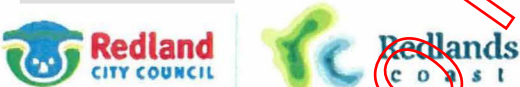
**From:** Nick Tzannes  
**Sent:** Wednesday, 17 November 2021 3:32 PM  
**To:** Andrew Ross  
**Subject:** RE: Raby Bay - Parking Compliance

Sorry I just got back from the NSI, I've left a message on [REDACTED] mobile [REDACTED] to call me .

**Nick Tzannes**

**Service Manager Development Control**  
Environment and Regulation Group | Community and Customer Services Department |  
Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Andrew Ross  
**Sent:** Wednesday, 17 November 2021 2:06 PM  
**To:** Nick Tzannes <[Nick.Tzannes@redland.qld.gov.au](mailto:Nick.Tzannes@redland.qld.gov.au)>  
**Subject:** Fwd: Raby Bay - Parking Compliance

Hi Nick - can [REDACTED] call you directly about the below issue -  
alternatively can you call [REDACTED] -thanks Andrew

Sent from my iPhone

Begin forwarded message:

**From:** Andrew Ross <[Andrew.Ross@redland.qld.gov.au](mailto:Andrew.Ross@redland.qld.gov.au)>  
**Date:** 12 November 2021 at 1:29:49 pm AEST  
**To:** Nick Tzannes <[Nick.Tzannes@redland.qld.gov.au](mailto:Nick.Tzannes@redland.qld.gov.au)>  
**Subject:** Raby Bay - Parking Compliance

Hi Nick,

Can you provide an update on what I thought to be compliance action regarding underground resident / retail parking at the Raby Bay precinct.

I believe [redacted] and officers met Kent Beal of Centre Management recently and by memory this was raised by [redacted] then raise with us.

So just checking - I could call if easier,  
Andrew

Private & Confidential  
Sent from my iPhone

Right to Information Release

## Kerry Veale

---

**Subject:** Inspection - Nick and Amanda - CRDC525874 - Raby Bay Harbour - 152-166 Shore Street West, Cleveland  
**Location:** 152-166 Shore Street West, Cleveland  
**Start:** Wed 17/11/2021 9:00 AM  
**End:** Wed 17/11/2021 10:00 AM  
**Show Time As:** Out of Office  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Amanda Minshull  
**Required Attendees:** Nick Tzannes

Right to Information Release



**From:** Nick Tzannes  
**Sent:** Tuesday, 30 November 2021 8:16 AM  
**To:** Amanda Minshull  
**Subject:** Meeting with Kent Beal

**Thursday, November 25, 2021 Nick Tzannes - COM025**

I met with Kent Beal (Centre management office) to discuss a complaint Council has received regarding the Raby Bay Harbour car parking management, that being:

- **Boom gates to be installed in the underground car park.**

Operational from 9am – 4pm (Monday – Friday).

Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).

This plan will alleviate the current issue of public transport users utilising this area and provide **FREE car parking** to our tenants and their patrons at their peak operating times.

Please note, the boom gate is non-operational on weekends, maximizing car parking space to all during these peak times for ground level Hospitality.

- **Additional parking adjacent to Raby Bay Harbour & Signage.**

Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of the Raby Bay Harbour precinct.

Kent advised a large percentage of people utilising the onsite car parking space were non patrons/commuters and car parking management plan was required. *Given both levels of commercial and retail/hospitality space are at capacity it was vital to implement such a plan that would benefit all tenants and their patrons moving forward.*

I advised Kent that condition 9 of the Volumetric, Building & Standard Format Subdivision approval (31 October 2002) states as follows:

***9. All car parking spaces for non-residential use must be free and unallocated.***

Kent advised the CMS gives the Body Corporate the power to manage the commercial car park and the current arrangement allows them to provide parking onsite and staff parking on the overflow car park at 185-189 Shore Street West, Cleveland.



I advised Kent I don't agree with his position and Council will issue a Show Cause Notice.

**Nick Tzannes**

**Service Manager Development Control**

Environment and Regulation Group | Community and Customer Services Department |  
Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

Right to Information Release

## Kerry Veale

---

**From:** Nick Tzannes  
**Sent:** Tuesday, 30 November 2021 8:55 AM  
**To:** Division 2 Support  
**Cc:** Kerry Veale  
**Subject:** RE: Info request - Raby Bay Harbour underground carpark public access restricted

Hi Katya

Please be advised I met with Kent Beal (Centre management office) on Thursday 25 November 2021, to discuss a complaint Council has received regarding the Raby Bay Harbour car parking management, that being:

- **Boom gates to be installed in the underground car park.**

Operational from 9am – 4pm (Monday – Friday).

Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).

This plan will alleviate the current issue of public transport users utilising this area and provide **FREE car parking** to our tenants and their patrons at their peak operating times.

Please note, the boom gate is non-operational on weekends, maximizing car parking space to all during these peak times for ground level hospitality.

- **Additional parking adjacent to Raby Bay Harbour & Signage.**

Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of the Raby Bay Harbour precinct.

Kent advised a large percentage of people utilising the onsite car parking space were non patrons/commuters and car parking management plan was required. *Given both levels of commercial and retail/hospitality space are at capacity it was vital to implement such a plan that would benefit all tenants and their patrons moving forward.*

I advised Kent that condition 9 of the Volumetric, Building & Standard Format Subdivision approval (31 October 2002) states as follows:

**9. All car parking spaces for non-residential use must be free and unallocated.**

Kent advised the CMS gives the Body Corporate the power to manage the commercial car park and the current arrangement allows them to provide parking onsite and staff parking on the overflow car park at 185-189 Shore Street West, Cleveland.





I advised Kent I don't agree with his position and Council will issue a Show Cause Notice.

Should you require further information please do not hesitate to contact me.

Regards

**Nick Tzannes**

**Service Manager Development Control**

Environment and Regulation Group | Community and Customer Services Department |  
Redland City Council

P [Redacted]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Nick Tzannes

**Sent:** Tuesday, 23 November 2021 10:14 AM

**To:** Division 2 Support

**Cc:** Kerry Veale

**Subject:** RE: Info request - Raby Bay Harbour underground carpark public access restricted

Hi Katya

I was unable to get the information required on Friday from records and I was away yesterday so the inspection has not been undertaken. However, I will be inspecting the site between 2 & 3pm today now that I have the required information (see attached – condition 9). I will provide an update post inspection today.

Regards

**Nick Tzannes**

**Service Manager Development Control**

F [Redacted]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Katya Williams **On Behalf Of** Division 2 Support  
**Sent:** Monday, 22 November 2021 12:33 PM  
**To:** Nick Tzannes <[Nick.Tzannes@redland.qld.gov.au](mailto:Nick.Tzannes@redland.qld.gov.au)>  
**Cc:** Kerry Veale <[Kerry.Veale@redland.qld.gov.au](mailto:Kerry.Veale@redland.qld.gov.au)>  
**Subject:** RE: Info request - Raby Bay Harbour underground carpark public access restricted

Hi Nick, hope all is well?

Just a quick follow up on below info request from Cr Mitchell please.

Kind regards

**Katya Williams**  
**Executive Support Officer**  
Corporate Governance | Councillors' Executive Support  
Redland City Council

F [Redacted]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Nick Tzannes  
**Sent:** Tuesday, 16 November 2021 2:40 PM  
**To:** Division 2 Support <[Division2Support@redland.qld.gov.au](mailto:Division2Support@redland.qld.gov.au)>  
**Cc:** Kerry Veale <[Kerry.Veale@redland.qld.gov.au](mailto:Kerry.Veale@redland.qld.gov.au)>  
**Subject:** RE: Info request - Raby Bay Harbour underground carpark public access restricted

Hi Katya

I'm undertaking a site inspection tomorrow. I will provide an update post inspection.

Regards

Regards

**From:** Katya Williams **On Behalf Of** Division 2 Support  
**Sent:** Tuesday, 16 November 2021 1:08 PM  
**To:** Nick Tzannes <[Nick.Tzannes@redland.qld.gov.au](mailto:Nick.Tzannes@redland.qld.gov.au)>  
**Cc:** Kerry Veale <[Kerry.Veale@redland.qld.gov.au](mailto:Kerry.Veale@redland.qld.gov.au)>  
**Subject:** FW: Info request - Raby Bay Harbour underground carpark public access restricted

Good afternoon Nick,

Please see Cr Mitchell's request for information below. Thank you!

Kind regards

**Katya Williams**

**Executive Support Officer**

Corporate Governance | Councillors' Executive Support

Redland City Council

P [REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

**From:** Cr Peter Mitchell

**Sent:** Tuesday, 16 November 2021 12:27 PM

**To:** Division 2 Support <[Division2Support@redland.qld.gov.au](mailto:Division2Support@redland.qld.gov.au)>

**Subject:** Info request

Can I ask officers is there any discussions with Raby Bay Harbour commercial body corporate managers re public access to the underground car park.

I have heard rumours of restricted access and legal ability to do so.

Peter

Yours sincerely

**Peter Mitchell**

**Councillor for Division 2**

[peter.mitchell@redland.qld.gov.au](mailto:peter.mitchell@redland.qld.gov.au)

Ph: 3829 8607

Mb: 0412 638 368



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

Right to Information Release

**Kerry Veale**

**From:** Amanda Minshull  
**Sent:** Tuesday, 30 November 2021 1:12 PM  
**To:** Nick Tzannes  
**Subject:** Address/Owners for Raby Bay

Hey Nick,

Just checking which one you think would be best for the SC Notice for Raby Bay? Or do we send a notice to both?

**Property**

Property ID:

Address: Raby Bay Harbour Common Area SP147288 152-166 Shore Street West Cleveland Q  
Legal Desc: Common area Raby Bay Commercial Centre CTS  
Owners: The Body Corporate For Raby Bay Harbour Commercial Centre CTS 30945  
Service Address: C/- Archers Body Corporate Management Pty Ltd GPO Box 3025 BRISBANE QLD 4  
Rate Codes: Assessment - 68408

---

**Property** | Rates |

Status:

Property Type:  Common Area - Community Title Scheme

Electorate:

Default Postal Address:

Legal Description:

Additional Description:

Owners

Right to Information Release



## Property

Property ID:\*

234280



Address:

Raby Bay Harbour Body Corporate 152-166 Shore Street West Cleveland QL

Legal Desc:

Main Meter & Common Area SP147266 Raby Bay Harbour CTS

Owners:

Body Corporate For Raby Bay Harbour Principal CTS 30942

Service Address:

C/- Archers Body Corporate Management Pty Ltd GPO Box 3025 BRISBANE

Rate Codes:

Assessment - 68368

### Property | Rates

Status:

Current



Property Type:

17

Meter Record - Community Title Scheme

Electorate:

Default Postal Address:

C/- Archers Body Corporate Management Pty Ltd  
GPO Box 3025  
BRISBANE QLD 4001

Legal Description:

Main Meter & Common Area SP147266  
Raby Bay Harbour CTS

Additional Description:

### Owners

Amanda

Right to Information Release



**Kerry Veale**

---

**From:** Amanda Minshull  
**Sent:** Tuesday, 30 November 2021 3:29 PM  
**To:** Nick Tzannes  
**Subject:** 20211130 - CRDC525874 - SHOW CAUSE NOTICE - CONTRAVENING A DEVELOPMENT APPROVAL - DRAFT  
**Attachments:** 20211130 - CRDC525874 - SHOW CAUSE NOTICE - CONTRAVENING A DEVELOPMENT APPROVAL - DRAFT.obr

Hi Nick,

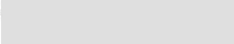
I am so sorry for the delay.

I also feel it isn't quite right. Please let me know if I can make any changes.

Amanda

Regards,

**Amanda Minshull**  
**Development Control Officer**  
Development Control  
Redland City Council

P 



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

Right to Information Release

## SHOW CAUSE NOTICE

### *Planning Act 2016 Section 167*

Show Cause Notice No: ##

Our Ref: CRDC525874

Formatted: Left, Tab stops: 12.1 cm, Left + 15.74 cm, Right

U-I International Pty Ltd (ACN 070 639 422) as Trustee  
52-166 Shore Street West  
CLEVELAND QLD 4163

**TO:** U. I. International Pty Ltd as Trustee (ACN 070 639 422)  
**OF:** 152-166 Shore Street West  
**AS:** Property Owner  
**OF:** Raby Bay Harbour, 152-166 Shore Street West, Cleveland, QLD, 4163 ("the premises")

Dear Sir/Madam,

**RE:** Raby Bay Harbour, 152-166 Shore Street West, Cleveland  
**Re:** Changes to complex parking arrangements

Formatted: Font: Bold

On 8 October 2021, Council received a complaint in relation to the parking arrangements at the Raby Bay Harbour Centre, located at 152-166 Shore Street West, Cleveland. Details of that complaint revealed that you, as the property owners, intended to change the parking arrangements of the complex. In the complaint received by Council was also a copy that included a copy of a memorandum addressed to all tenants titled - *The memorandum*.

The memorandum provided to all tenants outlined the following: - was sent to All Raby Bay Harbour Tenants advising the following:

- Boom gates to be installed in the underground car park  
Operational from 9am – 4pm (Monday to Friday).  
Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).
- Additional parking adjacent to Raby Bay Harbour & Signage  
Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of Raby Bay Harbour Precinct.  
This is a 170 car park facility for all Raby Bay Harbour tenants and their patrons to access FREE of charge/7 days a week.

Additional signage is currently being drafted and to be installed in several locations to direct patrons to the secondary car park facility.

• Tenants assistance

In taking all the above in consideration, tenants also have a key role in the success of the management of the car park facilities through designating staff to park in the overflow car park area located across from the harbour. This is an extremely common direction seen at similar mixed-use precincts in SE QLD. Further to this, your assistance in educating patrons on the location of both onsite and overflow car parking areas will be of great assistance moving forward and eliminate any initial confusion through these changes. Together, we aim for all patrons visiting the precinct to have priority access to these parking areas at their relevant peak operating times.

On 31 October 2002, Council issued a Development Application Decision Notice for Volumetric, Building & Standard Format Subdivision reference number SB463801 ("the approval").

Condition 9 of the approval states:

"All car parking spaces for non residential use must be free and unallocated."

On 29 November 2021, Council carried out an inspection of the premises which revealed:

- a. a boom gate had been installed at the entrance of the underground parking area restricting access to the underground carpark with signage stating, "Boomgates in operation: restricted access Monday to Friday until 4pm";
- b. at the time of the inspection the boomgate was lowered; and
- c. signage placed on 185-189 Shore Street West, Cleveland marked as "Raby Bay Harbour Restaurants Overflow Car Park"

Having regard to the information contained within the Memorandum to all Tenants dated 17 August 2021 and the changes observed by Council in November 2021 to the carpark area, Council holds concerns that the current carparking arrangements do not comply with the approval issued on 13 October 2022.

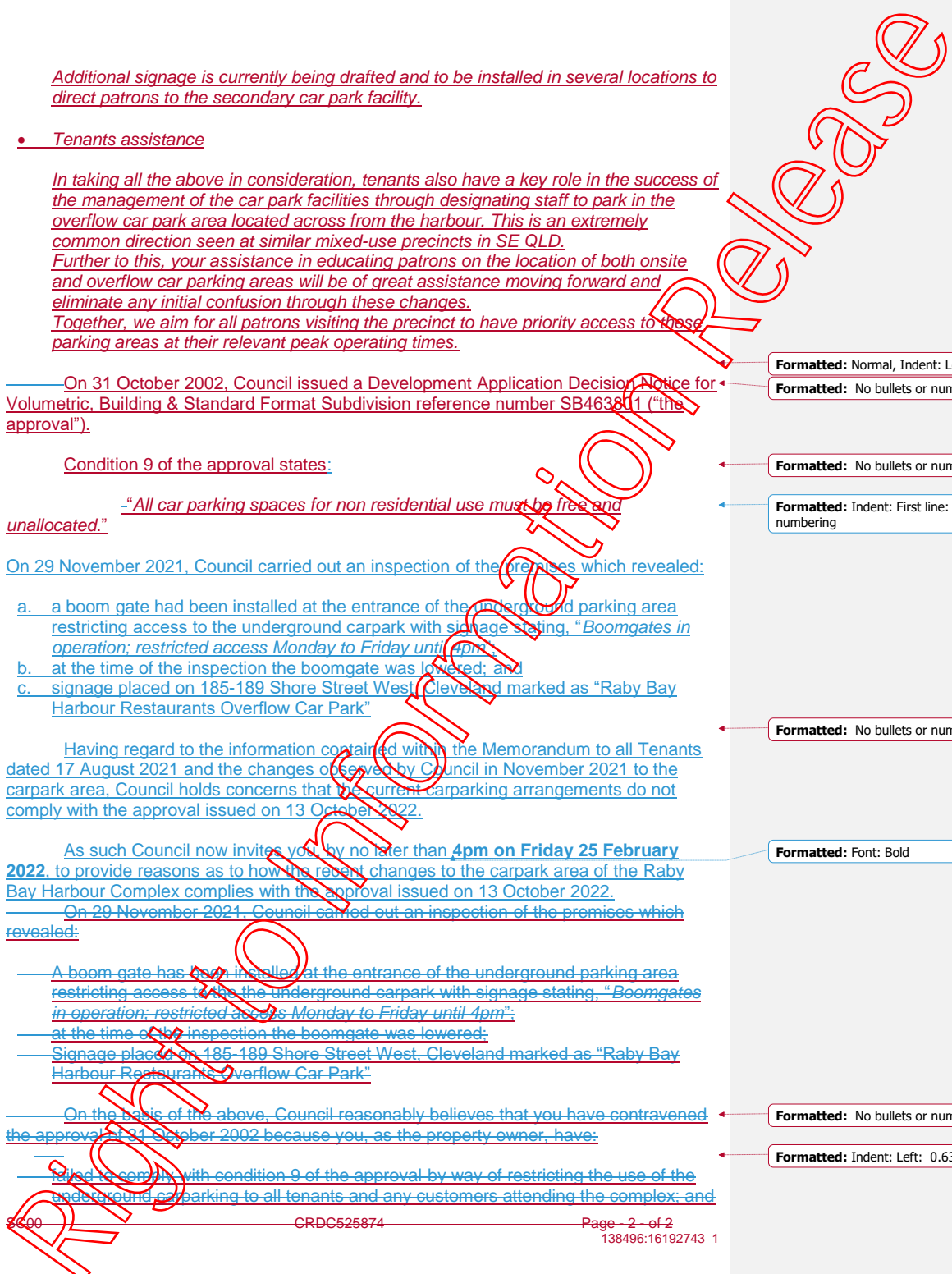
As such Council now invites you, by no later than **4pm on Friday 25 February 2022**, to provide reasons as to how the recent changes to the carpark area of the Raby Bay Harbour Complex complies with the approval issued on 13 October 2022.

On 29 November 2021, Council carried out an inspection of the premises which revealed:

- A boom gate has been installed at the entrance of the underground parking area restricting access to the the underground carpark with signage stating, "Boomgates in operation: restricted access Monday to Friday until 4pm";
- at the time of the inspection the boomgate was lowered;
- Signage placed on 185-189 Shore Street West, Cleveland marked as "Raby Bay Harbour Restaurants Overflow Car Park"

On the basis of the above, Council reasonably believes that you have contravened the approval of 31 October 2002 because you, as the property owner, have:

- failed to comply with condition 9 of the approval by way of restricting the use of the underground carparking to all tenants and any customers attending the complex; and



Formatted: Normal, Indent: Left: 0 cm

Formatted: No bullets or numbering

Formatted: No bullets or numbering

Formatted: Indent: First line: 1.27 cm, No bullets or numbering

Formatted: No bullets or numbering

Formatted: Font: Bold

Formatted: No bullets or numbering

Formatted: Indent: Left: 0.63 cm, No bullets or numbering

~~directed tenants and customers who do not have access to the underground parking during business hours to park at 185-189 Shore Street West Cleveland which was not part of the approval dated 31 October 2002 for Raby Bay Harbour.~~

~~This notice has been given under section 167 of the *Planning Act 2016* ("the Act") because Redland City Council ("Council"), the enforcement authority, reasonably believes you have committed, or are committing, a development offence, being an offence against section 164 of the Act by contravening a development approval. As such Council and is considering giving you an enforcement notice to you for this offence.~~

~~This notice applies to premises described as **Lot 0 on SP 147265** located at **152-166 Shore Street West, Cleveland, QLD 4163** ("the premises").~~

~~You are invited under this notice to show cause why an enforcement notice should not be given to you in accordance with section 168 of the Act. If given, an enforcement notice would require you to refrain from committing the offence and/or remedy the commission of the offence in a way stated in the notice. It is an offence to not comply with an enforcement notice.~~

#### **Facts and Circumstances**

~~Council, as enforcement authority, believes an enforcement notice should be given to you because:~~

~~— A search of Redland City Council records shows you, UI International Pty Ltd as trustee are the registered owners of the premises described as Lot 0 on SP 147265 located at 152-166 Shore Street West, Cleveland QLD 4163.~~

- ~~1. An ASIC search of UI International shows that [REDACTED] are the current Directors of the company. The current registered address of the company is 152-166 Shore Street West, Cleveland, QLD, 4163.~~
- ~~2. On 31 October 2002, Council issued a Development Application Decision Notice for Volumetric, Building & Standard Format Subdivision reference number SB463801 ("the approval").~~
- ~~3. Condition 9 of the approval states, "All car parking spaces for non residential use must be free and unallocated."~~

Formatted: Normal, No bullets or numbering

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.63 cm, No bullets or numbering

Formatted: Font: Italic



4. On 8 October 2021, Council received a complaint was received on 8 October 2021 that included a copy of the Memoa memorandum titled Raby Bay Harbour Car Parking Management. The memorandum that was sent to All Raby Bay Harbour Tenants advising the following:-

- Boom gates to be installed in the underground car park

Operational from 9am – 4pm (Monday to Friday).

Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).

- Additional parking adjacent to Raby Bay Harbour & Signage

Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of Raby Bay Harbour Precinct.

This is a 170 car park facility for all Raby Bay Harbour tenants and their patrons to access FREE of charge/7 days a week.

Additional signage is currently being drafted and to be installed in several locations to direct patrons to the secondary car park facility.

- Tenants assistance

In taking all the above in consideration, tenants also have a key role in the success of the management of the car park facilities through designating staff to park in the overflow car park area located across from the harbour. This is an extremely common direction seen at similar mixed-use precincts in SE QLD.

Further to this, your assistance in educating patrons on the location of both onsite and overflow car parking areas will be of great assistance (moving forward and eliminate any initial confusion through these changes.

Together, we aim for all patrons visiting the precinct to have priority access to these parking areas at their relevant peak operating times.

5. On 29 November 2021, Council carried out an inspection ("the inspection") was carried out on the 29 November 2021 of the premises. The inspection which revealed:

— A boom gate has been installed at the entrance of the underground parking area restricting access to the the underground car park with signage stating, "Boomgates in operation; restricted access Monday to Friday until 4pm";

a. at the time of the inspection the boomgate was lowered;

b. Signage placed on 185-189 Shore Street West, Cleveland marked as "Raby Bay Harbour Restaurants Overflow Car Park"

6. On the basis of the above, Council reasonably believes that you have contravened the approval of 31 October 2002 because you, as the property owner, have:

- failed to comply with condition 9 of the approval by way of restricting the use of the underground carparking to all tenantstentants and any customers attending the complex; and

• directed tenants and customers who do not have access to the underground parking during business hours to park at 185-189 Shore Street West Cleveland which was not part of "the approval" dated 31 October 2002 for Raby Bay Harbour.

Formatted: No bullets or numbering

Formatted: Font: Italic

Formatted: Normal

Formatted: Normal, No bullets or numbering

Formatted: Normal, Indent: Left: 0 cm

Formatted: Normal, No bullets or numbering

Formatted: Normal, Indent: Left: 0 cm

Formatted: Normal, No bullets or numbering

Formatted: Normal, Indent: Left: 0 cm

Formatted: Normal

Formatted: No bullets or numbering

Formatted: Normal

Formatted: No bullets or numbering

Formatted: Font: Italic

Formatted: Normal

Formatted: No bullets or numbering

~~IN accordance~~ with section 167 of the Act you may make representations to Council about this notice.

Right to Information Release

Representations must be made by ~~4.30pm on 31 January 2022~~ and can be made either in person by contacting Amanda Minshull on (07) [redacted] to arrange an appointment or in writing to:

Redland City Council  
Development Control Unit  
PO Box 24  
CLEVELAND QLD 4163

Attention: Amanda Minshull Or via email: [DCUmailbox@redland.qld.gov.au](mailto:DCUmailbox@redland.qld.gov.au)

#### Next steps

If you do not make representations, or after considering your representations, Council still considers it appropriate, an enforcement notice will be given to you.

Regardless of this notice, Council may take compliance action against you.

Following consideration of any representations you may make to this notice, Council will determine whether further compliance action is required. Further compliance action may include:

- The giving of an Enforcement Notice; and/or
- The giving of an infringement notice for the offence; and/or
- Prosecution for the offence (maximum penalty – 4500 penalty units).

Please note that it is Council's usual practice to provide details of the progress and outcome of an investigation to a complainant (when applicable). This practice is in accordance with the privacy principles in the *Information Privacy Act 2000* specifically IPP 41(1)(a).

Should you have any questions regarding this matter please contact Amanda Minshull on (07) [redacted]

Yours sincerely,

~~DATED~~ this 14<sup>th</sup> day of December 2021.

~~Wayne Talbot~~Paul Hoelscher  
Team Leader  
Development Control Team

Encl. Development Permit for SB463801  
Memorandum dated 17/08/2021 sent addressed to [Raby Bay Harbour Tenants](#)

**Kerry Veale**

---

**From:** Amanda Schooth  
**Sent:** Friday, 4 February 2022 8:27 AM  
**To:** Amanda Minshull  
**Subject:** PRINT, SIGN AND SEND -- RE: 20211130 - CRDC525874 - 152-166 Shore Street West, Cleveland - Letter to Body Corporate (A6236851)  
**Attachments:** 20211130 - CRDC525874 - 152-166 Shore Street West, Cleveland - Letter to....obr

Hi Manda

Apologies for the delay coming back to you. I have had an opportunity to review the letter to the Raby Bay Harbour and made some suggestions in tracked changes for your consideration.

As previously indicated, I did speak with Graham Simpson regarding the proposed SON on the issue. I understand from Graham that there are other wider discussions happening with the property and property owner. It was his preference that at first instance we should send a letter inviting the owners to say why they believe they are not in breach. Once we have a response we can consider the explanation and then consider enforcement action.

As the correspondence is not a legal document or legislative requirement requiring delegations, the letter can come directly from you. However appreciate that you may prefer the letter to come from Paul. Perhaps best to speak with Paul regarding his preferred approach.

If there are wider discussions taking place, it may also be worth just letting Rod Baxter know about our proposal to send the letter. I am not sure if Rod is party to the conversations taking place but he should know who is involved. It would be good to just give the appropriate people a heads up that we are making enquiries after receiving the complaint. They may also be asked about the letter during any ongoing discussions.

Please do let me know if any of this doesn't make sense or you wish to discuss further.

Many thanks,  
A

-----Original Message-----

**From:** Amanda Minshull  
**Sent:** Monday, 24 January 2022 2:25 PM  
**To:** Amanda Schooth <Amanda.Schooth@cleveland.qld.gov.au>  
**Subject:** 20211130 - CRDC525874 - 152-166 Shore Street West, Cleveland - Letter to Body Corporate (A6236851)

Hey Amanda,

I have started to draft the letter and thought I would send through especially whilst out on Straddie tomorrow for inspections.

I am up to the bit about how they can rectify the matter and do we list what will occur if they don't respond or comply.

I am also going to conduct a driveby inspection tomorrow on our way to Straddie to ensure the boomgate is still there and not since removed.

Thank you for your help on this one.

Amanda



18 February 2022

Our Ref: CRDC525874

[REDACTED]  
UI International Pty Ltd (ACN 070 639 422) as Trustee  
152-166 Shore Street West  
CLEVELAND QLD 4163

Dear Sir/Madam,

**Raby Bay Harbour, 152-166 Shore Street West, Cleveland**  
**Re: Changes to complex parking arrangements**

On 8 October 2021, Council received a complaint in relation to the parking arrangements at the Raby Bay Harbour Centre, located at 152-166 Shore Street West, Cleveland. Details of that complaint revealed that you, as the property owners, intended to change the parking arrangements of the complex. In the complaint received by Council was also a copy of a memorandum addressed to all tenants titled - *the memorandum*.

The memorandum provided to all tenants outlined the following:

- *Boom gates to be installed in the underground car park*

*Operational from 9am – 4pm (Monday to Friday).*

*Commercial (level one) only tenants to have exclusive access to this facility during their principal trading hours (9am – 4pm), and re-opening to all patrons in preparation to mid week dinner service (4pm onwards).*

- *Additional parking adjacent to Raby Bay Harbour & Signage*

*Additional land has been attained adjacent to Raby Bay Harbour to see forward the continual growth of Raby Bay Harbour Precinct.*

*This is a 170 car park facility for all Raby Bay Harbour tenants and their patrons to access FREE of charge/7 days a week.*

*Additional signage is currently being drafted and to be installed in several locations to direct patrons to the secondary car park facility.*

- *Tenants assistance*

*In taking all the above in consideration, tenants also have a key role in the success of the management of the car park facilities through designating staff to park in the overflow car park area located across from the harbour. This is an extremely common direction seen at similar mixed-use precincts in SE QLD.*

*Further to this, your assistance in educating patrons on the location of both onsite and overflow car parking areas will be of great assistance moving forward and eliminate any initial confusion through these changes. Together, we aim for all patrons visiting the precinct to have priority access to these parking areas at their relevant peak operating times.*

On 31 October 2022, Council issued a Development Application Decision Notice for Volumetric, Building & Standard Format Subdivision reference number SB463801 ("the approval"). Condition 9 of the approval states:

*"All car parking spaces for non residential use must be free and unallocated."*

On 29 November 2021, Council carried out an inspection of the premises which revealed:

- a. a boom gate had been installed at the entrance of the underground parking area restricting access to the underground carpark with signage stating, "Boomgates in operation; restricted access Monday to Friday until 4pm";
- b. at the time of the inspection the boomgate was lowered; and
- c. signage placed on 185-189 Shore Street West, Cleveland marked as "Raby Bay Harbour Restaurants Overflow Car Park"

Having regard to the information contained within the Memorandum to all Tenants dated 17 August 2021 and the changes observed by Council in November 2021 to the carpark area, Council holds concerns that the current carparking arrangements do not comply with the approval issued on 13 October 2022.

As such Council now invites you, by no later than **4pm on Friday 25 February 2022**, to provide reasons as to how the recent changes to the carpark area of the Raby Bay Harbour Complex complies with the approval issued on 13 October 2022.

Should you have any questions regarding this matter please contact Amanda Minshull on (07) [REDACTED]

Yours sincerely,

  
Paul Hoelscher  
Team Leader  
Development Control Team

Encl. Development Permit for SB463801  
Memorandum dated 17/08/2021 addressed to Raby Bay Harbour Tenants

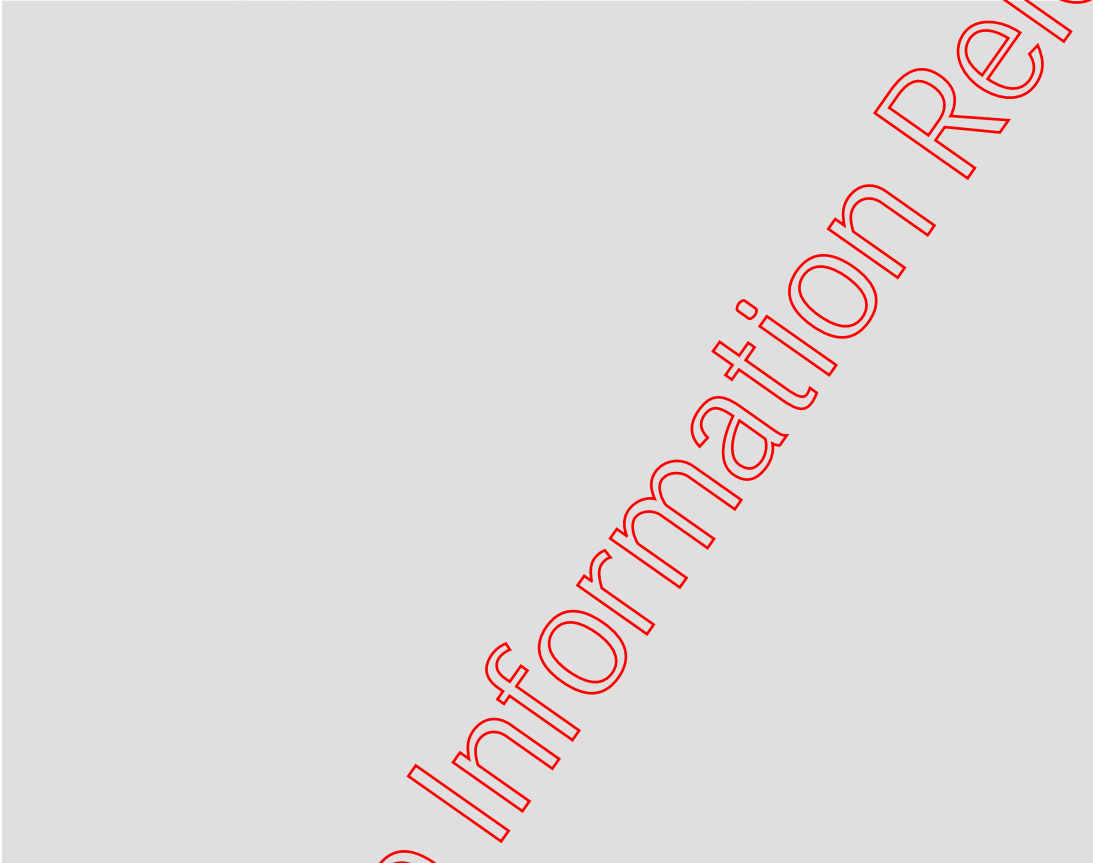
Right to Information Request

**Kerry Veale**

---

**Subject:** Amanda Inspections  
**Start:** Fri 18/03/2022 8:00 AM  
**End:** Fri 18/03/2022 1:00 PM  
**Recurrence:** (none)  
**Organizer:** Amanda Minshull

CRDC525874 - Raby Bay Harbour - 152-166 Shore Street West, Cleveland



Right to Information Release





NAVIGATING YOUR  
FINANCIAL FUTURE

**BOOMGATES  
IN OPERATION**

RESTRICTED ACCESS  
MONDAY TO FRIDAY  
UNTIL 4PM

**NO TRAIN  
PARKING**

WARNING

Persons not authorized to enter  
Programs & Visitors ONLY  
24 Hours - 7 Days  
Unauthorized entry may result in  
immediate removal from the facility  
and/or legal action.

Tow Away Zone



23 Nov 2021 2:23:29pm

Right to Information Release





**BLUE  
HARBOUR**  
FINANCIAL PARTNERS

**NAVIGATING YOUR  
FINANCIAL FUTURE**

**BOOMGATES  
IN OPERATION**

RESTRICTED ACCESS  
MONDAY TO FRIDAY  
UNTIL 4PM

DELI • CAFE • BAR

*The Local*

RABBIT BAY

23 Nov 2021 2:23:31 pm

Right to Information Release



Right to Information Release





Right to Information Release



29 Nov 2021 at 10:22:22 am  
146 Shore Street W  
Cleveland QLD 4163  
Australia



29 Nov 2021 at 10:22:27 am  
146 Shore Street W  
Cleveland QLD 4163  
Australia









Right to Information Release



Right to Information Release

18 Mar 2022 8:05:13 am