

# IMaaS Debt Management System

*Ticket Case File*

BC8000023596002

Print Date: 25/08/2022  
Print By: MS B CLARK

Disclosure Log Release

# Case Status Report

STATUS REPORT - 25/08/2022

Local Law offences for Brisbane CC

Client: Brisbane City Council

Case Ref: BC8000023596002

CaseDate: 25/09/2020

**DEBTOR:**

JONATHAN SRI , THEGABBA.WARD@BCC.QLD.GOV.AU

**VEHICLE DETAILS:**

Make:

Model:

Colour:

**OFFENCE DETAILS:**

Date: 25/09/2020 01:34 PM

Offence: MOC39 - CONDUCT A PUBLIC ASSEMBLY IN A MALL WHICH IS NOT AUTHORISED UNDER THE PEACEFUL ASSEMBLY ACT 1992

Description	ROS	Debt	Court	Summons	Other	Dishonour	Total
Amount	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cleared	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Balance	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AwClear	0.00	0.00	0.00	0.00	0.00	0.00	0.00

BALANCE OUTSTANDING: 0.00

**ADDITIONAL INFORMATION:**

Act Section ID 85  
Animal Crossbreed 0  
Comparable Issue Time 03:18PM  
Completed 1  
Due date 23/10/2020  
Handheld: Issue mode P  
Handheld: Notes 1 Unauthorised protest Qsm. See josh dargusch notes for offence. Citysafe footage available.  
Handheld: Special Registration Number UNK  
Handheld: Void status N  
Offence Description Conduct a public assembly in a mall which is not authorised under the Peaceful Assembly Act 1992  
Offence Street QUEEN STREET  
Offence Suburb BRISBANE  
Offence Time Approximate 1  
Offender Address Usage BUS  
Offender Country AUS  
Offender First Name JONATHAN  
Offender Individual Y  
Offender Juvenile Flag 0  
Offender Last Name SRI  
Offender Postcode 4102  
Offender State QLD  
Offender Street ANNERLEY ROAD  
Offender Street Number 2/63  
Offender Suburb WOOLLOONGABBA  
Officer number M28  
Print Time 03:18PM  
Ticket Printed 1  
Unit ID CE12160C6888912C01  
Unit Type Android  
Vehicle Enable Flag 1 0  
Vehicle Enable Flag 0  
Animal Enable Flag 0

**CASE HISTORY:**

(28/09/2020 10:27:28 AM)	Initial Debt: \$266.00	SYSTEM
(28/09/2020 10:27:28 AM)	(Imported from file). Case Posted	SYSTEM
(28/09/2020 10:27:28 AM)	(Ticket Issued - Post Pin). Case posted event	SYSTEM
(28/09/2020 10:27:36 AM)	(Imported from file (cross-references found)). Case posted (other Cases found during Cross-Reference search)	SYSTEM
(28/09/2020 8:05:20 PM)	(Ticket Notice Sent By Council). Ticket Notice Sent By Council	SYSTEM
(29/09/2020 1:19:26 PM)	(Blank template with no assigned signature – with payslip). Blank template with no assigned signature – with payslip	B44L1L
(04/11/2020 8:02:34 PM)	(Send Courtesy Letter). Send Courtesy Letter	SYSTEM
(16/11/2020 4:06:06 PM)	(Log Incoming Phone Call). Log Incoming Phone Call	V07COM
(20/11/2020 9:41:55 AM)	(Log Incoming appeal letter - Indefinite Hold). Log Incoming appeal letter - Indefinite Hold	V07Z2R
(24/11/2020 12:31:13 PM)	(Appeal Received). Appeal Received	V07K9S
(24/11/2020 12:31:27 PM)	(Appeal received – acknowledgement letter sent). Appeal received – acknowledgement letter sent	V07K9S
(24/11/2020 12:31:30 PM)	Manually Cleared Referral	V07K9S
(24/11/2020 12:31:36 PM)	To workgroup BC - BCC Other, Referral Code APPEAL (APPEAL, Appeals)	V07K9S
(01/12/2020 8:43:01 AM)	Manually Cleared Referral	B44L2F
(01/12/2020 8:43:26 AM)	To workgroup BC - Court Requests Workgroup, Referral Code APPEAL (APPEAL, Appeals)	B44L2F
(01/12/2020 2:50:08 PM)	Manually Cleared Referral	B44L2F
(01/12/2020 2:50:49 PM)	To workgroup BC - Malls, Referral Code APPEAL (APPEAL, Appeals)	B44L2F
(11/12/2020 3:15:54 PM)	(Blank template with no assigned signature – with payslip). Blank template with no assigned signature – with payslip	B44L1L
(21/12/2020 11:13:10 AM)	(Log Incoming appeal letter - Indefinite Hold). Log Incoming appeal letter - Indefinite Hold	V07Z2R
(23/12/2020 12:42:33 PM)	(Second Appeal Received). Second Appeal Received	V07K9S
(22/01/2021 4:05:02 PM)	(Reassessment - Denied). Reassessment - Denied	B44C1D
(02/02/2021 4:46:50 PM)	(Incoming Corro: Court Request Received). Incoming Correspondence - CourtRequest Letter Ref No: BC8000023596002	SYSTEM
(08/02/2021 10:48:33 AM)	To workgroup BC - BCC Prosecutions(Other), Referral Code APPEAL (Hi Jaylene, I have asked DCA why no Ack letter has been sent for this as yet.)	B44SXH
(08/02/2021 12:38:22 PM)	(Court Request: Send Acknowledgement Letter). Court Request: Send Acknowledgement Letter	V07D8G
(08/02/2021 12:38:43 PM)	Manually Cleared Referral	V07D8G
(08/02/2021 12:39:16 PM)	To workgroup BC - BCC Prosecutions(Other), Referral Code CRTREQ (Hi team. Court request has been received, acknowledgement emailed. Thanks, Dan)	V07D8G
(08/02/2021 12:53:29 PM)	(Court Request - Proceed to Open Court). Court Request - Proceed to Open Court	B44JXM
(08/03/2021 8:02:08 PM)	(Court Request – Pending issue of summons). Court Request – Pending issue of summons	SYSTEM
(09/03/2021 12:40:35 PM)	Manually Cleared Referral	B44JXM
(09/03/2021 12:42:37 PM)	To workgroup BC - Malls, Referral Code CRTREQ (CRTREQ, Court Requests - witness statement/evidence)	B44JXM
(24/03/2021 9:50:02 AM)	Manually Cleared Referral	B44L1L
(24/03/2021 9:50:40 AM)	To user B44JXM, Referral Code OFFICER (OFFICER, Officer Comments)	B44L1L
(27/09/2021 3:36:00 PM)	Manual adjustment (Added Fee) - \$105.35	B44JXM
(27/09/2021 3:36:15 PM)	Manual adjustment (Added Fee) - REGISTERED POST - \$5.40	B44JXM
(13/02/2022 5:08:47 PM)	(Ticket Stat Barred). Ticket Stat Barred #Trigger TCK_STAT_BARRED (write off of infringements to SEP 2020) as per Maria Stewart client request, refer to CASE#281321	ADMINISTRATOR
(26/07/2022 10:58:05 AM)	Case opened by B44JXM on Microsoft EDGE at 192.168.11.250	B44JXM
(22/08/2022 7:55:35 AM)	Case opened by B44BXC on Chrome at 192.168.11.250	B44BXC
(24/08/2022 7:09:12)	Case opened by B44BXC on Chrome at 192.168.11.250	B44BXC

AM)  
(25/08/2022 8:06:02 AM) Case opened by B44BXC on Chrome at 192.168.11.250

B44BXC

Current State: TCK\_STAT\_BARRED - (Ticket Stat Barred)  
Parking Attendant: - - - - OVERNIGHT

**ROAD AUTHORITY RESPONSES**

*No Road Authority responses.*

**PAYMENTS**

*No Payments have been made*

**REFUNDS**

*No Refunds have been made*

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29 September 2020

JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Dear Mr SRI,

**Infringement Number:** 8000023596002  
**Date of the Alleged Infringement:** 25 September 2020  
**Approximate Infringement time:** 1:34PM  
**Location of the alleged Infringement:** QUEEN STREET, BRISBANE  
**Offence:** PUBLIC ASSEMBLY

This letter has been written to you to explain the circumstances surrounding the attached Penalty Infringement Notice (PIN), BC8000023596002, issued by Brisbane City Council.

On Friday, October 23, 2020 at approximately 1.35pm you were observed by Malls Customer Liaison Officers conducting an unauthorised assembly within the Queen Street Mall. For a public assembly to be authorised, it must satisfy the requirements specified in **Section 7** of the **Peaceful Assembly Act 1992**.

This breach constitutes an offence under **Chapter 8, Part 2, Section 17** of the **Public Land and Council Assets local Law 2014** where it states 'any activity specified in Column 1 of Table 2 of Schedule 1 is prohibited'. The specific offence listed on the table is 'Conduct a public assembly in a mall which is not authorised under the Peaceful Assembly Act 1992'

Payment of the sum of **AU\$266.00** to finalise this notice should be made within twenty-eight (28) days from the date of this letter. This infringement can be paid online at [www.brisbane.qld.gov.au](http://www.brisbane.qld.gov.au) or at Australia Post. If no action is taken this matter may be dealt with by the State Penalties Enforcement Registry (SPER).

Further information on how to pay this infringement is contained on the bottom of this notice. Information on how to appeal this infringement can be found on the Brisbane City Council website by searching 'How to dispute a fine'.

Contact us: ☎ 1300 012 747

☎ (07) 3041 6021

✉ GPO Box 589, Brisbane  
QLD 4001

## HOW TO PAY

## PAYMENT SLIP



**By Phone:** on 1300 012 747



**By Internet:** on [www.brisbane.qld.gov.au](http://www.brisbane.qld.gov.au)  
Please note: Payment options include Visa & Mastercard. AMEX & Diners are not accepted.



**By Mail:** Send Cheque or Money order made payable to Brisbane City Council with this payment slip to GPO Box 589, Brisbane QLD 4001 (do not send cash).



**In Person:** Pay in person at any post office

**INFRINGEMENT NO.** 8000023596002

**AMOUNT DUE** \$266.00

**DUE DATE** 27/10/2020

POST billpay



\*4017 8000023596002 271020 \$266.00 0

Should you have any further inquiries in relation to this matter, please contact the Brisbane City Council Call Centre on 07 3403 8888.

Yours sincerely

John Dwyer  
Economic Precincts Manager  
CITY PLANNING AND ECONOMIC DEVELOPMENT  
**BRISBANE CITY COUNCIL**

Disclosure Log Release

# PENALTY REMINDER

## NOTICE

### State Penalties Enforcement Act 1999

Section 71

JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Date of Notice: 04 November 2020

**INFRINGEMENT NO.** 8000023596002

**AMOUNT DUE** \$266.00

**DUE DATE** 02/12/2020

You recently received an infringement notice but our records show that you have not paid the penalty. Payment is overdue and you now also have to pay statutory prescribed costs by the due date.

**Within the due date of this Penalty Reminder Notice you must either:-**

**Option 1.** Pay the penalty and the costs by the due date. (If posting - send a "not negotiable" cheque or money order with this letter. Do not send cash.)

**Option 2.** Request to have the matter dealt with in the Magistrates Court, by completing the Application for Action by a Court on the reverse of this Penalty Reminder Notice.

**Option 3.** Apply to pay by instalments, by completing the Application to Pay by Instalments on the reverse of this Penalty Reminder Notice.

**Please Note:** Eligibility criteria must be met to obtain an instalment plan. To apply you must comply with the following:

- If your penalty is less than \$200 the first instalment of \$20 is required to be sent with the application. After receipt of the application you will be contacted by Council with your instalment details.
- If your penalty is \$200 or more the first instalment of \$60 is required to be sent with the application. After receipt of the application you will be contacted by State Penalties Enforcement Registry (SPER) with your instalment details.

If your application is received prior to the due date of this notice and you make all instalments on your plan; this infringement will be finalised and no further prosecution or enforcement action will be taken against you. Failure to comply with the instalment plan will result in enforcement by SPER requiring payment of additional fees.

- If you wish to apply to have the decision to serve the Infringement Notice internally reviewed by Brisbane City Council, you or a person acting on your behalf may do so by applying to the contact details provided.

**Further information about your options can be obtained from the contact points provided.**

#### Infringement Details

**OFFENCE:** CONDUCT A PUBLIC ASSEMBLY IN A MALL WHICH IS NOT AUTHORISED UNDER THE PEACEFUL ASSEMBLY ACT 1998

**OFFENDER:** JONATHAN SRI

**LOCATION:** QUEEN STREET, BRISBANE

**OFFENCE DATE:** 25/09/2020

**TIME:** 1:34PM

**PENALTY AMOUNT:** \$266.00

**ADDITIONAL COSTS:** \$0.00

**OFFICER ID:** M28

**Contact us:** ☎ 1300 012 747

☎ (07) 3041 6021

✉ GPO Box 589, Brisbane  
QLD 4001

#### HOW TO PAY

☎ **By Phone:** on 1300 012 747

🌐 **By Internet:** on [www.brisbane.qld.gov.au](http://www.brisbane.qld.gov.au)

Please note: Payment options include Visa & Mastercard. AMEX & Diners are not accepted.

✉ **By Mail:** Send Cheque or Money Order made payable to Brisbane City Council with this payment slip to GPO Box 589, Brisbane QLD 4001 (do not send cash)

 **In Person:** Present this notice intact at any Australia Post outlet.

#### PAYMENT SLIP

**INFRINGEMENT NO.** 8000023596002

**AMOUNT DUE** \$266.00

**DUE DATE** 02/12/2020





\*4017 8000023596002 021220 \$266.00 7

**Incoming Telephone Call**

From: - JONATHAN SRI  
Logged: 16/11/2020 4:06:06 PM

Summary  
JONATHAN SRI  
0432184942

adv cust of disputes process and when original notice was sent out. adv cust of dc option and court option as well. prov ref no# v07 and prov name. adv cust of appeal process and general waitin times

Disclosure Log Release



## RAYOS Zayra

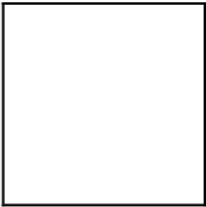
---

**From:** BCC\_Parking <BCC\_Parking@data.com.au>  
**Sent:** Wednesday, 18 November 2020 3:21 PM  
**To:** C ontact  
**Subject:** FW: Other fine appeal BC8000023596002

**Categories:** Camille

---

**From:** BCC no reply <[www-donotreply@brisbane.qld.gov.au](mailto:www-donotreply@brisbane.qld.gov.au)>  
**Sent:** Monday, 16 November 2020 4:15 PM  
**To:** [bcc\\_parking@tenixsolutions.com](mailto:bcc_parking@tenixsolutions.com)  
**Subject:** Other fine appeal



ABN 72 002 765 795

## Your submission for Dispute a fine or infringement

Monday, 16 November, 2020 - 15:13

Thank you for writing to Council online. This is an automated response to acknowledge receipt of your submission.

Please do not reply to this message. If you have questions, go to [Council's website](#) or phone our 24 hour Contact Centre on (07) 3403 8888.

### What type of fine does this dispute relate to?

Other fine appeal

### Infringement number:

8000023596002

## Appeal details

### Provide written details of your appeal:

Council has fined me for the offence "Conduct a public assembly in a mall which is not authorised under the Peaceful Assembly Act 1992." This offence was created prior to the introduction of Queensland's Human Rights Act 2019, and violates the general right to peaceful assembly under s 23 of that act.

The decision by council administration to issue this fine violates s 58 of the Human Rights

Act, and potentially other elements of the act as well.

I ask that this fine be overturned. I also ask that any correspondence is also sent to me via email at [redacted] as the postal service is clearly unreliable.

Attach your letter / other files (optional):

## Your details

**Title:**

Mr

**First name(s):**

Jonathan

**Family name:**

Sri

**Are you submitting this on behalf of a Business?**

No

**Email address:**

[redacted]

**Daytime contact number:**

[redacted]

**Postal street address:**

2/63 Annerley Road

**Suburb:**

Woolloongabba

**State:**

Queensland

**Postcode:**

4102

**Country:**

Australia

**Your preferred contact method:**

Email

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Disclosure Log Release

24 November 2020

MR JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Dear MR SRI,

**Infringement Number:** 8000023596002

Your correspondence concerning the above Infringement Notice has been received and is being considered. You need take no further action until advised by this office.

For enquiries regarding this matter please telephone 1300 012 747.

Yours sincerely,

Manager, Local Government Services  
Brisbane City Council

Disclosure Log Release

14 December 2020

MR JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Dear Mr SRI,

**Infringement Number:** 8000023596002  
**Date of the Alleged Infringement:** 25 September 2020  
**Approximate Infringement time:** 1:34PM  
**Location of the alleged Infringement:** QUEEN STREET, BRISBANE  
**Offence:** PUBLIC ASSEMBLY

Thank you for your correspondence regarding infringement number BC8000023596002.

On 25 September 2020, at approximately 1.34pm, you were observed by Brisbane City Council officers conducting a public assembly within the Queen Street Mall (Mall). The assembly was not an authorised assembly for purposes of the Peaceful Assembly Act 1992 (PAA). The conduct of a public assembly which is not authorised under the PAA within a Mall is a prohibited activity under the Council's Public Land and Council Assets Local Law 2014 (Local Law). Therefore, an infringement notice was issued by the Brisbane City Council for a breach of Section 71 of the Local Law Local, for undertaking a prohibited activity.

A review of the infringement notice, the Local Law, the PAA and the provision of the Human Rights Act 2019 (Qld) has been undertaken and I am of the view that the infringement notice should stand.

Should you have additional, relevant information that you feel should be considered, you may request that the decision be reassessed, and additional information reviewed by Council's Disputes Commissioner.

To submit your appeal to the Disputes Commissioner, you must complete the attached application form

Contact us:



1300 012 747



(07) 3041 6021



GPO Box 589,  
Brisbane QLD 4001

## HOW TO PAY



Online at [brisbane.qld.gov.au](http://brisbane.qld.gov.au)



By phone (MasterCard or Visa) on 1300 012 747



By post with cheque or money order to GPO Box 589, Brisbane QLD 4001

Do not send CASH through the mail.



In person at Australia Post



By BPAY®: Biller Code: 325175 Ref: 7003280000235960023  
Telephone and internet banking - BPAY®: Contact your bank or financial institution to make this payment from your cheque, savings, credit card, debit or transaction account. Payment must be for the exact amount and must be made by the due date.

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## PAYMENT SLIP

<b>INFRINGEMENT NUMBER</b>	8000023596002
<b>AMOUNT DUE</b>	\$266.00
<b>DUE DATE</b>	08/01/2021

POST billpay



\*4017 8000023596002 080121 \$266.00 3

within fourteen (14) days from the date of this letter. The completed form can then be posted to Office of the Disputes Commissioner, GPO Box 589, Brisbane, QLD, 4001. Please ensure that you enclose any relevant information that will support your appeal (e.g. Statutory Declarations etc).

Alternatively, I can only suggest that you elect in writing to have this matter determined by a Magistrate in Court. Payment of the prescribed penalty, \$266.00, may be made by 08 January 2021 to avoid further action and additional Statutory Court costs. This offence and penalty are prescribed in State Government Legislation and, as such, Council has no discretion to vary the amount of the penalty.

For more information about Brisbane's Local Laws, visit Council's website [www.brisbane.qld.gov.au](http://www.brisbane.qld.gov.au).

Yours sincerely

Chris Isles  
Economic Development Manager  
CITY PLANNING AND ECONOMIC DEVELOPMENT

## RAYOS Zayra

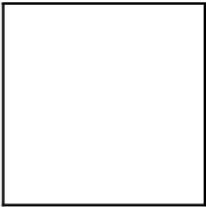
---

**From:** BCC\_Parking <BCC\_Parking@data.com.au>  
**Sent:** Friday, 18 December 2020 2:00 PM  
**To:** C ontact  
**Subject:** FW: Other fine appeal BC8000023596002

**Categories:** Camille

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**From:** BCC no reply <www-donotreply@brisbane.qld.gov.au>  
**Sent:** Thursday, 17 December 2020 4:09 PM  
**To:** BCC\_Parking <BCC\_Parking@data.com.au>  
**Subject:** Other fine appeal



ABN 72 002 765 795

## Your submission for Dispute a fine or infringement

Thursday, 17 December, 2020 - 15:04

Thank you for writing to Council online. This is an automated response to acknowledge receipt of your submission.

Please do not reply to this message. If you have questions, go to [Council's website](#) or phone our 24 hour Contact Centre on (07) 3403 8888.

### What type of fine does this dispute relate to?

Other fine appeal

### Infringement number:

8000023596002

## Appeal details

### Provide written details of your appeal:

I write to request a second-stage review of Infringement Number 8000023596002 by the Disputes Commissioner, on the basis that the administrative decision to issue the fine was a disproportionate interference with the right to peaceful assembly as protected by the Human Rights Act 2019 (QLD).

Council's Public Land and Council Assets Local Law (PLACA) does attempt to prohibit "Conducting a public assembly which is not authorised under the Peaceful Assembly Act 1992" in Schedule 1, Table 2.

However, section 22 of the Human Rights Act 2019 includes a more general protection of the right to peaceful assembly. The Human Rights Act requires that other laws and regulations are enforced in such a way that they do not unreasonably limit defined human rights.

The decision to issue and enforce a fine under PLACA clearly constitutes a decision by a public entity to limit or restrict the right to peaceful assembly. As such, section 13 of the Human Rights Act applies, and requires that the limitation or restriction must be balanced with and proportionate to the legitimate purpose that the limitation is seeking to achieve.

Council officers regularly exercise discretion in enforcing PLACA. For example, Schedule 1, Table 2 of PLACA also prohibits sleeping rough in designated malls, however council officers rightly decide not to enforce this prohibition against every homeless person who sleeps rough around the mall, as this would violate a number of basic human rights.

In my case, the decision to issue a fine must consider the specific context of the assembly in question, which was a silent protest involving four people holding signs in the middle of Queen St Mall, without obstructing foot traffic or disrupting business.

The purpose of PLACA's prohibition on unauthorised peaceful assemblies in the mall is presumably to ensure that the public spaces do not become unduly crowded with disruptive assemblies and groups distributing information to such an extent that the rights of other mall users and adjoining property owners are unreasonably impacted.

But a decision to issue a fine for this particular kind of assembly does not satisfy the test in section 13(2)(d) Human Rights Act 2019, which asks "whether there are any less restrictive and reasonably available ways to achieve the purpose."

Given that the assembly did not unreasonably impact upon the rights of others, prohibiting it – and thus limiting the right to free assembly – serves no legitimate purpose.

The fine should be withdrawn, and serious consideration should be given to whether the relevant prohibitions in the Public Land and Council Assets Local Law are actually compliant with the Human Rights Act 2019.

Attach your letter / other files (optional):

## Your details

**Title:**

Mr

**First name(s):**

Jonathan

**Family name:**

Sri

**Are you submitting this on behalf of a Business?**

No

**Email address:**

thegabba.ward@bcc.qld.gov.au

**Daytime contact number:**



Sch4Pt4S6 -  
Disclosure of

**Postal street address:**

2/63 Annerley Road

**Suburb:**

Woolloongabba

**State:**

Queensland

**Postcode:**

4102

**Country:**

Australia

**Your preferred contact method:**

Email

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23 December 2020

MR JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Dear MR SRI,

**Infringement Number:** 8000023596002

Thank you for your correspondence regarding the above Infringement Notice issued by Council. I wish to advise this matter has been escalated to the Disputes Commissioner's office for further consideration. You need take no further action until advised by this office.

For enquiries regarding this matter please telephone 1300 012 747.

Yours sincerely

Appeals Review Officer  
Brisbane City Council

Disclosure Log Release

22 January 2021

MR JONATHAN SRI  
2/63 ANNERLEY ROAD

WOOLLOONGABBA QLD 4102

Dear MR SRI,

**Infringement Number:** 8000023596002  
**Vehicle Number:**

I refer to your online correspondence to my office of 17 December 2020, regarding the issuing of the above infringement notice. I have reviewed and considered the material provided by you, the circumstances surrounding the issuing of the above infringement notice, all previous correspondence and relevant information relating to this matter. Please accept my apologies for the delay in my response.

I understand you were issued the above infringement notice for conducting a public assembly in a mall which is not authorised under the *Peaceful Assembly Act 1992 (PAA)*, pursuant to section 71 of Brisbane City Council's *Public Land and Council Assets Local Law 2014 (PLACA)* at 1.34pm on Friday 25 September 2020 in Queen Street, Brisbane.

The infringement notice will not be withdrawn on this occasion.

Section 71 of the *Public Land & Council Assets Local Law 2014 (PLACA)* provides that a person must not undertake a prohibited activity, with *Table 2-Prohibited activities and prescribed penalties* outlining the activities prohibited. The maximum penalty is listed as 20 penalty units.

Section 7 of the *State Penalties Enforcement Regulation 2014* provides that the fine payable for a local law infringement if the penalty amount is punishable by a maximum penalty of more than 10 but not more than 20 penalty units - is 2 penalty units. From 1 July 2020, the value of a penalty unit was set at \$133.45, but the

Contact us:



1300 012 747



(07) 3041 6021



GPO Box 589,  
Brisbane QLD 4001

## HOW TO PAY



Online at [brisbane.qld.gov.au](http://brisbane.qld.gov.au)



By phone (MasterCard or Visa) on 1300 012 747



By post with cheque or money order to GPO Box 589, Brisbane QLD 4001

Do not send CASH through the mail.



In person at Australia Post



By BPAY®: Biller Code: 325175 Ref: 7007480000235960023  
Telephone and internet banking - BPAY®: Contact your bank or financial institution to make this payment from your cheque, savings, credit card, debit or transaction account. Payment must be for the exact amount and must be made by the due date.

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## PAYMENT SLIP

<b>INFRINGEMENT NUMBER</b>	8000023596002
<b>AMOUNT DUE</b>	\$266.00
<b>DUE DATE</b>	19/02/2021

POST billpay



\*4017 8000023596002 190221 \$266.00 9

penalty amount must be reduced to the nearest whole dollar (after multiplying the penalty unit value by the number of penalty units).

My enquiries have revealed that on this occasion you were observed gathered in a group in the Queen Street Mall holding placard signs, and that the public assembly was not authorised under the PAA.

I am aware of the objectives of the PAA including recognising the right of peaceful assembly; ensuring, so far as it is appropriate to do so, that persons may exercise the right to participate in public assemblies; and ensuring that the exercise of the right to participate in public assemblies is subject only to such restrictions as are necessary and reasonable in a democratic society in the interests of public safety or public order or the protection of the rights and freedoms of other persons. The rights of other persons include the rights of members of the public to enjoy the natural environment and the rights of persons to carry on business.

Section 5 of the PAA reflects the objectives of the PAA but subsection (4) states that "nothing in this section limits the power of a local authority to regulate pedestrian malls, but the power is subject to the right mentioned in subsection (1)". Accordingly, the PAA recognises the individual rights of local authorities to regulate, as they see fit, activities within pedestrian malls.

The Queen Street Mall is a pedestrian mall and is regulated by Brisbane City Council. The Queen Street Mall is regulated under the provisions of PLACA. The objectives of PLACA include the provision for the management and regulation of activities in or on malls in the City. Chapter 3 of PLACA deals with Malls and section 17 outlines the activities that are permitted in a mall subject to Council consent and activities that are prohibited. Chapter 8 of PLACA deals with enforcement, with section 71 stating that a person must not undertake a prohibited activity.

Given that the PAA specifically permits local authorities to regulate pedestrian malls and Council has adopted PLACA for the specific purpose of regulating, amongst other things, malls in the City, I am of the view that the activity that you were conducting in the mall at the time of the offence, ie. conducting a public assembly which is not authorised under the PAA, was a specific activity prohibited under PLACA. This is supported by section 5(4) of the PAA.

Offences against local laws are generally of a strict liability type nature and an issuing authority is not required to test whether you have inconvenienced other members of the public or created a safety risk before an infringement notice can be issued for this offence.

I am satisfied that the investigating officer has gathered sufficient evidence to substantiate the elements of the offence and has correctly applied the relevant legislation when issuing the infringement notice to you. I am also satisfied that the officer has taken into account the circumstances presented at the time of the offence and that consideration was given to the public interest.

Given the circumstances and the information currently before me, there is no basis on which to withdraw this infringement notice.

To avoid additional costs, payment of \$266.00 must be made by 19 February 2021 via one of the payment options available.

It is important to note if you do not pay the amount owing prior to the due date, the matter will be passed to the State Penalties Enforcement Registry (SPER) for further action. Please note any additional fees incurred by SPER will be payable by you.

This is considered to be Council's final decision on this matter, therefore my office can be of no further assistance to you and no further correspondence will be entered into. If you are still aggrieved, you may elect to have this matter heard in the Magistrates Court (see the original infringement notice for details on this process).

Finally, the jurisdiction of the Office of the Disputes Commissioner is quite limited. My role is to determine whether an offence occurred (which it did), whether the infringement notice was issued correctly (which it was), and whether there are any extenuating circumstances which would warrant the withdrawal of the infringement notice. I do note however your assertions in relation to Brisbane City Council's compliance with the Human Rights Act 2019. Therefore, I have referred this matter to a separate program area within Council, and your comments are currently being investigated. You will be advised of the outcome in due course.

Thank you for writing to my office on this matter.

Yours sincerely

S Nesbitt  
**DISPUTES COMMISSIONER**

APPLICATION FOR 'ACTION BY A COURT' OR 'TO PAY BY INSTALMENTS'

INFRINGEMENT  
NUMBER

8000023596002

Tick the option you choose and complete the details

**Option 2**

I elect to have this matter dealt with by the Magistrates Court. I understand that I may receive a summons for this offence. ✓

**Option 3**

I apply to pay by instalments and my first instalment of  \$20 (penalty under \$200) or  \$60 (penalty \$200 and over) is enclosed.

SCANNED

Name (Print):

Jonathan Sri

02 FEB 2021

Address:

2/63 Annerton Rd, Woolloongabba

DECIPHA QLD

Email for service: thegabba.ward@bcc.qld.gov.au

Phone Number

0734032165

Signature:

*Jonathan Sri*

Date:

27/01/2021

08 February 2021

MR JONATHAN SRI  
THEGABBA.WARD@BCC.QLD.GOV.AU

Dear MR SRI,

**Infringement Number:** 8000023596002

I acknowledge receipt of your recent court application. Your infringement has been placed on hold and no further action is required until advised by our office.

Should you have any further queries please do not hesitate to telephone on 1300 012 747 or write to GPO Box 589, Brisbane QLD 4001. Our hours of business are 8.00am to 8.00pm, Monday to Friday.

Yours sincerely

Appeals Review Officer  
(On behalf of Brisbane City Council)

Disclosure Log Release

08 February 2021

MR JONATHAN SRI  
THEGABBA.WARD@BCC.QLD.GOV.AU

Dear MR SRI,

**Infringement Number:** 8000023596002  
**Offence Date:** 25/09/2020

In view of your election to have this matter dealt with in the Magistrates Court, Brisbane City Council will proceed against you by way of a Complaint and Summons, which will be served upon you via registered post.

At the time of the Infringement Notice being issued, the alleged offence is CONDUCT A PUBLIC ASSEMBLY IN A MALL WHICH IS NOT AUTHORISED UNDER THE PEACEFUL ASSEMBLY ACT 1992.

The relevant legislation for this offence is the Public Land & Council Assets Local Law 2014, Section 71.

Please note that additional costs may be incurred by having this matter dealt with before the court, and if you are found guilty of the alleged offence Council may also seek to recover its legal costs. Council suggests you consider the above legislation and obtain legal advice prior to the first court mention date listed on the Complaint and Summons.

If you wish to finalise the matter without proceeding to court, payment of \$266.00 should be made within 21 days of the date of this letter. You can make payment via one of the payment options shown on the payment slip.

A court information sheet is enclosed with this letter for your reference.

Contact us:



1300 012 747



(07) 3041 6021



GPO Box 589,  
Brisbane QLD 4001

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## PAYMENT SLIP

<b>INFRINGEMENT NUMBER</b>	8000023596002
<b>AMOUNT DUE</b>	\$266.00
<b>DUE DATE</b>	01/03/2021

**POST billpay**



\*4017 8000023596002 010321 \$266.00 8



Yours sincerely

J McAleer  
Prosecutions Officer  
City Legal  
Brisbane City Council

Disclosure Log Release

# Payment History Report

## PAYMENTS

*No Payments have been made*

## REFUNDS

*No Refunds have been made*

Disclosure Log Release

# Transactions Report

Transaction Date	Account Code	Clear Date	Income	Debt	Bank Suspense	Write-Off	Cancel	Description
28/09/2020 10:27:28 AM	Debt	28/09/2020	-266.00	266.00	0.00	0.00	0.00	Initial Debt
27/09/2021 3:36:00 PM	Summons	27/09/2021	-105.35	105.35	0.00	0.00	0.00	Manual adjustment (Added Fee)
27/09/2021 3:36:15 PM	Other	27/09/2021	-5.40	5.40	0.00	0.00	0.00	Manual adjustment (Added Fee) - REGISTERED POST
13/02/2022 5:08:47 PM	Debt	13/02/2022	0.00	-266.00	0.00	0.00	266.00	Ticket Stat Barred #Trigger TCK_STAT_BARRED (write off of infringements to SEP 2020) as per Maria Stewart client request, refer to CASE#281321
13/02/2022 5:08:47 PM	Summons	13/02/2022	0.00	-105.35	0.00	0.00	105.35	Ticket Stat Barred #Trigger TCK_STAT_BARRED (write off of infringements to SEP 2020) as per Maria Stewart client request, refer to CASE#281321
13/02/2022 5:08:47 PM	Other	13/02/2022	0.00	-5.40	0.00	0.00	5.40	Ticket Stat Barred #Trigger TCK_STAT_BARRED (write off of infringements to SEP 2020) as per Maria Stewart client request, refer to CASE#281321

Disclosure Log Release

# Road Authority Report

## ROAD AUTHORITY RESPONSES

*No Road Authority responses.*

Disclosure Log Release

Matter Cost Summary Report

Report Selection Criteria:-

Work Date From: To: 22/08/2022  
 Matter Number: 324975  
 Person Acting: Kevin Cartledge  
 Client Name: CPS CITY PLANNING & ECON DEV  
 Worktype: Prosecutions - Parking  
 Department: PROS

Include Matter transaction Details? (Y/N) Yes  
 Only Show Non-Billed Transactions? (Y/N) No  
 Only Include Matters with Transaction Detail? (Y/N) Yes  
 Include Task Code Summary? (Y/N) No  
 Include Billed Transaction Summary? (Y/N) No

Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Person Summary

Person	Total Units	Time Value	Time Billed	Write On/Off	Non-Bill. Time	Unbilled Balance
AHA	Sch4Pt4s6		0.00	0.00	0.00	153.00
AWA			0.00	0.00	0.00	97.00
JKG			0.00	0.00	0.00	2785.50
JLA			0.00	0.00	0.00	140.00
JT			0.00	0.00	0.00	57.00
KCA			0.00	0.00	0.00	5034.00
MSP			0.00	0.00	0.00	38.00
PB			0.00	0.00	0.00	176.00
<b>Totals:</b>	<b>444.00</b>	<b>8480.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>8480.50</b>

Sch4Pt3(15), Sch4Pt4s6



Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch4Pt4s6, Sch4Pt3(15)



Disclosure Log Release

Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch4Pt3(15), Sch4Pt4s6



Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch4Pt3(15), Sch4Pt4s6





Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

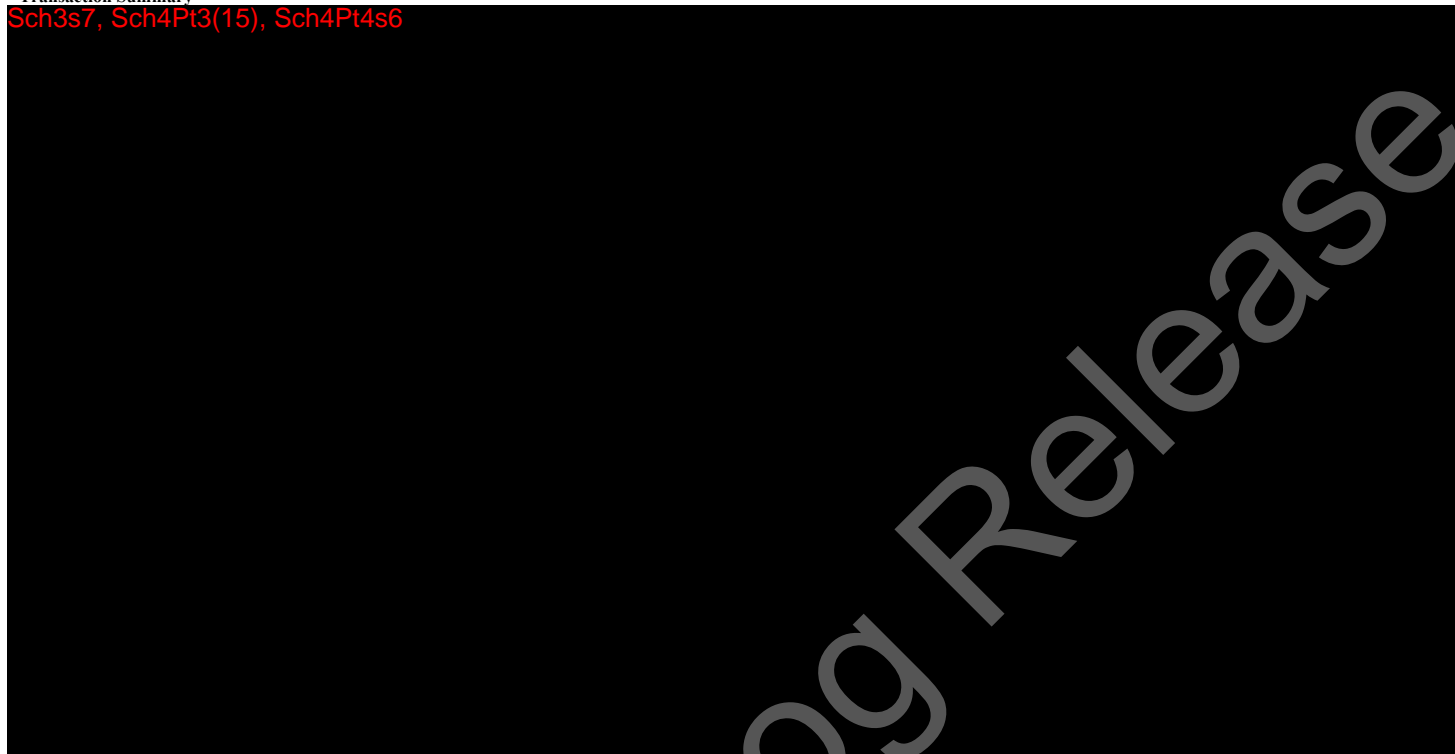
Sch4Pt3(15), Sch4Pt4s6



Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch3s7, Sch4Pt3(15), Sch4Pt4s6



Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

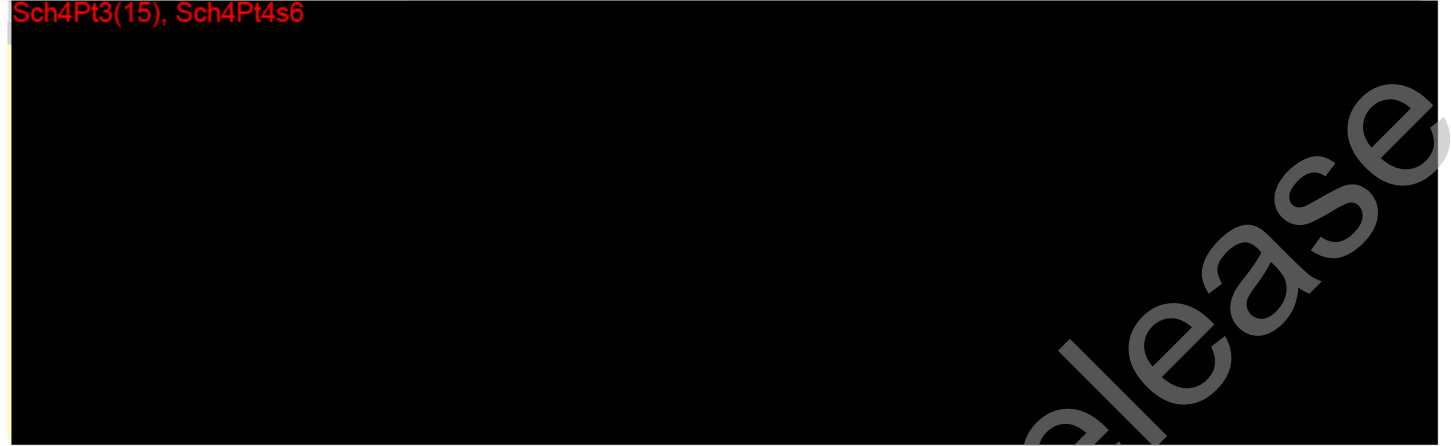
Sch3s7, Sch4Pt3(15), Sch4Pt4s6



Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch4Pt3(15), Sch4Pt4s6

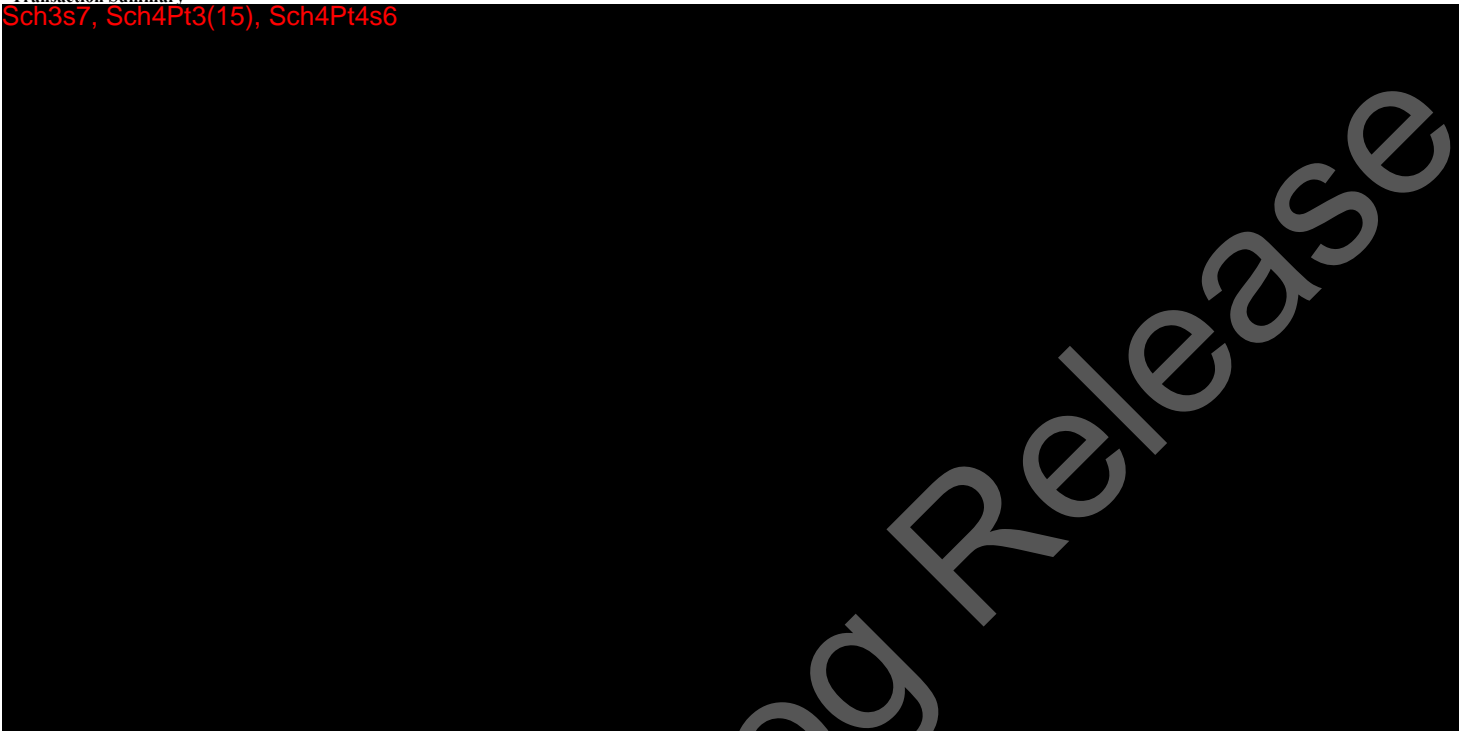


Disclosure Log Release

Matter	Client	Details	Date Opened
324975	CPS CITY PLANNING & ECON DEV	Sri, Cr Jonathan - Breach PLACA - Peaceful Assembly Queen Street Mall	23/03/2021

Transaction Summary

Sch3s7, Sch4Pt3(15), Sch4Pt4s6



Matter Summarised: 1  
Pages Printed: 9