AFFIDAVIT

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

All pages numbered 1-42.

I, David Manteit of 82 Rowe Tce Darra, developer, under affirmation says:

1. The Appellant alleges the following findings of the actions of Scott Ruhland occurred in the assessment of A006565555, 128 Ashridge Rd Darra -

Scott Ruhland has performed unsatisfactory engineering as per Schedule 2 of the Professional Engineers Act 2002.

Scott Ruhland has performed unlicenced engineering as per S115 (1) of the Professional Engineers Act 2002 and S15 (1) of the Crime and Corruption Act 2001.

Scott Ruhland has been grossly negligent in the assessment of A006565555 as per many codes including S289 and 290 of the Criminal Code.

2. This affidavit is provided in support of the Appellant's request that the same findings in 1. above are made in His Honour's judgement of this case, as per orders sought in point 10 of the Notice of Appeal.

3. I addition, for clarification, the Appellant seeks orders in the judgement, or orders aside from the judgement as the case may be, to

(a) make the sane findings set out in 1. and

(b) make a referral by His Honour to the appropriate third parties –

The Crime and Corruption Commission – for unlicenced engineering (criminal offence)

In the presence of Terrence Hedley Leister JP (Qual)

Signed: D Manteit

Signed: T. Leister

Deponent: DAVID MANTEIT

Justice of the Peace:

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND GOVERNMENT Reg.No.: 135835 DEPT. OF JUSTICE & ATTORNEY-GENERAL

David Manteit
82 Rowe Tce Darra 4076
Ph 0424739923
Email davidmanteit@hotmail.com

The Department of Prosecutions – S289 and 290 of the Criminal Code.

The Board of Professional Engineers for unsatisfactory conduct and unlicenced engineering (criminal offence)

The referrals are to provide a mentioning of why the referrals to each institution are made.

(c) Any other disciplinary orders that result from His Honour's findings.

4. In addition, the Appellant provides this affidavit in support of a Request for Subpoena Form 42 lodged with the Court 7/4/25 and requests that His Honour sign that request for Scott Ruhland to attend as a witness in the trial on 28/4/25, as soon as possible.

5. Of particular concern is that Scott Ruhland has demonstrated a reckless approcah with no care as to future flooding, damages and the loss of life, caused by her actions in assessment, which have led to his issuing his illegal engineered approved Upstream and Onsite drainage stormwater plans in red.

6. Ruhland and the Respondent maintain steadfast their intention to cause nuisance flooding, damages and loss of life to the site and 2000 properties and 5000 persons downstream of the subject site.

7. Where used –

"Unsatisfactory engineering" refers to Schedule 2 of the Professional Engineers Act 2002

"Unlicenced engineering" is refers to S S115 (1) of the Professional Engineers Act 2002 and S15 (1) of the Crime and CRuhlanduption 2001.

"Gross negligence" is a heightened degree of negligence, representing a reckless disregard or extreme indifference for the safety or lives of others, exceeding ordinary carelessness and implying a conscious violation of safety rights. Under S289 and S290 of the Criminal Code.

"Council employees" –

Andrew Blake
Roger Greenway
Lucy Ting
Margaret Ruhland
Joel Wake
Zarndra Piper
Scott Ruhland

8. David Manteit DA report, lodged 10/7/24.

The information below is provided to demonstrate that Ruhland and Council actions have been grossly negligent from 10/7/24 to 25/9/24 and all the way during that period.

"Stormwater Code, lawful point of discharge" (Stormwater report)

Ruhland, unlicenced engineer, did not assess any part of David Manteit's DA report, nor did any of the other Council employees (with minor exceptions)

In particular, the *stormwater report* was not assessed by Ruhland or any of the Council employees.(with minor exceptions)

In any case if there was assessment done by Ruhland or Council employees, this has been found to be a grossly negligent assessment.

The independent engineer make a finding that it appeared there was no assessment of the existing terrain, by Ruhland and Council employees,

9. All Manteit's arguments in the stormwater report have been upheld by the independant engineer.

The DA applicant, David Manteit provided extensive arguments and drainage pattern information in his assessment report in the stormwater report. The Appellant gave 11 flood warnings if there was an upslope condition issued by Ruhland and Council.

The stormwater report is more informative and more professsional than that of any other stormwater report provided last calendar year involving an upslope catchment area of 3036 square metres of less. There was around 412 approved cases in the report filed by Manteit and around 57 cases where there were upslope pipe connections. In no cases were there any plans prepared by Council, except A006565555.

All Manteit's arguments in the DA application in relation to the reasons why there should not be an upslope stormwater connection, that David Manteit provided in the assessment report on 10/7/24 have been upheld by the Independent Engineer, as filed.

Manteit provided sufficient arguments in the Stormwater report on 10/7/24 that provision of a stormwater connection to any of the rear lots for an upslope connection is unnecesary and would cause flooding, if an upslope condition was issued.

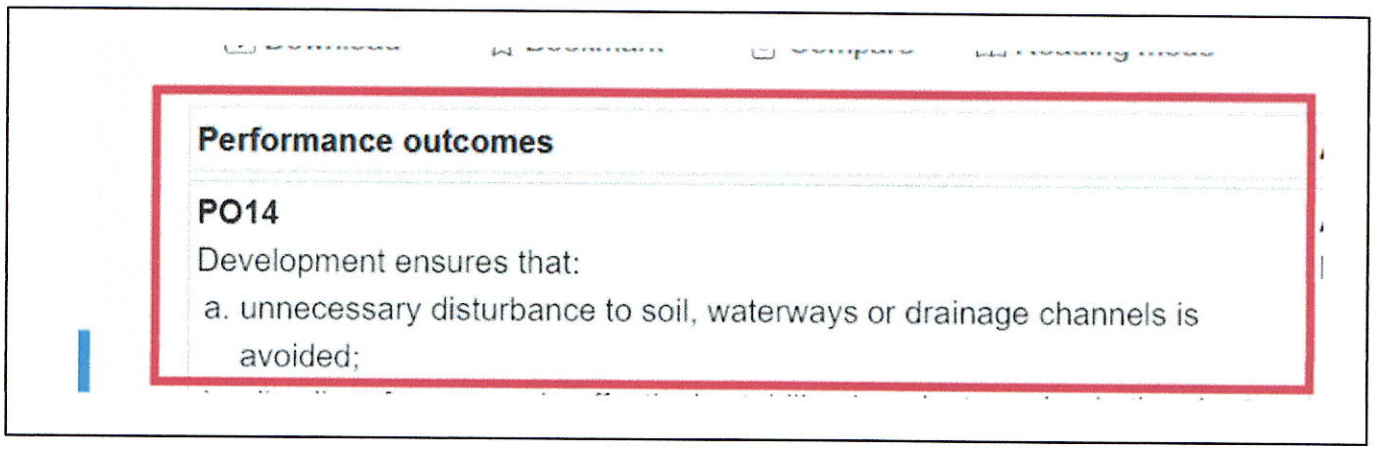
Manteit provided enough information without the need for an RPEQ.

In any case there was no information request issued. Council have had their chance to allow another engineer Onsite and Upstream drainage. Council remain steadfast as to their illegal approved plans

It is inconceivable that any normal person of average intelligence can see where water can fall down to Ashridge Rd, from any rear lot. The only result is a charged pipe. But 8 Council employees were offered the chance at every opportunity to assess the levels.

All necessary information inluding an ONF survey plan was lodged with the DA application.

Three extracts of Council stormwater codes and planning scheme policies were provided to assist with the assessment. None of these Council's laws were referred to in the Notice of reasons 31/1/25. It is not disputed by Council. That fact alone is complete evidence that Ruhland and Council employees refused to follow and comply with Council laws.



Extract above of stormwater report

Manteit

"unnecessary disturbance to soil, waterways or drainage channels is avoided"

Manteit stated that no disturbance was required (no fill required).

This was a flood warning to Council, should they condition an upslope connection (1)

Ruhland

It has been proven by the removal of all fill requirements as per Notice of Disputed Reasons 31/1/25 the incompetency of Ruhland and Council to have placed "Fill the site" requirements three times in the original approval conditions.

Gross negligence by Ruhland is already proven.

Ruhland and Council never assessed PO14.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

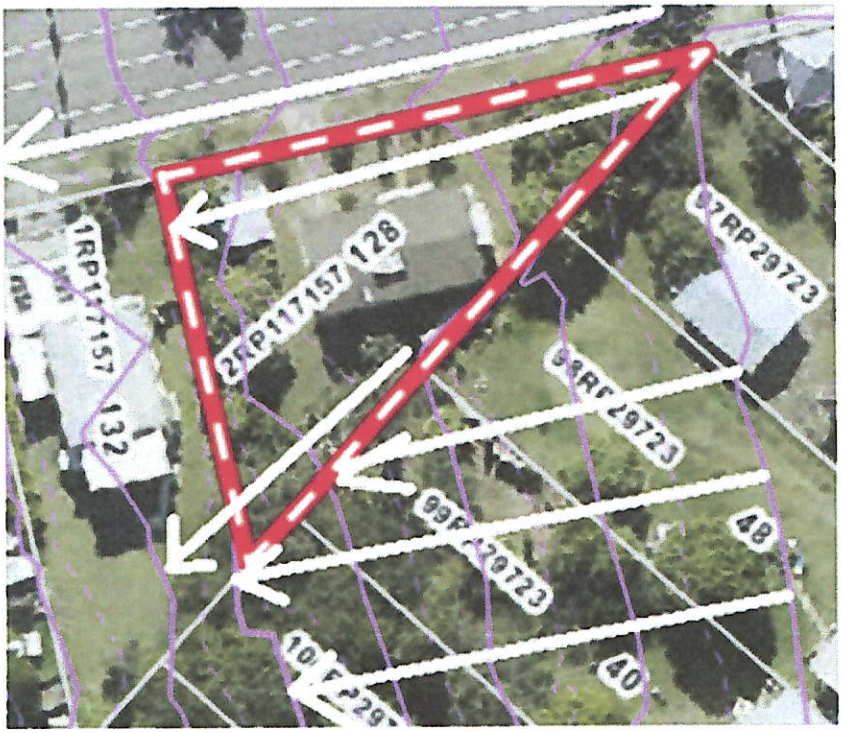
Independent Engineer

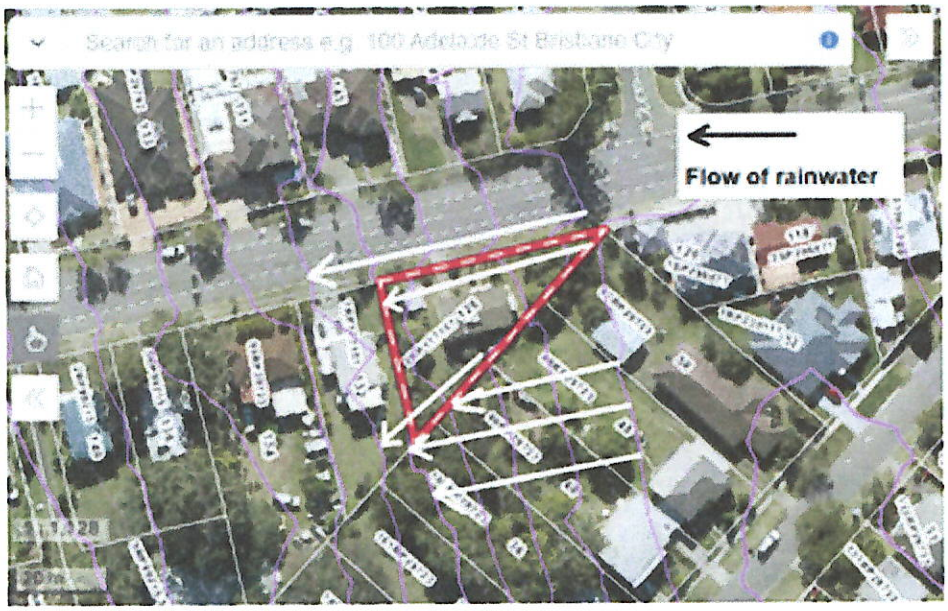
The independant engineer has upheld all David Manteit's argument.

- Natural drainage patterns already direct runoff downstream.
- The site's terrain prevents effective upstream drainage.
- A compliant connection would result in an exposed pipe, which is not feasible.
- A compliant connection based on providing minimum cover would result in an inefficient charged system.
- Forcing an upstream connection would lead to downstream nuisance flooding, violating the "No Worsening" principle.
- If the upstream properties are developed, they will generate flows exceeding the allowable kerb discharge limits.
- There is no viable OSD option to mitigate excess runoff, per Council's guidelines.

Brisbane City Council Contours 2002.

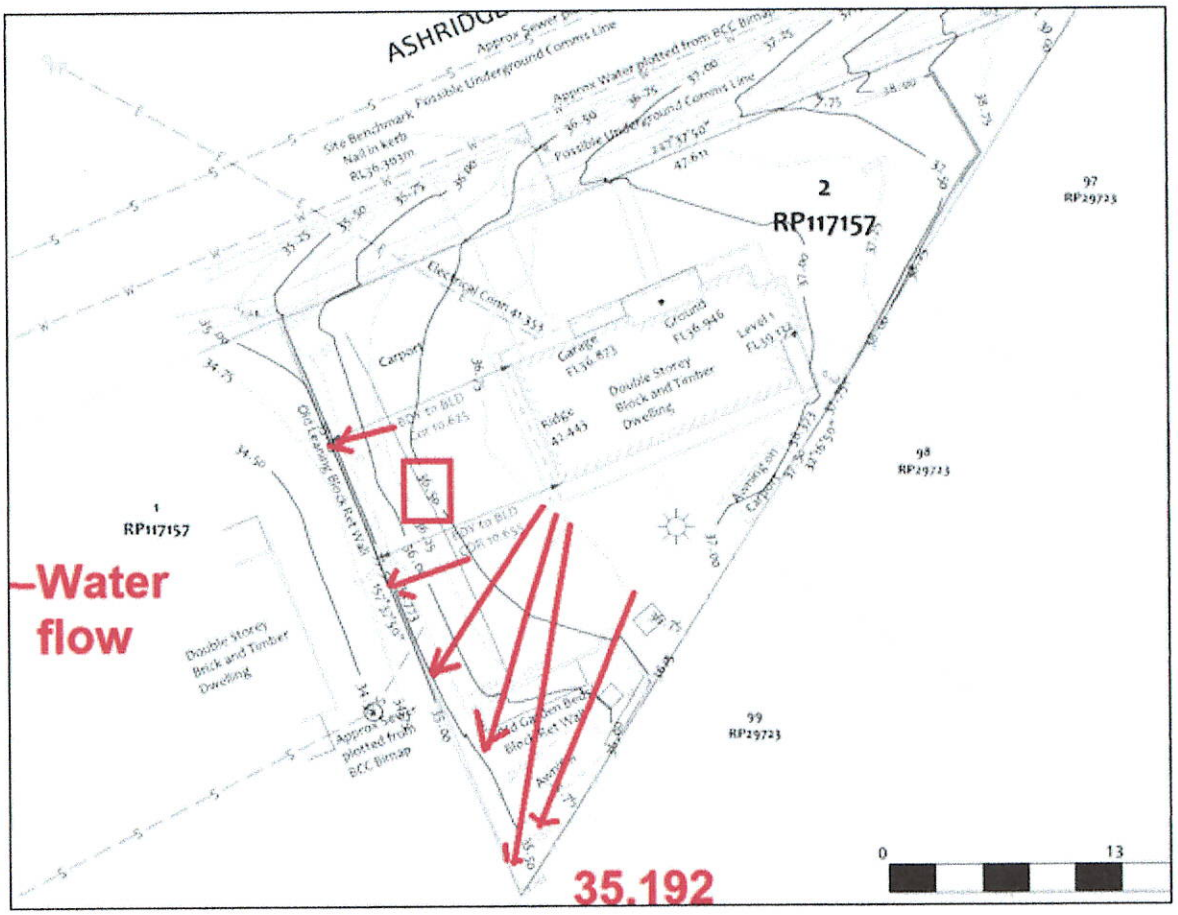
1) Contours 2002 show flow of rainwater in rear neigbours land falling downstream from one rear neighbour to the other rear neighbour, left of each other, rather than to the subject property. Therefore there are no "Upstream" neighbours to the subject development.





Above - extract of Manteit DA application showing that land falls to the west. (and rear)

2) **Surveyor's contours.**



A recent survey by ONF Surveyors shows that the natural flow of rainwater is from the middle of the subject property to right and rear of the subject property.

Extract of stormwater report demonstrating that land falls to the rear and west. The peg of 35.192 is highlighted in 20 times magnitude for assessment officers.

Manteit

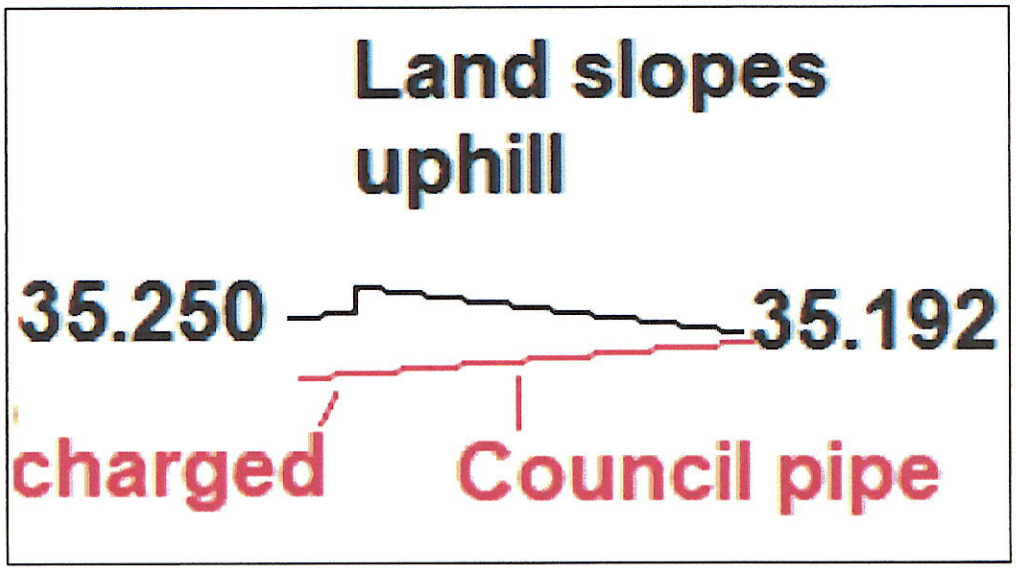
"*A recent survey by ONF Surveyors shows that the natural flow of rainwater is from the middle of the subject property to right and rear of the subject property*".

This was a flood warning to Council, should they condition an upslope connection (2)

Manteit yet again provided proof that the land falls to the right and rear, and not to Ashridge Rd. All contours and spot marks can be seen.

Manteit provided six directional arrows demonstrating fall of water.

Manteit stated a bold AHD **35.192** for the rear right corner survey peg.



The surface level of 35.250 is surface level at kerb for identifying lawful point of discharge. The survey plan proves that the subject land slopes upward to Ashridge Rd. Allowing for cover, pipe and fall, the Council pipe would have been 1.29m underground at the kerb, as suggested in the Notice of Appeal, 19/11/24.

This was a flood warning to Council, should they condition an upslope connection (3)

Manteit lodged an audit report of 412 approved cases last year. In every single case, a survey plan was provided by the applicant upon application. David Manteit supplied a survey plan in this case.

FILLING AND EXCAVATION CODE

9.4.3.2 Purpose

1. The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
2. The purpose of the code will be achieved through the following overall outcomes:
   a. filling or excavation does not adversely affect the visual character and amenity of the site or the surrounding area and provides access for maintenance to any structure as a result of filling or excavation.
   b. filling or excavation does not adversely impact significant vegetation, water quality or drainage of upstream, downstream and adjoining land.
   c. filling or excavation effectively manages the impacts associated with the activity.
   d. filling or excavation and any retaining structure is designed and constructed to be fit for purpose and to protect services and utilities.

The Filling and Excavation Code requires that filling does not adversely impact significant vegetation..... drainage of upstream. downstream and adjoining land.

It has already been mentioned in the Stortwater Code that the applicant strongly rejects any requirement by Council to construction any stormwater assets for other properties. It was outlined that there are in fact no upstream properties to the subject site. In fact some of the rear properties are in fact downstream properties.

Any proposal to provide a stormwater pipe to rear neighbours would require up to 2.1m of filling. The filling could be required to extend up to sixty metres into the rear neighbours yard. It would also mean that the filling of the natural waterway at the rear would cause flooding on my site.

Above – Extract of Filling and excavation Code.

Manteit

"Are in fact no upstream properties to the subject site"

This was a flood warning to Council, should they condition an upslope connection (4)

"In fact some of the rear properties are in fact downstream properties"

This was a flood warning to Council, should they condition an upslope connection (5)

"Filling required to extend up to sixty metres into the rear neighbor's yard"

This was a flood warning to Council, should they condition an upslope connection (6)

"Would cause flooding on my site"

This was a flood warning by Manteit to Council, should they condition an upslope connection (7)

Independent Engineer

> While it is understood that some portions of Lots 98 and 99 do drain towards the subject site, it is critical to note that all of Lot 2 naturally drains towards the downstream neighbouring property (Lot 1 RP117157). In addition to the above, over half of Lot 1 also drains towards the rear of the lot.
>
> As such, any runoff from Lots 98 and 99 that does enter the subject site immediately continues to the downstream neighbouring properties rather than accumulating on site. This will imply that an upstream stormwater connection would serve no practical function as stormwater runoff already naturally drains downstream away from Ashridge Road.
>
> With the above, it can be deduced that Council's request for upstream connections for Lots 98 and 99 are based on an assumed need rather than an assessment of the actual drainage patterns on site.

Existing drainage patterns – Independent engineer 28/3/25.

Independent engineer

"Council's request for upstream connections for Lots 98 and 99 are *based on an assumed need rather than an assessment of the actual drainage patterns on site.*"

These are the independent engineer's words, provided without any consultation from Manteit to the engineer, in order to maintain independence.

Ruhland

Ruhland and Council never did any assessment of where water wants to fall,the actual drainage patterns, during the assessment process.

Ruhland did not assess the survey plan before engineering the illegal flooded, Ruhland and Council approved stormwater plan amended in red.

Ruhland and Council never assessed the survey plan provided by Manteit.

In other words, Ruhland never made an assessment of existing drainage patterns.

It is therefore obvious that Ruhland nor any Council employees have never assessed the actual drainage patterns. Ruhland has been grossly negligent in not assessing existing drainage patterns.

Drainage patterns include the patterns of contours spaced 250 mm apart, as per ONF survey plan.

What other evidence does one need of drainage patterns?

Ruhland is a member of the Assessment Team. Ruhland had a chance to make an assessment, of the existing drainage conditions, for the whole 77 days of the assessment period.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

7.6.5 Provision of drainage for future upslope development of a neighbouring property

1. Provision must be made for the future orderly development of adjacent properties with respect to stormwater drainage where at least part of those upslope properties would drain through the development, or the most feasible location for stormwater drainage infrastructure to service those properties is within the development.
2. If a piped drainage connection is provided for up-slope development, the drainage infrastructure must fully extend to the boundary of the up-slope site to ensure that the up-slope property owner does not have to undertake works in the down-slope property to connect to this stormwater infrastructure.
3. Where a pipe is used to facilitate an up-slope stormwater connection (now or in future) the minimum pipe size is 225mm nominal diameter for any development. This stormwater pipe must be connected to a lawful point of discharge.
4. The development is to design any up-slope stormwater connection for fully developed catchment flows.

Chapter 7 Stormwater Drainage extract above.

1) There is no adjacent properties that "would drain through the development." All rear properties drain left to right of each other, not to 128 Ashridge Rd Darra.

2) There is no feasible location for stormwater drainage to service these properties through the development. I am not building a 2m retaining wall for anybody.

Above – extract of David Manteit DA assessment report.

Manteit

"S.7.6.5"

To be clear, the meaning of the word "development" in that Council phrase of S7.6.5 is the subject site development, not the rear site development. This is not to be confused with the other mentions of the word "development".

The purpose of Manteit specifically underlining words was to draw attention to the fact that the subject site is not the most feasible location to service the orderly development of the Council alleged upslope properties. In fact it is impossible to service from Lots 98 and 99 and 100.

These alleged upslope properties will cause a flooding disaster flow of 171 l/s = 14.7 million litres per day of floodwater through the subject site, Q20.

David Manteit gave Council a full cutout of Council law, in Chapter 7 PSP. No sections are left out.

Manteit provided Council law to the Council. (S7.6.5). Manteit could not be any more transparent.

This was a flood warning to Council, should they condition an upslope connection. (8)

"There is no adjacent properties that would drain through the development"

This was a flood warning to Council, should they condition an upslope connection. (9)

"All rear properties drain left to right of each other, not to Ashridge Rd Darra."

This was a flood warning to Council, should they condition an upslope connection. (10)

"There is no feasible location for stormwater drainage to service these properties through the development."

Manteit advises that there is no lawful point of discharge for the alleged upslope lots.

This was a flood warning to Council, should they condition an upslope connection. (11)

"**Drain**" means water **falling downhill**. "**Through**" means from point A to point B.

If water does not drain to one point, it will naturally choose to pick some other area to drain to.

Independent engineer

The David Manteit stormwater report advice is upheld by the Appellant engineer.

- Forcing an upstream connection would lead to downstream nuisance flooding, violating the "No Worsening" principle.
- The site's terrain prevents effective upstream drainage.
- If the upstream properties are developed, they will generate flows exceeding the allowable kerb discharge limits.
- Natural drainage patterns already direct runoff downstream.
- The site's terrain prevents effective upstream drainage.

With the above, it can be deduced that Council's request for upstream connections for Lots 98 and 99 are based on an assumed need rather than an assessment of the actual drainage patterns on site.

"Based on need rather than an assessment"

In addition to the above. If the proposed infrastructure was design solely based on providing minimum cover over the entirety of the proposed pipe network illustrated in diagram 3 obtained from attached concept sketch CW24091-SK01-REVA:

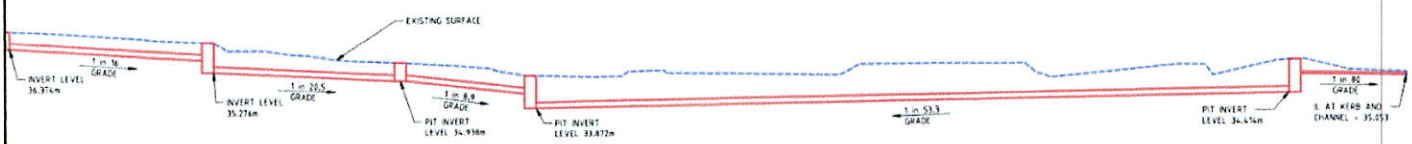


Diagram 3: Stormwater schematic based on Council's approved sketch with minimum cover

It will result in a charged system with an approximate drop of 1.181m between the internal network and the kerb outlet resulting in a charged system that would be inefficient.

Independent engineer

The independent engineer shows a charged pipe of 1.181m below ground.

Ruhland

***"Based on need rather than an assessment"* – independent engineer**

Ruhland and Council did no assessment whatsover

Ruhland wished to force an upstream connection that would cause downstream nuisance flooding, violating the "no worsening" principle.

Ruhland engineered design will generate flows exceeding the allowable kerb discharge limits.

Ruhland has not assessed site terrain or whether falls to Ashridge Rd or if the subject land is in fact upslope to the rear lots.

Ruhland has not assessed to see whether the surface levels can support her illegal flooded and approved upslope drainage plan in red.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

Neither Ruhland nor any Council employees have ever assessed S7.6.5.

Ruhland is a Team leader of the Assessment Team. Ruhland had a chance to make an assessment, of the existing drainage conditions, for the whole 77 days of the assessment period

Ruhland refused to assess her own Council laws or engineering methodologies.

That is gross negligence by Margaret Ruhland.

When a person performs engineering and produces an approved engineering plan without an engineering licence, this is unlicenced engineering. This can be a criminal

offence. Ruhland and Council have not disputed Ruhland has performed unlicenced engineering.

The Ruhland and Council stormwater plan in red is charged, flooded and there is no lawful point of discharge. It does not comply with Council laws. All PSP Chapter 7 laws refer to specific engineering methodologies within each and every section of those Council Laws.

Ruhland was negligent by refusing to assess David Manteit DA stormwater report, but had time to assess, from 10/7/24 to 25/9/24.

Ruhland refused to assess any part of S7.6.5, let alone any part of Chapter 7.

Ruhland has been grossly negligent by not assessing this crucial Council law, S7.6.5.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

"Stream" being the operative word. The only "Stream" is that when it rains , the water on the subjec site falls to the rear and right of Proposed Lot 2. The rear and right boundary peg is AHD 35.192.
The proposed Lot 2 AHD will be 36.75

Proposed AHD Lot 2	36.750	
Rear right	35.195	
Rise from lowest point on Proposed Lot 2	1.560	metres.

Above – extract of David Manteit DA assessment report.

"The rear and right boundary peg is AHD 35.192."

Ruhland never assessed the boundary peg.

When it rains, the water on the subject site falls to the rear and right og Proposed Lot 2"

This was a flood warning to Council, should they condition an upslope connection. (11)

Independent engineer

- Forcing an upstream connection would lead to downstream nuisance flooding, violating the "No Worsening" principle.

- The site's terrain prevents effective upstream drainage.

- If the upstream properties are developed, they will generate flows exceeding the allowable kerb discharge limits.

- Natural drainage patterns already direct runoff downstream.

- The site's terrain prevents effective upstream drainage.

With the above, it can be deduced that Council's request for upstream connections for Lots 98 and 99 are based on an assumed need rather than an assessment of the actual drainage patterns on site.

Ruhland

Ruhland never assessed the rear and right boundary peg or the land sloping away from Ashridge Rd.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

Ruhland and Council non - compliance with Council laws

10. Rainfall calculations

7.2.2.2 Design average recurrence intervals

(1) The rainfall intensities used for flow estimation in Brisbane for the 1 year ARI to 100 year ARI (63% to 1% AEP) events are shown in Table 7.2.2.2.A.

Table 7.2.2.2.A—Rainfall intensity-frequency-duration (IFD) for Brisbane

Duration (minutes)	Probability (AEP and ARI) and intensity (mm/h)						
	63%	39%	18%	10%	5%	2%	1%

	1 year	2 year	5 year	10 year	20 year	50 year	100 year
5	117	151	191	215	248	291	325

Above extract of S7.2.2.2 and Table 7.2.2.2 A

Manteit

S7.2.2.2 Rainfall is used for flow estimation under the **Rational Method**. 20 year means every 20 years, or AEP 5%.

1 year means this is the rainfall for a 5 minute duration, across a site, on average once a year. Many examples are provided free by Quilty.

Quilty – Rational method

(link)

Rational Method Peak Discharge

$$Q_y = \frac{C_y {}^{t}I_y A}{360}$$

Peak discharge $Q = CIA/360$ (m^3/s)

$Q_2 = (C_2 {}^{6}I_2 A)/360$

$Q_2 = (0.68*138*0.1870)/360$

$Q_2 = 0.049 m^3/s$

Independent Engineer

- **Rainfall Intensity (mm/hr)** – Data obtained from BCC Infrastructure Design PSP – Chapter 7 Table 7.2.2.2.A.

Ruhland

Ruhland and Council never used their own Council laws for rainfall calculations.

Ruhland did not assess nor instruct any Council employee to assess 7.2.2.2 and Table 7.2.2.A.

Ruhland has not used Chapter 7 PSP. This is a Council law. Ruhland and Council have demonstrated they do not follow Council Laws. This demonstrates negligence by Ruhland and Council.

These are annual rainfalls. These numbers are used in the Rational Method calculation of amount of flow.

Margaret Ruhland has been grossly negligent by not using these Council laws.

Ruhland has designed an illegal flooded approved urban drainage plan without doing any engineering calculations.

Ruhland and Council design will cause 3,628,800 litres of floodwater per day, every year (Q1) onsite and to the 2000 downstream properties causing damage and possible loss of life.

This is unsatisfactory engineering and unlicenced engineering.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

11. Drainage

7.2.2.3 Drainage

(1) Council's design standards for stormwater infrastructure vary for different types of land uses. The design standards for roof water, drainage in private roads/driveways and for drainage in roads fronting those types of development are set out in Table 7.2.2.3.B.

(2) Pipe drainage of on-site roof water and surface water from paved and unpaved areas must comply with AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage, QUDM for Level III, IV and V drainage standards.

(3) The design of the major system must ensure flows can be conveyed safely. Where the major system is part of a road, this may require increasing the capacity of the minor system above that shown in this table to ensure flow depths and hazard are acceptable (refer to QUDM).

Table 7.2.2.3.B—Design standards for drainage systems

Development category	Design parameter	Minimum design standard	
		AEP	ARI (years)
Rural areas (typically 2–5 dwellings per hectare)	Minor drainage system Major drainage system	39% 2%	2 50
Residential developments (Low density residential)	Minor drainage system Major drainage system	39% 2%	2 50
	Roof water drainage	Level II QUDM	
Residential developments (Low–medium density to High density)	Minor drainage system Major drainage system	10% 2%	10 50
	Roof water drainage	Level III and Level IV QUDM	

Manteit

Council law 7.2.2.3

Council law 7.2.2.3 specifically requires Ruhland and Council to follow mimimum design standard Level III QUDM.

S7.2.2.3 and Table S7.2.2.3 B states that for residential developments zoned low-medium density that for a roof drainage system, Level III QUDM must be used.

Independent engineer

Independent engineer *"in accordance with QUDM and Infrastructure Design PSP – Chapter 7" (below)*

Independent engineer has been conservative using 600sqm of roof when 900sqm of roof is what David Manteit found to be conservative from a Town Planning report filed 24/3/25.

6. Future Development Considerations

An assessment of post-development discharge for the upstream fully developed site conditions for Lots 98 and 99 have been undertaken using the Rational Method taking into consideration of the site in its entirety as well as a conservative potential total roof area of 600m^2, in accordance with QUDM and BCC Infrastructure Design PSP – Chapter 7. The below calculations are only for 1 lot considering the lot sizes are the same.

Ruhland

Neither Ruhland nor Council have used S7.2.2.3A Council table. Ruhland and Council have been grossly negligent.

If Ruhland and Council had used this Council law, they would have not caused a flood that would cause nuisance flooding, property damage and possible loss of life.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

12. Coefficient

7.3.3.1 Fraction impervious

(1) Designers are to refer to QUDM section 4.5 for methodology in determining the run-off coefficients.
(2) The C10 coefficients of discharge shown in Table 7.3.3.1.A are to be used for rational method calculations.

Table 7.3.3.1.A—Coefficient of discharge C10 for development

Development category	C10
Central business areas (including in the Principal centre zone and Major centre zone)	0.90
Industrial uses and other commercial uses (including in the District centre zone and Neighbourhood centre zone)	0.88
Significant paved areas (e.g. roads and car parks)	0.88
Medium density and high density residential land uses	0.88
Low–medium density residential land uses	0.87

S 7.3.3.1 Fraction coefficient

Manteit

The fraction coefficient is used to input into the Rational method.

The correct coefficient is .87, as per Council laws.

Independent engineer

- **Runoff Coefficient (C_{10})** – 0.870 (According to QUDM Section 4.5). This is based on the future lot being fully developed (LMR3).

Ruhland

Ruhland and Council never used a coefficient. They preferred to flood Darra residents with 3,626,800 litres of rain every day, once a year Q1.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

13. Roof area

Manteit

A roof area must be nominated for the upslope catchment so one can determine the flow.

Site cover is not roof area but it is a place to start. Site cover for the rear lot catchment areas can be up to 80% if some lots are less than 200 sqm The smallest lot for these sites is 180 sqm.

Two comparative sites, 85 and 101 Ducie St Darra, are LMR2. The minimum lot size there is 250sqm for a front lot. In both zonings the rear lot is minimum 350sqm.

It is estimated that each rear lot 98, 99,100 can be up to 95% roof cover, but conservatively 90%.

Manteit has used 900sqm for roof size for Town Planning calculations.

AO8

Development results in a maximum site cover of:

a. 50% where the lot is 400m^2 or more; or

b. 60% where the lot is 300m^2 or more and less than 400m^2; or

c. 70% where the lot is 200m^2 or more and less than 300m^2; or

d. 80% where the lot is less than 200m^2.

Editor's note—For the purposes of determining compliance with AO8 reference is to be made to section 1.7.6.

City Plan

SITE COVER

ADMINISTRATIVE TERM

Site cover, of development, means the portion of the site, expressed as a percentage, that will be covered by a building or structure, measured to its outermost projection, after the development is carried out, other than a building or structure, or part of a building or structure, that is—

a. in a landscaped or open space area, including, for example, a gazebo or shade structure; or **Patio cover**

b. a basement that is completely below ground level and used for car parking; or

c. the eaves of a building; or

d. a sun shade. **Patio cover**

City Plan

The definition of site cover excludes eaves and sunshade devices, like patio covers and carports.

A roof area must be nominated for the upslope catchment so one can determine the flow.

The flow can be determined from a layman's Council low density estimate, which is available in S7.2.2.2, or using the proper Rational Method as per Level III of the QUDM.

Even if Ruhland had used the 15 l/s for 250sqm roof, it would hve been detrmined
that there would be a flood of massive proportions.

54*3 = 162 l/s = 13,996,800 litres a day flood flow

Ruhland

Ruhland has demonstrated gross negligence by not using flow in Council S7.2.2.2 (6)

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct

Ruhland has demonstrated unlicenced engineering.

14. Flow calculations for idiots

Even if Ruhland or Council did not assess using the Rational method (takes 30 seconds),
the low density check is a good rough guide.

This shows 54 l's for a Q20. Ruhland and Council could have done a quick layman's check on Council law for roof size low density. This is staring at one's face every day.

Council law, without referring to the QUDM.

The flow can be determined as a rough guide, by a layman's estimate as if the site was low density, QUDM level 2, from Councils 15 litres a second for 150 sqm of roof, or QUDM 10 litres a second from 180sqm of roof.

Layman's rough estimate as if low density – QUDM level 2.

(6) The pipes at each property must be sized in accordance with QUDM Level II drainage system, assuming a minimum of 15L/s for each 250m² of roof. For larger roof areas, the flow rate may need to be determined and an appropriately sized pipe provided accordingly.

Table 7.2.3.A— Minimum size of roof-water lines for low density residential development

No. of lots (nominal 250m² roof area at each lot)	Minimum pipe diameter	Easement width	Minimum pipe slope
1–2	150mm	Not required	1%
3–4	225mm	1.5m	0.5%
5–6	300mm	1.5m	0.5%

Note—The design flow shown for sizing roof-water lines is greater than QUDM due to the fact that the majority of new housing products in Brisbane achieve roof areas consistently greater than 180m².

Council S 7.2.2.3A. 900/250*15 = 54 litres / second. This figure is higher than the independent engineer, who has provided a conservative estimate of 600 sqm and a Q20 flow of 38 litres, second per rear lot.

Ruhland and Council have been grossly negligent by not using either method to determine flow, which must be less than 30 l/s at the kerb.

15. The Rational method.

7.3.2 Flow estimation methods

For guidance to the design of urban drainage systems Council refers the designer to QUDM and Australian Rainfall and Run-off. Council will accept flow estimations using the rational method, calibrated run-off routing models, calibrated time-area routing models and calibrated direct rainfall hydraulic models. For complex drainage situations (particularly as part of a flood study for setting building development levels) or for sizing stormwater detention systems, a run-off storage routing model must be used to estimate flows and/or analyse the hydraulics of an urban drainage system.

7.3.3 Rational method assumptions

Where the rational method is suitable for flow estimation, the design is to be in accordance with QUDM and the following sections.

As stated above, Council will accept flow estimations using the Rational Method.

The design is to be in accordance with QUDM and the following sections.

Independent engineer

***Table 2** – Peak Flow Rates Using Rational Method (Post Development- Roof Areas Only)*

Catchment	Q_1 (m^3/s)	Q_2 (m^3/s)	Q_5 (m^3/s)	Q_{10} (m^3/s)	Q_{20} (m^3/s)	Q_{50} (m^3/s)	Q_{100} (m^3/s)
Existing Site	0.014	0.019	0.026	0.031	0.038	0.049	0.054

Based on the above considering the lots are fully developed, it can be determined that the stormwater runoff will increase significantly, and the proposed upstream stormwater infrastructure will not be able support the additional flows based on QUDM Level III drainage.

Furthermore, Council's Planning Scheme Policy states that proposed kerb outlets should have a capacity which is limited to 30L/s for the 5% AEP event. However, runoff volume will exceed this capacity even with the conservative assumption of 600m^2 roof areas for each lot. Understanding Council's 30L/s limitation, even if stormwater infrastructure were to be modified, the proposed connection would still fail to meet compliance standards.

Independent engineer assessment under the Rational method.

Ruhland

Ruhland and Council have refused to follow Council laws S7.3.2 and S7.3.3 in order to calculate the Rational Method flows.

There would be Q20 171 l/s extrapolated from l/s for 3 rear lot, as per Roger Greenway plan. Ruhland never did any assessment of the Rational method. This calculation takes 30 seconds.

Ruhland has demonstrated negligence in not calculating flow of the Upstream catchment.

If Ruhland or Council did the flow calculations it would have been determined –

After 25/9/24. As per approved amended plan in red.

2 rear lots = flow of 114 l/s Q20 = 9.849.600 litres a day flood, potential loss of life.

2 rear lots = flow of 42 l/s Q1 = 3,628.800 litres a day flood, potential loss of life.

Before decision on 25/9/24

3 rear lots = flow of 171 l/s = 14,774,600 litres a day flood, potential loss of life

3 rear lots = flow of 63 l/s Q20 = Q1 – 5,443,200 litres a day flood, potentiial loss of life

These calculations indicate that the Ruhland approved plan has intentionally caused major nuisance flooding of the subject site and 2000 downstream properties.

Ruhland has demonstrated gross negligence by not performing a 30 second Rational method calculation. If Ruhland had done the calculation, then there would be no Council flood disaster.

This is demonstration of gross negligence by Ruhland
This is demonstration of unsatisfactory professional conduct by Ruhland
This is demonstration of unlicenced engineering by Ruhland

16. 31/1/25 – Notice of disputed reasons.

> (c) the Upslope Lots are within the LMR3 Low-medium density residential (up to 3 storeys) zone in the City Plan and may be re-developed in the future with increased density;

Above - Council Notice of reasons for dispute 31/1/25

***"Increased density"* = Q20 flood of 9,849,600 litres a day flood on owners land and 2000 houses downstream**

> (d) development of the Upslope Lots will create additional stormwater run-off to the Land; **Council caused flood**

Above - Council Notice of reasons for dispute 31/1/25

***"development of the Upslope Lots will create additional stormwater run - off to the land"* = Q20 flood of 9,849,600 litres a day on owners land and 2000 properties downstream"**

Council state on 31/1/25 that they knew that the development of the alleged upslope lots will create additional stormwater to the land (128 Ashridge Rd).

"additional stormwater run-off" "increased density"

This Council statement demonstrates that Ruhland and Council knew of the increased rainfall. But they have refused to advise the BOM as yet.

Ruhland and Council knew that their plans would create increased rainfall, nuisance flooding, property damage and potential loss of life, yet they still produced an approved stormwater plan would cause 3,628,800 litres of nuisance floodwater flow every year to the site and which will cause a flood flow to 2000 downstream neighbours.

Engineer

> Based on the above considering the lots are fully developed, it can be determined that the stormwater runoff will increase significantly, and the proposed upstream stormwater infrastructure will not be able support the additional flows based on QUDM Level III drainage.

Independent engineer

Independent Engineer

"the stormwater runoff will increase significantly"

"the proposed upstream stormwater infrastructure will not be able support the additional flows based on QUDM Leval III drainage.

The engineer confirms Council advice on 31/1/25.

Ruhland and Council knew they have caused a future massive flood

Engineer - *"The proposed stormwater infrastructure (225mm and pits) will not be able to support the addional flows based on QUDM Level III drainage".*

Ruhland

Ruhland and Council have stated that their engineered and designed plan will cause additional stormwater run-off and there is increased density.

How did Council know that there would be increased stormwater?

Surely therefore Council would have done calculations. No, there was no calculations done.

Ruhland and Council have therefore intentionally and knowingly designed an illegal flooded stormwater system. There is no other conclusion.

This is demonstration of gross negligence by Ruhland and Council
This is demonstration of unsatisfactory professional conduct by Ruhland
This is demonstration of unlicenced engineering by Ruhland

Council response 31/1/25 – "represent one way, but not the only way"

> (b) as indicated, they are "indicative" only and represent one way, but not the only way, that compliance can be achieved with the Disputed Conditions; and

Council staff have refused to supply stormwater engineering design details for the "one way" or "not the only way"

Busting the kerb by 171 l/s Q20 causing major nuisance flooding is not "one way" or "not the only way"

There is actually "no way", It is a flooding distaster.

Ruhland and Council have maintained their upslope stormwater system is high and dry and mighty.

Ruhland and Council have attempted to hoodwink everyone in Brisbane, hoping they wouldn't get caught out. But they have been caught ever since Manteit wrote questions to Ruhland and Council , on 1/10/24.

17. Pipe size (stormwater infrastructure)

Ruhland and Council have insisted on their 225mm pipe and no other pipe, for 200 days, despite questions from Manteit from 1/0/24 and the Notice of appeal.

The correct pipe is 375mm pipe. Council's 225mm pipe will be blown apart by their illegal flooded stormwater plan, causing nuisance floodwater to 2000 properties and 5000 residents downstream every year.

NOMINAL PIPE DIAMETER (mm)	MINIMUM PIPE SLOPE (%)	FLOW (L/s) - NOTE 4							
		PIPE GRADIENT % - NOTE 6							
		0.5	1.0	1.5	2.0	2.5	3.0	4.0	5.0
150	1.0	N/A	18	23	26	30	33	38	42
225	0.5	38	56	67	78	87	96	110	125
300	0.5	84	120	46	170	190	210	N/A	N/A

Above – extract of BSD 8111

Manteit

Ruhland and Council have demanded that their stated 225mm pipe works, for the last 200 days.

This is just utter gross negligence, causing Manteit holding costs and lost profit plus damage to people and property (QUDM) in the extreme.

The 225mm pipe would be blown apart by their engineered disastrous flooded stormwater
system. In a Q20 , 14,774,600 litres a day could bust open the 225mm pipe.

A 225mm pipe can only handle 38 l/s at .5% gradient

The standard is AEP 5% or Q20 – a storm event every 20 years.

The indepependant engineer has stated 38 l/s for one rear lot, Q20.

If 2 rear lots, 76 l/s

If 3 rear lots, Roger Greenway plan, 114 l/s for one rear lot.

Manteit has allowed for 900sqm roof. The independent engineer 600sqm roof.
So that would calculate –

One rear lot 57 l/s, 2 rear lots 114 l/s, 3 rear lots 171 l/s = 14,774,400 litres per day.

A further note is that the independent engineer has identified parts of the fall are greater than .5%.

So this increases the flow substantially. As shown in red, above. For a 5% fall, the flow would be 125 litres per second.

Ruhland

Ruhland and Council have done no calculations of pipe size whatsoever.

How shameful their actions or no actions are. This is just plain reckless behaviour.

Instead she and Council want to flood Manteit site and 2000 and downstream properties with 14,774,600 litres a day flood.

This is demonstration of gross negligence by Ruhland and ~~Council~~
This is demonstration of unsatisfactory professional conduct by Ruhland
This is demonstration of unlicenced engineering by Ruhland

18. Lawful point of discharge

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

(2) When land is developed, the roof and surface-water run-off from that land and any external catchment (through the development site) must be discharged to a lawful point of discharge, being:

(a) where the location of the discharge is under the lawful control of Council, being:

(i) a Council-owned open space asset such as a park or drainage reserve provided the concentration of stormwater does not adversely affect the drainage capacity of the asset and/or impact on adjoining properties; or

(ii) a road reserve, including the kerb and channel and compliance with the permissible flow width, flow depth and hazard.

(b) where the location of the discharge is to stormwater drainage infrastructure designed for such

Above – S 7.6.1 Lawful point of discharge

Ruhland has been grossly negligent by not achieving a lawful point of discharge for both Upstream Drainage and Onsite Drainage.

Ruhland has intentionally engineered a stormwater plan that that create an actionable nuisance which will bring an action claim for damages arising out of the nuisance.

(1) provides that the objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance, that may cause an actionable claim by the proprietor from the damages arising out of the nuisance.

Ruhland is fully aware of this free legal advice from Council, to Council officers.

Ruhland will cause an action claim by her engineered designed approved stormwater plan, amended in red.

(2) It is stated that when land is developed .. and any external catchment though the development must be discharged to a lawful point of discharge.

Due to the requirement in S 7.6.3.1 (2), discharge to kerb and channel is not permitted for Level III drainage if flow is greater than 30 l/s.

Ruhland knew that the kerb is not a lawful point of discharge for any rear lot. Ruhland has demonstrated gross negligence.

Gross negligence is the lack of slight diligence or "care" or "a conscious, voluntary act or omission in reckless disregard of a legal duty and of the consequences to another party."

Ruhland and Council have intentionally proposed a stormwater discharge that will create an actionable nuisance which will bring an action claim for damages arising out of the flood nuisance.

7.6.3.1 Connection to kerb and channel

(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

S 7.6.3.3.1

Manteit

Part (2) *"Level III drainage connection to kern and channel is only permitted if the total discharge from the development including any external catchment does not exceed 30 l/s."*

Engineer

Furthermore, Council's Planning Scheme Policy states that proposed kerb outlets should have a capacity which is limited to 30L/s for the 5% AEP event. However, runoff volume will exceed this capacity even with the conservative assumption of 600m^2 roof areas for each lot. Understanding Council's 30L/s limitation, even if stormwater infrastructure were to be modified, the proposed connection would still fail to meet compliance standards.

Ruhland

Ruhland has refused to follow Council laws by placing an upstream pipe connection on her approved plan amended in red, to the kerb and channel. This is illegal. Ruhland has demonstrated gross negligence, yet again.

Ruhland has demonstrated gross negligence
Ruhland has demonstrated unsatisfactory professional conduct
Ruhland has demonstrated unlicenced engineering.

18. Prior to S75 action and Court action

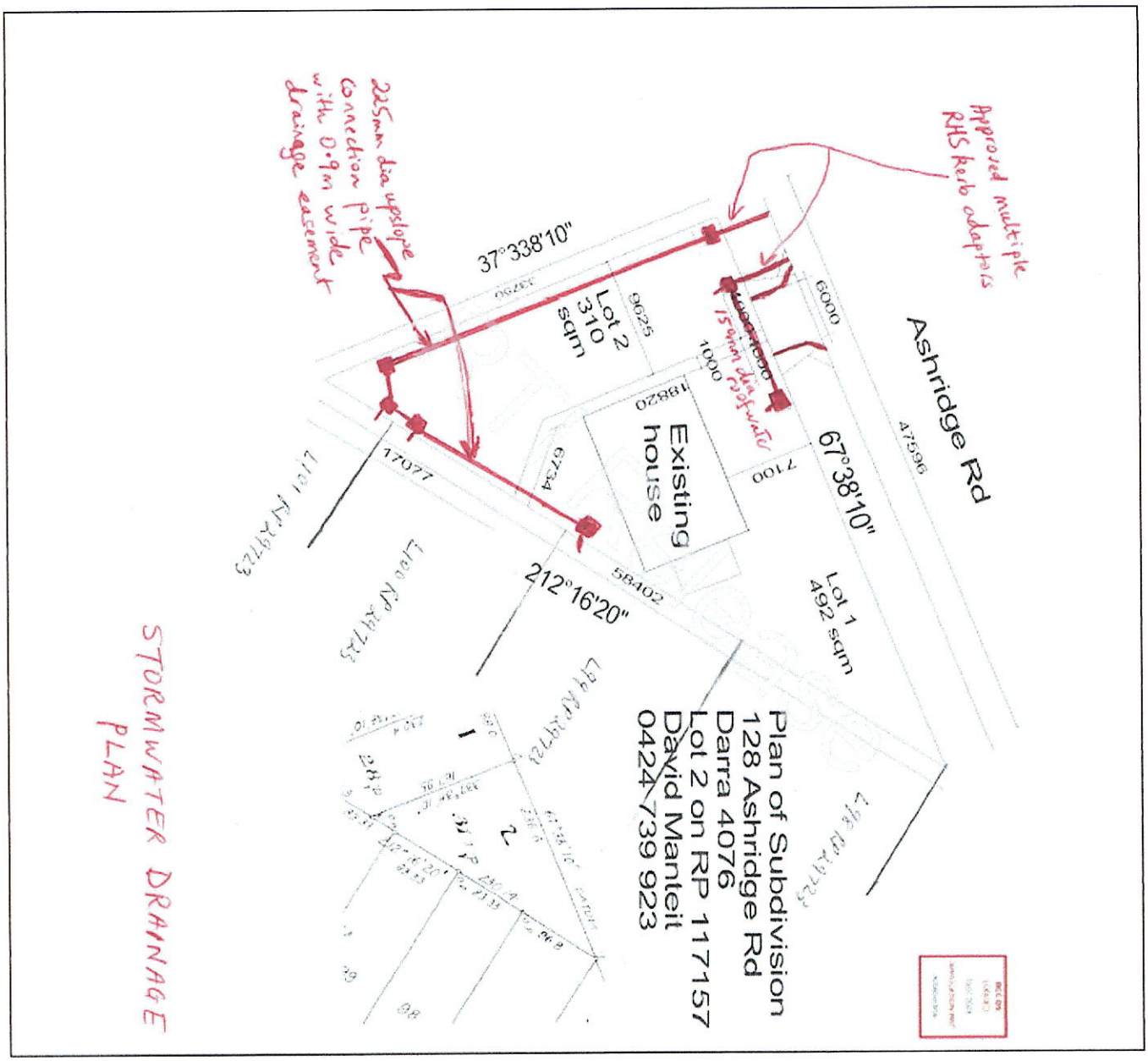
Ruhland was copied into every email from David Manteit to Council prior to the S75 application.

Manteit advised Ruhland and Council in many emails that their pipe was charged. No response by Council or Ruhland. This action is plain dishonesty.

These letters have been filed on 4/12/24 and other documents.

19. Right to information

Below are just some of the findings in the RTI report 17/2/25, filed.



This plan of 3 rear lots was allegedly prepared by Roger Greenway

The plan shows -

- Upstream drainage 3 lots. Lot 98, 99 and 100.

- Stubs entering rear properties of around 600mm which is illegal as per S 7.6.5 and demonstrates incompetence.

Non- compliant with BSD 8111, as sham triangle has been placed greater than 600mm from the boundary without consent with

Ruhland provided an advice "initial ENG assessment complete. RFI required.

The concern is that Ruhland assessed and found that three lots were required to be connected to.

Ruhland did not appear to assess at all. If Ruhland had assessed, he would have found that he was forcing a private engineer to design a stormwater system that has 14,774,600 litres per day flow. Q20.

Assigned To: RUHLAND, Scott From Date: 12 July 2024

Due Date: 26 July 2024 Completed: Y Actual Date: 24 July 2024
Request Type: Code
Advice Type: Engineering
Key Issues: ROL - 1 into 2

Work Request Outcome: Completed
Action Taken: Initial ENG assessment complete, RFI required.

Upstream Connection
1. The proposed plans do not show provision for a lawful point of discharge for the future development of upstream lots as well as existing development.

Provide amended plans that show:
i) An upstream connection to provide for the lawful point of discharge for the future development of upstream lots (Lots 97, 98 and 99 on RP 29723) and existing development in accordance with PO11 of the Stormwater Code and Chapter 7 of the ID PSP. These plans are to be RPEQ certified.
ii) Easements are required over the above drainage in accordance with PO3 of the Stormwater Code and Section 7.1 of ID PSP

The proposed crossover may also clash with an existing street tree and may require street tree scrum advice.

If there are any Engineering questions regarding this application, please see me.
Cheers,
Scott.

RTI Scott Ruhland advice 24/7/24

Unclicenced engineer Scott Ruhland provided his ENG (engineering) assessment of engineering on 24/7/25.

Ruhland, (unlicenced engineer) - "If there are any engineering questions please see me."

The good news is that Ruhland recommended a Request for Information. If the RFI request was made to Manteit, Council and Ruhland may have avoided current and future legal actions in the Planning Court and as per BCC PSP S7.6.1.

The bad news is that Ruhland has done no calculations as to why he recommended that Lots 98, 99 and 100 were assessed to be requiring an upslope connection.

A 3 lot plan means that Ruhland engineering would cause

nuisance flooding of 14,774,600 litres a day in a Q20, and damages and possible loss of life to an estimated 2000 Darra properties downstream.

3 and 5 story zoning of downstream properties may hold up to 5000 residents in the future.

This action by Ruhland is unlicenced engineering, and may be an offence under S15 (1) of the Crime and Corruption Act 2001.

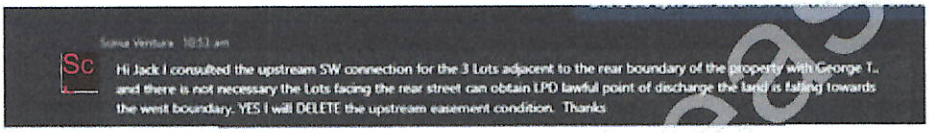
Ruhland holds himself out to be an engineering specialist, as per memo 24/7/24.

"If there are engineering questions.....please see me"

OTHER ASSESSMENT MATTERS
(e.g. Human Rights, Regional Plan, State Planning Policy, concept plans, meeting with applicant)

Assessment Matter	**Comments**
UPSTREAM DRAINAGE CONNECTION	Application at 134 Ashridge (A006534919) did not request / condition connection (refer below note from WB)

Upstream drainage easement not required – AM confirmed with engineer on 21/6.



Scott Ruhland did not assess levels on site. Scott Ruhland did not appear to check with Woolston re levels 17 metres away.

Work Request

Assigned To: RUHLAND, Scott From Date: 20 August 2024

Due Date: 3 September 2024 Completed: Y Actual Date: 3 September 2024

Request Type: Advice

Advice Type: Engineering

Key Issues: Hi Scott,
As discussed sending this back for confirmation on the upstream connection and a review of the retaining wall / filling requirements.
Thanks,
Joel

Work Request Outcome: Completed

Action Taken: Hi Joel,
ENG Conditions entered in accordance with TST-Traffic and TST-Hydraulics advice where applicable. Stormwater Drainage Plan uploaded to EXT Docs for approval.
If there are any further Engineering questions regarding this application, please see me.
Cheers,
Scott

3/9/24 advice from Scott Ruhland

(a) Joel Wake "sending this back for confirmation on the upstream connection"

It is good that Wake asked enquired from Ruhland a second time re the Upstream connection.

Unfortunately the request by Wake on 20/8/24 was 25 days after Wake made the first request to Ruhland. In addition, the request by Wake was only one day before the final day an information request could be made.

3/9/24 Again, Ruhland holds himself out to be an engineering specialist, as per memo 3/9/24.

"If there are engineering questions.....please see me"

3/9/24 - Ruhland, (unlicenced engineer) - "If there are any further engineering questions please see me."

As of 3/9/24, Ruhland has still not provided any evidence that his 3 lot plan wwa not flooded, or any engineering calculations were done.

Ruhland had assumed something, but done no assessment.

Ruhland was also asked by Wake to do a review of filling requirements. Ruhland appeared to have done no assessment of ground levels.

There is no evidence that Ruhland did any review of filling.

Council have subsequently removed all fill conditions.

Ruhland has consistently demonstrated unsatisfactory professional conduct.

Ruhland has consistently demonstrated unlicenced engineering.

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spoke with Andrew Blake today. The development proposal can be approved with the Site drainage minor condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services
City Planning & Sustainability I BRISBANE CITY COUNCIL

Brisbane Square | 266 George Street BRISBANE QLD 4000
Phone: 07 3403 5005 | Fax: 07 3403 4291
Email: lucy.ting@brisbane.qld.gov.au

RTI 2/9/24 Scott Ruhland

Scott Ruhland has been copied into important emails, including the email in which Andrew Blake has approved the illegal flooded plan.

13 Council employees have sighted the illegal flooded plan.

20. Summary of conduct of Ruhland, but not limited to the following.

The following alleged shameful Council engineering has been

performed by Ruhland and Council as a minimum-

Engineering and preparation of illegal flooded stormwater plans that will cause 3,638,800 litres a day flood every day once a year.

Council employees are hell bent at breaking Council laws just to flood 2000 properties in Darra.

Busted kerb at over 171 l/s at kerb, 3 lots.

Upstream drainage undersized pipe 225 mm. 375 mm pipe required

Upstream drainage charged by around 1.3 m metre below at ke

Onsite drainage charged by around .4 -.5 metre at kerb

Onsite drainage not placed on lowest part of the kerb, as per BSD 8111 and causing damages to David Manteit of around $172,000.

STA engineering requiring stormwater pipe to be 1.5, away from the retaining wall and therefore boundary.

Rear land falls to the West, not Ashridge Rd, as advised by 134 Ashridge Rd assessment manager.

Rear lots do not fall to Ashridge Rd at the rear boundary.

Forcing of any appellant engineer to design unlawfully to adhere to red stormwater line. No RPEQ engineer in the world could present As Constructed drawings to Council that would be charged.

Gross negligence already displayed by Council staff in relation to "Fill the site" conditions

No engineering analysis by Council of survey plan provided by the Applicant in the DA.

No regard for S7.1

No regard for S 7.6.1

No regard for S 7.4.7

No engineering analysis by Council of S7.6.5 referred to by the applicant in the DA.

No assessment of S7.2.2.2

No assessment of S7.2.2.3

No assessment of S7.6.3.3.1

Sham Council rear right triangle not complying with BSD 8111.

Kerb adaptor 5.1m upslope from the lowest part of the kerb, Professional Certification Group advises that this location can only be changed by Council.

This is the only case in 412 approved Council subdivision cases last financial year where Council employees have engineered stormwater pipes.

Ruhland and Council had one chance to do engineering and they have performed disastrous unlicenced, unsatisfactory engineering for Council ratepayers.

There is no procedure at law by the DA applicant to change the Development Approved Council employee engineered plans without huge damages to the Respondent, causing damages to the DA applicant and any future owner,

"Markups" is a con.

Council forcing an applicant engineer to lose his engineering licence by designing unlawful engineering and pipes that are charged, undersized and busted at the kerb.

No evidence of any Council employee using a coefficient of .87 as per Table 7.2.2A, for low-medium density sites. No evidence of Rainfall intensity been applied by Council employees. This indicates alleged incompetence and unsatisfactory engineering.

Council employees knowingly were aware that the kerb will be busted by over 171 litres per second flow, within 5 minutes after Manteit lodging the application.

Council provided no information request to the applicant. No extenson of time requested.

Council employees still demanding as of 31/1/25 that Council have designed the system cRuhlandectly as "one way" and there are many "other ways."

Clearly a dishonest statement, and not in accordance with advice from the Independant engineer.

Evidence of alleged stupidity, incompetence and performance of unsatisfactory professional conduct for a registered Professional Engineer (and unregistered as per S115 and per Schedule 2 of the Professional Engineers Act 2002.)

Even if the rear sites were low density zone, the kerb is still busted being over 30 l/s at kerb, based on coefficient of .85, and is estimated to be 95 litres per second for 2 rear lots, or 4 subdivided lots. Based on S 7.2.2.3 of 15 l/s per 250sqm of roof, without applying the Rational method – 54 l/s.

The nominated pipe size of **225mm for Upstream drainage** is busted and a sham and is undersized and is estimated to require a minimum 375 mm pipe. Alleged stupidity, incompetence and unsatisfactory professional conduct for a registered professional engineer (and unregistered.)

Council employees have **not applied principles** of Level III drainage of the Queensland Urban Drainage Manual, demonstrating incompetence and unsatisfactory engineering.

There is alleged clear evidence that employees have performed unlicenced engineering which is punishable as an offence under S 15(1) of the Crime and Construction Act 2001.

It is clear that Brisbane City Council employees have been incompetent and performed unsatisfactory professional conduct by an engineer, by not complying with Brisbane Planning Scheme Policies, including Chapter 7 Stormwater Drainage, in relation to Council employee enginered Upstream and Onsite Drainage.

Both the Council employee engineered Upstream and Onsite Drainage systems engineering are charged and end up below the kerb. Clear evidence of alleged unsatisfactory professional conduct of a Professional engineer.

There is no evidence of Council employees performing engineering in relation to S 7.4.7 Easement requirements nor the STA Engineers engineered retaining wall zone of influence requiring 1.5m setback for stormwater pipes, Clear evidence of unsatisfactory professional conduct of a registered engineer.

It is alleged that Ruhland and Council employees have failed to properly examine the all of the rear land to the rear boundary, which was in fact examined in the case of 134 Ashridge Rd Darra DA application. (Land falls to the right).

128 Ashridge Rd clearly is upslope to the rear lots. Surveying information lodged on 10/7/24 indicates that the land falls from the Ashridge Rd front boundary to the rear lot boundary.

Surveyor information provided in the DA shows a slope of up to 1.85 m down to the rear lots. 128 Ashridge Rd is the Upslope lot. In addition, updated surveyor spot levels show that land of 128 Ashridge Rd Darra falls over the boundary. This negates any argument by Council as to land from the rear lot falls to the rear boundary.

Council have provided no proof the rear land falls to the rear boundary. Again, only 17 metres away, RTI review provides that the assessment manager was in the opninion that the land falls to the right.

It is alleged that Council employees are hiding their engineering fall calculations for both the Council engineered Upstream and Onsite Drainage systems.

21. Legislation

unsatisfactory professional conduct, for a registered professional engineer, includes the following—

(a) conduct that is of a lesser standard than that which might reasonably be expected of the registered professional engineer by the public or the engineer's professional peers;

(b) conduct that demonstrates incompetence, or a lack of adequate knowledge, skill, judgement or care, in the practice of engineering;

(c) misconduct in a professional respect;

(d) fraudulent or dishonest behaviour in the practice of engineering;

(e) other improper or unethical conduct.

Above - Schedule 2 of the Professional Engineers Act

289 Duty of persons in charge of dangerous things

It is the duty of every person who has in the person's charge or under the person's control anything, whether living or inanimate, and whether moving or stationary, of such a nature that, in the absence of care or precaution in its use or management, the life, safety, or health, of any person may be endangered, to use reasonable care and take reasonable precautions to avoid such danger, and the person is held to have caused any consequences which result to the life or health of any person by reason of any omission to perform that duty.

290 Duty to do certain acts

When a person undertakes to do any act the omission to do which is or may be dangerous to human life or health, it is the person's duty to do that act: and the person is held to have caused any consequences which result to the life or health of any person by reason of any omission to perform that duty.

115 Who may carry out professional engineering services

(1) A person who is not a practising professional engineer must not carry out professional engineering services.

Maximum penalty—1000 penalty units.

(2) However, a person does not commit an offence under subsection (1) if the person carries out the professional engineering services under the direct supervision of a practising professional engineer who is responsible for the services.

(3) A person who is a practising professional engineer must not carry out professional engineering services in an area of engineering other than an area of engineering for which the person is registered under this Act.

Maximum penalty—1000 penalty units.

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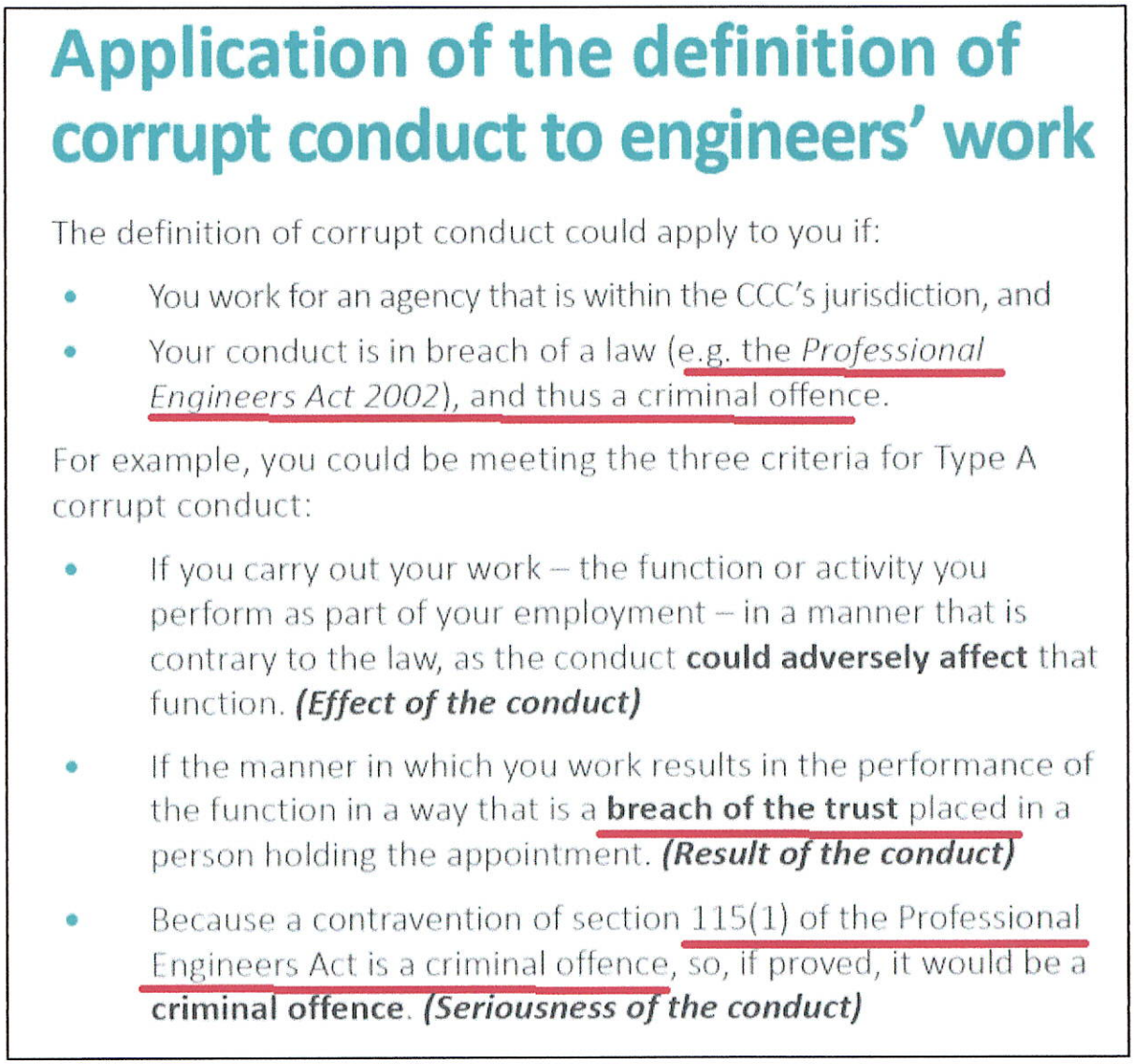
Authorised by the Parliamentary Counsel

Professional Engineers Act.

Contravention of S15 (1) is a criminal offence.



Application of the definition of corrupt conduct to engineers' work

The definition of corrupt conduct could apply to you if:

- You work for an agency that is within the CCC's jurisdiction, and
- Your conduct is in breach of a law (e.g. the *Professional Engineers Act 2002*), and thus a criminal offence.

For example, you could be meeting the three criteria for Type A corrupt conduct:

- If you carry out your work – the function or activity you perform as part of your employment – in a manner that is contrary to the law, as the conduct **could adversely affect** that function. ***(Effect of the conduct)***
- If the manner in which you work results in the performance of the function in a way that is a **breach of the trust** placed in a person holding the appointment. ***(Result of the conduct)***
- Because a contravention of section 115(1) of the Professional Engineers Act is a criminal offence, so, if proved, it would be a **criminal offence**. ***(Seriousness of the conduct)***

Above - Crime and Conduct Commission

A contravention of Section 115(1) of the Professional Engineers Act 2002 is a criminal offence.

Affirmed by the said deponent at Richlands , this 10th day of April 2025

BEFORE ME:

Terrence Hedley Leister JP (Qual)

Deponent

Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED)
QUEENSLAND GOVERNMENT
Reg.No.: 135835
DEPT. OF JUSTICE & ATTORNEY-GENERAL