

AFFIDAVIT

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

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

1. Attached Exhibit "A" Audit of RTI review 17-2-25 and Council employees Intentional Flooding and damages caused by licenced and unlicenced engineers dated 27-3-25.

Signed:



Deponent:

Affirmed by David Manteit on

Taken by:



Justice of the Peace

In the presence of

charmaine Annette Thompson.

Signed:



Deponent – David Manteit



27/3/2025.

AFFIDAVIT

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

EXHIBIT "A"

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

**Audit of RTI review 17-2-25 and Council employees
Intentional Flooding and damages caused by licenced
and unlicenced engineers.**

Report dated 27-3-25 pages 1-29



[Signature] 27/3/2025

David Manteit V Brisbane City Council 2916/24

**Audit of RTI review 17-2-25 and Council employees
Intentional Flooding and damages caused by licenced
and unlicenced engineers. 27-3-25.**

AA006565555 128 Ashridge Rd Darra.

Findings

The “Council employees”

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

1. The Council employees have willingly, knowingly and intentionally sought to contribute to cause future major flooding of private and public property, and to wilfully cause damage and possible loss of life.

The Council employees have willingly, knowingly and intentionally sought to contribute to cause destruction to property and possible loss of life, from flooding, without any regard whatsoever to all persons located on Killarney St and Ashridge Rd and within the vicinity of those properties, and downstream of those properties that are west of those peoperties.

The Council employees have intentionally sought to engineer and design illegal and unlawful plans, along with illegal engineering methodologies, without any regard whatsoever to complying with Council laws or engineering metgodologies

The Council employees have had 8 months to supply reasons why they have designed and engineered such unlawful engineering plans,

There is no other conclusion.

Time and time again, the Council employees had the chance. Meetings were held before the decision date to confirm their intentional actions.

The Council employees had every chance to provide an information request to the DA applicant and let a private engineer,perform engineering, but they chose not to. They chose flood, damage and possible loss of life instead.



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The Council employees had every chance to request an extension of time to make their decision but they chose not to. They chose flood damage and possible loss of life instead.

The Council employees had the chance to follow written Council protocol, to discuss any plans proposed to be amended in red by Council, prior to the decision, as testified in this report, but they chose damage to private and public property and loss of life instead.

The Council employees are the only Council employees in 412 approved Council reconfigure a lot cases last calendar year to have performed engineering design of Upstream and Downstream drainage stormwater systems and amended plans in red. There are sixty one metres of Council flooded pits and pipes and kerb adaptors in the designs.

Affected properties are 128 Ashridge Rd Darra and 134 Ashridge Rd Darra, and their rear Killarney Rd properties, and all the corresponding affected downstream properties thereof, plus the public Ashridge Rd footpath and roads nearby.

The low-medium and high density zoning of these properties means that Council employees can cause flooding and possible loss of life to thousand of unit dwellers.

The Council disaster management plan and estimated flood level in Australian Height Datum need to be registered as a statutory covenant on the title of all affected properties in the catchment areas so that all owners are aware of the flooding and potential loss of life.

The Council must seek immediate update of flooding records for the affected areas.

City Plan must be updated immediately to make all occupants of the affected areas to be informed of the flood category as stated on the awareness map and on City Plan overlays to appear in any searches.

2. The Council employees have intentionally, willingly and knowingly, voluntarily and recklessly performed engineering, designed and prepared plans shown in red on the approved plan for Upstream Drainage and Onsite Drainage stormwater systems that -

Cause major flooding of private and public property and possible loss of life -

Estimated QUDM Q20 Peak flow Rational method, 57 l/s per lot. 114 litres per second
Based on 1800 sqm roof area Lots 98 and 99. Q20.
Rational method.

Maximum allowable peak flow at kerb S6.3.1(2) – 30 litres per second

**Illegal peak flow
flooding exceeding
30 l/s**

84 l/s.




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MAJOR FLOODING CAUSED BY COUNCIL EMPLOYEES QUDM Q20

| | | |
|----------|------------|------------------------------------|
| Flooding | 84 | litres per second |
| | 5,040 | litres per minute |
| | 302,400 | litres per hour |
| | 7,357,600 | litres per day |
| | 50,803,200 | litres per week |
| | 846 | 60,000 litre swimming pools a week |

That is a flood of 51 million litres or 846 swimming pools of floodwater per week caused by the Council employees.

3) The Council employees have knowingly engineered, prepared, designed and approved Onsite and Upstream Drainage stormwater systems that produce a Q20 peak low at kerb of around 114 litres per second at the kerb. This flow is 84 litres per second above 7.6.3.1 (2) prescribed maximum kerb flow of 30 litres per second. This will cause a major flood.

4) The Council employees have caused a future flood nuisance damages to property and possible loss of life to the DA applicant and the owners of local land, neighbour's land, public footpath and road, by demanding that the DA applicant build the Onsite Drainage and Upstream Drainage stormwater systems engineered by them.

5) Nobody has forced the Council employees to engineer and design and approve Upstream and onsite Drainage stormwater systems.

6) Council employees have caused a future health hazard, by contaminating the Council owned stormwater pipes.

7) Council have knowingly caused unliquidated damages to David Manteit by forcing the DA Applicant to build their Illegal stormwater systems. The damages caused by the Council employees to the DA Applicant and owner of the site, are estimated to be upwards of \$650,000, as described in Council Planning scheme Policy 7.6.1 (1)



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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.

**Above – Extract of 7.6.1 Lawful point of discharge and damages claims.**

8) Council employees have refused to supply engineering methodology information and calculations of their engineered design to David Manteit and the Planning Court.

9) Council employees have forced David Manteit, the DA applicant and owner, to build an illegal undersized pipe of 225mm pipe, causing stormwater and flooding nuisance to private and public property. Pipe size should be 300mm if under 84 litres per second or 375mm if over 84 litres per second.

10) Council employees are forcing the owner to build their engineered Upstream and Onsite Drainage systems that terminate around 1 m and .4m respectively under the kerb, being the Council proposed lawful point of discharge, causing flooding to private and public property from water bursting out from stormwater pipes built underground and backwash to the ground surface. The ponding of stagnant water in pipes is called a charged system. Even if there is no rain, the pipes will deteriorate and cause cracks in the slab of houses. A house cost around \$600,000 these days. Council employees need to pay to rebuild any houses caused by their wilful damage.

11) Council employees have failed to be aware that the kerb is not a lawful point of discharge for Upstream stormwater systems that discharge over 30 litres per second

12) There are unlicensed engineer Council employees persons that have performed engineering services including Scott Ruhland and Roger Greenway.

13) Council have performed unsatisfactory professional conduct, for a registered engineer, as per Schedule 2 of the Professional Engineers Act 2002.

Council have performed engineering that is not the standard which the public expects, of licensed engineers, as per Schedule 2 of the Professional Engineers Act 2002.

14) Lucy Ting advised 3/9/24 to Ting that "accurate" calculations have been done, should be revealed to the Court and the public. Revealed or not, Council employee engineering methodologies fail.

15) Wake left it till 25/9/24, the day of the decision notice, to seek advice from Piper and Engineering Services Manager if Lot 100 should be included.

Wake demonstrated incompetency for leaving it 77 days to investigate if Lot 100 should be included.

Piper demonstrated incompetency for leaving it 77 days to investigate Lot 100 should be included.

ES Manager (Ting) demonstrated incompetency for leaving it 77 days to investigate if Lot 100 should be included.

16). Margaret Orr provided a fraudulent statement to Manteit on 3/10/24 that the Delegate had taken all assessment matters into account. On 1/10/24 Orr had meeting with delegate Piper to see whether

upstream condition should be included. Piper was still taking assessment matters into account on 1/10/24. No evidence of Piper taking assessment matters into account before 3/10/24.

17) Joel Wake, Lucy Ting, Scott Ruhland, Andrew Blake, Margaret Orr, Zarndra Piper have demonstrated total incompetence to date by not providing any evidence whatsoever that they have engineered their "Upstream" or "Onsite" drainage red stormwater lines in accordance with any Council laws whatsoever.

18) Certain Council employees have provided fraudulent statements that should be forwarded to the Police department.

19) Report to be sent to the Fraud squad for examination.

20) Information brochure to be sent to all occupants in the catchment area, for their safety and awareness of potential flooding.

Brief summary of findings in Chronological order

26/6/24 Jack Woolston, Assessment Manager for 134 Ashridge Rd Darra (17 metres away), concludes there is no reason for upstream connection to rear neighbours required as land falls to the west. Same fall to the west as 128 Ashridge Rd Darra.

10/7/24 David Manteit lodged with DA application a signed DA Form 1, agreeing to receive an information request but no information request never sent out by Wake. Wake stated that Manteit refused all requests. A fraudulent statement by Wake.

12/7/24 Wake to Ruhland

Ruhland – Plans do not show upstream lots 98, 99, 100.

Ruhland drafts information request for connection to Upstream lots 98, 99, 100.

Proof that unlicensed Ruhland never did any engineering calculations. Including lot 100 means means 171 litres per second at the kerb or 12.7 million litres per day flood in a Peak Q20 event.

Scott Ruhland has intentionally caused 12.7 million litres of flooding every day.

Around 15/7/24 unknown Council employee examined 134 Ashridge Rd approval and became aware that the rear land falls to the west, not the rear.

15/8/24 Manteit offered to Wake to attend site to assess surface levels. Wake refused.

20/8/24 Wake to Ting – As discussed, sending this back for confirmation on the upstream connection

20/8/24 Wake to Ting - Seeking comments regarding LPD and most importantly provision of upstream connection. Please confirm if required, and if so, which lots.

20/8/24 Wake makes fraudulent statement that applicant refuses an information request

21/8/24 Wake drafts information request to Manteit. Request for applicant engineer to prepare upstream stormwater plans. Never sent out.



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Around 27/8/24 Ting advised to Wake that calculations for the plan on the ROL are correct

2/9/24 Ting to Orr, Wake, Piper, Ruhland and others

I spoke with Andrew Blake today. The development can be approved with the Site Drainage and the Upslope connection referencing the attached Stormwater Drainage Plan as made up by TST Hydraulics.

3/9/24 Ruhland - engineering conditions entered in accordance with TST hydraulics. If there are any further engineering questions, see me.

25/9/24 Wake rings ES manager and Delegate and asks them if Lot 100 should be included.

25/9/24 Wake issues decision notice letter. Says application was submitted on 12/7/24 but RTI reveals it was 10/7/24. Incompetence.

1/10/24 Orr has meeting with Piper to decide if an information request should be sent out. Fraudulent document as decision notice already made. Fraudulent statement as this meeting is held 6 days after the decision notice date.

3/10/24 Orr provided fraudulent statement to David Manteit that Piper had taken all assessment matters into account But Orr met Piper on 1/10/24 to decide if there should be an information request.

18/10/24 Greenway approves in S75 decision and Conditions 24 and 25 re driveway to be removed.

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DETAILED AUDIT OF COUNCIL EMPLOYEE FLOOD DISASTER

26/6/24 Jack Woolston, Assessment Manager for 134 Ashridge Rd Darra (17 metres away), concludes there is no reason for upstream connection to rear neighbours required as land falls to the west. Same fall to the west as 128 Ashridge Rd Darra.

| 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) |
| <p>Upstream drainage easement not required – AM confirmed with engineer on 21/6.</p> | |

Above – page 7.

Around 15/7/24 Unknown person assessed 134 Ashridge Rd reason for no upstream connection

Finding

Note that the approval of 134 Ashridge Rd Darra in June 2024 did not condition an Upstream stormwater connection (refer below note from WB).

David Manteit also provided his viewpoint in the Development application on 10/7/24 and the Expanded Grounds of Appeal 19/11/24.

Note from WB

"Hi Jack (Jack Woolston Assessment manager) I consulted the upstream SW connection for the 3 lots adjacent to the rear boundary of the property with George T and there is not necessary the lots facing the rear can obtain LDP the land is falling to the west boundary. YES I will delete the Upstream easement condition. Thanks"

Comment by Jack Woolston -



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“the land is falling to the west boundary”(Not the north boundary of Ashridge Rd)



Above – extract of City Plan contours 2002, 134 Ashridge Rd Darra. Notes by David Manteit

Jack Woolston ignored any examination of whether the land at the rear was falling down to the approved property.

There is no evidence that Woolston attempted to argue that the rear lots were falling to rear boundary of the subject lot, only to the West.(same as 128 Ashridge Rd).

It appears that Jack Woolston decided not to impose an “Upstream” connection on the basis of the approved land could not comply with S 7.6.5 “That part of the lot that would drain through the development”.

That argument of fall of the rear land to the rear boundary is only a trigger for further investigation. If there is no fall over the rear boundary, that is the end of any requirement for an Upstream connection.

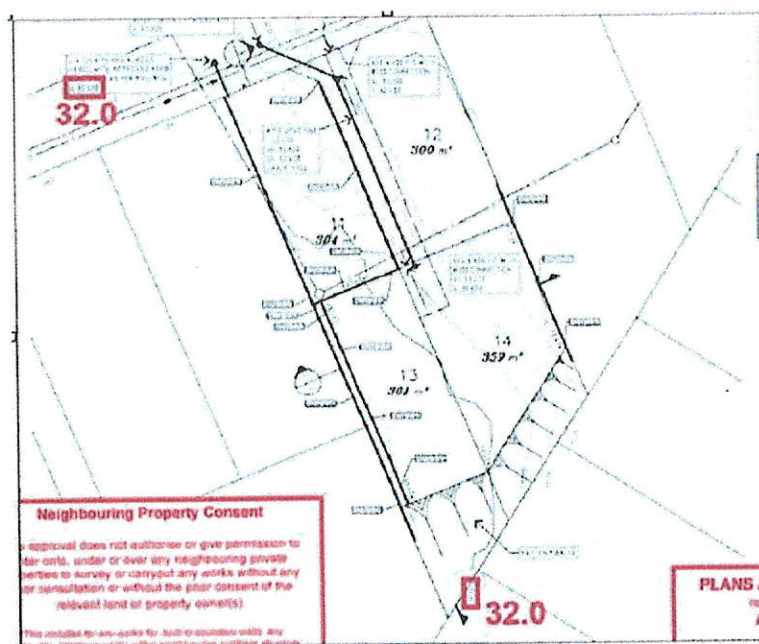
If water does fall over the rear boundary, then the next check is whether water will drain through the development. Ie, where does the want to fall to on the subject land ? Can water drain from the rear, to Ashridge Rd? In this case Woolston has indicated that the approved land falls to the west (not the north, being Ashridge Rd)

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134 Ashridge Rd Darra

Note this test also fails for approved subdivision 134 Ashridge Rd Darra



Note – Precedence 134 Ashridge Rd Darra - Council approved without upslope stormwater condition. Therefore Council did not use the fall at rear boundary test for 134 Ashridge Rd Darra.

Above - Extract of Expanded Grounds of Appeal lodged on 19/11/24 including applicant survey plans demonstrating RL 32.0 to RL 32.0.

Application of the principles of S 7.6.5 and BSD 8111 and QUDM peak flow Q20 proves that any Upstream stormwater design would be charged by around 1 metre, same as 128 Ashridge Rd.

In addition, S 7.6.3.1 (2) provides that there kerb velocity is maximum 30 litres/second. Any of the rear lots can be subdivided into 3 lots of LMR3, which would be estimated to be 900sqm of roof each. Therefore, no rear lot can be serviced since the velocity would be greater than 30 litres/second.

In addition, Level III drainage as per the Queensland Urban Drainage manual is not allowed, since Planning Scheme policy S7.6.3.1 states that Level III drainage, as per the Urban Drainage Manual cannot be complied with, as the kerb only allows 30 litres per second flow. The rear lots are all LMR3.

Therefore Council did not use the fall over the boundary test for 134 Ashridge Rd Darra

Any normal person of average intelligence of primary school age can see that water cannot travel over the surface of the land of 134 Ashridge Rd Darra, to the Ashridge Rd Kerb. Water cannot fall from AHD 32.0 to AHD 32.0. In addition, the fall of the land does not provide for cover required of 450 mm, pipe minimum of 225mm plus fall in ground of around 300mm at .5% gradient from rear to front. These in ground requirements would cause any Upstream stormwater connection pipe to be charged by around 1 metre under the Ashridge Rd Kerb.

There is no definition of "Upstream" or "Upslope" in City Plan.

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27/3/2025

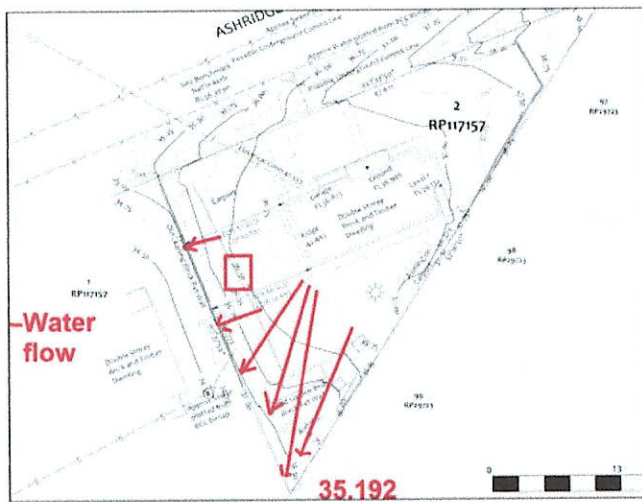
It is proven that the land of 128 Ashridge Rd slopes to the rear lots, in both overall slope and on the boundary and therefore the land of 128 Ashridge Rd is upslope of the rear lots. AHD 37.0 falls downslope to 35.150 into the rear property of Lot 100.

128 Ashridge Rd land is 1.85 m upslope of the rear lots. The land of 128 Ashridge Rd falls to the rear lots 99 and 100. Therefore 128 Ashridge Rd is upslope to the rear lots 98, 99 and 100.

The land of 128 Ashridge Rd also falls over the boundary / at the rear boundary. The land of 128 Ashridge Rd Darra is upslope to the rear lots 99 and 100.

ONF Surveying levels in DA application – 128 Ashridge Rd Darra

It was demonstrated by David Manteit in the DA application for 128 Ashridge Rd Darra, the surface levels fall to the west and the rear.



Above - Extract of DA application.

David Manteit words in DA Application - "Chapter 7 Stormwater Drainage S 7.6.5. There is no adjacent properties that would drain through the development"

There has been no change in this position to the present day.

It was clearly explained by David Manteit in the DA application by –

- Pictorial images demonstrating fall to the West and the rear of 128 Ashridge Rd Darra
- Reference to Council Laws - Brisbane Planning Scheme Policy S7.6.5.
- That any upstream connection provide a connection some 675mm -750mm below ground (depth) plus 300mm fall would not drain through the 128 Ashridge Rd development to a kerb without being charged.



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Fall over rear boundary test – fall from rear lots to Ashridge Rd lots?

| | | |
|-------|---|------|
| Pit 1 | SL on subject lot | 37.0 |
| | SL on rear lot | 36.7 |
| | Result – ground falls to rear lot, ground not falling to subject lot | |
| Pit 2 | SL on subject lot | 36.5 |
| | SL on rear lot | 36.3 |
| | Result – ground falls to rear lot, not ground falls to subject lot. | |

Conclusion – Fall at rear boundary test fails for 128 Ashridge Rd. Therefore rear lots are not upslope lots.

Note – Precedence 134 Ashridge Rd Darra - Council approved without upslope stormwater condition. Therefore Council did not use the fall at rear boundary test for 134 Ashridge Rd Darra.

Extract of Expanded Grounds of appeal 19/11/24.

This demonstrates that the fall of the land over 128 Ashridge Rd is towards the rear lots and over the boundary. 128 Ashridge Rd is upslope of lots 98,99,100.

My position has not changed as of date of this audit. Council are incompetent to think that the rear lots are Upslope lots.

10/7/24 David Manteit lodged with DA a signed DA Form 1, agreeing to receive an information request but information request was never sent out by Wake.

PART 6 – INFORMATION REQUEST**19) Information request under Part 3 of the DA Rules**

- ☒ I agree to receive an information request if determined necessary for this development application
☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the DA Forms Guide.

Finding

There is no evidence why an extension of time was not sought by Council to -

- issue an information request.
- request by Council for extension of time.

24/7/24 Ruhland to Wake –

Initial ENG assessment completed. RFI (Request for information Required).

The plans do not show provision for Lawful Point of discharge for the future development of upstream lots as well as the existing development.



a

Please amend plans that show lawful point of discharge for Lots 98,99,100

Work Request

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 scrub advice.

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

Extract page 15 Scott Rhuland – Ruhland wants 3 lots that cause flooding of 12.7 million litres of flooding every day Q20.

Finding

Proof that uncllicenced engineer Ruhland never did any engineering calculations. And by including lot 100 means 171 lires per second.at the kerb or 12.7 million litres per day flood in a Peak Q20 event.



Once again, Scott Ruhland, unlicensed engineer, states -

“If there are any Engineering questions regarding this application, please see me.”

Ruhland is so adamant about his engineering. Actually, Ruhland never did any engineering calculations whatsoever.

Ruhland has made recommendations for an RFI.(Request for Information/information request. The RFI was never sent out.

Once again, it is stated by David Manteit that David Manteit has sent Ruhland, a Council employee paid by ratepayers, over 20 emails requesting engineering information. As stated by Rhuland, he will answer any Engineering questions regarding the application. (But not to the applicant Davis Mnateit).

Incompetence of engineering by Rhuland – “Upstream lots 97, 98, 99”.

Ruhland mentions “Chapter 7 “(Stormwater Drainage). Therefore he should know that water should drain throught the dvelopmet and the maximum permissable discharge to the kerb and channel must be limited to 30 l/s.

Incompetence and unlicensed engineering by Ruhland.

15/8/24 Manteit offered to Wake to attend site to assess surface levels. Wake refused.

20/8/24 Wake to Ruhland As discussed, sending this back for confirmation of the Upstream conditon

Wake is now waken up, one day before information request is due.

3/9/24 Ruhland to Wake

Hi Joel - ENG conditions entered in accordance with TST Hydraulics advice. Stormwater Drainage Plan uploaded to EXT docs for approval. If there are any further engineering questions regarding this application, please see me.



Finding

Scott Rhuland has provided no response to the applicant, to provide his flood engineering information, despite being sent to him over 30 emails from myself, requesting him to provide engineering information?

The withholding of flood information to the applicant by unlicensed Scott Rhuland to David Manteit, despite over 30 email requests .


27/3/225

It is shameful to see that Council ratepayers are paying the wages of this person to engineer flooding disasters causing damages to property and possible loss of life. And liquidated damages to David Manteit for holding costs and unliquidated damages.

A search of the register of Professional Engineers Qld finds that Scott Ruhland is not a licenced engineer, yet he is performing engineering services.

Ruhland - "If there are any further engineering questions, please see me"

This would indicate that Scott Ruhland appears caught under S15 (1) of the Crime and Corruption Act. There are penalties in the offences provisions that include jail sentences for performing unlicensed engineering.

|  DART Work Request Details Report | |
|--|--|
| Permit | |
| Project Ref: 2241050 | |
| Permit Ref: DARL452133624 | Permit Status: Suspended |
| Permit Type: DA - PA - Reconfiguring a Lot | |
| Location/s: 128 ASHRIDGE RD DARRA QLD 4076 | |
| Client Name: Manteit, David John Leslie | |
| Client Address: 128 Ashridge Road DARRA QLD 4076 | |
| Contact Numbers: (Ph) (Fax) (Mobile) 0424 739 923 (Email) davidmanteit@hotmail.com | |
| Client Name: Manteit, David John Leslie | |
| Client Address: 128 Ashridge Road DARRA QLD 4076 | |
| Contact Numbers: (Ph) (Fax) (Mobile) 0424 739 923 (Email) davidmanteit@hotmail.com | |
| Work Request | |
| Assigned To: <u>RUHLAND, Scott</u> | From Date: 20 August 2024 |
| Due Date: <u>3 September 2024</u> | Completed: Y Actual Date: 3 September 2024 |
| Request Type: Advice | |
| Advice Type: <u>Engineering</u> | |
| 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, <u>ENG Conditions entered in accordance with TST-Traffic and TST-Hydraulics advice where applicable. Stormwater Drainage Plan uploaded to EXT Docs for approval.</u> <u>If there are any further Engineering questions regarding this application, please see me.</u> Cheers, Scott | |

20/8/24 Wake to Ting – As discussed, sending this back for confirmation on the upstream connection

[Handwritten signature]

27/3/2025



20/8/24 Wake to Ting - Seeking comments regarding LPD and most importantly provision of upstream connection. Please confirm if required, and if so, which lots.

Work Request

Assigned To: TING, Lucy

From Date: 20 August 2024

Due Date: 3 September 2024

Completed: Y

Actual Date: 2 September 2024

Request Type: Advice

Advice Type: Engineering

Key Issues: **Hi TST Hydraulics.**

Please review this application. Assessment Report in EXT Docs.

Proposal: ROL 1 into 2

Previous Applications/Site History: NIL

Flooding: NIL

LGIP: NIL

Comments: Seeking comments regarding Filling for LPD and most importantly provision of upstream connection. Refer comments in Assessment Report regarding absolute refusal to any request for providing an upstream connection. Please confirm if required and if so which lots. This will likely be conditioned.

Please provide comments to me.

Thanks, Scott.

Work Request Outcome: Completed

Action Taken: See Lucy Ting email advice 02/09/2024

Finding

20/8/24 provision of Upstream



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27/3/2025

**connection -
Please confirm
if required and
if so which
lots.**

**20/8/24 Wake gave Ting, Senior
engineer, the opportunity to stop the
intentional Council employee flooding
engineered disaster plan.**

**Proof that Ting was culpable in the
causing of future major flooding in
Brisbane.**



Wake makes fraudulent statement that applicant refuses an information request.

Wake had responsibility to coordinate the whole assessment process. In this email, Wake has demonstrated that he left it until one day before the due date of 21/8/24 to start asking questions to the engineer about the potential of flooding caused by the Council employee engineered plan.

20/8/24 – Wake starts to wake up and email Ting seeking response as to the need for an Upstream connection.

Wake had 52 days to start asking questions to see if Council employee engineered plans would cause a major flooding disaster.



27/3/2025

Wake refused Manteit's offer on 15/8/24 to attend site and examine ground levels.

On 1/10/24 Wake rang Manteit. Wake refused to answer 10 questions as to why Council had prepared flooded plans. Wake refused to supply this information to Manteit then said Manteit can call engineers. Manteit asked Wake what the names of the engineers are. Wake said "I dunno their names"

David Manteit signed Form 1 accepting any information request. Wake never sent an information request. If Wake had sent the RFI, Manteit would have had 3 months to respond.

21/8/24 Wake drafts information request to Manteit. Never sent out





Dedicated to a better Brisbane

Brisbane City Council www.brisbane.qld.gov.au

City Planning & Sustainability
Development Services
Brisbane Square, 295 George Street, Brisbane Qld 4000
GPO Box 1434 (Brisbane QLD 4001)
T 07 3403 8888
www.brisbane.qld.gov.au

21 August 2024

Mr David Mantell
C/- David Mantell
128 Ashridge Road
DARRA QLD 4076

Application Reference: A006565555
Address of Site: 128 ASHRIDGE RD DARRA QLD 4076

Dear David,

RE: [Information request under the *Planning Act 2016*]

Council has carried out an initial review of the above application and has identified that further information is required to fully assess the proposal.

Stormwater discharge

1. The development proposes to discharge a portion of the stormwater to the rear of proposed Lot 2 and further states that upslope connections for several lots fronting Killarney Avenue are not required. Limited information or plans have been provided to demonstrate that this will not worsen flood nuisance to the proposed lots and adjoining properties in accordance with the requirements of the Stormwater code.
 - a. Provide a Site Based Stormwater Management Plan prepared by a Registered professional Engineer of Queensland (RPEQ) demonstrating how all lots achieve a lawful point of discharge.
 - b. Provide a concept earthworks plan demonstrating why it is not possible to provide an upslope connection to Lots 97, 98 and 99 on RP 29723.

Street tree

2. The proposed shared access appears to impact an existing street tree, however this has not been shown on the proposed plans.
 - a. Provide amended plans showing the location of existing street trees in relation to the proposed crossover.

Urban Utilities (UU)

Council does not undertake water and sewer assessment of any planning applications. Contact UU on (07) 3432 2200 to discuss any water and sewer issues and whether you are required to submit an application to UU for assessment.

.../2

-2-

Responding to this request

Your response should include a summary table which outlines any changes to performance outcomes and plans that have resulted from addressing the issues outlined above. The table should also include details of any supporting documentation.

If a response is not provided within the prescribed response period of three (3) months assessment of the application will continue from the day after the day on which the response period would have otherwise ended.

Email your response to DSPlanningSupport@brisbane.qld.gov.au quoting the application reference number A006565555.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Sch. 4(4)(b) / Sch. 4(3)(3)

Joel Wake
Senior Urban Planner
Planning Services South
Phone: (07) 3178 7467
Email: joel.wake@brisbane.qld.gov.au
Development Services
Brisbane City Council



[Handwritten signature]

Finding

This Information request is dated 21/8/24. This is the last date under the Development Assessment Rules, according to Council, that this letter could have been issued to the applicant. It was never issued.

Wake has never explained to date why this information request was not sent, in the light of the DA Form signed by David Manteit specifically states "I agree to receive an information request".

Perhaps Wake was so sure that Engineering for Upstream and Onsite Drainage complied with Council laws, and were not charged pipes.

There is no evidence whatsoever that Wake or the delegte had taken all assessment matters into account, as Margaret Orr stated in letter of 3/10/24 to David Manteit.

21/8/24 Document confirms no information request was sent.

Finding

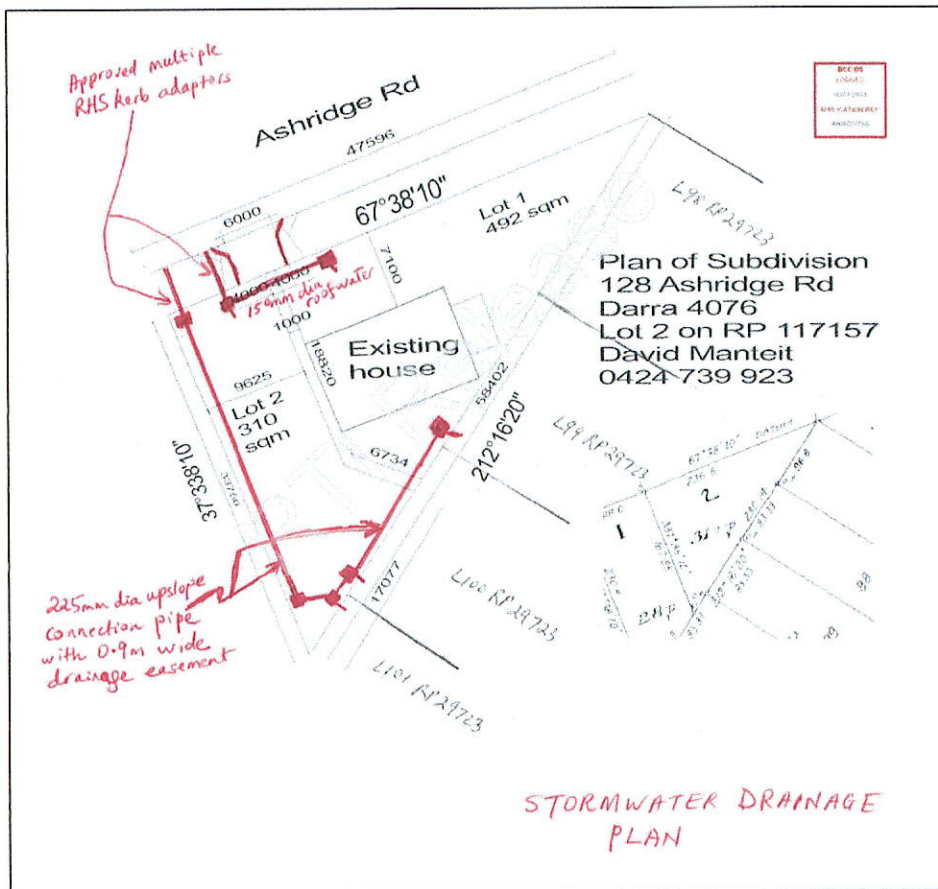
IR not sent. There has been no reason stated by Wake or any other employee of Council as to the reason why there was no information request sent out.

| Assessment Workbook | | |
|--|----------------|--------------|
| A006565555 – 128 ASHRIDGE RD DARRA QLD 4076 | | |
| The Council has received a development application under the <i>Planning Act 2016</i> . The following provides a summary of the application details and assessment undertaken. | | |
| APPLICATION STATUS (ACTIVE/INACTIVE) | | |
| DA Rules Part | Due/Sent Dates | Comments |
| Properly made | 23/07/2024 | |
| Confirmation | 6/08/2024 | Not required |
| IR | 21/08/2024 | Not sent |
| Decision | 25/09/2024 | |

Around 25/8/24 Greenway draws this plan of Lot 98,99,100



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Above – Roger Greenway flooding plan

Finding

Roger Greenway, apparently unlicensed engineer, the person advised by City Legal, was the author of this document.

The plan shows flooding of a Q20 peak flooding flow of 12 million litres a day flood, or around 203 swimming pools a day flooding from 150 apartments in the land at the rear. Flooding to houses and Council land and roads.

Many roads may have to be cut off to avoid the area.

Q20 peak flooding flow of 171 l/s exceeds the lawful kerb allowance by 141 litres/second

Greenway has design an engineered hydraulic plan that is illegal to use since It will flood at 12 .7 million litres every day during a peak Q20 event.

The 225mm pipe should be a 375mm pipe for 3 rear lots. Pipe is busted.

Greenway has caused future flooding to the City of Brisbane, which will cause Property damage to private property and public property.



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Greenway has caused damages to David Manteit by engineering this monstrosity. Greenway has refused to supply engineering that was done to support this engineering flooding disaster, worse than the 2011 floods.

Greenway attended a Planning Court Conference in November 24, as the person requested by the Planning Court judge to attend the conference (as advised by City Legal).

Roger Greenway, unlicenced engineer, if being the author of the 3 rear lot plan is culpable for contributing to a flooding disaster and causing damages to Manteit of holding costs and unliquidated damages in other Courts.

Around 27/8/24 Ting says the marked-up stormwater requirement on the ROL plans is accurate

| | |
|---|--|
| Confirmation from TST about <u>plan mark ups</u> | Carried mark ups over to plan of subdivision. Confirmation below that <u>TST is happy with mark ups and final plan</u> |
| <p>Lucy Ting 10:58 am</p> <p>Sch. 4(4) Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is <u>accurate</u>. Regards Lucy Ting</p> | |

Finding

The time of 10.58am is shown on the document. However, the date of the correspondence has been deleted. Why ?

Any doctoring of information should be referred to the Police Department of Queensland and the Crime and Corruption Commission.

The conduct of a licenced engineer, paid by ratepayers, to withhold information that is affecting the livelihood of the applicant, and future owners to allegedly save her own livelihood.

“Confirmation that TST is happy with mark ups and final plan.”

Why did Lucy Ting confirm that TST is happy? What information did Lucy Ting give to TST that made them happy ?

Why is Lucy Ting allegedly dishonestly withholding the “happy information” from David Manteit, the owner and applicant, and the Public at large, and the Planning Court ?
Lucy Ting is paid by the public.



[Handwritten signature]

27/3/2025

Any engineer has an obligation to perform satisfactory engineering, as per Schedule 2 of the Professional Engineer's Act 2002.

Lucy Ting has performed unsatisfactory conduct that is of a lesser standard than that which might reasonably be expected of the registered professional engineer by the public.

All persons in the world are the public, including Brisbane City Council ratepayers, including David Manteit, the applicant.

In my opinion there has been misconduct and dishonest behaviour by Lucy Ting

Lucy Ting refuses to provide to David Manteit the information that is "accurate" ? Has Lucy Ting performed QUDM Rational method Q20 peak flows calculations at kerb ?, BSD8111 , S7.6.5 calculations? Why hide this information? Simply trying to save her job?

David Manteit has previously advised that he spoke to Lucy Ting for 30 seconds on 11/10/24. Ting advised David Manteit on the phone that she did calculations, but then hang up the phone.

2/9/24 Ting to Orr, Wake, Piper, Ruhland and others

I spoke with Andrew Blake today. The development can be approved with the Site Drainage and the Upslope connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

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 (A00656555)
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 | Development Services
 City Planning & Sustainability | 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



Finding

Ting refuses to supply the attached Stormwater Drainage plan as marked up by TST Hydraulics.

Does Andrew Blake hold the engineering calculations done by Council for Onsite and Upstream Drainage?

It seems that Andrew Blake the person responsible for the engineering design of the charged stormwater pipes final approval.

It appears that Andrew Blake has given authority to cause a flooding disaster.

25/9/24 Wake rings ES manager and Delegate and asks them if Lot 100 should be included.

| Note Subject | Severity | Created On | Created By | Description |
|----------------------------|----------|-------------|------------|--|
| Discussion with ES Manager | Low | 25-SEP-2024 | WAKE, Joel | Discussed the upstream stormwater condition with Delegate and ES Manager and whether it was reasonable to have an upstream connection for Lot 100 (36 Killarney Avenue). This had been marked up on the plans from TST and TST had requested it remained when questioned. ES Manager agreed that it could be removed and advised on how the plan should be amended to reflect the changes. |

Finding

Wake decided, on the same day as the approval, 25/924, to ring Piper and the ES Manager Ting) to see if it was reasonable to have an upstream connection for Lot 100.

TST requested it remained. When questioned, ES Manager agreed that it could be removed and Advised on how the plan should be amended to reflect the changes.

Wake left it till the last day to do engineering on Lot 100

Piper left it till the last day to do engineering on Lot 100

Ting left it till the last day to do engineering on Lot 100.



Evidence of total incompetence by Council employees to perform flooding engineering on the same day as the approval.

Evidence that no flooding engineering of stormwater hydraulics in red on plan was done at all, in order to avoid a flooding catastrophe and limit damages caused by Council employees to Manteit.

Why on earth would Joel Wake be discussing about engineering changes the the Delegate and ES Servivces Manager on 25/9/24, the same day as the approval date 25/9/24? 76 days after application lodged.

On the same day as the Approval was made, 25/9/24, Wake didn't know anything about stormwater engineering regarding, whatsoever , and in particular, Lot 100. He thought he might just contact two Council engineers. The ES Services Manager and TST Hydraulics.

Joel Wake , after 76 days , suddenly didn't actually have enough engineering information in his head, to determine that an Upstream connection should be made to Lot 100. Wake woke up on 25/9/24 and he thought after 76 days, perhaps he might check with the Delegate and the Engineering Services Manager.

Joel Wake thought he could become an unclicensed engineer himself.

According to Development I, the approval was made at 4.36pm that day, on 25/9/24.

Wake woke on 25/9/24.

So somehow Wake has woke, then made a few phone calls and has managed to get two Council engineers who disagreed with the engineering, to change the approved engineered plan in red, and the conditions, all on 25/9/24, by 4.36pm that day.

Joel Wake had no idea of anything engineering of stormwater pipes, easements as of date of approval on 25/9/2 This memo proves that.

Joel Wake called me on 1/10/24 and said he had no idea of anything to do with engineering, in our documented phone call on 1/10/24, six days after decision made on 25/9/24. Wake told me on that day, I (David Manteit) should call the engineers. I asked him the names of the engineers. He said to me "I dunno".

Wake called me on 1/10/24, after I called reception to find out the details of the easement document. I didn't call Wale. I asked 10 questions about engineering on that day., on that day.

Wake said to myself on 1/10/24 "I dunno, I will investigate and get back to you." The incompetent Wake never called me back.

Wake had $21+30+25 = 76$ days to investigate engineering since 10/7/24, as per above date. Why was Wake so lazy and incompetent ?

It also proves that TCT Hydraulics had no idea about stormwater engineering. TCT engineering opinion was overturned by someone else, since the Lot 100 connection was cancelled on 25/9/24, as proven in this internal memo.

27/3/2025



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Around 14/9/24 Amendments in red to approved documents to be discussed with the Applicant Before deciding the application.

| CHECKLIST FOR FILE REVIEWS | | | | |
|--|--------------------------|-------------------------------------|------|----------|
| | Completed | N/a | Date | Comments |
| Fee reduction, waiver, refund request | | | | |
| Fee memo completed and sent to the Team Manager | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| Amendments in red to approved documents discussed with the Applicant before deciding the application | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |

Extract of page 11

Finding

Joel Wake nor any Development Assessment Team Member discussed “Amendment in Red to be approved ” with the applicant before deciding the application. Wake determined that it was N/A, ie, Not applicable.

Wake is culpable to Manteit, for liquidated damages in other Courts, amongst other things, for not advising Manteit of proposed amendments in red.

I state there was no discussion in any telephone call with Wake regarding amendments in red. As per page 41. Wake said Council had all the information they needed. Wake never mentioned in any phone call that Council employees would be amending plans in red to show flooding, and in what way the plans would be amended.



No Council employee advised David by telephone or in writing to David Manteit that there would be amendments in red for Onsite Drainage and Upstream Drainage.

Further demonstration of incompetence by Joel Wake and the Development Assessment Team and Andrew Blake, who gave the instructions for the plans to be amended in red with 61 metres of pipes, 6 pits, 2 kerb adaptors.

1/10/24 Orr has meeting with Piper to decide if an information request should be sent out.
Fraudulent document as decision notice already made.

| FILE REVIEW DISCUSSIONS/ACTIONS | |
|---------------------------------|--|
| Date of file review | Performance Outcomes agreed, actions and advice provided. Please include the name of the Delegate |
| FILE REVIEW 01/0/2024 | <p>Present: <u>M. Orr, Z. Piper, T. Byrne, K. Kelly</u></p> <p>Lot sizes and layout look to be ok albeit a little oddly shaped. Check with SV team about siting variation for the retention of the existing house Review some of the engineering outcomes including stormwater and the retaining wall on the western boundary Send to LA and take to street tree scrub <u>Consider not sending an IR if outcomes can be conditioned.</u></p> |

3/10/24 Orr - Council's delegate took all assessment matters into account.

"Took all assessment matters into account –

Margaret Orr , Brisbane City Council

Margaret Orr 3/10/24

Team Manager, Planning Services | Development Services
City Planning and Sustainability **BRISBANE CITY COUNCIL**

and in accordance with the provisions of the *Planning Act 2016* (the Act), Council's Delegate took all assessment matters into account, and concluded that the application was in accordance with the

**Council's delegate took all assessment matters
into account**



Findings

Orr has met with Piper on 1/10/24 to consider not sending an IR if outcomes can be conditioned.

Orr and Piper haven't realised that Wake decided the case on 25/9/24. Orr and Piper have been asleep for 6 days. They also convinced Byrne and Kelly to be at the meeting.

Remember, Wake was asleep on 25/9/24, then he rang Piper to see if Lot 100 should be Removed. Wake then approved the case on the same day.

Piper went asleep on 25/9/24, then she woke up on 1/10/24 and had a meeting with Orr to see if the Upstream pipes could be conditioned.

It's called Doctoring and Fraud by Piper and Orr.

18/10/24 Greenway approves in S75 decision and Conditions 24 and 25 re driveway to be removed.

2. THE PROPOSAL

The application seeks approval for the following aspects of development:

Development Permit – Reconfiguration of a lot (1 into 2 lots).

A notice under s75 of the Planning Act 2016 to make change representations to the decision granted on 18 October 2024, was submitted on 24 October 2024.

| Applicant's change representation | How the matter was dealt with |
|---|---|
| <p>24) Permanent Driveway Crossover</p> <ul style="list-style-type: none"> - Concerns raised that Council have removed the 8m flange at the proposed shared crossover. - The site has an existing driveway being 4m at the boundary. By reducing the boundary width, this will make the driveway off centre and less safe and cause reduced ability to reverse onto Ashridge Road because the existing garage/driveway and the Council proposed 6m wide boundary entrance do not line up. - Concerns raised the amendment reduces the overall safety of the entering and reversing on the blocks. - Lot 1 would benefit from a wider entry at the boundary of 8m to negotiate turning left. | <p>The design of the proposed shared access crossover was not in accordance with Council's Infrastructure design planning scheme policy and Council's Brisbane Standard Drawings'. As such, the plan was amended in red and condition 24 – Permanent Driveway Crossover was imposed, which requires the provision of a 6m wide residential type shared permanent crossover to the Ashridge Road frontage.</p> <p>Given Ashridge Road is a low order, major road, the access design has been reviewed again by Council's Engineer's. The existing access crossover to the existing dwelling can be retained.</p> <p>When a future dwelling house is constructed on Lot 2, a crossover permit can be applied for at that stage.</p> <p>As such, Condition 24) has been removed and the amendment in red to the crossover removed.</p> <p>Condition 25) Redundant Driveway Crossover has also been removed, as it is no longer applicable.</p> |

Extract of page 21 above

Finding

The Appellant now holds the same position of the response by Roger Greenway.

Condition 24 and the amendment in red is to be removed. Agreed.



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Condition 25 to be removed. Agreed.

If Wake had provided an information request to David Manteit, David Manteit could have had 3 months to respond.

Wake and the Assessment Team have caused damages to Manteit by incorrectly stating that there was absolute refusal of him for any request (by Council) of not providing an information request.

END OF REPORT




27/3/2025