

In the Planning and Environment Court  
Held at: Brisbane

Appeal No. 2916 of 2024

Between: **DAVID MANTEIT** Applicant

And: **BRISBANE CITY COUNCIL** Respondent

### APPLICATION IN PENDING PROCEEDING

Filed on 15 May 2025

Filed by: City Legal – Brisbane City Council  
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**BRISBANE CITY COUNCIL** c/- City Legal – Brisbane City Council, Level 20, Brisbane Square, 266 George Street, Brisbane in the State of Queensland applies to the Planning and Environment Court at Brisbane for:

A. Pursuant to section 47(2) of the *Planning and Environment Court Act 2016* (Qld) and rule 440 of the *Uniform Civil Procedure Rules 1999* (Qld), that Court Document No. 11, 12, 13, 14, 15, 19, 20, 21, 22, 24, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42, as well as this Application and any material and submissions filed in relation to it be:

(i) Removed from the file and be sealed in an envelope marked “not to be opened except by order of the Court or Judge”; and

(ii) Removed from the eCourts file; and

B. such further orders as the Court considers appropriate.

**The grounds** relied on are:

1. The Appellant appealed against conditions imposed by the Brisbane City Council (**Respondent**) in relation to a development application for reconfiguration of a lot (1 into 2 lots) in relation to land at Darra.



**APPLICATION IN PENDING PROCEEDING**

Filed on behalf of the Respondent

**CITY LEGAL – BRISBANE CITY COUNCIL**

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2. The appeal came on for hearing before Judge Williamson KC from 28 to 30 April 2025. On the last day of the hearing, during the closing addresses, a position was reached to which both parties agreed.
3. Orders were made about the substantive appeal by consent on 6 May 2025.
4. The Respondent seeks consequential orders under section 47(2) of the *Planning and Environment Court Act 2016* (Qld) and rule 440 of the *Uniform Civil Procedure Rules 1999* (Qld) to deal with scandalous material filed by Mr Manteit.
5. The Appellant has filed a significant number of affidavits which contain scandalous material, including:
  - a. allegations about Council officers and employees committing offences;
  - b. allegations about Council officers and employees being dishonest or fraudulent;
  - c. allegations about Council officers and employees being negligent, incompetent or causing harm.
6. A schedule identifying the scandalous material will be attached to the Respondent's submissions in support of this application.
7. The affidavits that include scandalous material should be removed from the court file, and sealed in an envelope marked "not to be opened except by order of the Court or Judge", and removed from the eCourts file so that the scandalous material is not available to the public.
8. Similarly, this application and any material filed in relation to it should be treated in the same way.

*City Legal*

Solicitor for the Respondent  
15 May 2025

This application is to be heard by the Court at Brisbane on the **29<sup>th</sup> day of May 2025** at **10:00am**.

THE RESPONDENT ESTIMATES THE HEARING WILL TAKE 10 Minutes



Registrar

**If you wish to oppose the application or to argue that any different order should be made, you must appear before the court in person or by your lawyer or agent and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you.**