In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

Between: **DAVID MANTEIT** Applicant

And: **BRISBANE CITY COUNCIL** Respondent

AFFIDAVIT

Filed on: 24 April 2025

I, **SARAH JANE MCCABE**, of City Legal, Brisbane City Council, 266 George Street, Brisbane, in the State of Queensland, being under oath say:

1. I am a Senior Legal Counsel at City Legal and I have carriage of the appeal on behalf of the Respondent, Brisbane City Council (**Council**).

2. Exhibit **SJM-03** is an indexed and paginated bundle of documents which I shall refer to in this affidavit.

3. On 16 April 2025:

   (a) I sent an email to the Appellant attaching a letter notifying Council's witnesses in the appeal; and

   (b) I received an email from the Appellant notifying his witnesses in the appeal.

   A copy of the correspondence referred to in paragraph 3 above appears at pages 4 to 7 of **Exhibit SJM-3**.

4. On 17 April 2025, I sent to the Appellant an emailing attaching Council's schedule of objections. A copy of the email and the objections appears at pages 8 to 15 of **Exhibit SJM-3**.

5. On 22 April 2025:

   (a) I received an email from the Appellant attaching further submissions and his response to the objections. A copy of this email and the attached response to objections (excluding an additional attachment sent with the

CITY LEGAL - BRISBANE CITY COUNCIL
Level 20, 266 George Street
Brisbane Qld 4000
Phone: (07) 3178 5581
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Email: sarah.mccabe2@brisbane.qld.gov.au

email in relation to the unlicenced hydraulic plans) appears at pages 19 to # of **Exhibit SJM-3**.

(b) I sent email correspondence to the Appellant providing a link to Council's material to be relied upon at the hearing. A copy of this email is exhibit appears at page # of **Exhibit SJM-3**.

6. On 23 April 2025:

(a) I sent an email to the Appellant serving sealed copies of the affidavits of Mr Kieran Ryan and Mr Andrew Corrigan that had been filed in the Court Registry that morning;

(b) I sent an email to the Appellant providing a copy of the draft hearing schedule proposed by the Respondent; and

(c) I received an email from the Appellant in relation to the draft hearing schedule.

A copy of the emails referred to in paragraph 6 above appears at pages 57 to 63 of **Exhibit SJM-3**.

7. The contents of this affidavit are true, except where they are stated on the basis of my information and belief, in which they are true to the best of my knowledge.

8. I understand that a person who provides a false matter in an affidavit commits an offence

Sworn by **SARAH JANE MCCABE** on this 24th day of April 2025 at **Brisbane** in the presence of:

.....
Deponent

.....
Solicitor

Tessa May Webster

In the Planning and Environment Court
Held at: Brisbane

Application No. 2916 of 2024

Between: **DAVID MANTEIT** Applicant

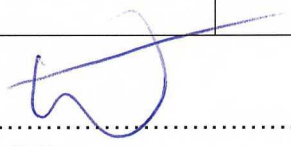
And: **BRISBANE CITY COUNCIL** Respondent

CERTIFICATE OF EXHIBIT

Attached hereto are the exhibits to the Affidavit of **SARAH JANE MCCABE** sworn on this 24th day of April 2025, as set out in the following table:

No.	Document description	Date	Page
1.	Email correspondence between City Legal and Mr Manteit	16.04.2025	4 – 7
2.	Email from City Legal to Mr Manteit attaching schedule of objections	17.04.2025	8 – 18
3.	Email from Appellant to City Legal attaching response to objections	22.04.2025	19 – 55
4.	Email from City Legal to Mr Manteit serving hearing material	22.04.2025	56
5.	Email correspondence between City Legal and Mr Manteit	23.04.2025	57 – 63

.....
Deponent



.....
Solicitor

CERTIFICATE OF EXHIBIT
Filed on behalf of the Respondent

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Phone: (07) 3178 5581
Fax no. (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

SJM-03
Document 1

Sarah McCabe

From: Sarah McCabe
Sent: Wednesday, 16 April 2025 12:18 PM
To: david manteit
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]
Attachments: Letter to D Manteit 16.04.25.pdf

Categories: Filed to Records Manager

Dear Mr Manteit

Please refer to the **attached** correspondence.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

Brisbane City Council ABN 72 002 765 795

Office of the Chief Executive
Brisbane Square, 266 George Street Brisbane
GPO Box 1434 Brisbane Qld 4001
T 07 3403 8888
www.brisbane.qld.gov.au

Dedicated to a better Brisbane

16 April 2025

Mr David Manteit
82 Rowe Tce
Darra Qld 4076

By email: davidmanteit@hotmail.com

Manteit v Brisbane City Council – Brisbane Planning and Environment Court proceeding No. 2916 of 2024 - 128 Ashridge Road, Darra

Dear Mr Manteit

Pursuant to paragraph 1 of the order of His Honour Judge Williamson KC dated 14 April 2025, the Respondent advises that it intends to call the following witnesses to give evidence at the hearing of the appeal:

Witness name	Expert witness?	Area of expertise
Kieran Ryan Reel Planning	Yes	Town planning
Andrew Corrigan Gould Development Solutions	Yes	Civil engineering

We look forward to receiving your witness notification.

Yours faithfully

Sarah McCabe
Senior Legal Counsel | City Legal
CITY ADMINISTRATION AND GOVERNANCE

Sarah McCabe

From: david manteit <davidmanteit@hotmail.com>
Sent: Wednesday, 16 April 2025 4:30 PM
To: Sarah McCabe
Cc: ccu@justice.qld.gov.au
Subject: EXPERT WITNESSES MANTEIT V BRISBANE CITY COUNCIL 2916/25

Categories: Filed to Records Manager

Att Ms McCabe

This is the list I propose at this stage for the trial.

Expert	Expertise	Experience
David Manteit	Town Planner of subdivision applications	Town Planner for self and external clients
David Manteit	Subdivision developer Stormwater developer.	Subdivision developer 40 own small lot subdivisions
David Manteit	Stormwater drainage installation	Stormwater plumbing assistant to plumber Onsite and Upstream Drainage
David Manteit	Author of subdivision book and stormwater concepts	Author - Make Millions from Small Lot Subdivisions
David Manteit	Lecturer - subdivisions and stormwater concepts	Subdivision Milllions Club owner 585 members 52 meetups - lecturer and convenor
David Manteit	Lecturer - subdivisions and stormwater	Course lecturer on subdivisions and stormwater construction
David Manteit	Auditor of Council subdivisions.	Auditor of 412 approved Council subdivisions, on behalf of the Crime and Corruption Commission.
David Manteit	Accounting	Accountant - B Comm , 8 years inc Price Waterhouse four years, Income Tax Accountant.
David Manteit	Tax agent	Previous licenced with the Australian Taxation Office.
David Manteit	Home addiition design consultant. Number 1 of 200 design consultants.	Walked into 10,000 homes looking for lawful point of discharge for sunshade devices. Engineering and design completed in 30 minutes . Contract ready for Private Certifier and Council variation team when required . Around 3000 projects signed sealed and delivered.
David Manteit	Developer	Conversion of 5 CBD buildings to apartments. Building and conversion of 30 boarding houses, of around 400 rooms.

I will write to your witnesses tonight to ask them what is the name of the RPEQ engineer that authored the Upstream and Onsite Drainage Plans. Perhaps it was one of them.

This is for everyone's benefit including them plus -

Myself
His Honour
The Crime and Corruption Commission
The Board of Professional Engineers.

This will be the first question everyone will ask.

Yours Faithfully

David Manteit
CEO
0424 739 923

Document 2

Sarah McCabe

From: Sarah McCabe
Sent: Thursday, 17 April 2025 4:21 PM
To: david manteit
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]
Attachments: PEA2916.24 - Manteit v Brisbane City Council - Respondent's Schedule of Objections - OP333147.pdf

Categories: Filed to Records Manager

Dear Mr Manteit

Pursuant to paragraph 2 of the order of His Honour Judge Williamson KC dated 14 April, **attached** is a list of the objections the Respondent takes to the Appellant's evidence.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

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In the Planning and Environment Court
Held at: Brisbane

No. 2916 of 2024

Between:	**DAVID MANTEIT**	Appellant
And:	**BRISBANE CITY COUNCIL**	Respondent

SCHEDULE OF THE RESPONDENT'S OBJECTIONS

1. The following table includes objections to parts of the Appellant's evidence.

2. In addition, the Respondent will submit that the following types of evidence, which appear in many documents filed by the Appellant are inadmissible, and the Court should not rely on them for any purpose:

   (a) Any material related to the actions or conduct of any Council officer (irrelevant/scandalous);

   (b) Any material related to any complaint made by the Appellant to any body about the actions or conduct of any Council officer (irrelevant/scandalous);

   (c) Any opinion expressed by the Appellant which relates to a matter of expertise (no expertise);

   (d) Any material related to Council assessment and determination of any other development application or approval (irrelevant).

Document	Paragraph/Reference	Objection
Court Document no. 11 Affidavit of D Manteit Sworn and affirmed on 19 November 2024	p. 1-2 of 48: "The Ashridge Rd blocks will be serviced by the kerb and channel of IL 35.1 without a teaspoon of fill required, contrary to requests in Council conditions S12, S17, S18. The invert level of the kerb, which should be 500mm from the right boundary as per BSD8113 is proposed IL35.1. (Note: Council Sham Plan of 4.9m and 4m). The surface levels of the kerb above the lawful point of discharge at kerb of IL 35.1 without any fill required. Areas serviced by the lawful point of discharge – - The proposed useable building pad - The Small Lot Code building area	Opinion without expertise

SCHEDULE OF OBJECTIONS

Filed on behalf of the Respondent

CITY LEGAL - BRISBANE CITY COUNCIL
Level 20, 266 George Street
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Email: sarah.mccabe2@brisbane.qld.gov.au

	BSD 8111 is grade three mathematics and Council Development Services team have failed to demonstrate in any way how their system as in red line on plsn (sic) achieves lawful point of discharge for the Ashridge Rd lots. The appellant's calculations of usable building pad levels and lawful point of discharge are as follows: Lawful point of discharge at kerb, 500mm from boundary 35.100 Fall over verge 1:100 as per BSD 8111 0.38 Min IL at front boundary 35.138 Pipe diameter as per BSD 8111 .150 Minimum Cover as per BSD8111 .450 Min FSL required at front boundary 35.738 ESL at front boundary as per surveyor 35.859 Fall pipe 150mm 1:100 over 6 metres from boundary, 0.060 Minimum FSL at 6 metre setback = start of useable pad 35.798 Adopted useable building pad FSL at front 35.798 Fall pipe 150mm 1:100 over 14.8 metres 0.148 Minimum usable buildingpad (sic) FSL at rear 35.946 Adopted useable building pad FSL at rear 35.946."	
	p. 2-3 of 48: "This tactic is in my opinion incompetent and mischievous by Council. This is treating the reader like a fool. There is no other way to describe this action. Council makes the comment "Multiple Kerb adaptors" … Potential cost of Council Sham design of intentional placement of kerb crossing up the kerb 4.9 metres and .4 - .5m higher than required. $172,000 (inclusive of all text)	Opinion without expertise Scandalous
	p. 4 of 48: "The appellant has his applied his laser level from the ONF Surveyor's site height datum of 36.303 embedded in the angular part of the concrete kerb to arrive at AHD 35.1 for lawful point of discharge."	Opinion without expertise
	p. 8 of 48:	Scandalous

	"The Council statement by Joel Wake is totally incorrect and is baffling why Council would make that statement."	
	p. 16-17 of 48 All calculations contained in the BSD8111 scenario tables.	Opinion without expertise
	p. 20-21 of 48: 3) Retaining Walls (entire section)	Opinion without expertise
	p. 21-23 of 48: 4) Small Lot Code (entire section)	Opinion without expertise
	p. 23-29 of 48: 5) There are no "Upslope properties" (entire section, incl. the "Fall overall test", "Fall at the boundary test" and "Existing falls test")	Opinion without expertise
	p. 30-37 of 48: 6) Conflict of engineering (entire section)	Opinion without expertise
	p. 37-38 of 48: 7) Council triangle question (entire section)	Opinion without expertise
	p. 38-41 of 48: 8) Precedence (entire section)	Relevance
	p. 45-47 of 48: 10) Precedence and Driveway S 24 (entire section)	Opinion without expertise / Relevance
Court Document no. 12 Affidavit of D Manteit Affirmed on 19 November 2024	Paragraph 1, p. 1 of 20 and Attachment A, p.9-20 of 20: "1. I state that I am qualified to prepare plans for Council approval in Brisbane City Council, Ipswich City Council and Logan City Council. Attachment A demonstrates stamped past approved subdivision plans all prepared by David Manteit for … No Council has ever had a problem with my plans. I am responsible for my plans." (Entire section)	Opinion without expertise / Relevance
	Paragraph 3, p. 2 of 20:	Opinion without expertise

	"3. The stormwater pipe cannot physically be constructed. I state that I cannot commence subdivision works nor completed the approved plan to plan sealing for 128 Ashridge Rd Darra due to Council withholding information necessary to complete."	
	Paragraph 4, p. 2 of 20: "4. Council impediment to completing works. I state that I have never had a case before in either Brisbane City Council, Ipswich City Council, or Logan City Council, where I have had an impediment to completing works for a subdivision to sealed plan due to to (sic) Council sham design and refusal to answer questions on their sham design and refusal to provide information regarding their sham design."	Relevance
	Paragraph 8, p. 3 of 20: "8. Normal past responses by Council regarding Stormwater" (entire section)	Relevance
	p. 4-5 of 20: "Notes to S 3" (entire section)	Opinion without expertise
	Paragraph (f), p. 5-6 of 20: "(f) Precedence – David Manteit v Telstra and NBN" (entire section)	Relevance
	p. 6 of 20: "134 Ashridge Rd Darra…" (entre section)	Relevance
	Paragraph 9, p. 6 of 20: "9. I cannot physically construct the Council stormwater pipe until the information is supplied from Council. (sic) state that my calculations under various scenarios for the stormwater red line are as follows: …" (entire section and scenario calculations)	Opinion without expertise
Court Document no. 13 Affidavit of D Manteit Affirmed on 20 November 2024	Paragraph 1, p. 1 of 30: "1. David Manteit has audited the Brisbane City Council public files of around 500 approved/decided Development cases…" (entire section)	Relevance

	Paragraph 2, p. 1 of 30: "2. I have also singled out cases with Upslope properties stormwater pipe conditions requested by Council. I found 18 cases. I am not aware of any other cases than the 18 cases, to the best of my knowledge. I attach copies of the approved plans. below (sic)..." (entire section, incl. the references to 143 Wakefield Street and 22 Darra Avenue)	Relevance
	Paragraph 4, p. 2 of 30: "4. I am qualified to make plans and discuss stormwater plans..." (entire section)	Opinion without expertise
	Paragraph 5, p. 2-3 of 30: "5. There were around 18 "Upslope stormwater" files examined by David manteit (sic)..." (entire section)	Relevance
	Paragraph 7, p. 3 of 30: "Margaret Orr, Team Leader of Brisbane City Council, on 3/10/24 said in a letter to David Manteit, the application, in writing, "assessed by Council's Development Services Team against the requirements of the Brisbane City Plan 2014" In my view these statements are totally incorrect... (entire section)	Relevance
	Paragraph 8, p. 5 of 30: "8. The abovementioned persons refuse to supply information to David Manteit regarding the red lines on the approval dated 25/9/24. This is despite my many requests on writing."	Relevance
	Paragraph 10, p. 5 of 30: "10. The case of 124 Ashridge Rd Darra is the only case of 500 cases that Council has - ..." (entire section)	Relevance
	Paragraph 11, p. 5 of 30: "11. These persons had the chance to make an information request to David Manteit after the Properly Made dare if 23/7/24 to avoids any legal obligation or damages to David Manteit but they chose not to, Hence (sic) these persons are personally responsible for – - specific performance;	Relevance

	- holding costs; - damages; - loss of profits. ..." (entire section)	
Court Document no. 14 Affidavit of D Manteit Sworn and affirmed 4 December 2024	Affidavit, Exhibit A, p. 5-8 of 21, document dated 21 November 2024.	Opinion without expertise / Relevance
Court Document no. 15 Affidavit of D Manteit Affirmed on 4 December 2024	Affidavit, Exhibit A, p. 8-26 of 36, document dated 10 October 2024 (marked as "Emailed on 11 October 2024").	Opinion without expertise / Relevance
	Affidavit, Exhibit A, p. 27-29 of 36, document dated 16 October 2024.	Opinion without expertise / Relevance
Court Document no. 19 Affidavit of D Manteit Sworn and affirmed 4 December 2024	Affidavit, Exhibit A, p. 5-8 of 21, document dated 21 November 2024.	Opinion without expertise / Relevance
Court Document no. 20 Affidavit of D Manteit Affirmed on 28 January 2025	Entire affidavit, including the exhibit (correspondence dated 27 January 2025). The Affidavit: • contains scandalous content that is directed towards Council Employees; • contains non-expert opinion; and • contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Hearsay / Relevance
Court Document no. 21 Affidavit of D Manteit Affirmed on 25 January 2025	Entire affidavit, including the exhibit containing the Audit report of David Manteit for the Crime and Corruption Commission	Scandalous Content / Relevance
Court Document no. 22 Affidavit of D Manteit Affirmed on 30 January 2025	Entire affidavit, including the exhibits (incl. letter to the Crime and Corruption Commission dated 30 January 2025, Crime and Corruption factsheet and RPEQ code of practice).	Scandalous Content / Relevance

Court Document no. 26 Affidavit of D Manteit Affirmed on 24 March 2025	Letter dated 24 March 2025, p. 2 of 29: "How can Council get a pipe to be 450 cover, 300 diameter, total depth under 35.162 = 34.412 under the ground at the rear boundary. This 34.412 is already around 688 mm lower than the kerb!!!!!!!, … ends up around .9m below lawful point of discharge of updated 35.080." (entire paragraphs)	Opinion without expertise
	Letter dated 24 March 2025, p. 2 of 29: "Any idiot can see the pipe will end up around .9-1 metre under the kerb".	Opinion without expertise
	Letter dated 24 March 2025, p. 2 of 29: "Lucy Ting stated to Joel Wake by memo that "the plans are accurate on the ROL" but refuses … Brisbane ratepayers." "Lucy Ting (RTI) advised that Andrew Blake…with her sham engineered plans." (entire paragraphs)	Hearsay / Scandalous content
	Letter dated 24 March 2025, p. 2 of 29: "RTI review demonstrates alleged dishonesty by Council employees to pretend that DA application …falls to rear and right." (entire paragraph)	Scandalous Content / Relevance
	Letter dated 24 March 2025, p. 3 of 29: "The evidence from the RTI review is that Council employees have never assessed the ONF survey…Incompetence by licenced and unlicensed Brisbane City Council engineers…Can Council employee be that incompetent to not have assessed the lodged applicant's survey plan? Surely not. Right? Are they that dumb? …If a Council hydraulic engineer intentionally does not assess a survey plan that is alleged dishonesty and unsatisfactorily professional conduct for a registered engineer." (entire paragraphs)	Scandalous Content
	Letter dated 24 March 2025, p. 4 of 29: "Joel wake was offered in a telephone call response by him around 15/8/24 to come out to site to inspect the levels. He refused…Council allegedly knowingly and dishonestly engineered a stormwater pipe that was shifted away from the boundary by	Hearsay / Scandalous Content

	Council employees…Why else would Council employees design a sham triangle?" (entire paragraphs)	
	Letter dated 24 March 2025, p. 5-29 of 29: • Document contains scandalous content that is directed towards Council Employees; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Relevance
Court Document no. 27 Affidavit of D Manteit Affirmed on 24 March 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Relevance
Court Document no. 28 Affidavit of D Manteit Affirmed on 27 March 2025	Entire affidavit, including the exhibit containing the Audit report of David Manteit of RTI review 17-2-25 and Council employees intentional Flooding and damages caused by licenced and unlicenced engineers dated 27-3-25. The Affidavit: • contains scandalous content that is directed towards Council Employees; • contains non-expert opinion; and • contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 29 Affidavit of D Manteit Affirmed on 31 March 2025	Entire affidavit and attached Civil Works Engineers Report dated 28 March 2025: • The Civil Works Report does not state it has been prepared in accordance with an expert's duty pursuant to the *Planning and Environment Court Rules 2018* and *Uniform Civil Procedure Rules 1999*; and • The Civil Report is not deposed to by either of the named authors (see p. 5).	Hearsay Non-compliance with requirements of an expert report under the *Planning and Environment Court Rules 2018* Appellant does not intend to call the author of

		the report as a witness
Court Document no. 31 Town Planning Report by David Manteit Dated 20 March 2025	Entire Town Planning Report: • Mr Manteit is not a qualified town planner, or in the alternative, has not included his CV with the report to certify that he is a qualified town planner; • The TP Report does not state it has been prepared in accordance with an expert's duty pursuant to the *Planning and Environment Court Rules 2018* and *Uniform Civil Procedure Rules 1999.* • The TP Report contains scandalous content that is directed towards Council Employees.	Opinion without expertise Non-compliance with requirements of an expert report under the *Planning and Environment Court Rules 2018* Scandalous Content
Court Document no. 32 Affidavit of D Manteit Affirmed on 8 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 33 Affidavit of D Manteit Affirmed on 9 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 34 Affidavit of D Manteit Affirmed on 9 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 35 Affidavit of D Manteit	Entire Affidavit:	Scandalous Content /

Affirmed on 9 April 2025	• Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Opinion without expertise / Relevance
Court Document no. 37 Affidavit of D Manteit Affirmed on 10 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 38 Affidavit of D Manteit Affirmed on 10 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 39 Affidavit of D Manteit Affirmed on 10 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; • Document contains non-expert opinion; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Opinion without expertise / Relevance
Court Document no. 40 Affidavit of D Manteit Affirmed on 16 April 2025	Entire Affidavit: • Document contains scandalous content that is directed towards Council Employees; and • Document contains matters that are irrelevant to the issues in dispute in the appeal.	Scandalous Content / Relevance

City Legal
Brisbane City Council
Solicitors for the Respondent
17 April 2025

Document 3

Sarah McCabe

From:	david manteit <davidmanteit@hotmail.com>
Sent:	Tuesday, 22 April 2025 9:44 AM
To:	Sarah McCabe
Cc:	ccu@justice.qld.gov.au
Subject:	VARIOUS - MANTEIT V BRISBANE CITY COUNCIL 2916/24
Attachments:	Further submissions unlicenced hydraulic plans.pdf; Response to objections.pdf

David Manteit V Brisbane City Council 2916/24.

Dear Ms McCabe

1) Further submissions attached. I anticipate to file these by 12.pm in the Planning Court.

2) I am seeking advice from Mr Andrade of Civil Works as to his availability to attend the hearing by telephone or audiovisual.

3) Please advise if the Respondent has any disputed facts of the Civil Works report, dated 28/3/25, so I may advise Mr Andrade immediately. I notice that there were no disputed facts of that report in the List of objections 17/4/25.

4) Please ensure that you provide all calculations of Upstream and Onsite Drainage and any report pertaining to same, today, as discussed with His Honour and the Respondent's barrister on 12/4/25. We are all expecting the calculations and the report to be provided today that His Honour mentioned he was expecting.

Yours Faithfully

David Manteit
CEO
0424 739 923

David Manteit V Brisbane City Council 2916/24

Response to objections

1. The Appellant rejects the Respondent's objections, totally, and intends to rely on all filed material and any other material that the Court accepts by leave, by filing or delivered in person.

2. The responses to the objections are –

- The Respondent has not provided any disputed facts. There has been no disputed facts by the Respondent provided to the Court or the Appellant to this date, after 9 months.

- David Manteit is in fact an expert in all the areas of Small Lot Subdivisions for over 20 years. David Manteit has prepared Town Planning applications, subdivision plans, installed all types of stormwater pipes, sewer pipes, and other services. David Manteit has a 4.7/5.0 rating from 85 of his peers from his lectures and courses. David Manteit has written the only book in the world devoted to Small Lot Subdivisions. Examination, application and auditing of Council laws and approved plans is very very simple.

- **Water falls down. Very simple.**

- There are around 7 relevant sections of PSP Chapter 7 and 3 BSD drawings. There is one survey plan. Anyon/e can read these documents in one hour, online. The Appellant has read 412 survey plans of Council Approved cases. That is my expertise. One does not have to be an expert to read the City Plan or read a survey plan.

  The Respondent should not blame anyone except themselves if they can't do a 30 second calculation. That is not the fault of the Appellant. The Respondent may need to find a person who is an expert with a calculator to assist them.

- The suggestion by the Respondent that one needs to be an expert to read City Plan and do a few numbers that take 60 seconds, is ridiculous. This is more evidence that the Respondent still has absolutely no idea of what the relevant Council laws are, and has never read them.

Filed by David Manteit
82 Rowe Tce Darra **4076**
davidmanteit@hotmail.com
0424739923

The Respondent's most intelligent statement so far in 9 months – Notice of disputed reasons 31/1/25 - "There will be additional stormwater runoff"

How can you commit an offence?

While in some instances you may be unaware that you are committing an offence, many of the laws are just common sense and about doing the right thing.

Being aware of non-compliance offences will help you to avoid the consequences, some of which are serious and can include going to court or being the subject of a public warning.

QBCC - *"many of the laws are just common sense"*

- Time has come and gone for objections for any material filed up to 12/2/25. It's not the boy who cried wolf play, here.
- There is no evidence that the Council employees have ever read the survey plan or have ever read Chapter 7.
- The Respondents had no objections for the Court on 14/4/25. The Respondent's game is to pile up 6 months of objections to 11 days before the hearing. Too late. That is not expeditious.
- The Respondents had no objections for the Court on 12/2/25.
- The Respondent had no objections for the Appellant as of 31/1/25.
- The Respondent had no objections for the Court on 12/12/24.
- The Council employee individuals are relevant because the individual's actions have caused them to be relevant all by their own doing.

- Criminal charges are laid first to the individual, not the Employer.

- The Council employee individuals caused themselves to be relevant, all by themselves. Their plans are not RPEQ certified and they have allegedly committed criminal offences from alleged corrupt engineering. The individuals were were sent multiple emails by David Manteit requesting information and RPEQ licence. Lucy Ting refused to supply calculations in a phone calls, after 30 seconds.

- The individual employees have caused the case to be a matter of public interest for many reasons, including -

- preparation of hydraulic plans without certification by a RPEQ.

- preparing hydraulic plans that will allegedly flood the properties downstream with millions of litres of floodwater each year in a Q1, causing damage to peopl and property.

- Evidence pertaining to future potential criminal offences is extremely important to the Appellant's arguments for removing certain conditions. See further below.

Appellant facts not disputed

3. The Respondent has not disputed any single fact whatsoever of the Appellant's filed material, which dates back to letter to Council of 1/10/24, being initial letters sent to Council and the individual Council employees, in every single email, to the best of the author's knowledge.

References to individuals

4. Note that a separate submission has been filed by the Appellant for Court's immediate removal on the commencement of the hearing, (if not earlier) for the unlicenced amended plans in red to be removed and corresponding conditions 7 and 18, due to no RPEQ licence.

5. References to **individuals** are necessary to be admissible, firstly, due to the following alleged criminal offences that apply to individuals and not Councils in the first instance, under the following laws -

- Professional Engineers Act 2002 S115 (1)

- Crime and Corruption Act 2001 S15 (1)

6. The alleged criminal offences by individuals in this case relate to –

   - The nonexistence of Council employee RPEQ licence certification of approved unlicenced hydraulic stormwater plans for Upstream Drainage or Onsite Drainage. This causes the approved hydraulic plans to be unlawful, and therefore the hydraulic plans must be immediately removed from the approved plan and therefore conditions 7 and 18. It is untenable to debate illegal plans in a Court of law.

   - Council does not and is not eligible to hold an RPEQ licence.

   - Unsatisfactory professional conduct performed by the Council employees by engineering an alleged charged pipe system for Upstream and Onsite drainage, some 1.2m below ground.

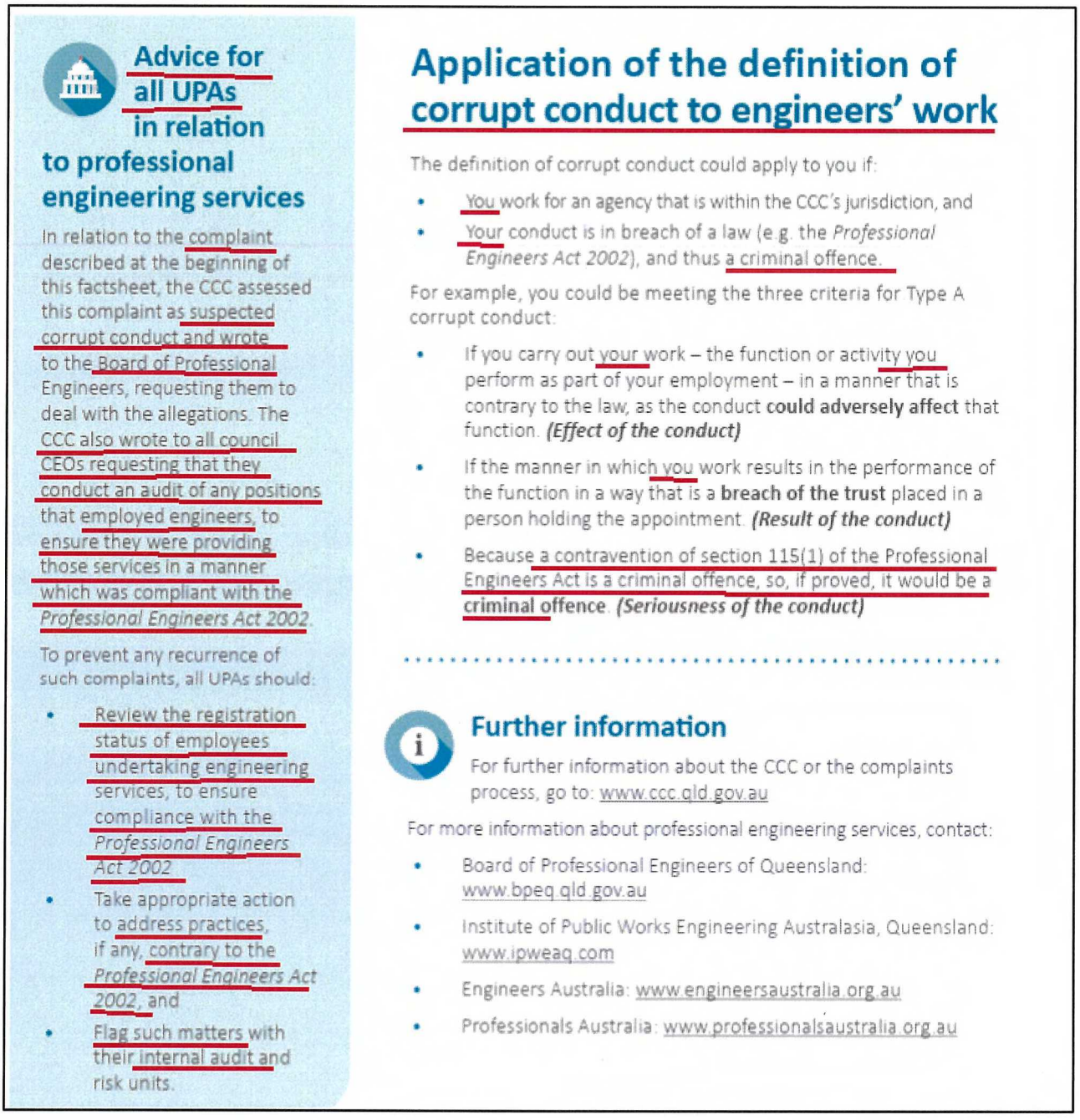
   - Unsatisfactory professional conduct performed by the Council employees in engineering and allegedly forcing Upstream drainage system that will cause nuisance flooding and damage to people and property.

   - Unsatisfactory professional conduct performed by the Council employees in preparing hydraulic plans and engineering and allegedly forcing flows of greater than 30 l/s to the kerb, meaning that this is an unlawful point of discharge.

   - Unsatisfactory professional conduct performed by the Council employees in engineering and onsite drainage system that would cause an alleged $725,000 fine under S164 of the Planning Act, from the use of the Council employee drainage system.

     Alternatively the Council employee plan would draw from Council to the owner fines anywhere up to $500,000 for using the Council employee drainage plan kerb location that is unlawful pursuant to three Council laws.

   - The individual Council employees have had 200 days to allow another engineer to design concept stormwater plans. But they individually refuse.



Advice for all UPAs in relation to professional engineering services

In relation to the complaint described at the beginning of this factsheet, the CCC assessed this complaint as suspected corrupt conduct and wrote to the Board of Professional Engineers, requesting them to deal with the allegations. The CCC also wrote to all council CEOs requesting that they conduct an audit of any positions that employed engineers, to ensure they were providing those services in a manner which was compliant with the *Professional Engineers Act 2002*.

To prevent any recurrence of such complaints, all UPAs should:

- Review the registration status of employees undertaking engineering services, to ensure compliance with the *Professional Engineers Act 2002*
- Take appropriate action to address practices, if any, contrary to the *Professional Engineers Act 2002*, and
- Flag such matters with their internal audit and risk units.

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)***

Further information

For further information about the CCC or the complaints process, go to: www.ccc.qld.gov.au

For more information about professional engineering services, contact:

- Board of Professional Engineers of Queensland: www.bpeq.qld.gov.au
- Institute of Public Works Engineering Australasia, Queensland: www.ipweaq.com
- Engineers Australia: www.engineersaustralia.org.au
- Professionals Australia: www.professionalsaustralia.org.au

CCC brochure above

Crime and Corruption public brochure

7. The Crime and Corruption Commission (above) refers to actions by individuals that work for Council. The individuals in this case all work for the Brisbane City Council.

Note - "You, you, your, your, You." (Individual, not Council).

8. The seven Council employees have performed their activity (hydraulic engineering plans) as part of their employment, in a manner that is contrary to the law, that being S115 (1) of the Professional Engineers Act.

The seven Council officers have also allegedly performed unsatisfactory professional conduct as per schedule 2 of the Professional Engineers Act.

9. CCC - Advice to all UPA's

1. "The CCC wrote to all Council CEOs, requesting that they undertake an audit of any positions that employed engineers to ensure that they were providing those services in a manner which was compliant with the Professional Engineers Act 2002."

David Manteit did that audit of 412 cases.
The CEO has not.

"To prevent the recurrence of such complaints –"

2. "Review the registration status of employees undertaking engineering services to compliance with the Professional Engineers Act 2002."

(David Manteit has attempted that 71 times)
The CEO has not.

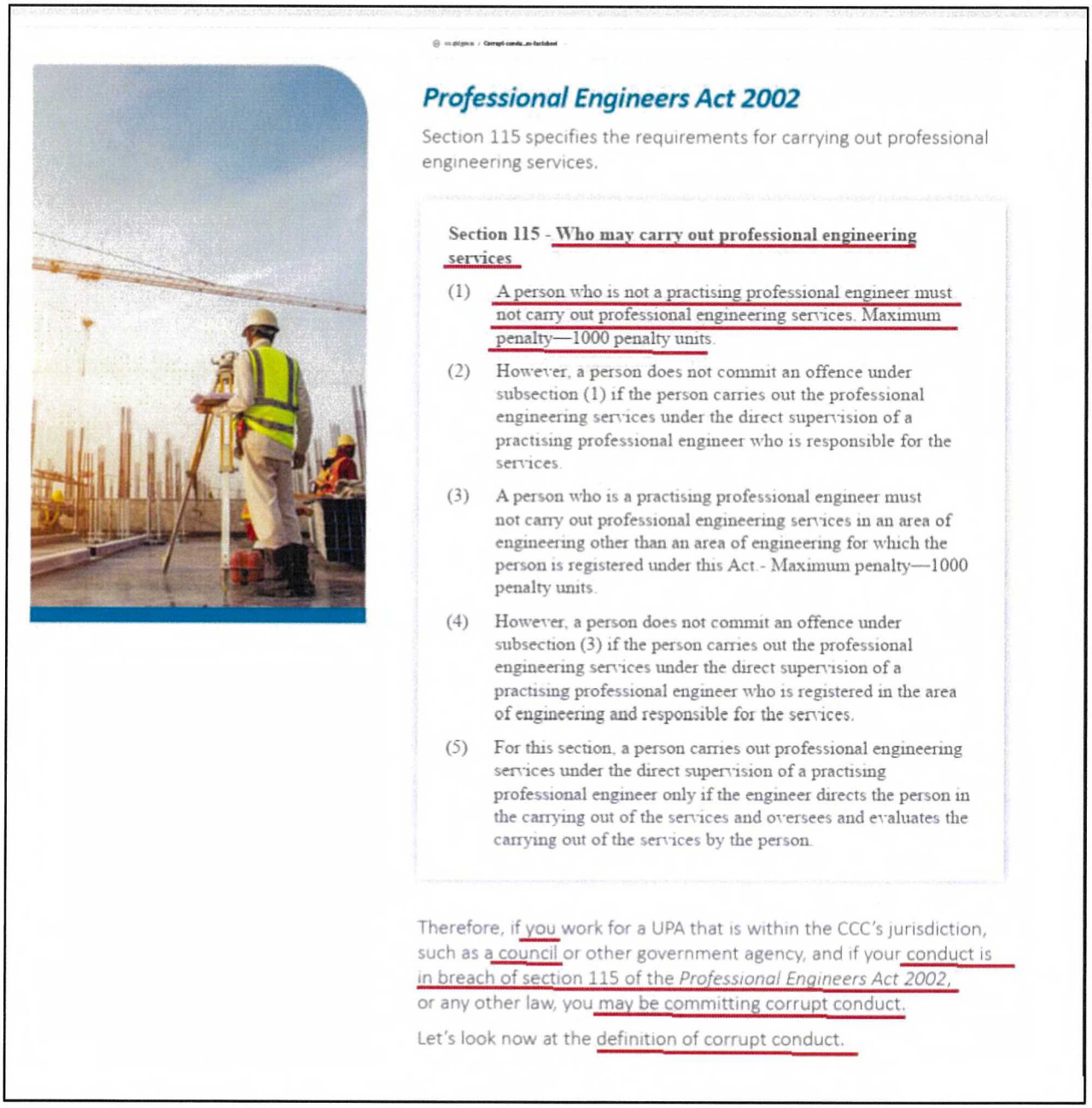
3. "Take appropriate action to address practices, if any, if contrary to the Professional Engineers Act 2002".

(David Manteit has attempted that 71 times)
The CEO has not.

4."Flag such matters with the internal audit and review Team".

David Manteit has flagged such matters with the RTI review Team and discovered hundreds of examples of alleged practices that need to be

addressed with the Crime and Corruption Commisison since the CEO refuses flag him/herself.



Professional Engineers Act 2002

Section 115 specifies the requirements for carrying out professional engineering services.

Section 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.

(4) However, a person does not commit an offence under subsection (3) if the person carries out the professional engineering services under the direct supervision of a practising professional engineer who is registered in the area of engineering and responsible for the services.

(5) For this section, a person carries out professional engineering services under the direct supervision of a practising professional engineer only if the engineer directs the person in the carrying out of the services and oversees and evaluates the carrying out of the services by the person.

Therefore, if you work for a UPA that is within the CCC's jurisdiction, such as a council or other government agency, and if your conduct is in breach of section 115 of the *Professional Engineers Act 2002*, or any other law, you may be committing corrupt conduct.

Let's look now at the definition of corrupt conduct.

"A person who is not a practising professional engineer must not carry out professional engineering services".

"If YOU work for a ....Council.... and if YOUR conduct is in breach of section 115 YOU may be committing corrupt conduct."

It is a criminal offence (by the individual) to be in contravention of 115 (1) of the Professional Engineers Act, if the seriousness is warranted.

10. It is a criminal offence (by the individual) to commit an offence if fraudulent documents are found, under -

- S289 of the Criminal Code in Queensland

11. There is no defence by an individual for removing or defending a criminal offence due to being an individual instead of being a Council. Council do not hold RPEQ licences.

12. References to individuals are relevant because Margaret Orr, Team leader, said so. Orr stated to David Manteit on 3/10/24 that certain individuals were responsible for the assessment, namely the Delegate and the Development Services Team members. Not Council, only individuals. And that they had taken all assessment matters into account.

13. The individuals have chosen to uphold their unlicenced hydraulic plans for 200 days. The individuals refuse to allow any other engineer to design stormwater systems. Where is the certified plans?

14, The individuals have had 71 chances to supply the individual RPEQ licence number and certification to David Manteit, and the chance to appear in court as a witness to advise the court of the RPEQ number.

Other Council employees - Excellent

15. Many excellent Council Assessment employee individuals have called for the applicant to prepare the concept stormwater plans, along with the certification of an RPEQ.

See examples below Erik Christenson, 25/7/25. Jenny Bernard.

Right to information

16. Right to information review provides information on the actions of Council employees, during their assessment of this case.

17. The Right to information has found that there are alleged unlicenced engineers that have performed engineering services

18. The Right to information has found that unlicenced engineers have allegedly caused major design changes to the unlicenced plans, without any engineering analysis whatsoever.

19. The Right to information has found that unlicenced engineers allegedly have done zero engineering assessment of flows, or checked for charged pipes.

Independent Engineer report and plans

20. The Respondent has not disputed any finding or calculations of the engineering report provided by Civil Works, dated 28/3/25. Including the findings that the sketch (individual unlicenced employees plan) will cause nuisance flooding to downstream properties.

21. The Respondent has not disputed the findings or calculations of the engineering report provided by Civil Works, dated 28/3/25 find that that the individual Council employees unlicenced Upstream drainage plan will cause flow greater than 30 l/s at the kerb which is unlawful with S 7.6.3.1 (2) of the PSP Chapter 7.

22. The Respondent has not disputed that Council that the individual Council employees are forcing an Upstream connection that will force downstream nuisance flooding of 76 litres per second in a Q20, based on fully developed roof area of 600 sqm, and this will cause nuisance flooding to downstream properties, that will cause damage to people and property

    I am awaiting a response from Mr Andrade in relation to his accepting phone enquiries, during the trial, as per his letter to Council and the Planning Court suggests.

23. It is not disrupted by the Respondent that any of the calculations done by the Appellant of the Council employees unlicenced Upstream Drainage plan show a charged pipe of 1.2m under the kerb, that will **cause nuisance flooding, damage to people and property and loss of life.**

24. It is not disputed by the Respondent that by the individual Council employees unlicenced illegal Onsite Drainage plan is a charged pipe and located 5.1m from the low side of the kerb, causing the owner hundreds of thousand of dollars in fines by building the kerb adaptor 400mm from the low side of the kerb.

25. One doesn't need to be an expert to demonstrate that the Council employees have allegedly engineered an onsite Drainage system that is allegedly reckless.

26. The Respondent advised on 31/1/25 that there would be increased density and additional stormwater from the development of the rear lots. One does not have to be an expert to know that the Council employee statement of 31/1/25 will cause additional stormwater. The Respondent is aware that their hydraulic plans will cause flooding nuisance.

(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; **Increased density**

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

Extract of the Respondent Notice of disputed reasons.

Who is the Brisbane City Council expert that made these two statements. Does he exist ?

Does the Respondent have an RPEQ to provide advice on the above statement?

Annual Rainfall

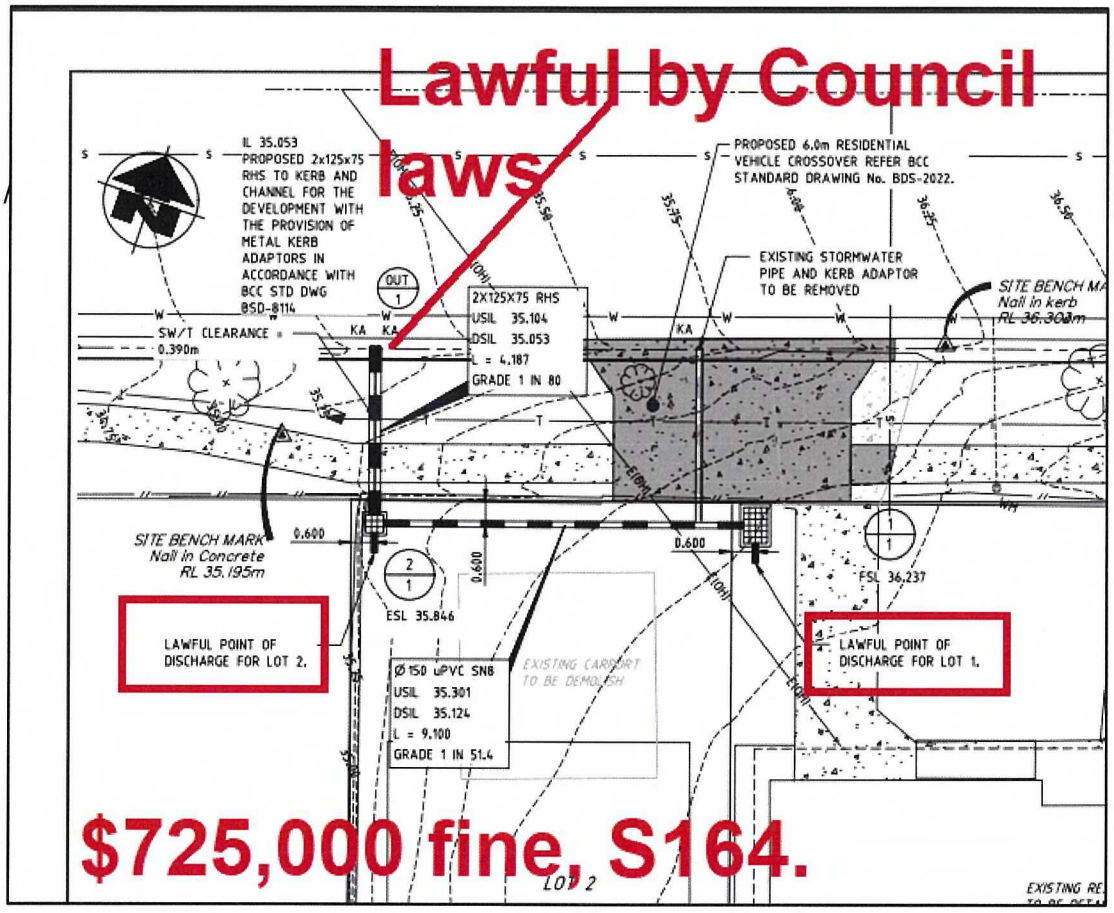
27. One does not have to be an expert to know the Annual Rainfall as advised in PSP Chapter 7 is not hearsay.

Is the annual rainfall as advised in PSP Table 7.2.2.2.A and the Bureau of Meteorology advice just hearsay? Can the Council website flooding section please update to advise to all Brisbane residents this table of rainfall is just hearsay ?

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

28 Onsite Drainage

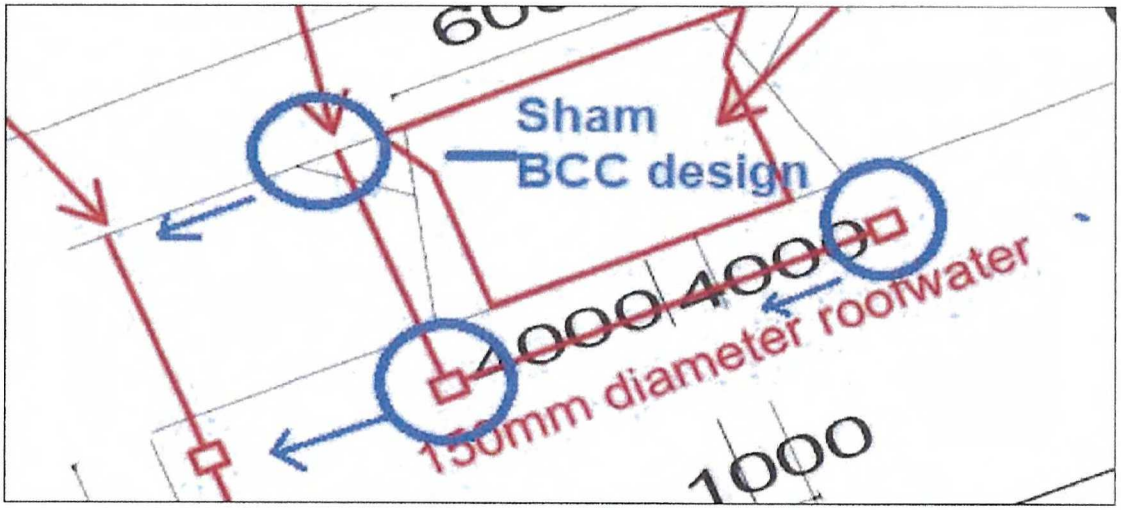


Is it hearsay the 7 Council employees are forcing a $725,000 fine for any engineer or plumber that complies with PSP S7.6.2, BSD 8111, BSD 8113 and engineering methodologies used in the Roman times when it was first discovered that water falls downhill ?

Does anyone need to be an expert to know that water falls down?

Does anyone need to be an expert to be able to read City Plan?

Is there a warning on the "go to City Plan" ? page – "Stop, you need to be an expert to read City Plan"



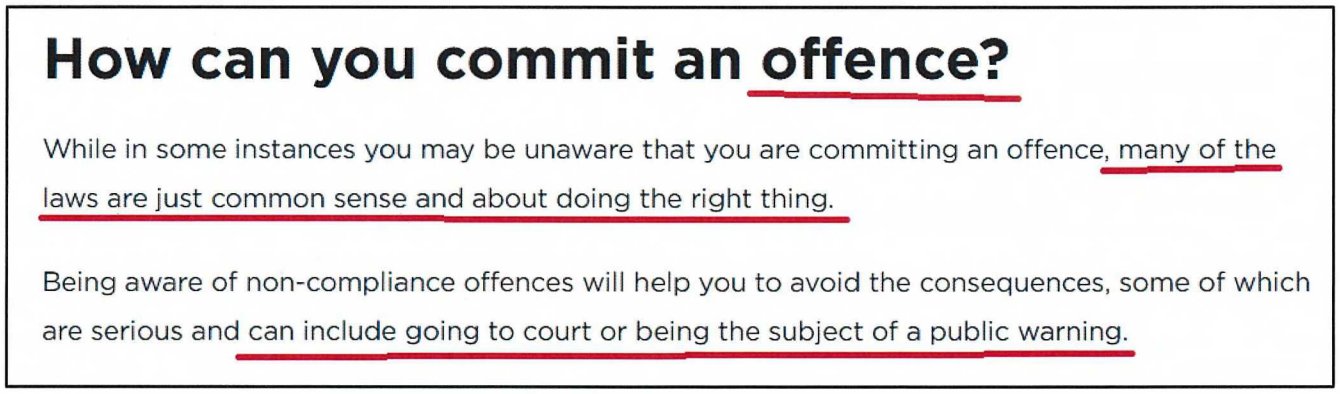
$500,000 fine to engineer and plumber

The above Council employee unlicenced stormwater plan demonstrates pure alleged engineering incompetence by placing the kerb adaptor 5.1m up from the low side of the kerb.

It is hearsay that persons will receive fines for not complying with Council laws S7.6.2, BSD 8111, BSD 8113 for placing kerb adaptor in the unlicenced Council employee drainage plan location?

Do Council laws state that *one must be an expert*, when they hand out the $500,000 fine for not complying with Council laws?

29. QBCC – "most licencees do the right thing



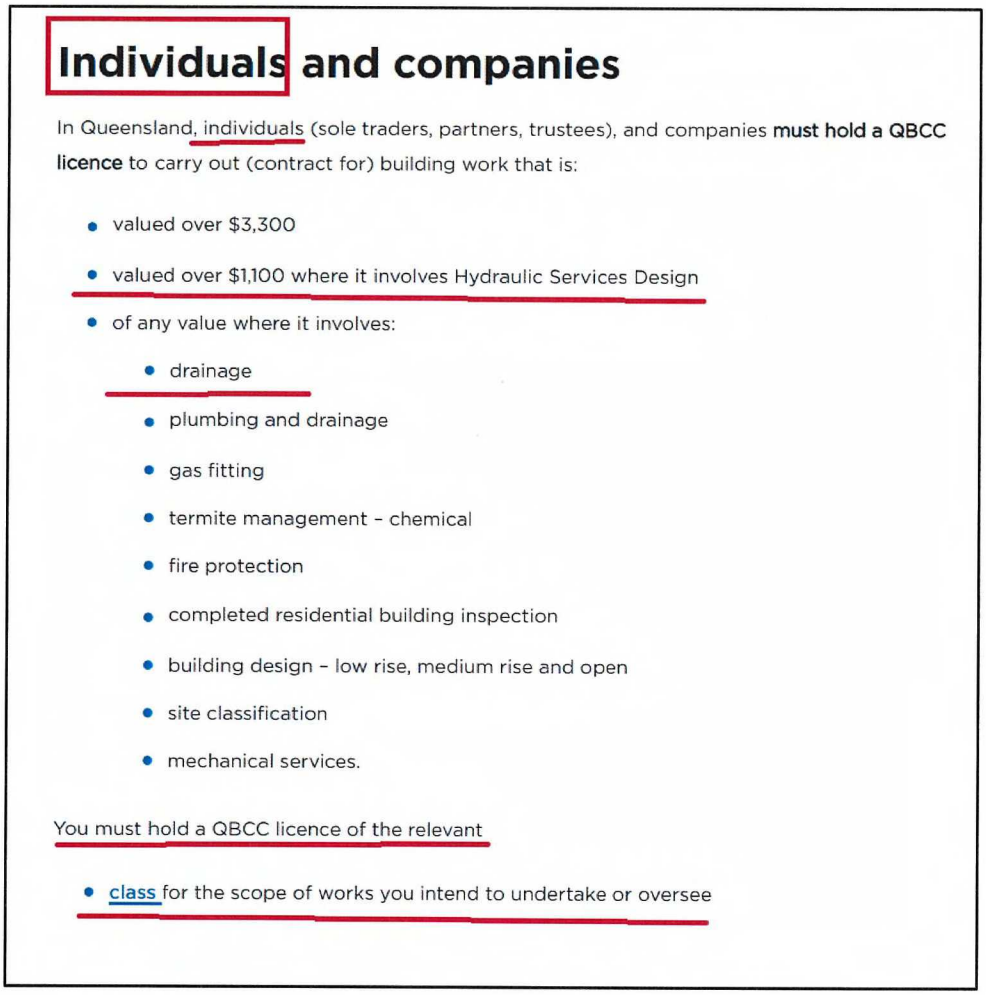
QBCC - *"many of the laws are just common sense"*

QBCC - "Some are serious and can include going to court or being the subject of a public warning."

30. David Manteit has given the 7 individual Council employees over 71 warnings of offences of unlicenced engineering since 1/10/24.

These are the 7 individual Council employees referred to that might receive fines for committ/ing alleged offences:

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



Individuals and companies

In Queensland, individuals (sole traders, partners, trustees), and companies **must hold a QBCC licence** to carry out (contract for) building work that is:

- valued over $3,300
- valued over $1,100 where it involves Hydraulic Services Design
- of any value where it involves:
  - drainage
  - plumbing and drainage
  - gas fitting
  - termite management - chemical
  - fire protection
  - completed residential building inspection
  - building design - low rise, medium rise and open
  - site classification
  - mechanical services.

You must hold a QBCC licence of the relevant

- class for the scope of works you intend to undertake or oversee

31. QBCC provides that individuals must hold a licence for hydraulic services design for drainage. There is no licence stated by any of the 7 Council employees, on the unlicenced illegal hydraulic plans of 81 metres of stormwater pipes.

Brisbane City Council and flood warnings – "hearsay?"

32. Everyone in Brisbane is aware of flood levels and gets warnings from Mr Adrian Schrinner, Brisbane City Council mayor and employee, regarding impending additional stormwater. Run-off. Is Mr Schrinner advice just hearsay? Why were over 200,000 sandbags collected from the downstream Darra depot in March?

Brisbane residents are being urged to take advantage of Council's three "super sandbag weekends" ahead of another season of potentially severe weather.

Cr Schrinner today revealed Council will open its four sandbag depots – Zillmere, Newmarket, Morningside and Darra – over the next three Saturdays and Sundays for residents who want to collect free sandbags.

More than 150,000 sandbags have been packed in advance while SES volunteers and Council staff will be on hand to demonstrate the best way to stack sandbags in the event of flooding.

33. Is this Council employee and staff just telling hearsay that Council employee staff will be on standby at the downstream Darra depot? I think not. With respect, Mr Shrinner, who is an excellent Council mayor and employee in my opinion, knows when water might fall downhill. Very simple. The Council employees in this case do not.

It is not disputed by the Respondent that the Appellant has given the Respondent and the Council employees around 71 chances since 1/10/24 to prove that there has been RPEQ sign off for the Upstream and Onsite Drainage hydraulic plans.

34. It is not disputed that the Respondent has total disregard and contempt for all Council employees, including David Simons of Brisbane City Council, who supplied the RTI report.

It is not disputed by the Respondent that the Respondent has total disregard and contempt for all Brisbane City Council assessment officers by regarding the RTI advice from Brisbane City Council as hearsay.

35.The Respondent, Brisbane City Council, thinks that evidence of 2000 assessment officers from Brisbane City Council as, supplied voluntarily by Brisbane City Council is hearsay.

Did I hear that right ?

36. It is not disputed by the Respondent that Council employees have -

- Committed a criminal offence by not certifying their unlicenced hydraulic plans by an RPEQ licenced person.
- committed offences under S 115 of the Professional Engineers Act by performing unlicenced engineering.
- committed offences under S15 (1) of the Crime and Corruption Act.

Affidavit of 412 case studies.

37. This case study shows that –

- No Council assessment officer has engineered and prepared hydraulics plans let alone not plans that are not certified by RPEQ except the 7 Council employees in this case.

That makes around 411 *5 = 2,044 excellent Council assessment officers who have not engineered and prepared hydraulic engineered plans without being certified by an RPEQ.

In fact, they haven't even prepared hydraulic plans whatsoever.

That makes alleged 7 Council persons who are alleged by David Manteit to have committed offences.

This information collected in the report by David Manteit is publicly available to anyone. This is not hearsay.

38. The audit is relevant to the evidence of the case since –

The Crime and Corruption Commission advised all Council CEOs to do such an audit, in 2020.

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.

The audit report by David Manteit demonstrates in regards to the Council employees, the standards stated that are a offence, being unsatisfactory conduct -

- ***Conduct that is of a lesser standard …. By the public.***
- ***By the engineer's peers.***
- ***Demonstrates incompetence.***
- ***Improper conduct***

The report has allegedly demonstrated all of the above, and more, in the case of the seven Council employees.

The Council employee unlicenced hydraulic stormwater plans demonstrate -

There is no RPEQ licence signoff.

The plans are charged by 1.2m, based on the engineers report

The unlawful flow will cause catastrophic flood nuisance to the site downstream neighbours, based on the engineers report.

The Onsite Drainage kerb adaptor will cause the owner $725,000 fines (S164) 4500 demerit points and cannot build a house.

Alleged lesser standard than the public expects

Alleged lesser standard than engineering peers expects

Alleged incompetence

39. The Respondent has never responded to any requests by David Manteit nor the Appellant since 1/10/24 for engineering information and RPEQ licence signoff on their unlicenced approved Upstream Drainage plan.

40. It is undisputed by the Respondent any calculations provided by David Manteit or the Appellant are incorrect in relation to -

- calculations that demonstrate that the Upstream unlicenced hydraulic system are charged by around 1.2m.

- calculations that demonstrate that the flow from the Upstream Drainage to the kerb is greater than 30 litres per second and therefore illegal.

41. It is undisputed by the Respondent that the Onsite and Upstream hydraulic drainage systems do not have RPEQ signoff and are therefore unlawful and will attract criminal offences to be issued to Council and Council employees.

It is undisputed by the Appellant that Council employees have purposely designed an Upstream Drainage system that will cause nuisance flooding, damage to people and property.

It is undisputed by the Appellant that the 225mm pipe for the unlicenced Upstream Drainage system is deliberately and dishonestly designed by the Council employees to be undersized, in order to disguise the nuisance flooding, damage to people and property.

It is undisputed by the Respondent that opinions, conclusions and calculations stated in the Civil Works report is incorrect or can be challenged in any way.

42. It is undisputed by the Respondent that any information in the survey plans provided by ONF Surveys is incorrect in any way.

43. It is undisputed by the Respondent that any information in the Form 15 RPEQ engineering report by STA Consulting is incorrect in relation to the retaining wall.

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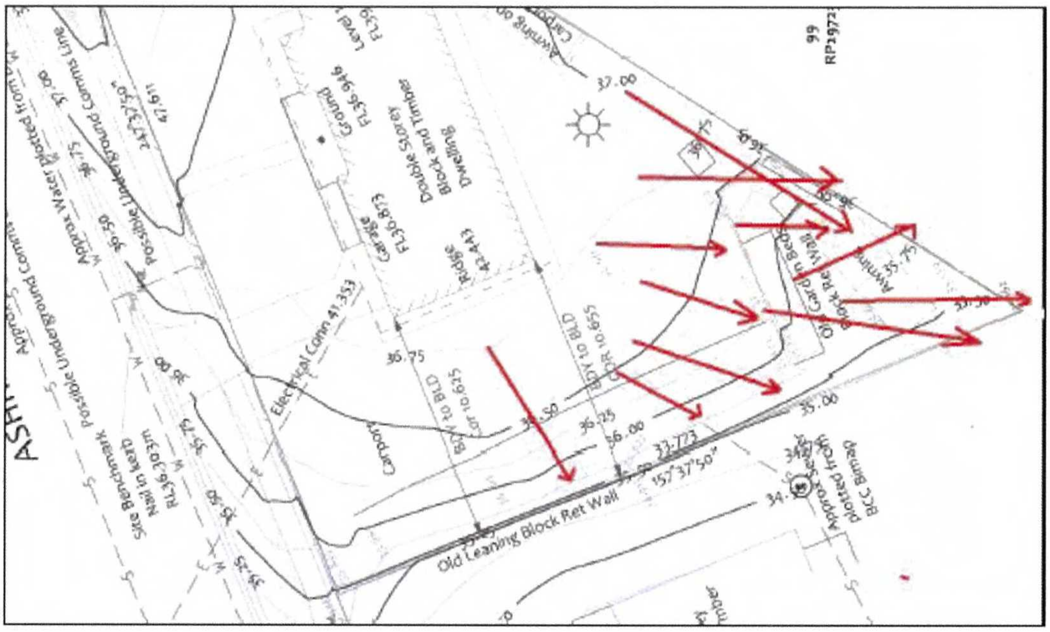
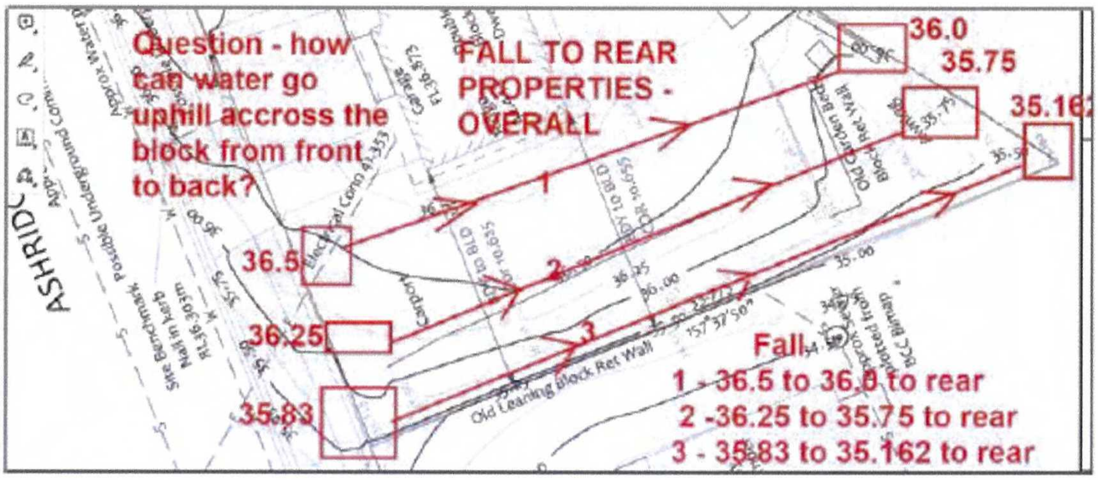




Above – existing falls and direction of water flow through the development.

Existing falls test – fails.

Action – Remove S18 and red line and pits on plan.

Extract of Notice to Appeal 19/11/24

44. One does not have to be an “expert” to see within 60 seconds that water does not fall to Ashridge Rd from any part of the land.

It is undisputed by the Respondent that ground water does not fall to Ashridge Rd.

It is undisputed by the Respondent that the 7 individual Council employees never assessed the existing terrain due to alleged laziness and incompetence.

David Manteit expertise.

45. I have previously provided extensive detail on David Manteit expertise, as filed by affidavit with the Court -

Subdivision plan preparation in CAD for self and clients

Town planning preparation for self and clients

Installation of stormwater pipes including 150mm and 225mm.

Installation of sewer manholes and sewer pipes.

Installation of all services required for Small Lot subdivisions

All types of retaining walls including masonry and timber

Extensive filling including to AS 3798 and bulk earthworks.

Lecturer to students in 52 meetups and courses, from 2hr courses to 2 day courses as pictured below.

Previous licenced Income Tax agent

Batchelor of Commerce. Qld University

8 years accountant with Australia wide firms including 4 years with the biggest accounting firm in the world, Price Waterhouse.

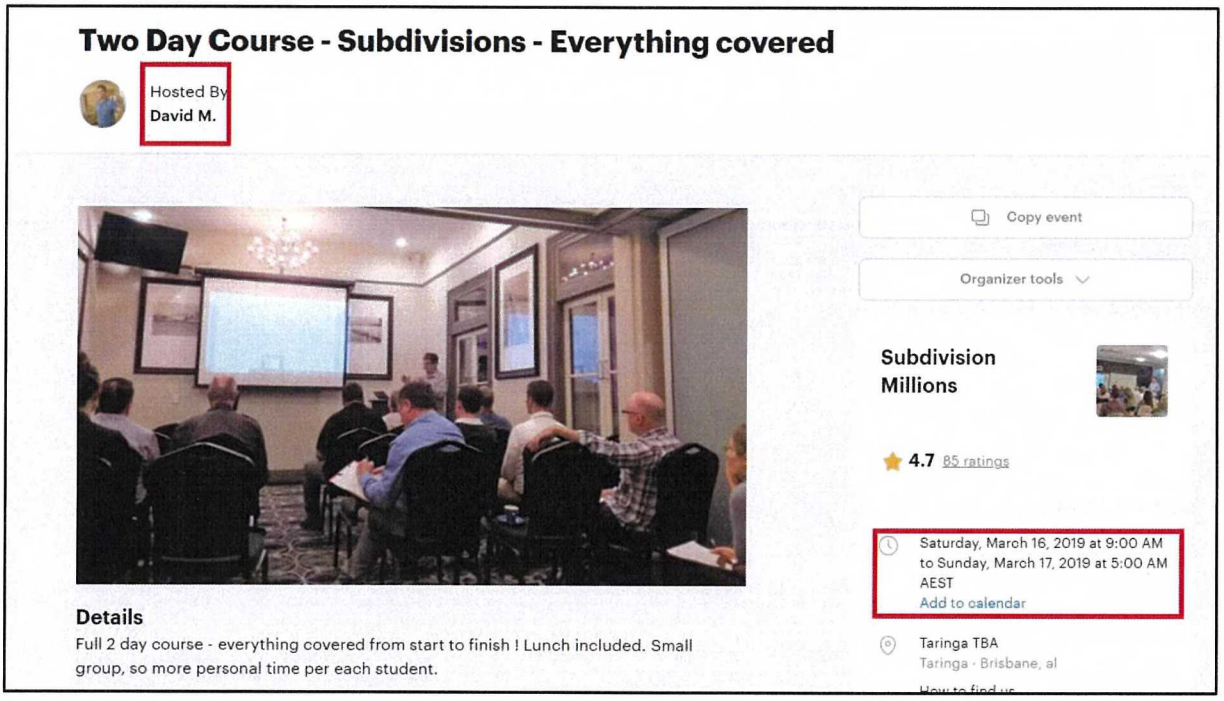
Previous licenced mortgage broker for 30 years.

Top design consultant of 200 consultants for Home improvement companies, drawing up and engineering of structure plans within 20 minutes to 10,000 clients, including lawful point of discharge to water collection devices called sun shade devices under the Small Lot Code, roof design to sag factor, uplift factor, wind ratings, and the inclusion of lawful point of discharge at all times, including onsite detention pits. All ready for private certifier and Council site variation team. Completed within 20 minutes.

This proof of some of David Manteit's expertise can be found today, publicly, on Meetup Group Subdivision Millions, owned and operated by David Manteit, who has conducted every single meetup.

Lecturer to students in Small lot subdivisions, since 2018.

46. 2 meetups held, ranging from 2 hours to 2 full days course, charging $650.00.



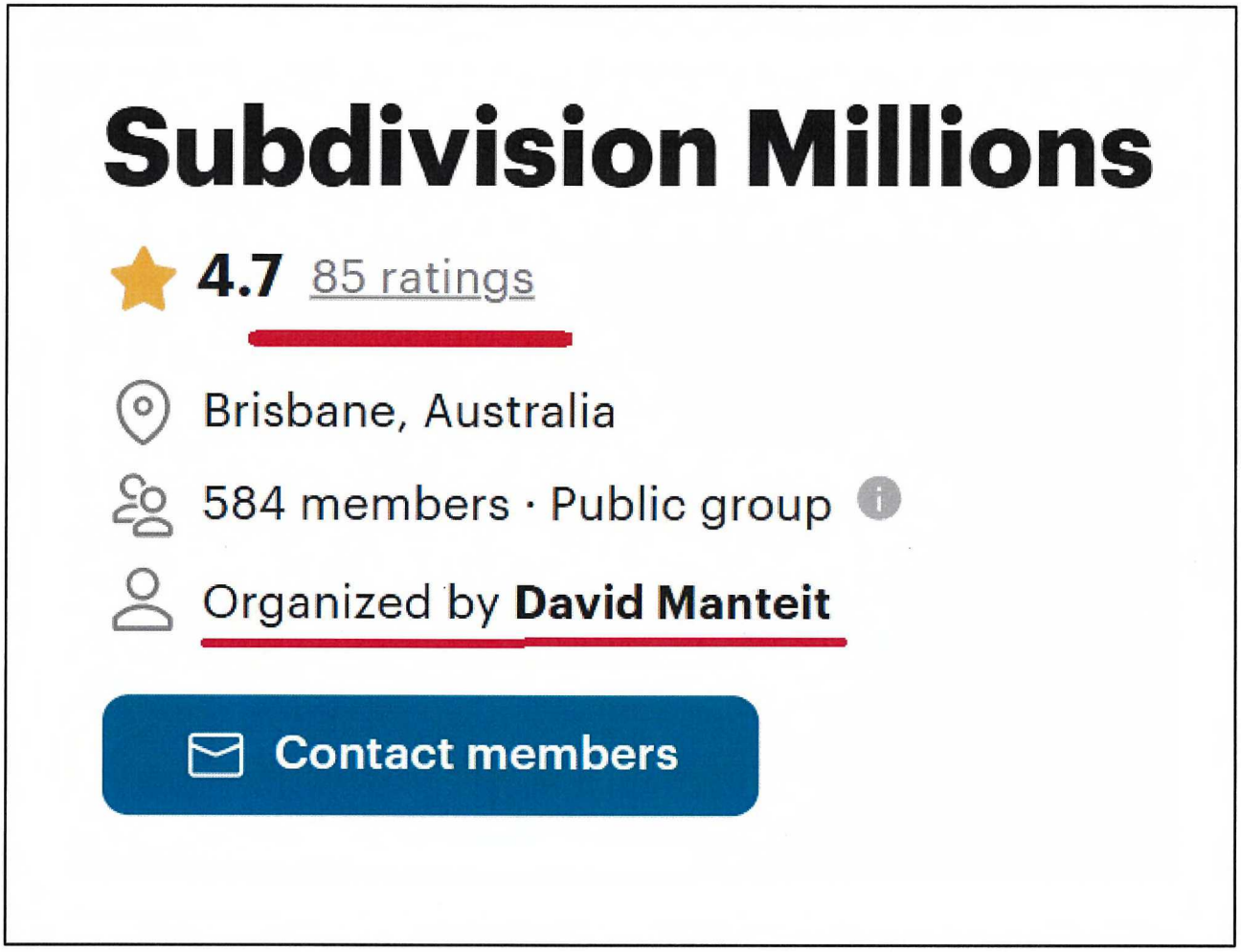
Two Day Course - Subdivisions - Everything covered

- Find profitable sites quickly , by using the latest free internet searches. You wont believe what searches are now available. Get for free the same searches that real estate agents pay $200 a month for.
- Learn how to buy and build properties 25% less than market value.
- Learn about the 19 free secret searches that replace RP Data
- Learn the techniques and fundamentals of subdivisions i
- In and on the ground. Water, sewerage, stormwater, electrical,phone
- How to organise services, cut and fill, plan view, side view,
- How to build a project house, from start to finish
- Learn about the different types of subdivisions
- Learn how to analyse the profit and returns on a project in minutes
- Finance your projects in the correct way to quickly build Net Worth.
- Learn about council applications, and approvals. Learn how to prepare your own town planning applications, saving thousands of hours.
- Operational Works and what to do after the approval.
- How to pay no tax, by using various strategies,
- How to draw up your own subdivision plan using free Cad software.
- Set your own goals as to how much money you want to make. Start with as little as $20,000 capital. Learn how to make a million dollars within 3 years.

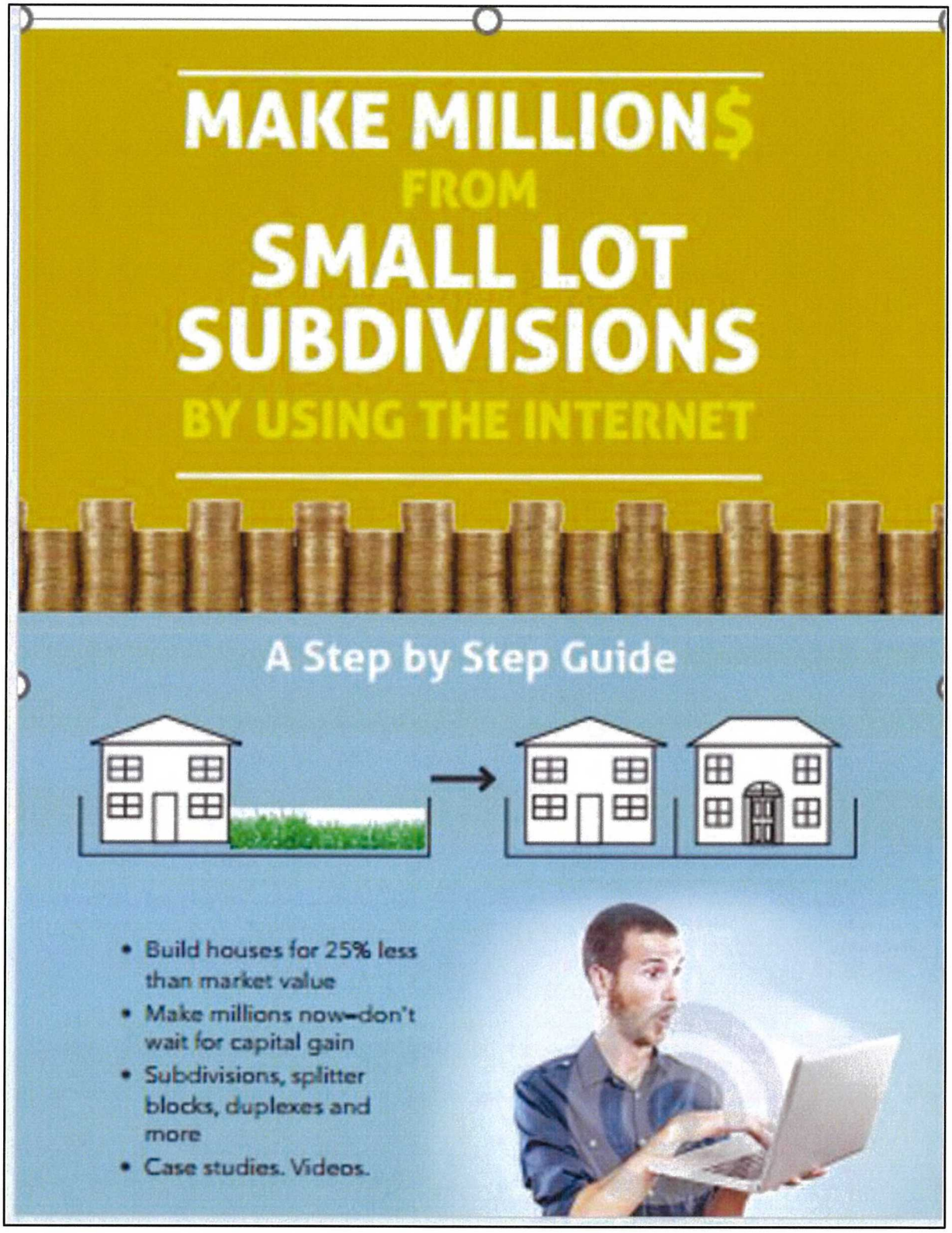
Payment required upon RSVP, as numbers are limited.

SAT, MAR 16 · 9:00 AM AEST

Two Day Course - Subdivisions - Everything covered



85 of my peers have given David Manteit 4.7 out of 5.0 rating, as an expert in small lot subdivisions, stormwater, fill, operational works, sewerage, plan preparation, town planning.



47. Book authored by David Manteit. 5,000 books sold at $97 each.

This is the only book on the planet earth, devoted wholly to Small Lot land subdivisions.

48. Please ensure the Respondent witnesses have The appropriate and current experience in Stormwater and fill engineering in the Brisbane City Council area.

49 Case examples below from David Manteit audit of 412 Council approved cases.

These are examples of what the Public and engineering peers expects under Schedule 2 of the Professional Engineers Act.

These are examples of the standard of what any Brisbane Council employee's assessment standards should be.

Example of Excellent Council employee conduct. Erik Christenson

50. Council employee Erik Christenson wrote to the applicant of 22 Parnassus St Robertson, on 25/7/24, requesting the applicant engineer to design an Upstream Connection.

This request was 15 days after Manteit lodged his application on 10/7/24 and 2 days after Manteit application was properly made on 23/7/24.

The Council employees for 128 Ashridge Rd Darra would have known of the correct procedures that Mr Christenson does, but chose instead to become unlicenced engineers themselves without an RPEQ licence, and commit alleged criminal offences.

Mr Christenson has chosen not to engineer himself. Good work, Mr Christenson.

Erik Christenson has proven to be an excellent Council employee, who knows Council Codes and Standards, and an RPEQ is required for the red lines.

The Respondent says his excellent actions are just "hearsay and not relevant"

The Appellant alleges -

Basically the Respondent allegedly says this Council employee Mr Christenson is not to be believed under any circumstances. His assessment is hearsay and not relevant

Basically, the Respondent allegedly says that we must trust the word of the 128 Ashridge Rd Darra application Council employees who have allegedly committed offences and prepared hydraulic plans without an RPEQ licence.

Is there any more evidence this Court needs of unlicenced engineering by the Council employees of 128 Ashridge Rd Darra?

Respondent allegedly says -

Trust these Council employees below who perform engineering without a RPEQ licence and commit offences
81 metres of red pipes
No Council laws followed
Whatsoever.

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

Respondent allegedly says -

Don't trust Mr Christensen - he is not a relevant person nor is his assessment to require RPEQ.

Christensen in fact requested the applicant to supply Upstream stormwater plans to be certified by a RPEQ
However, the Respondent believes that Christensen request for RPEQ certification of Upstream stormwater hydraulic plans plans is irrelevant and hearsay.

It is alleged that the Respondent is trying to hoodwink the Court into believing that the conduct of the Council employees does not attract criminal offences.

It is alleged that the Respondent wants to make the illegal and criminal actions of the Council employees swept under the carpet.

There can be no better example than 22 Parnassus St Robertson to demonstrate what a proper Council employee of good conduct does.

Dedicated to a better Brisbane

Brisbane City Council ABN 72 002 765 795

City Planning & Sustainability
Development Services
Brisbane Square, 266 George Street, Brisbane Qld 4000
GPO Box 1434 Brisbane QLD 4001
T 07 3403 8888
www.brisbane.qld.gov.au

29 July 2024

Mr Jason Qiao
C/- Ultimate Planning Solutions
4/113 Scarborough Street
SCARBOROUGH QLD 4020

ATTENTION: Marvin Wright

Application Reference: A006548093
Address of Site: 22 PARNASSUS ST ROBERTSON QLD 4109

Dear Marvin

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.

1) **Stormwater Upstream Connection**

Specialist assessment has found that PO11 of the Stormwater code is not addressed in the Code assessment report. To ensure compliance against the code

a.) Provide engineering drawings demonstrating upstream connection complying with performance outcome PO11 of the Stormwater code. The proposal must comply with Brisbane Planning Scheme codes, planning scheme policies and must be certified by a registered professional engineer of Queensland.

2) **Erosion Hazard Assessment**

An Erosion Hazard Assessment (EHA) form has not been completed contrary to 7.11.2.1 of the ID PSP.

a.) Complete and submit an EHA form (available on Council's website) by a suitably qualified consultant.

3) **Existing Structures**

It is unclear if the existing structures including the dwelling house, garage, pavers and pool are to be retained after subdivision.

a.) Submit amended plans notating removal of the dwelling house, garage, pavers and pool.

-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 A006548093.

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

Yours sincerely

Erik Christensen
Urban Planner
Planning Services North
Phone: (07) 31782320
Email: Erik.Christensen@brisbane.qld.gov.au
Development Services
Brisbane City Council

Erik Christenson -"*The proposal must comply with the Brisbane Planning Scheme Codes, Brisbane Planning Scheme Policies and must be certified by a registered professional engineer of Queensland.*"

51. Mr Christenson requires plans drawn by RPEQ and to demonstrate compliance with Council Codes and Planning Scheme policies.

Brisbane City Council ABN 72 002 765 795

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Dedicated to a better Brisbane

19 December 2023

Avenue Capital Pty Ltd
C/- Urban Strategies Pty Ltd
PO Box 3368
SOUTH BRISBANE QLD 4101

ATTENTION: Georgina McNee
Application Reference: A006407802
Address of Site: 15 BLACKWOOD RD GEEBUNG QLD 4034

Dear Georgina

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 code

1. In accordance with PO11/AO11.2 and AO4.1 of the Stormwater code, the proposal must demonstrate the existing stormwater infrastructure proposed to be connected to Ellison St has sufficient capacity to receive the site's developed discharge and that no surcharge of the proposed pits within the site, or the existing manhole in Ellison Rd, will occur.
   Provide:
   a) An amended proposed stormwater layout shown on C5759-SK031 Rev E prepared by Milanovic Neale to show stormwater long section/s (showing the hydraulic grade line) and calculations.

2. The current stormwater plan only details the final arrangement when Stage 2 is implemented.
   Provide:
   a) A stormwater plan showing the proposed stormwater arrangement for Stage 1 of the development.

3. It appears Lot 1 RP83676 (9 Blackwood Rd) is an upslope property and mapped contours indicate the lot falls to the south-west boundary of the development site. Connection through 349 Ellison Rd is not achievable as there is a natural sag at the rear of this site which falls to the development site. In accordance with AO11.1 of the Stormwater code, provide:
   a) An upslope stormwater connection to Lot 1 RP83676.

4. Ensure any amended stormwater management plans/report addressing the above is signed/certified by a RPEQ.

Earthworks - Filling and excavation code

5. There is concern with the retaining wall on the western boundary, which must be offset from the boundary to ensure either the site accepts surface flows from the neighbouring site (as is does currently) and that no nuisance ponding is seen to the neighbouring property, or stormwater is directed to the rear properties (in accordance with PO5/AO5 of the Filling and excavation code).
   a) Delineate the earthworks proposed for each stage. Provide a plan which details the earthworks proposed for Stage 1.

../2

Traffic/Access – Transport, access, parking and servicing (TAPS) code

6. A minimum 2 metre x 2 metre single cord truncations to provide sufficient sight distances at the rear of the Common Property, as required by TAPS Planning Scheme Policy Section 4.12.1. In accordance with the TAPS code AO1, provide:

a) Amended proposal plans to demonstrate truncations are provided at the rear of the proposed common property.

b) The proposed truncation at the frontage of the common property must also be dimensioned on the proposal plan to demonstrate minimum 2 metre x 2 metre single cord truncations.

Private firefighting protection - Infrastructure design code P09, PO23 and PO24

7. Fire protection coverage for the proposed new lot appears to exceed the maximum required 90m distance from building envelope to existing fire hydrant located on Blackwood Rd verge as required by Infrastructure Design Code PO9.

a) Submit a firefighting coverage plan to demonstrate that any part of a future dwelling house resulting from this subdivision will be located no more than 90 metres from Urban Utilities (UU) fire hydrant or private fire hydrant.

i. Fire-fighting coverage measurement is to be from hydrant along the street to avoid obstructions, including fences, private property, and other buildings to the property entrance and around the perimeter of the future building or lot.

ii. If a new UU hydrant is proposed at the site frontage to achieve coverage, provide written acceptance from UU for this proposed new hydrant.

Refuse - Infrastructure design code AO8.1

8. It is noted on the proposed "preliminary services layout plan" prepared by Milanovic Neale (Drawing no. C5759-SK31, Rev E) that mobile garbage bins for all rear lots are to be presented on the frontage of proposed lot 5 for kerbside presentation. This does not comply with AO4(c) of the Subdivision code and AO8.1 of the Infrastructure design code. Sufficiently sized truncated areas must be provided either side of the internal access aisle (exclusive of crossover/crossover tapers) for the proposed Stage 2 lots 1-4 to ensure road frontage is available for each to facilitate compliant kerbside presentation.

Provide amended reconfiguration and civil plans that:

a) Increases the size of the truncated areas on either side of the internal access aisle – a minimum width of 3.6m must be provided on either side (exclusive of crossover/crossover tapers) to facilitate two areas of 0.9m by 0.9m for each lot.

b) Superimpose the bin presentation areas at the kerb for each lot's bins (0.9m by 0.9m per bin / two bins per lot) ensuring bins are presented on their respective frontage and not on the frontage of adjacent lots or on crossovers/crossover tapers.

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.

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.

-2-

Email your response to edanorth@brisbane.qld.gov.au quoting the application reference number A006407802.

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

Yours sincerely

Jenny Bernard
Urban Planner
Planning Services North
Phone: 0731780855
Email: Jenny.Bernard@brisbane.qld.gov.au
Development Services
Brisbane City Council

52. Another case above of a Council employee above, requesting an RPEQ for Upstream drainage design.

Jenny Benard is an excellent Council employee. She has demonstrated knowlegde that a concept upstream stormwater plan must be designed by an RPEQ engineer.

the development site. In accordance with AO11.1 of the Stormwater code, provide:

a) An upslope stormwater connection to Lot 1 RP83676.

4. Ensure any amended stormwater management plans/report addressing the above is signed/certified by a RPEQ.

/

Jenny Barnard ...*"provide an upslope stormwater connection to Lot RP83676.*

Ensure any amended stormwater management plans/report addressing the above is

signed/certified by a RPEQ."

The list is endless where excellent Council employees demand the hydraulic plan is to be certified by an RPEQ.

53. The individual employees for the subject case have not provided certification by an RPEQ.

54. I remind you of His Honour's words in Court to the Appellant on 12/2/25. His Honour gave an example to Mr Manteit of a listing of the Appellant submissions for the hearing would be. The example His Honour gave was "audit of 200-300 cases, etc".

I thank His Honour for that mentioning. Perhaps this is purely an administrative advice/mentioning, for consideration for the Appellant by His Honour. Pehaps not.

My understanding is that any audit report done by David Manteit that provides comparisons of enginering standards expected by the Public and other engineers's peers in respect of schedule 2 of the Professional Engineers Act 2002 is extremely relevant.

END

Document 4

Sarah McCabe

From: Sarah McCabe
Sent: Tuesday, 22 April 2025 6:27 PM
To: david manteit
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24

Dear Mr Manteit

Pursuant to paragraph 3 of the order of His Honour Judge Williamson KC dated 14 April 2025, below is a link to the material the Respondent intends to rely upon at the hearing of the appeal:

https://brisbane.sharefile.com/public/share/web-s071bdbe22170450e9d70838983d71575

Please note that, due to unexpected illness, the Certificate of the Chief Executive Officer is unsigned. We do not anticipate making any changes to the Certificate upon signing and will send a signed copy once available.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

Document 5

From: Sarah McCabe
Sent: Wednesday, 23 April 2025 10:23 AM
To: david manteit
Subject: RE: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]
Attachments: PEA2916.24 - Affidavit of K Ryan - 22.04.2025.pdf; PEA2916.24 - Affidavit of A Corrigan - 22.04.2025.pdf

Categories: Filed to Records Manager

Dear Mr Manteit

Attached are the copies of the affidavit material which been filed. They are identical to the copies served on you last night.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 22 April 2025 9:12 PM
To: Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>
Cc: ccu@justice.qld.gov.au
Subject: Re: Manteit v Brisbane City Council - P&E appeal no. 2916/24

David Manteit V Brisbane City Council 2916/24

Dear Ms McCabe

I object to the use of this material.

This material has not been filed.

If your CEO is sick that is your problem.

The material cannot be relied upon.

This has put my team at a huge disadvantage.

You were already given an extension by His Honour.

David Manteit
CEO
0424 739 923

From: Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>
Sent: Tuesday, 22 April 2025 6:26 PM
To: david manteit <davidmanteit@hotmail.com>
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24

Dear Mr Manteit

Pursuant to paragraph 3 of the order of His Honour Judge Williamson KC dated 14 April 2025, below is a link to the material the Respondent intends to rely upon at the hearing of the appeal:

https://brisbane.sharefile.com/public/share/web-s071bdbe22170450e9d70838983d71575

Please note that, due to unexpected illness, the Certificate of the Chief Executive Officer is unsigned. We do not anticipate making any changes to the Certificate upon signing and will send a signed copy once available.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

Sarah McCabe

From: Sarah McCabe
Sent: Wednesday, 23 April 2025 5:17 PM
To: david manteit
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]
Attachments: PEA2916.24 - Manteit v Brisbane City Council - Hearing Schedule.docx

Categories: Filed to Records Manager

Dear Mr Manteit

Attached is a hearing schedule proposed by Council for the hearing commencing 28 April 2025.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

In the Planning and Environment Court
Held at: Brisbane

No. 2916 of 2024

Between:	**DAVID MANTEIT**	Appellant
And:	**BRISBANE CITY COUNCIL**	Respondent

HEARING SCHEDULE

Day 1	**Monday, 28 April 2025**
10.00am	**Opening addresses** Mr Manteit (Appellant) Ms Hedge (Respondent)
	Objections
1.00pm to 2.30pm	Luncheon adjournment
2.30pm	**Site Inspection**
Day 2	**Tuesday, 29 April 2025**
10.00am	**Witness for the Appellant** Mr Manteit (Appellant)
1.00pm to 2.30pm	Luncheon adjournment
2.30pm	**Witnesses for the Respondent** Mr Andrew Corrigan (Respondent) Mr Kieran Ryan (Respondent)
Day 3	**Wednesday, 30 April 2025**
10.00am	**Closing addresses** Mr Manteit (Appellant) Ms Hedge (Respondent)

Sarah McCabe

From: david manteit <davidmanteit@hotmail.com>
Sent: Wednesday, 23 April 2025 10:22 PM
To: Sarah McCabe
Subject: Re: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]

Att Ms McCabe

Your schedule is rejected

You have witnesses in the schedule. This is not permitted as you defaulted on the last Court order.

Yours Faithfully

David Manteit
CEO
0424 739 923

From: Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>
Sent: Wednesday, 23 April 2025 1:14 PM
To: david manteit <davidmanteit@hotmail.com>
Subject: Manteit v Brisbane City Council - P&E appeal no. 2916/24 [BCC-C1.URI26059650]

Dear Mr Manteit

Please find **attached** a letter.

Regards,

Sarah McCabe
Senior Legal Counsel | Planning and Environment | City Legal
City Administration and Governance | **BRISBANE CITY COUNCIL**

Brisbane Square | Level 20, 266 George Street, Brisbane, Qld 4000
Phone: 07-3178 5581 | Fax 07-3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au