

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. I attach correspondence to Brisbane City Council on 24/3/24 as per attached exhibit "A" *pages 1-29*

Signed:

JTS
[Signature]
JP (QUAL)

Taken by: **John James Stretch JP (Qual)**



Deponent:

DAVID MANTEIT

Justice of the Peace

Affirmed by David Manteit on *Twenty Fourth*
of March

In the presence of

Signed:

[Signature]
[Signature]
JP (QUAL)

Deponent:

John James Stretch JP (Qual)



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

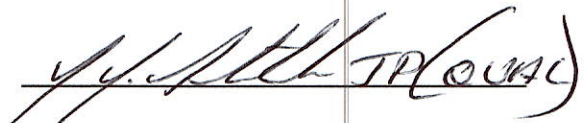
Correspondence to Brisbane City Council 24/3/25

This page and pages 1-29 are the particulars marked "Correspondence to Brisbane City Council" referred before me at *Twenty Fourth* this *24th* day of March 2025.

day of March
JTB



Deponent – David Manteit



Justice of the Peace



David Manteit
82 Ashridge Rd
Darra 4076

24 - 3 - 25

The Chief Executive
Brisbane City Council
266 George St
Brisbane 4000

Dear Sir

DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24

Fall of land – Alleged upslope properties and other matters

It has been made abundantly clear by the DA Applicant and Appellant David Manteit, to Council, and the Respondent that there are no “upslope” properties to 128 Ashridge Rd Darra.

128 Ashridge Rd Darra is in fact upslope to Lots 98 and 99 by at least 1.85 metres.

My position has not changed. There are no upslope lots to the subject land, 128 Ashridge Rd Darra.

DA Application

It has been my position, as stated, since DA application made date of 10/7/24, that 128 Ashridge Rd land falls to the rear boundary. 128 Ashridge Rd Darra is upslope to rear Lots 98 and lot 99 and 100.

My position has not changed. There are no upslope lots to the subject land, 128 Ashridge Rd Darra.

The position was made clear by David Manteit in the DA application with arrows showing the fall is to the rear and right side of the land, 128 Ashridge Rd Darra, the subject land.

There is in fact no upstream neighbours. They are all upstream or downstream of themselves.

There is no definition of “Upstream” in the BCC definitions.

“Stream” being the operative word. The only “Stream” is that when it rains , the water on the subject site falls to the rear and right of Proposed Lot 2. The rear and right boundary peg is AHD 35.192.

Above – Notation by David Manteit the existence of a physical surveying peg level of 35.192 right rear boundary peg, as described in the report by David Manteit. The correct AHD was in fact 35.162, not 35.192. Typographical error.



“The rear and right boundary surveying peg is AHD 35.192.”

Council were supplied with physical evidence of a survey spot mark, being a survey peg, but Council registered and unregistered engineer employees refused to attend site to inspect the peg, nor took the AHD 35.192 into any calculations.

How can Council get a pipe to be 450 cover, 300 diameter, total depth under 35.162 = 34.412 under the ground at rear boundary. This 34.412 is already around 688 mm lower than the kerb !!!!!!!!!, starting at the rear boundary!!!!!!!!!!!! Updated surveying shows that the neighbour AHD 35.150.

Then the pipe has to fall .5% which is around 200m and ends up around .9m below lawful point of discharge of updated 35.080.

Any idiot can see the pipe will end up around .9-1 metre under the kerb.

Lucy Ting stated to Joel wake by memo that “the plans are accurate on the ROL ” but refuses to supply her “accurate” (As per RTI) calculations to David Manteit and Brisbane ratepayers.

Lucy Ting (RTI) advised that Andrew Blake approved to write up the plans with her sham engineered plans.



RTI review demonstrates alleged dishonesty by Council employees to pretend that DA application survey plan does not exist and that that land falls to rear and right.

Council did not nominate the DA survey plan as agenda for discussion at the ADR conference. Council had never looked at the DA survey plan during the assessment process nor prior to the ADR conference.

David Manteit provided Council the ONF survey plan on 10/7/24.

Surveying peg and note provided – AHD 35.192. (35.162).

David Manteit provided the note in the DA – “There is in fact no upstream neighbours. They are all upstream or downstream of themselves”.

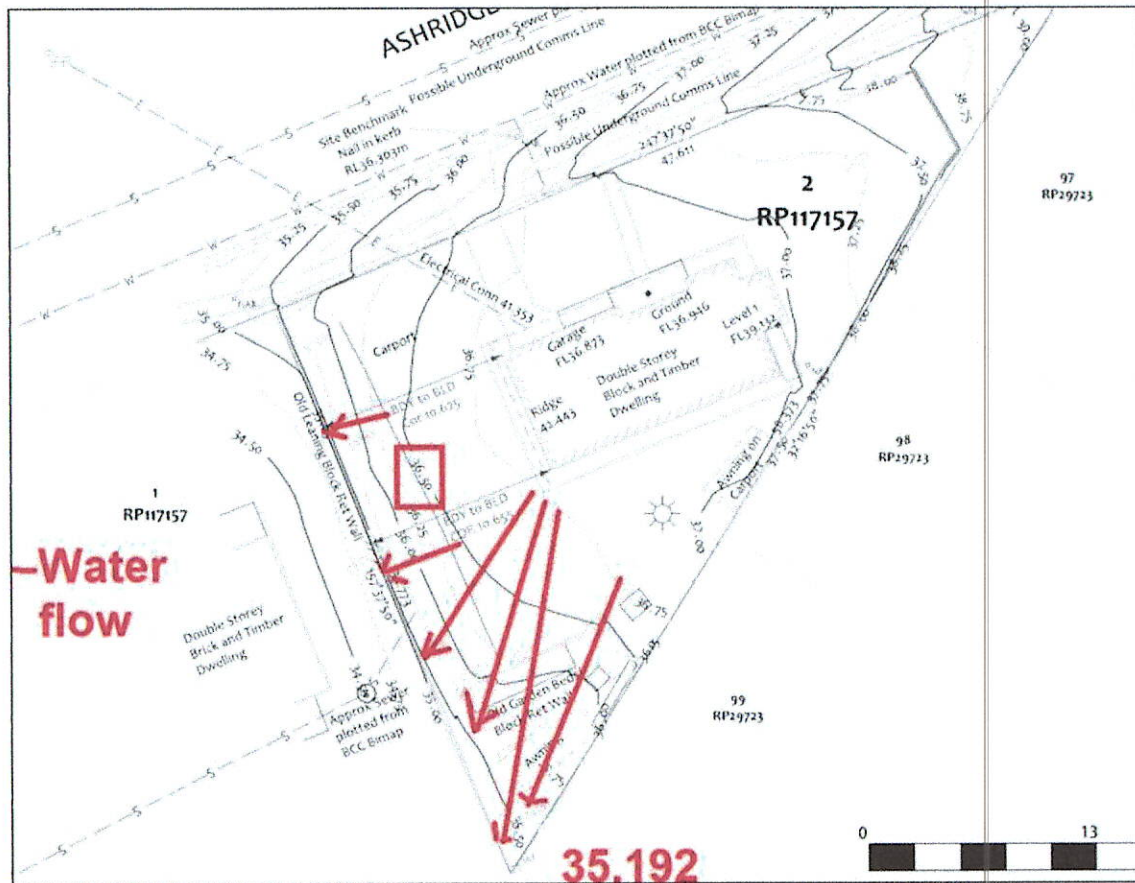
The evidence from the RTI review is that Council employees have never assessed the ONF survey plan nor the notations about a right and rear peg of AHD 35.192.

Incompetence by licenced and unlicenced Brisbane City Council engineers.

There were 412 Council approved reconfigure a lot cases in the calendar year 2024. In all cases, a survey plan was provided in the submission. Can Council employee be that incompetent to not have assessed the lodged applicant's survey plan? Surely not. Right? Are they that dumb? The facts are that they are that plain old lazy and incompetent. As proven in the RTI review.

If a Council hydraulic engineer intentionally does not assess a survey plan this is alleged dishonesty and unsatisfactory professional conduct for a registered engineer.





Extract of DA application by David Manteit lodged 10/7/25.

Council employees have been aware of all the DA applicant surveyor's surface levels since 10/7/24 in both surveying report and in wording. Even the mentioning of the boundary peg on the rear and right boundary. Physical evidence provided.

Joel Wake was offered in a telephone call response by him around 15/8/24 to come out to site to inspect levels. He refused. David Manteit offered Wake the use of my laser level, viewing from the top lounge room and on the ground. Wake refused to come to site because he is allegedly dishonest and lazy.

Council allegedly knowingly and dishonestly engineered a stormwater pipe that was shifted away from the boundary by Council employees by more than 600 mm to reduce fall calculations of the knowingly charged pipe. Why else would Council employees design a sham triangle?

Council staff were supplied with all surveying levels and notes and pegs from David manteit that were required in order to engineer a hydraulic line.

There are only two possibilities -

1) Council employees knew from their engineering calculations that their engineered stormwater pipe was charged by around one metre and busted at over 100 l/s at the kerb, but still knowingly and dishonestly engineered a sham stormwater pipe. Council knew from the beginning that there was never a lawful point of discharge for lots 98 and 99.(and 100) Total dishonesty.

2) Council registered and unregistered engineering employees have knowingly dishonestly never carried out any engineering calculations whatsoever, which is dishonest.

Either result is dishonest. Which one is it ?

Either way Council staff have caused over \$150,000 damages to the DA applicant and every other future owner of this site.

There is no way a stormwater pipe can be lawfully designed by an RPEQ. Council are forcing the applicant engineer to lose his licence. Charged, undersized pipe and busted at the kerb. The kerb is not a lawful point of discharge for Level III QUDM over 30 l/s.

More damages caused by the Brisbane City Council employees.

Council's previous fill requirements have proven to be dishonest and a sham. Proven.

RPEQ will not design an unlawful design. Only 8 Brisbane City Council employees will design an unlawful design.

The trial on 28/4/25 cannot come soon enough. The following eight Council employees will need to attend the trial to explain their incompetent and dishonest engineering.



Andrew Blake

Roger Greenway

Joel Wake

Andrew Blake

Margaret Orr

Tom Gibbs

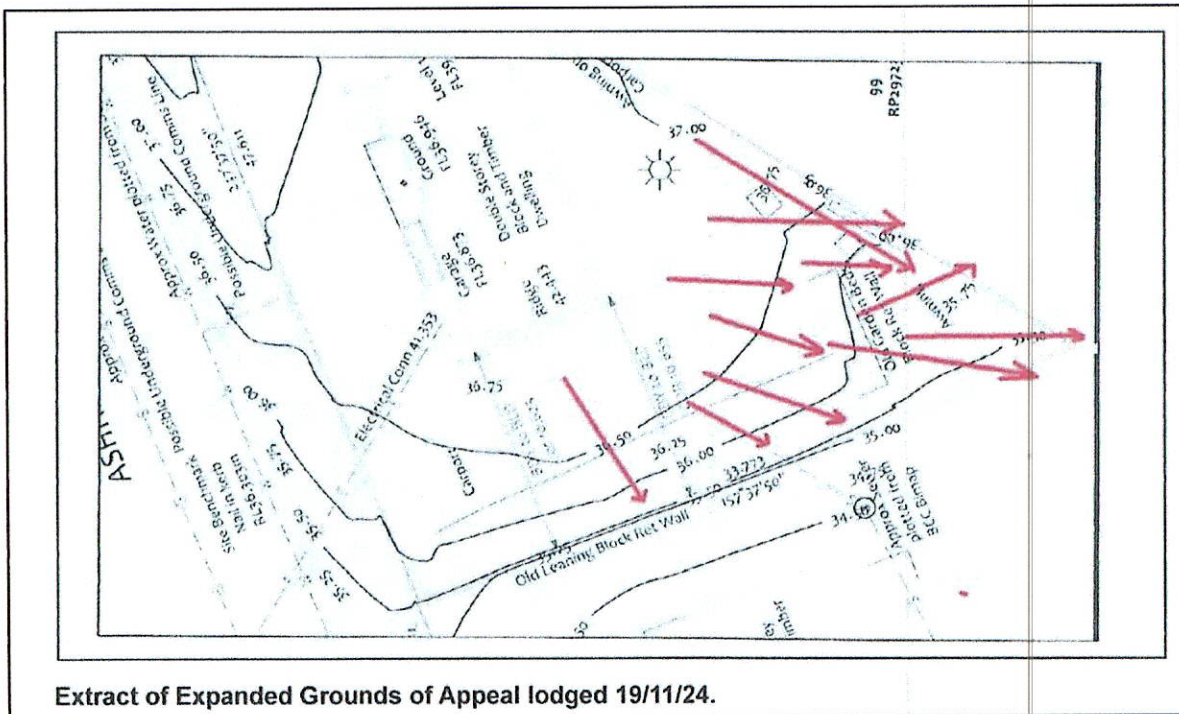
Scott Ruhland

Zarndra Piper

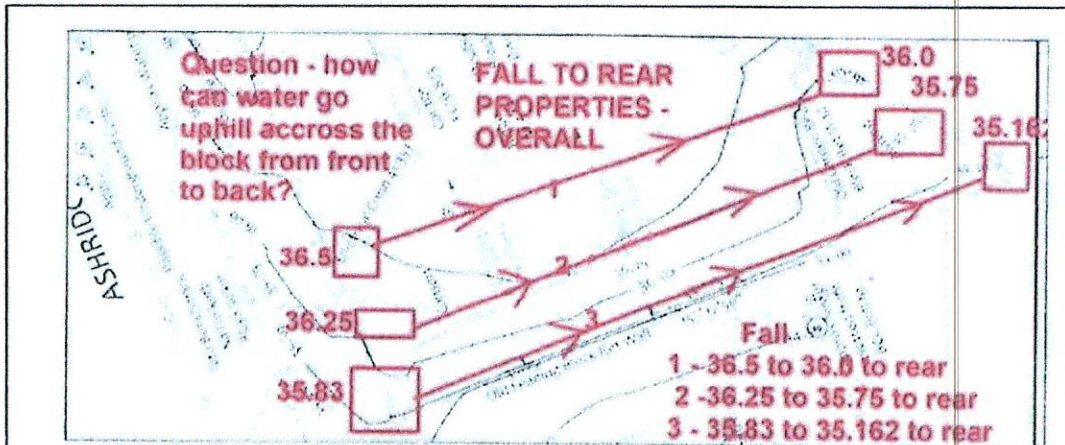
There is clear evidence of alleged complete incompetence and dishonesty by the abovementioned employees, Brisbane City Council staff members and unsatisfactory professional conduct for a licenced engineer in relation to Engineering design of Upstream and Onsite Drainage stormwater systems, by those employees.

Notice of Appeal

In the Notice of Appeal, it was demonstrated by the Appellant showed diagrams to demonstrate that the fall of the Ashridge Rd land is from front to rear and that the land of 128 Ashridge Rd Darra fall to the rear in 3 locations covering the whole block. The land also falls to the right. 128 Ashridge Rd Darra is upslope to the rear lots.



Above - Survey plan filed in Court on 19/11/24 along with the Notice of Appeal showed falls over the boundary to the rear and right.

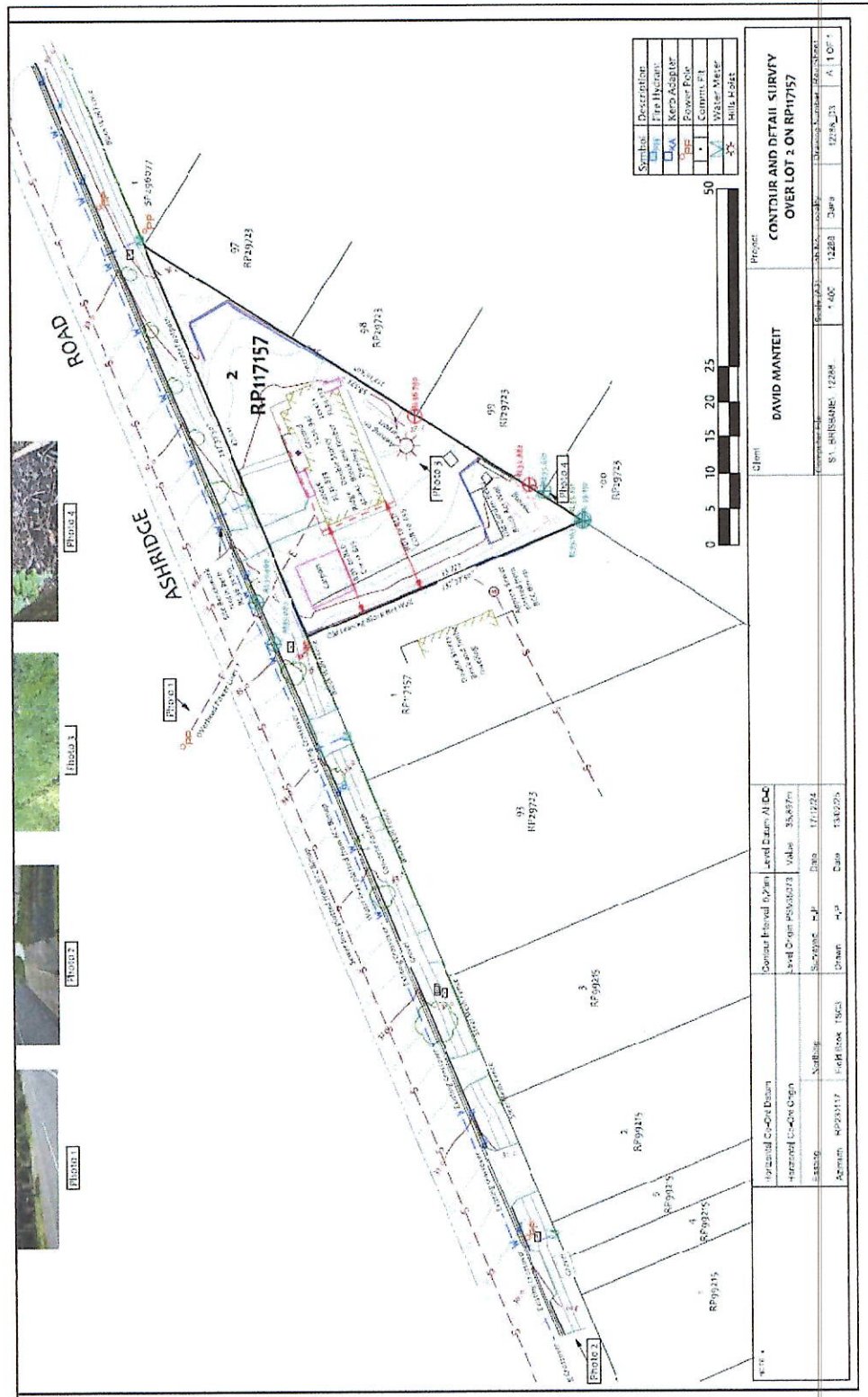


Above – existing falls and direction of water flow through the development.

Above – Extract of Expanded Grounds of Appeal

[Handwritten signature]

Updated ONF survey plan 17 - 12 - 24



Above updated survey plan above was prepared by ONF Surveyors on 17/12/24.



Above – extract of ONF surveying 17/12/24 with showing falls in red



This ONF survey plan dated 17-12-24 shows updated spot levels as follows:

	128 Ashridge Rd	Rear lot	Findings
Pit 1 - Lot 98	37.00	36.790	Falls from 128 Ashridge Rd lot past rear boundary
Contour	36.00	35.882	Falls from 128 Ashridge Rd lot past rear boundary
Pit 2 - Lot 99	35.75	35.610	Falls from 128 Ashridge Rd lot past rear boundary
Contour	35.5	35.162	Falls from 128 Ashridge Rd lot past rear boundary
Corner – Lot 100	35.163	35.150	Falls from 128 Ashridge Rd lot past rear boundary

This ONF survey information 17-12-24 proves again that the rear lots 98 and 99 and 100 are not upslope to 128 Ashridge Rd Darra lot by demonstrating that the land of 128 Ashridge Rd Darra slopes down past the rear boundary.

The topography is that there is a valley at the rear of both 128 Ashridge Rd land and the land of lots 98 and 99 and 100.

The bottom of the valley is in the rear lots 98, 99 and 100. So 128 Ashridge Rd is the upslope land of all of the rear lots.

The updated survey plan also shows –

AHD of 35.453 at Council sham Onsite Drainage kerb location, 5.1m up from the low side of the kerb.

AHD of lawful point of discharge 600mm from bottom of kerb 35.080

Contours 2002

RTI review reveals that Council employees did not assess the fall of land whatsoever, including Contours 2002.

The extract below identifies the marks in circles are below the 128 Ashridge Rd land of AHD of 37.0. Therefore, 128 Ashridge Rd Darra is upslope to the rear lots.

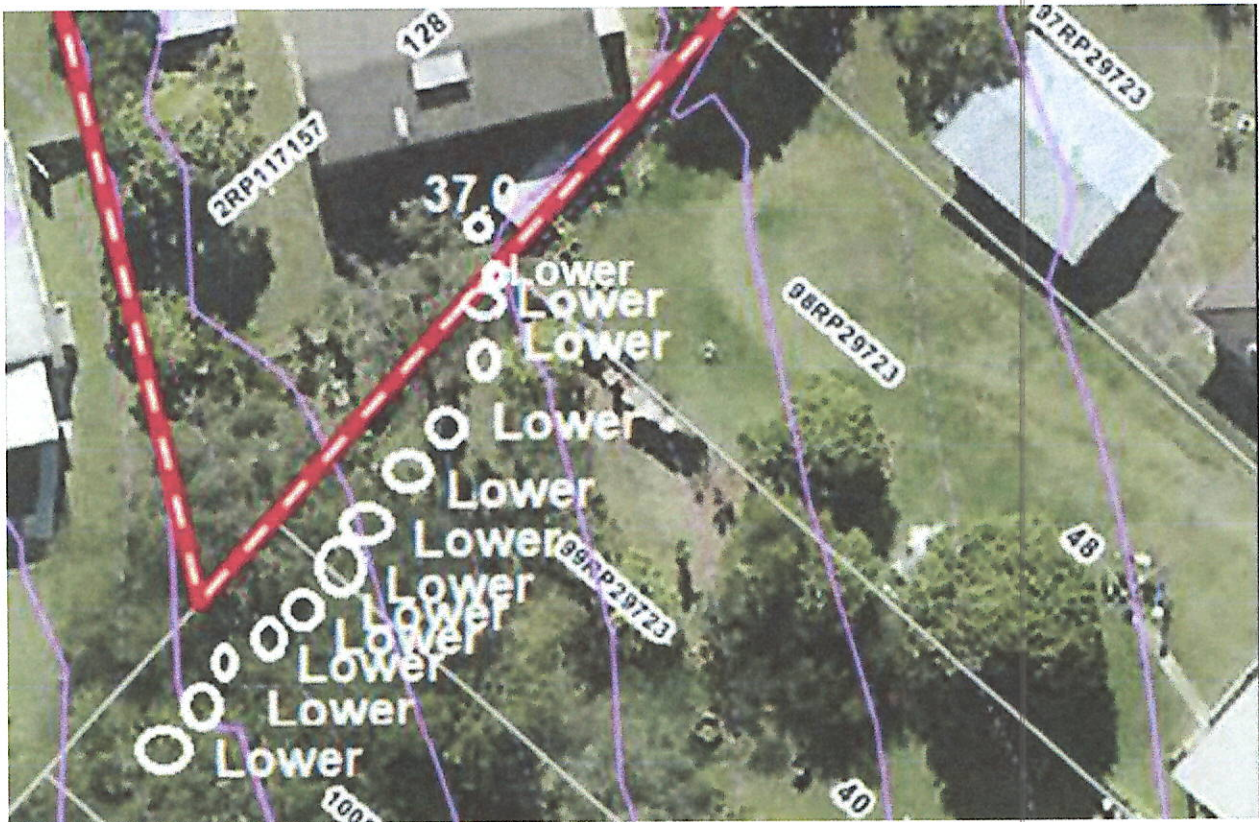
RTI review demonstrates that Council employees have not assessed the fall of any land whatsoever.

This demonstrates unsatisfactory professional conduct for a Registered engineer, as per Schedule 2 of the Professional Engineers Act 2002 and also demonstrates possible offences under S15(1) of the Crime and Corruption Act.

RTI review information indicates that Council employees have not examined Contours 2002 to determine any evidence of which land is upslope.



The evidence is that AHD 37.0 is the highest level of land, on 128 Ashridge Rd.

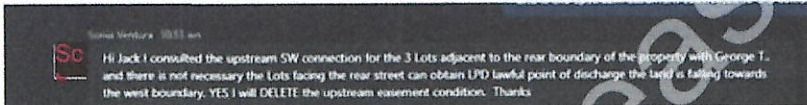


Above - extract of Contours 2002 showing land below AHD 37.0.

134 Ashridge Rd Darra comparison – Right to Information review

RTI review below shows that Council were aware that Jack Woolston, assessment manager for 134 Ashridge Rd Darra, being 17 metres away from the subject site, made as assessment that the land falls from east to west, so Woolston determined that no upstream connection was required.

[Handwritten signature]

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> 	

Note from WB on 21/6/24.

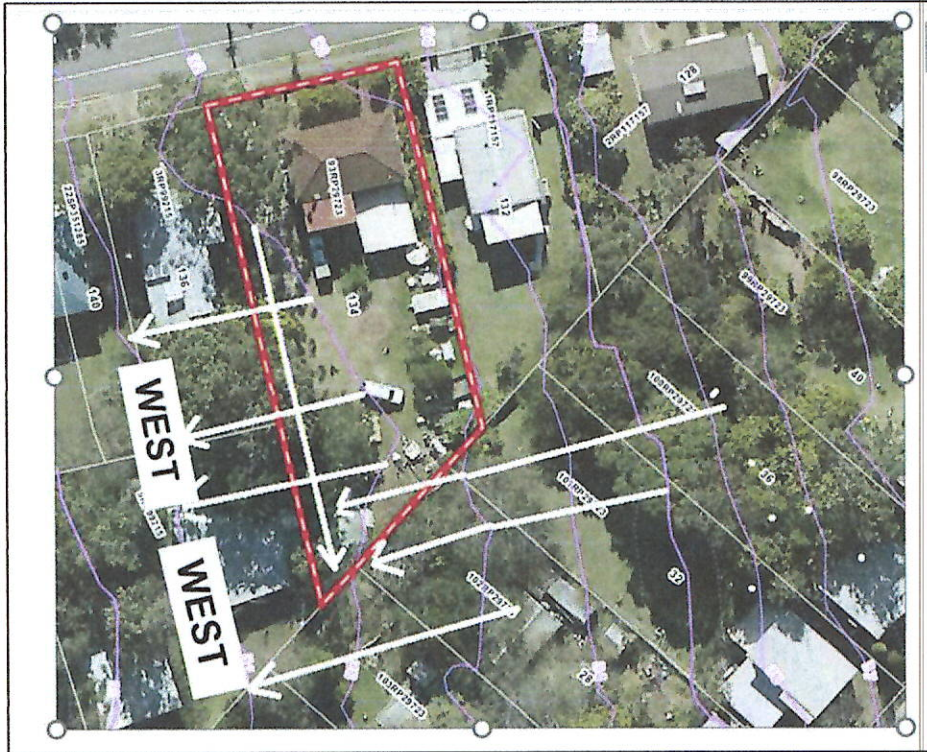
“Hi Jack (Jack Woolston Assessment manager) I consulted the upstream SW connection for the 3 lots adjacent to the rear boundary of the property with George T and there is not necessary the lots facing the rear can obtain LDP the land is falling to the west boundary. YES I will delete the Upstream easement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

Comment –

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

Thanks





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

There is no evidence that Woolston attempted to argue that the rear lots were falling to rear boundary of the subject lot.

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”, since the land falls to the right. Same as 128 Ashridge Rd Darra.

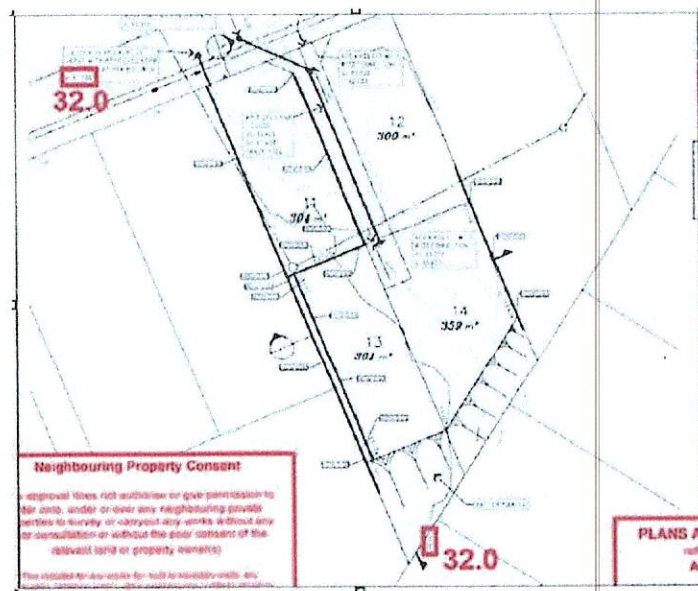
The argument of fall of the rear land to the rear boundary is only a trigger for further investigation. If there is no fall over the rear boundary, that is the end of any requirement for an Upstream connection.

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 stated that the approved land falls to the west (not the north, being Ashridge Rd), so therefore water will not drain through the development.

R

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 filed in Court on 19/11/24 including survey plans by applicant demonstrating RL 32.0 to RL 32.0. Pipe would be charged by around 1 metre.

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

In addition, Level III drainage as per the Queensland Urban Drainage manual would have provided that it is unlawful for the kerb velocity would be greater than 30 l/s. Brisbane Planning Scheme Scheme policy S7.6.3.1 states that Level III drainage, as per the Urban Drainage Manual cannot be complied with, if the kerb velocity is over 30 litres per second flow. The rear lots to 134 Ashridge Rd Darra are also LMR3 and would bust the kerb, perhaps around 150 l/s if an upstream connection was approved.

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 225/300/375 mm 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.

Council employees have provided no proof whatsoever that land at the rear slopes to the rear boundary.

Council response 31/1/25.

- (a) the condition seeks to, inter alia, impose a requirement for a stormwater drainage connection to be provided to the Upslope Lots;
- (b) the Upslope Lots are upslope to the Land and stormwater will drain down slope towards the Land;
- (c) the Upslope Lots are within the LMR3 Low-medium density residential (up to 3 storeys) zone in the City Plan and may be re-developed in the future with increased density;

Above – extract of Respondent response 31/1/25

In respect the response above –

(b) The Appellant has proven that the alleged “Upslope” lots 98 and 99 and 100 are not upslope to the land.

(c) Correct. So the kerb is busted with velocity over 100 l/s and therefore the kerb is not a lawful point of discharge for the rear lots.

The rear lots owners and Council can look elsewhere for lawful point of discharge, but not 128 Ashridge Rd Darra.

The Respondent 31/1/25 - “and may be redeveloped with increased density”. Increased density causes increased roof area. Correct. Thanks for that.



The admission of the statement in (3) by the solicitor is worth \$150,000 for a damages action against Council employees in the Magistrates Court.

It might be 8 Council employees V Council plus Manteit V Council and 8 employees. Possibly a joint hearing. Fantastic.

A Council solicitor has proven in (3) that Council employees are incompetent and had never assessed the rear lots against 7.6.3.1(2).

RTI review has demonstrated that Council employees never assessed the rear lots as low - medium density. So Council solicitor has intelligence which exceeds anyone mentioned in the RTI review.

Increased density means increased engineering of the stormwater system required by Council employees.

Council employees have not done engineering calculations on increased density. They are that incompetent.

There is no mention in any of the 40 odd pages of RTI information about Council using QUDM manual and Level III calculations and low-medium density and velocity at kerb calculations.

Conclusions so far - Kerb is busted. 225mm pipe is busted. Pipe is charged by around one metre under kerb. Council employees never assessed low-medium density nor the kerb velocity.


Damages claim to follow against Council and employees in other courts. Easy.

225mm pipe.

The nominated 225mm pipe is undersized. It should be a minimum of 300/375mm. Council incompetence yet again. If built, the pipe will have a blow out. Probably in David Manteit's property. A 225mm pipe only handles 38 litres/second. A 225mm pipe handles 84 litres per second. Council employee incompetence.



Lucy Ting

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>
Lucy Ting 10:58 am  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	

Above - extract page 7 "Confirmation from TST about plan mark ups."

"I can confirm that the marked-up stormwater requirements on the ROL Plan is accurate. Regards Lucy Ting"

Lucy Ting is a licenced engineer, and is named in the list of Development Services Team as a Senior Engineer. Ting is one of the persons who assessed the application. Right to Information review shows that Lucy Ting has provided advice to Joel Wake, as per above extract.

1) Why does Lucy Ting refuse to provide to David Manteit the information that is "accurate" ? Has Lucy Ting performed calculations as required under S7.6.5 and Urban Drainage Manual Level III ? If not, why not.? Why hide this information? Has Lucy Ting done velocity at the kerb ? This takes around 5 minutes on a 1973 calculator.

2) David Manteit has documented previously 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. Why is Lucy Ting hiding? Ratepayers demand service from paid employees, both hiding.

Lucy Ting, an engineer at Brisbane City Council advised David Manteit on 11/10/24 on the telephone she is responsible for the calculations the red lines and pits on a development approval plan at 128 Ashridge Rd Darra, approved on 25 September 2024. A search revealed by the Board of Professional Engineers Queensland reveals that Lucy Ting is a registered RPEQ.

Lucy Ting told David Manteit on the phone on 11/10/24 she had the calculations then hang up.

The conduct by Lucy Ting is unconscionable for a licenced engineer, who is paid by ratepayers, to withhold information that is affecting the livelihood of the applicant, and future owners to allegedly save her own livelihood. What is the reason for withholding engineering information to David Manteit and the public?

3) The time of 10.58am is shown on the document. However, the date of the correspondence has been deleted and doctored. Why has Lucy Ting doctored the memo? Why hide from Right to Information and ratepayers.?



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

“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, being Brisbane City Council.

Any engineer has an obligation to perform satisfactory engineering, as per Shedule 2 of the Professional Engineer’s Act 2002 –

“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.

“Conduct of a lesser standard that which might be resaonably expected of the professional Engineer by the public.

The Appellant alleges that 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.

The Appellant alleges there has been misconduct and dishonest behaviour by Lucy Ting.



PROJECT TEAM

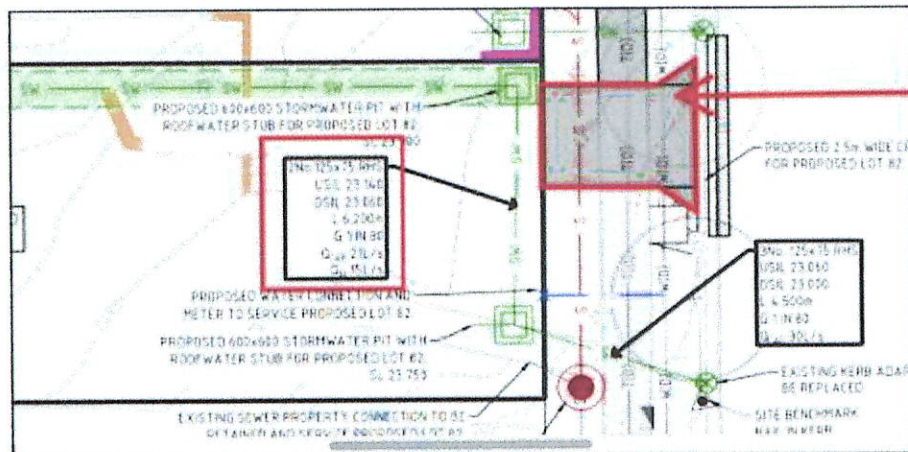
The assessment of this application has been undertaken by:

Shirley MILLS
Senior Urban Planner
Planning Services North
Shirley.Mills@brisbane.qld.gov.au
3403 6117

Matthew CRANITCH

Collections
Matthew.Cranitch@brisbane.qld.gov.au

Lucy TING
Senior Engineer
Engineering Services Hydraulics
lucy.ting@brisbane.qld.gov.au
(07) 3403 5005



Above – extract of approved plan of 28 Moorak St Taringa – Lucy Ting Senior Engineer.

Lucy Ting is not the brightest bulb, as proven in the case of 28 Moorak St Taringa. She has a track record of incompetent engineering.

Lucy Ting, as Senior engineer has approved RHS in the land, for stormwater pipe, instead of PVC SN8. Somehow the plans got stamped.

Just imagine digging in the front yard and bumping into rusty twin 125*75 RHS steel pipes.

Lucy Ting has proven in the case of 28 Moorak St Taringa, she is not a capable Hydraulic engineer,

Lucy Ting's incompetence is never ending.

Scott Ruhland unlicenced engineer – “If there are any engineering questions regarding this application please see me.”

Work Request

Assigned To: RUHLAND, Scott

From Date: 20 August 2024

Due Date: 3 September 2024

Completed: Y

Actual Date: 3 September 2024

Request Type: Advice

Advice Type: Engineering

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

Work Request Outcome: Completed

Action Taken: Hi Joel,

ENG Conditions entered in accordance with TST-Traffic and TST-Hydraulics advice where applicable. Stormwater Drainage Plan uploaded to EXT Docs for approval.

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

Cheers,
Scott

Above – Right to Information - extract of unlicenced engineer Scott Ruhland

1. Scott Ruhland “Stormwater Drainage plan uploaded to EXT docs for approval” Ruhland was asked to review Upstream Drainage.

Scott Ruhland – “If there are any further questions regarding this application, please see me”

Ruhland was asked to review and provide confirmation on the Upstream connection. Ruhland was given two chances.

Scott Ruhland will be required to attend the trial on 28/4/25. He has said he is happy for anyone to ask him questions. He will answer questions from David Manteit at the trial.

Ruhland made a big blunder for reviewing sham filling requirements (twice). Incomptent again. All are material for the Magistrates Court action. Scott Ruhland – proven incompetency in respect of hydraulic plans, hydraulic stormwater systems and filling calculations.

2, Brisbane City Council Team leader Margeret Orr and Joel Wake allowed and trusted an unlicenced engineer Scott Ruhland to perform Engineering plans and checks. Incompetency by Orr and Wake plus the unlicenced engineer Ruhland.



Queensland Consolidated Acts

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PROFESSIONAL ENGINEERS ACT 2002 - SECT 115

Who may carry out professional engineering services

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.

Penalty—

Maximum penalty—1000 penalty units.

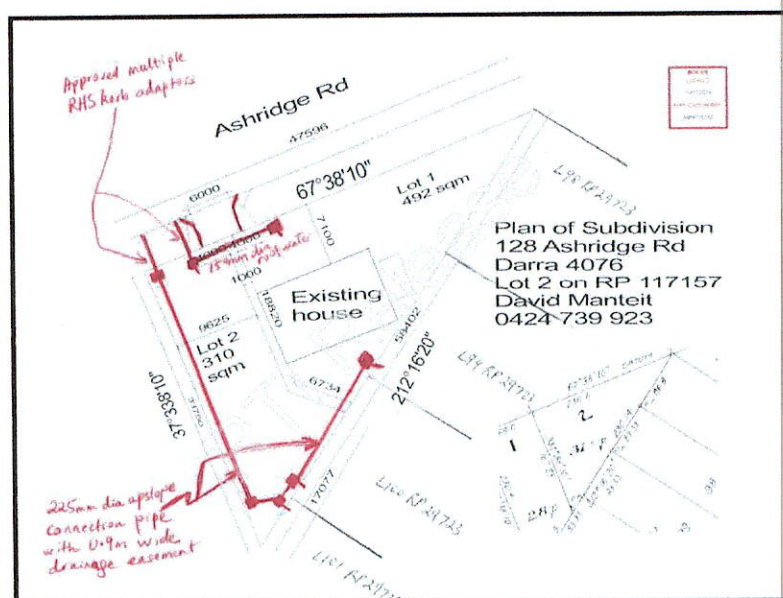
Kerb is busted at over 100 l/s for 2 rear lots.

1. The kerb is busted if it were low density, at over 95 litres per second, and a Council coefficient of .85.

The rear lots are not low density. The rear lots are LMR 3 low – medium density. This makes the kerb more busted than low density, at over 100 litres per second, for two rear lots, which can be subdivided into 3 lots each rear lot which can accommodate 6 duplexes which can be freehold titled, which is 6 lots.

Roger Greenway, Lucy Ting and Scott Ruhland (and others) originally designed a sham illegal Upstream stormwater plan, makes it over 150 litres per second busting at the kerb for 3 lots or originally two lots.

Original sham plan of Greenway, Blake, Ting, Ruhland, Ting and others, What a nightmare – maybe 150 strata units using a tiny 225mm busted pipe.



Above - RTI extract of sham 3 rear lots plan.

[Handwritten signature]

How can water travel west to east and uphill to somehow creep into 128 Ashridge Rd? Please grab a 5 year old from the local kindergarten to explain to these idiots you can't send water uphill.

The same idiot author has placed the upslope pipe stub around 600mm into the neighbour's yard which is unlawful and illegal. The incompetence goes on and on and on.

I assume Roger Greenway penned this plan. It seems that the plan has been doctored due to no name and should be reported to the Fraud squad. His Honour requested verbally that the author of the red lines be present at the ADR conference 9/12/24. So it must be Roger Greenway. Surely Council would not disobey His Honour of the Planning Court.

Could the Respondent please advise if the author is confirmed as Roger Greenway. If I do not get a response then I shall publish accordingly. If the author is someone else, please advise myself immediately and His Honour that Council have disobeyed His Honour's order.

The incompetence of Council employees attempting licenced and unlicenced engineering goes on forever.

2. Council staff know that it is illegal for the rear lots 98 and 99 to obtain lawful point of discharge from the kerb. 100 l/s is greater than 30 l/s.

The kerb is busted being velocity over 50 l/s for each lot so 100 litres per second at the kerb means that the kerb cannot be used as a lawful point of discharge for the rear lots 98 and 99.

Council also requires in S 7.6.3.1 (1) that the maximum velocity to the kerb for low density development is 30 litres per second. This law does not apply in this case, since the rear lots are low-medium density, but is provided for comparison. Kerb is busted at around 95 litres per second for two rear lots, which would be 4 lots under low density.



7.6.3.1 Connection to kerb and channel

- (1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.
- (2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to [BSD-8113](#)).

Council requires in S 7.6.3.1 (2) that Level III drainage (connection to the kerb) is only permitted if the total discharge from the development including external catchment does not exceed 30 l/s.

The DA application is a material change of use.

Right to Information review reveals that Council employees were knowingly aware that the kerb will be busted by over 100 litres per second velocity due to Council employee's engineering. How could they not be aware of this blunder? Council provided no information request to the applicant. Council did not request an extension of time. Council were sure of what they were doing.

The Respondent's response of 31/1/25 says that Council have designed the system as "one way" and there are many "other ways."

The Right to Information review provides evidence of alleged stupidity, incompetence and performance of unsatisfactory professional conduct for a registered Professional Engineer (and unregistered as per S115 and per Schedule 2 of the Professional Engineers Act 2002.) by Council employees.

Fully developed as per S7.6.5

The highest fully developed roof system as per S7.6.5 for low-medium density sites of 1012-1016 sqm is a subdivision of 3 lots. On these lots developers may still build duplexes, or the like. The Small Lot Code then applies.

In the case of Lot rear lots 98 and 99, the lowest size can be 180sqm, with 80% site cover (plus extras). Examples at 85 and 101 Ducie St Darra.

Each lots at 85 and 101 Ducie St Darra before subdivision were 1012 sqm, LMR2. Same rear lot maximum size as LMR 3, of 350 sqm. Minimum front lot 250sqm. (70% site cover plus extras). 3 lots. Sizes (Small lot) are 331 sqm at the front and rear of 350 sqm. (Small lot) at the rear.

Small Lot Code provides for 60% site cover for that size land. Site cover definition is only to the wall, not roof.



Allowing for roof calculation low – medium density, without the Rational Method and coefficient -

Site cover 60%)	198
Eaves	36 (already lawful)
Patio	40 (lawful as sunshade device)
Carport	36
Garage to boundary	<u>15</u> (already lawful to .5m or 1.0m from the boundary)
Total roof size	<u>325</u>

% maximum roof cover 98%

Falls in line with the Rational method Council coefficient .87

AO8

Development results in a maximum site cover of:

- 50% where the lot is 400m² or more; or
- 60% where the lot is 300m² or more and less than 400m²; or
- 70% where the lot is 200m² or more and less than 300m²; or
- 80% where the lot is less than 200m².

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

SITE COVER

ADMINISTRATIVE TERM

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

- in a landscaped or open space area, including, for example, a gazebo or shade structure; or
- a basement that is completely below ground level and used for car parking; or
- the eaves of a building; or
- a sun shade.

Patio cover

Patio cover

Even if the rear sites were **low density zone**, the kerb is still busted at over 30 l/s at kerb, based on coefficient of .85, under the Rational method and is estimated to be over 95 litres per second for 2 rear lots, or 4 subdivided low density lots, at the kerb.

Roof area = site cover 50% = 1116 sqm, plus eaves, carports, patios etc, 4*118 = 472. Total roof area = 1588 sqm.

Based on S 7.2.2.3 of 15 l/s per 250sqm of roof, without applying the Rational method –

1588/250 *15 = 95 litres/second for the two rear lots. 47.5 l/s for one rear lot. Busted.

I will be informing other developers, hydraulic consultants, solicitors and Barristers after this court case, in lectures and media that they need to review all their cases as both Council and hydraulic consultants have made mistakes. Example 85 Rowe Tce Darra, 142 Melville Tce Manly.

Council engineered pipe size 225mm is undersized and busted and will cause blowouts.

The nominated Council employee pipe size of 225mm for Upstream drainage is a sham and is undersized and is estimated to require a minimum 300-375 mm pipe. This is evidence of Council employee stupidity, incompetence and unsatisfactory professional conduct for a registered professional engineer (and unregistered.)

Level III QUDM and S6.3.3.1 (1) not applied by Council employees

RTI review provides evidence that Brisbane City Council employees have not applied principles of Planning Scheme policy S6.3.3.1 (2) and Level III of the Queensland Urban Drainage Manual, demonstrating alleged incompetence and unsatisfactory engineering.

It is alleged that Council employees have allegedly dishonestly tried to bluff their way by pretending to perform engineering, both licenced and unlicenced, which has been sham in 100 different ways.

There is clear evidence that employees have performed unlicenced engineering which may be punishable as an offence under S15(1) of the Crime and Construction Act 2001.

Onsite Drainage Busted

Council employees have engineered a charged stormwater line, ending up around 400mm above the lawful point of discharge. 5.1m up from the lowest part of the kerb. Illegal as per BSD 8111, 8113.

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

Planning Scheme Policies

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

RTI review provides no scrap of evidence that Council employees have adhered to Council laws and have designed illegally.



Easement S 7.4.7.

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

Damages to DA applicant David Manteit

It is alleged that Council employees have caused the Appellant over \$150,000 in damages due to the alleged dishonest unsatisfactory engineering, to be considered in other courts.

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

Sample of Council Tables and sections below –

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
6	110	141	179	202	232	273	304
7	103	133	169	190	219	258	288
8	98	126	161	181	209	246	274
9	94	121	154	173	200	236	263
10	90	116	147	167	192	227	253
11	86	111	142	161	185	219	244
12	83	107	137	155	179	212	237
13	80	104	133	150	174	205	229
14	78	100	129	146	169	199	223
15	75	97	125	142	164	194	217

Table 7.2.2.3.B—Design standards for drainage systems

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

7.6.3.1 Connection to kerb and channel

- (1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.
- (2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).
- (3) Only approved full-height kerb adaptors, complying with [BSD-8114](#) are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.
- (4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

AO8

Development results in a maximum [site cover](#) of:

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- b. 60% where the lot is 300m² or more and less than 400m²; or
- c. 70% where the lot is 200m² or more and less than 300m²; or
- d. 80% where the lot is less than 200m².

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

SITE COVER**ADMINISTRATIVE TERM**

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- a. in a landscaped or open space area, including, for example, a gazebo or shade structure; or
- b. a basement that is completely below ground level and used for car parking; or
- c. the eaves of a building; or
- d. a sun shade.

Patio cover**Patio cover**

Result – Conditions 7 and 18 to be removed

Condition 17 modified to a standard condition.

There is clear evidence that Council employees have performed unlicensed engineering. This evidence needs to be reported to the Crime and Corruption Commission, since penalties may apply.

There is clear evidence that RTI documents have been doctored. This should be reported to the fraud squad.



The following alleged shameful Council engineering has been performed, as a minimum-

Council engineered Busted kerb at over 100 l/s at kerb.

Upstream drainage undersized pipe 225 mm. 300mm pipe required

Upstream drainage charged by around 1 metre below at kerb

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

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

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

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

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

Forcement of appellat engineer to design unlawfully to adhere to red stormwater lines.

Alleged incompetence and stupidity already displayed by Council staff in relation to "Fill the site" conditions

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

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

Sham Council rear right triangle not complying with BSD 8111.

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

This is the only case in 412 approved Council subdivision cases last financial year where Council employees have engineered stormwater pipes. Including unlicence engineering. Council had one chance to do engineering and they have performed disastrous engineering for Council ratepayers.

There is no procedure at law by the DA applicant to change the Development Approval Council employee engineered plans without huge damages to the Respondent, causing damages to the DA applicant and any future owner, "Markups" is a con. "Markups" is not for discussion.

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

No evidence of any Council employee using a coefficient of .87 as per Table 7.2.2.3A & B, for low-medium density sites. No evidence of Rainfall intensity been applied by Council employees. This indicates alleged incompetence and unsatisfactory engineering.

An audit of the RTI review will be forthcoming, in full.

TRIAL

Please ensure the eight Council employees nominated will be present in Court and what day and time they prefer.

Please ensure a responsible person from TST Hydraulics will be in attendance at the Court trial.

|



look forward to asking questions in relation to engineering and administration matters.

Yours Faithfully

A handwritten signature in black ink, appearing to be 'DM', with a stylized, wavy line extending from the end.

DAVID MANTEIT

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line.