

In the Planning and Environment Court

No 2916/24

Held at: Brisbane

Between: **David Manteit**

Appellant

And: **Brisbane City Council**

Respondent

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under oath/affirmation says –

1. I attach Exhibit "A" of correspondence, *paginated 1-21*

Signed:

Taken by:



Deponent



Justice of the Peace

Sworn and affirmed by David Manteit on *4/12/24* at *Richlands* in the presence of:



Deponent



KENNETH GEOFFREY FINNEY

Justice of the Peace



AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Planning and Environment Court

Manteit V Brisbane City Council

Exhibit "A"

1. Email to Council 12/11/24
2. Email to Council 21/11/24
3. Email to Council 22/11/24
4. Email to Council 26/11/24
5. Email to Council 26/11/24 (2)
6. Email to BCMT 24/11/24
6. Email from Sara McCabe to Manteit 25/11/24



Deponent

Justice of the Peace

12/11/24

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Page 1 of 3

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

12-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Sara McCabe
City Legal
Joel Wake
Zarndra Piper
Tom Gibbs
Scott Ruhland
Lucy Ting
Margaret Orr

Dear Sirs and Madams

**Schedule 6 Planning scheme policies S6.16 Infrastructure design planning scheme policy –
Chapter 7 Stormwater drainage.**

I require the Council to provide explanation of how the Council requirements of S 7.4.7 Building near or over underground stormwater infrastructure below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit many times, but refused to supply.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval and the constraints of S 7.4.7 above.

Crosssection of proposed trench

Build over sewer consent.

Vibration and compaction details.

Name of Council person who designed the red line and their licence number.

Brisbane City Council City Plan 2014: v30

Schedule 6 Planning scheme policies | SC6.16 Infrastructure design planning scheme policy |
Chapter 7 Stormwater drainage

Effective Date: 13/09/2024

Status: Current

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
 - a. any proposed works contravening the drainage easement terms;
 - b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
 - c. any building work proposed over the stormwater drainage or maintenance holes;
 - d. any proposed works that will affect the structural integrity of the drainage or its trench;
 - e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
 - f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
 - g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
 - h. proposed driveways or concrete pavements over maintenance holes or property connections;
 - i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
 - a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
 - b. 1m clearance applies to bored piers;
 - c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

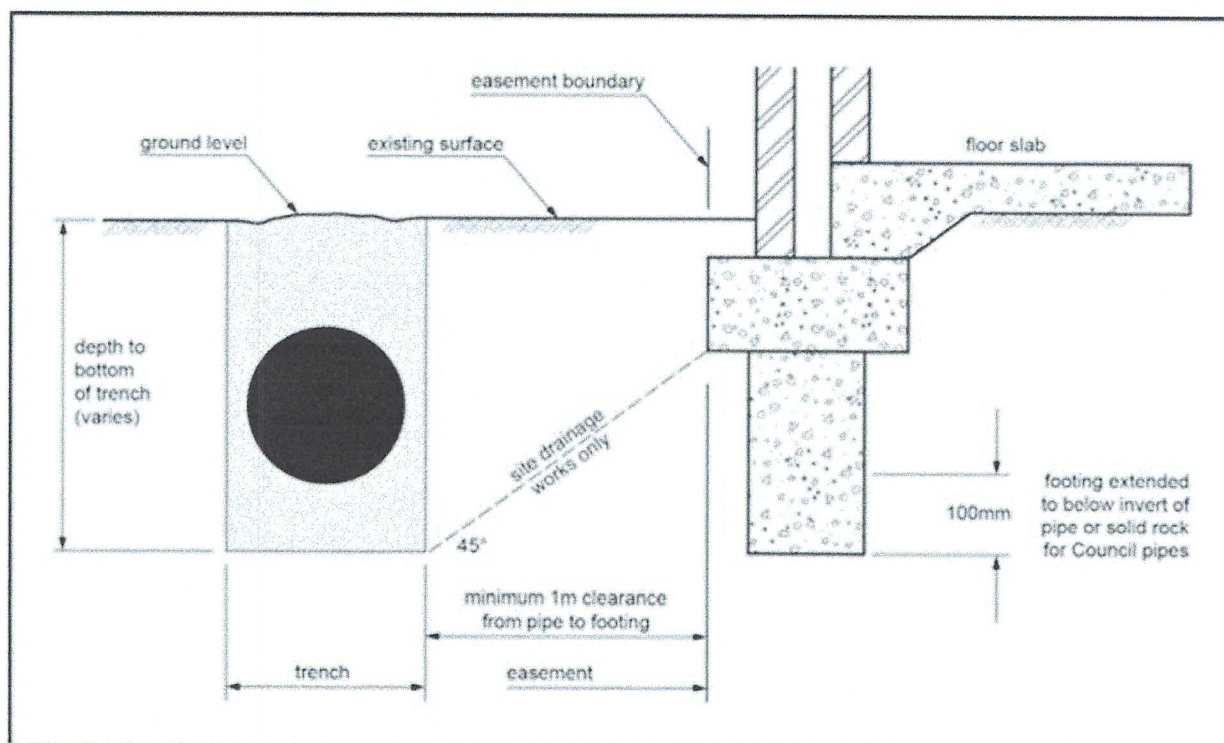


Figure 7.4.7a—Building near and over stormwater and subsoil drains

The delegate Mr Joel Wake did not make an information request to David Manteit to prepare a stormwater plan for 128 Ashridge Rd Darra, as he did on the case of 143 Wakefield St Bald Hills, on 4-4-18.

The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed. A separate legal notice has been issued today for separate court action. That notice will no doubt be ignored as past warnings have not been acknowledged. That is Council's policy, as per Sara McCabe advices.

Please ensure that Council addresses all items underlined above.

The Stormwater line cannot be built as per Council's own guidelines.

Council refuses to supply a copy of the **Easement document**, which is a requirement of 7.4.7.

I await your advices by Wednesday 13-11-24 .

If Council cannot or will not provide the design question information to satisfy the requirements of S7.4.6.7 being Council's own requirements, then the only conclusion is that the red stormwater line cannot be built.

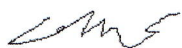
If that is the case Council should remove the red line and conditions forthwith as a S 230 appeal is a waste of time for everyone concerned.

Council have made many blunders including fill requirements. The list of blunders is endless.

This topic is approximately ten of about 20 different arguments as to why the so called red line cannot be built, even if one wanted to.

These requirements and questions are asked in the ordinary course of business. This letter may or may not form part of a future S 230 appeal.

Regards



DAVID MANTEIT

21/4/24 (5)

Page 1 of 4

David Manteit
82 Rowe Tce
Darra 4076

21/11/24

The Manager
Brisbane City Council
266 George St
Brisbane 4000

DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24 PLANNING AND ENVIRONMENT COURT

Ms Sara McCabe
Ms Margaret Orr
Ms Lucy Ting
Mr Joel Wake
Mr Scott Ruhland
Mr Tim Gibbs
Ms Zarndra Pipe

cc. Board of Professional Engineers Queensland
cc. Planning Court Registry
cc. brisbanecitycouncilcomplaint.com.au

DearAll

INTERNAL COUNCIL RED LINE , 2 PITS, ONE KERB CROSSING ON APPROVED PLAN

Background

I have audited 500 reconfigure a lot Council approved cases this year.

Every case has an internal stormwater drainage system required.

Every case has a condition to provide as constructed drawings by an RPEQ. I have personally done this around 60 times in my own jobs.

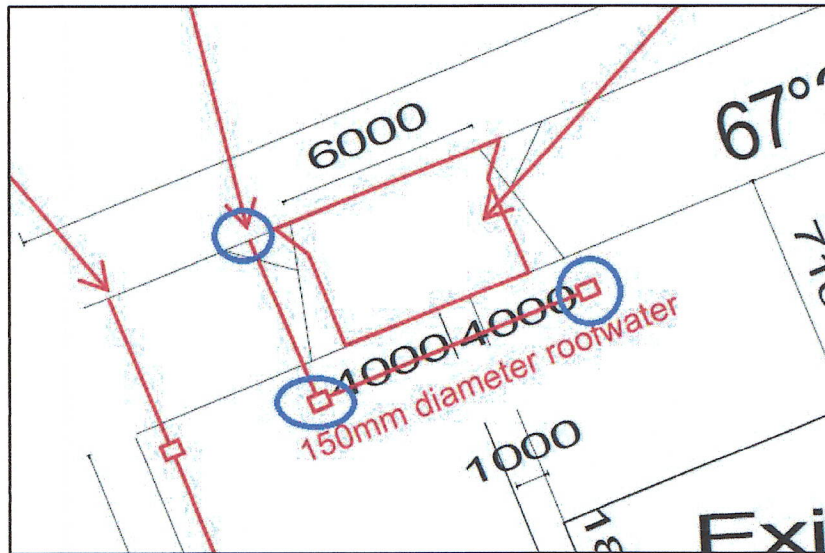
In those 500 cases I am not aware of any Council red line amendments for internal drainage, ie , non-upslope drainage.

Therefore, in relation to 500 reconfigure a lot cases this year, the case of 124 Ashridge Rd Darra is the only one out of 500 cases with a Council designed internal drainage system.

I feel like Lonesome George.

Lonesome George

The last Pinta giant tortoise, Lonesome George, died in 2012. He was kept in a conservation center for 40 years, but attempts to breed him with other tortoises were



Certainly, for quick cross check, all of the attached approved plans in the affidavit re upslope stormwatre have no internal Council design for the front lots. Some of the 500 cases may have another way to lawful point of discharge. In fact, in 82 Rowe Tce Darra , my own case, I put a 150 saddle on a 1200 Council pipe in the neighbour's yard. All designed by me and the RPEQ.

I have some questions before finalisation of my complaint to the Professional Board of Queensland Engineers tomorrow. They have the same questions as me.

Your responses may affect the orders sought for this case an upcoming case in other jurisdictions.



COMPLAINTS AGAINST REGISTERED PROFESSIONAL ENGINEER (FORM 6)

Section 37 – *Professional Engineers Act 2002 (Act)*
Approved 23 July 2021
Version 3 (July 2021)

GUIDANCE

Please complete the following information. For guidance in completing this form, please refer to the *Complaint Information Sheet*. If further assistance is required please contact the Board of Professional Engineers of Queensland (**Board**).

On completion, please forward this Complaint Form together with any documentation required to:

The Registrar
Board of Professional Engineers of Queensland
GPO Box 5216
BRISBANE Qld 4000
or

Questions –

1) Is Ms Lucy Ting the person who authored the red line, 2 pits and kerb crossing for 124 Ashridge Rd Darra approved plan?

Or did someone else draw this plan?

2) Why, specifically is this the only time in 500 subdivision cases this year that Council decided to design draw a sham red line system when there is no other red line Council system this calendar year ?

3) Why, specifically did Council decide for the first time in 500 cases, to design and –

Make the kerb crossing 4.9m from the right boundary, ie, smack in the middle of Lot 2 kerb, up from the normal 500mm from the boundary and be non-complaint with BSD 8113 ?

Make the two pits behind the boundary 4.9m up from the right side for Lot 2, and 4m up the kerb for Lot 1 ?

As mentioned in affidavits, this could cost me \$172,000 in additional costs.

4) Is Council and the author aware that they are responsible Individually or the losses incurred as a result of bad design and not in compliance with Professional Board of Engineers standards ? And Council standards ? And QUDM standards ? And plan preparing standards ? Does Council hold professional indemnity insurance ?

5) Why is it that there are so SL's or IL's or falls, or pipe sizes, or covers, as notes on the pits and kerb crossing detail. This is simple grade three mathematics from BSD 8111. A child could do this.

For example, see 134 Ashridge Rd Darra. Designed by an RPEQ up front. Not always required up front, but he did it anyway. This design does not meet the condition until the plan and sign off is provided by an RPEQ as per the condition in the approval.

6) Does the person who draw the red lines,etc have a licence to draw plans as a plan preparer, with QBCC ? Is it Lucy Ting ? Does Tom Gibbs hold an RPEQ membership ?

Add Filter

Grid Graph Map 1 records « 1 - 100 » Filters

Q lucy ting

_id	RPEQ N...	Full Name	Company	Address 1	Address 2	Address 3	City	Stat
6535	14832	Ms Lucy Ting	Brisbane...	110	Victoria	Avenue	BRISBANE	QLD

Incidentally it is my recollection that the the advice from his honour Judge Willaimson KC on 15/11/24 was that he strongly recommended the author of all red lines on the approved plan to attend the ADR conference.

But the earlier you respond or do not respond, the earlier this Court and the Professional Board of Engineers can provide advice as to –

7) Has the author of the red lines etc intentionally wiped out the two notes being “4000” twice for the driveway ? Is this intentional ? Do the 4000 notes remain ?

Or did you kill two birds with one stone – design a sham stormwater system and wipe out driveway flanges in one foul swoop ? Congratulations if you chieived two things at once. Commiseration if the Professional Board of Queensland disapproves of the shonky design and disregard of others work, so as to confuse the applicant and Court upon opening up the approval.

In light of the impending conference, and my requirement to finish the RPEQ complaint, I require you to respond by 5pm Friday 22-11-24.

Yours Faithfully



DAVID MANTEIT

22/11/24

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POTENTIAL CRIMINAL ACTS UNDER S 15 OF THE PE ACT . DAVID MANTEIT V BRISBANE CITY COUNCIL2916/24

From david manteit <davidmanteit@hotmail.com>

Date Fri 22/11/2024 10:16 AM

To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>

Cc Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>; CityLegal <city.legal@brisbane.qld.gov.au>; ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>

DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24 CORRESPONDENCE

Dear Ms McCabe.

Further to my letter yesterday it appears that Council and Development Services Team employees have committed an offence by providing unregistered engineering services, since you refuse to provide any licencing details.

This carries Potential Criminal Responsibility for Council plus those employees.

Council and/or Development Services Team members have provided engineering services by placing red lines and pits on the approved plan of 124 Ashridge Rd Darra.

See extract below of Board of Professional Engineers of Queensland.

10



BOARD OF
**PROFESSIONAL
ENGINEERS**
OF QUEENSLAND

RE

During BPEQ's seminars and meetings with local government several questions have been asked about the relevance of the *Professional Engineers Act 2002 (PE Act)* for organisations.

The PE Act requires that individuals who carry out professional engineering services must either be a registered professional engineer of Queensland (RPEQ) or be directly supervised by a RPEQ. However, the PE Act also applies to corporations and their officers (e.g. directors), managers and other persons who procure or direct persons to carry out professional engineering services.

Potential Criminal Responsibility

It is an offence under section 115 of the PE Act¹ for a person to carry out 'professional engineering services' if the person is not a RPEQ nor directly supervised by a RPEQ (unless the professional engineering service is carried out only in accordance with a 'prescriptive standard'²). At law, a 'person' includes a corporation. This means that a corporation can also be found guilty of this offence where a court finds the corporation criminally responsible for the unregistered person/s carrying out professional engineering services.

Similarly, the Criminal Code of Queensland provides that another person can be found guilty of this offence where they aid, counsel or procure³ a person to commit that offence or where they have 'common purpose' with another person to commit that offence⁴. These provisions in the Criminal Code are sometimes referred to as the 'extensions of criminal responsibility'.

For this reason, corporations, corporate officers and managers who have persons in their corporation or team who carry out professional engineering services should be aware of the requirements of the PE Act and the offence provision in section 115 of the PE Act.

If the Development Services Team have provided services, lawfully, they will be a party to further damages proceedings in other jurisdictions.

If the Development Services Team have provided engineering services unlawfully, Council and the Development Services team members may be prosecuted, plus damages proceedings in other jurisdictions.

Please advise your position by 5pm today so that I may consider further actions as necessary.

Yours Faithfully

David Manteit

CEO

0424 739 923

howtowineveryday.com.au

11

12/1/24, 8:54 PM

Mail - david manteit - Outlook



26/11/24 (12)

**FORM 15 REQUIRED DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24**

From david manteit <davidmanteit@hotmail.com>

Date Tue 26/11/2024 12:16 AM

To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>

Cc lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; CityLegal <city.legal@brisbane.qld.gov.au>; ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>

2 attachments (4 MB)

retainingwallstraight.pdf; 25-11-24 plan view.pdf;

Att Ms McCabe and others

1. I attach for your information Form 15 of STA Engineering Retaining wall, so that you may examine it in detail. I have previously sent you extracts many times.

2. In the interests of clarity and transparency I also attach a draft plan view for discussion demonstrating no fill required.

2. I state that I wish to build a retaining wall on the right boundary and declare that this wall is a necessary replacement as advised in the survey plan "leaning over". I give you full notice in this letter now.

I have a right to replace the retaining wall any time I and the neighbour please.

Today Sara McCabe has advised that BMCT will not discuss any matters. That means that they refuse to discuss nor meet onsite to discuss my intention to build a retaining wall.

The neighbour requires the retaining wall be replaced as a matter of safety. A consent letter will be provided in due course, and will be forwarded to Council if and when Council rescind the order not discuss matters with BCMT.

I do not expect any stop work orders on this remedial work. I mention that the engineering provided is sufficient to support a usable house. Please have your Assessment Team advise same.

I mention that there is no engineering wall in the world that can be designed that is not in conflict with Council designed upslope stormwater line. Council refuses to supply engineering for such a wall. Many past letters have been refused to be responded to in the ordinary course of business.

3. I now require Council to provide a Form 15 for their engineering design of -

Upslope stormwater line, 4 pits and one kerb crossing
Internal stormwater line, 2 pits and one kerb crossing
Earthworks to Fill the site as required 3 times in the approval, S12,17,18.

12/1/24, 8:53 PM

Mail - david manteit - Outlook

Remember, this engineering design by Council is the only engineering design to my knowledge by Council In 500 reconfigure a lot, code assessable cases decided from 1/1/24 to 12/11/24 as per previous audit report and affidavit supplied by David Manteit to Council.

4. **Please supply the names** of the persons that authored the Council hydraulic design and earthworks design.

5. **Were these authors unlicensed ?** Were the authors supervised by the licenced author? Has Council or Development Services Team members due for 1000 penalty points?

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.

(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.

Penalty—
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.

I require your response to these items by Tuesday 26-11-24.

6. I advise that a complaint was made to the Board of Professional Engineers Queensland yesterday as promised.

BL

BPEQ - Legal<legal@bpeq.qld.gov.au>
To: You

Mon 25/11/2024 11:05 AM

Dear Mr Manteit,

Thank you for contacting the Board.

We confirm receipt of your complaint dated 24 November 2024 against Lucy Ting RPEQ No. 14832. We also confirm receipt of your supporting documentation attached to this email and additional supporting material received over two separate emails dated 24 November 2024.

I expect the author of the Council engineering plans to be in attendance at the ADR conference to respond to the above questions, as recommended by His Honour Judge Williamson K.C.
That is your choice.

Either way, this Council engineered design matter will be seen through to the bitter end in various enquiries and jurisdictions. Council has had 16 weeks to come clean.

In the case of 143 Wakefield St Bald Hills the evidence shows Joel Wake requested the applicant to design the stormwater line and "PHONE ME" if you have any queries.

14

12/1/24, 8:53 PM

Mail - david manteit - Outlook

But not in this case. Joel Wake, no information request and silent. In this case - Shoddy Council licenced or unlicenced engineering design.

Yours Faithfully



David Manteit

CEO

0424 739 923

howtowineveryday.com.au



28/4/24 (15)



BCMT THE LORDMAYOR AND CONFERENCE DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24

From david manteit <davidmanteit@hotmail.com>

Date Tue 26/11/2024 10:13 AM

To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>

Cc lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; CityLegal <city.legal@brisbane.qld.gov.au>; ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>

Att Ms McCabe and others

1) I now demand that there is an additional ADR meeting onsite at 128 Ashridge Rd Darra, either within the Court's procedures or alternatively in the ordinary course of business. If only allowed one ADR meeting it should be at 128 Ashridge Rd Darra, especially in light of your instructions for BCMT not to meet onsite.

But I am still available for ADR meeting at Court.

2) Your actions to refuse BCMT is basically intentionally a stop work on the Development in the ordinary course of business.

3) Council refusal to supply information is contrary to S10 of the Act and is thwarting the proceedings.

4) I received a letter from Adran Schrunner Lord Mayor on 29/5/24. This letter identified in detail a summary of the actions by BCMT, ESC and CARS in relation to my complaint of the property 85 Rowe Tce Darra.

I identified in detail, owner non-compliance with the approved conditions and onsite disturbance without the appropriate site measures such as no sign, no prestart meeting, no sandbags, no tap, no stones, no silt fence.

I have received apology letters from the Lord Mayor, BCMT, CARS and the owner. I only made a phone call initially to get an email address for correspondence.



OFFICE OF THE
LORD MAYOR
Brisbane

Office
City Hall
King George Square
Brisbane Qld 4000 Australia
Tel 07 3403 4400
Fax 07 3403 9930
LORDMAYOR@brisbane.qld.gov.au
Postal
GPO Box 2287
Brisbane Qld 4001 Australia

29 May 2024

Mr David Manteit
davidmanteit@hotmail.com

Dear Mr Manteit

Thank you for your email of 26 March 2024, about the lack of developer signage and the management of erosion and sediment associated with the development at 85 Rowe Terrace, Darra.

I am sorry to hear you were not satisfied with Council's responsiveness in seeking resolution of your concerns. I would like to assure you that Council takes development compliance very seriously, to ensure appropriate development outcomes are realised across the city, and development is managed in such a way that impacts upon the community are minimised.

A development application (application reference A006404776) for a reconfiguration of a lot (two into four lots and access easement) was approved by Council on 6 December 2023, after being assessed by Council's Development Services team against the requirements of the *Brisbane City Plan 2014* (City Plan), and in accordance with the provisions of the *Planning Act 2016* (the Act). Council's Delegate took all assessment matters into account, and concluded that the application was in accordance with the requirements of City Plan.

I am advised that Council's Building and Construction Management Team (BCMT), were notified of your enquiry on 25 March, following your call to Council's contact centre. I understand Mr John Neville, Team Manager, BCMT, phoned you that same day to discuss your concerns.

A Building and Construction Liaison Officer from BCMT contacted a representative for the development site on 26 March, and requested they erect an appropriate information sign on the frontage of the property, which included the contact details of the relevant site representative, as per the conditions of the development approval. I am told that the site representative confirmed to Council via email that signage had been erected onsite, on the afternoon of 26 March.

(17)

Following your report later that day advising that signage had not been erected on the site, an officer from BCMT again made contact with the site representative, and attended the site on 27 March. I am told that the site representative provided confirmation and photographic evidence of signage having been erected on the site by the evening of 27 March. Should you have any further questions, or wish to further discuss this matter further, Mr Neville can be contacted on 3403 9893.

Building a better Brisbane ~ Protecting our lifestyle

- 2 -

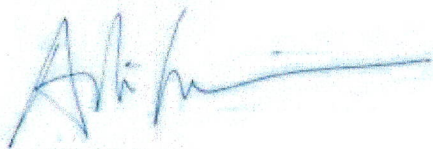
I also note your concerns in relation to the Erosion and Sediment Control (ESC) onsite. As such, I understand Mr Alexander Menicanin, Erosion and Sediment Control Officer, Compliance and Regulatory Services (CARS), spoke with you on 27 March, and also met with you that same day after his site inspection.

In addition, Mr Stephen Andrews, Senior Environmental Management Officer, CARS, was able to update you on 4 April, confirming compliance action had been taken. As part of this action, the responsible parties were required to install ESC measures, and meet relevant requirements. I am pleased to hear Mr Menicanin emailed you on 3 May, advising he had inspected the property and confirmed it was compliant in accordance with the requirements in the issued enforcement notice.

I trust this information is of assistance, however, should you require any further information regarding ESC onsite, please contact Mr Menicanin on 3403 4278.

Thank you for contacting me.

Yours sincerely



Adrian Schrinner
LORD MAYOR

Ref: LM01178-2024

This is evidence of my ability as expert in relation to being able to examine approvals and all onsite workings within seconds.

This is an example of the normal world of BCMT and Council officers operating on the normal course of business.

We have already seen how Joel Wake operated in the normal course of business in relation to 143 Wakefield St Bald Hills. but now refuses to do so in this case.

We have now seen what Council does in 500 subdivision approvals and 18 upslope examples this year.

Totally different to this case.



We have already seen how Mr Andrew Blake of Council operates in the normal course of business in relation to hydraulic design advices.

We have seen how the Lord Mayor operates in the ordinary course of business. God bless him. He is a fantastic Lord Mayor.

The Development Assessment Team, Council solicitor, and now BCMT refuse to operate in the normal course of business.

I await your advice on the onsite inspection in the ordinary course of business inside the Court procedures or outside of the Court procedures, being the ordinary course of business.

Yours Faithfully

David Manteit

CEO

0424 739 923

howtowineveryday.com.au





128 Ashridge Rd Darra A006565555 David Manteit

From david manteit <davidmanteit@hotmail.com>

Date Mon 25/11/2024 5:48 AM

To BCMT@brisbane.qld.gov.au <BCMT@brisbane.qld.gov.au>

5 attachments (1 MB)

31-10-24 Front elevation.pdf; plan view 24-11-24.pdf; approved plan.pdf; Conditions.html; Crosssections 24-11-24.pdf;

Hi

I wish to have an onsite meeting to discuss a few items regarding stormwater and retaining wall.

Council have designed some plans that appear to be impossible to construct.

These Council stormwater plans propose 6 pits, 71 metres of pipe, 2 kerb crossings, all designed on the front page of the Town Planning Approval dated 25/9/24. These are the only Council designed plans in 500 Reconfigure a Lot decided cases since 1/1/24, this year.

The Council designed upslope stormwater plan seems to be heading to 1.2m under the kerb, and has not been designed to BSD 8111, BSD 8113, BSD 8114 and is conflicting with the retaining wall, sewer and private drain zone of influence.

The Council designed awful point of discharge has been placed by Council in the middle of the block, some 4.9 metres up kerb, not 500mm from the right side boundary, as required in BSD 8113.

This approval is the only subdivision approval in 500 audited cases this calendar year where Council have designed a stormwater plan, for both the upslope stormwater and the internal drainage plan for the front lots.

This approval is the only subdivision approval in 500 audited cases this calendar year where Council have designed the fill and requested "Fill the site" 3 times but nobody knows where the fill is supposed to be placed.

My calculations indicate that not a teaspoon of dirt is required to enable lawful point of discharge for the Ashridge Rd Lots for a usable building pad, and the Small Lot Code.

Could you please telephone me for a time to meet onsite to discuss.

Council website advises that you are able to discuss the project in accordance with the approvals granted by Council.

– How will BCMT benefit the development and construction industry?

The BCMT will:

- provide proactive engagement to resolve issues quickly before they become problems. Early engagement and a new prelodgement process prior to plan sealing assists in identifying and resolving matters early
- provide a single point of contact when assisting developers/builders and the community related construction issues
- educate builders and developers regarding the intent of conditions – influence a change in culture within the industry
- ensure builders and developers construct their projects in accordance with the approvals granted by Council – ensured accountability and quality assurance
- reduce complaints from the community – early involvement during construction ensures potential issues are identified and resolved promptly
- build trust through partnership with the development industry to reduce the need to instigate enforcement action – BCMT helps facilitate an outcome in line with the Council approvals
- provide support, guidance, and a link between the building industry and Council's internal stakeholders (Compliance, Council's Asset Management, Transport Planning etc).

I await your advices.



David Manteit

CEO

0424 739 923

howtowineveryday.com.au



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128 Ashridge Rd Darra A006565555 David Manteit/ Manteit v
Brisbane City Council - Proceeding No. 2916 of 2024 [BCC-
C1.URI26059650]

From Sarah McCabe <Sarah.McCabe2@brisbane.qld.gov.au>

Date Mon 25/11/2024 4:33 PM

To david manteit <davidmanteit@hotmail.com>

Dear Mr Manteit

I have been advised of your request to Council's Building and
Construction Management Team (BCMT) for an on-site meeting to
discuss aspects of your proposed development.

As those matters are currently the subject of Planning and Environment
Court proceeding No. 2916 of 2024, it would not be appropriate for
BCMT to attend an on-site meeting at this time. Those aspects of the
proposed development can be discussed during the ADR conference.
We are finalising the availability of Council's attendees for that
conference and will write to you shortly with some proposed dates and
times.

Regards,

Sarah McCabe

Legal Counsel | Planning and Environment | City Legal

City Administration and Governance | **BRISBANE CITY COUNCIL**

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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
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