IN THE PLANNING AND ENVIRONMENT COURT
AT BRISBANE

No. 2916/24

Between:	**David Manteit**	Applicant
And:	**Lord Mayor Adrian Schrinner**	First Respondent
	Dr Kerrie Freeman	Second Respondent
	Susan Hedge	Third Respondent
	Sara McCabe	Fourth Respondent
	Brisbane City Council	Fifth Respondent

APPLICATION IN PENDING PROCEEDING

Filed on 28-11-25

Filed by: David Manteit
Service address: 128 Ashridge Rd Darra 4076

David Manteit of 128 Ashridge Rd Darra 4076 applies to the Planning and Environment Court at Brisbane for"

Orders sought

The Respondents are each to be given a prison sentence of 2 years for Contempt of Court and/or other orders that the Court determines.

APPLICATION IN PENDING PROCEEDING
Filed by the Applicant

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The grounds relied on are:

1. The Appellant appealed against conditions imposed by the Brisbane City Council (Respondent).

2. The appeal came on for hearing before Judge Williamson KC from 28-30 April 2025.

3. Orders were made about the appeal by consent on 6 May 2025.

4. The Applicant in this application, David Manteit alleges that there has been certain conduct by the Respondents in this application that I believe beyond doubt are criminal in nature.

5. The Applicant in this application, David Manteit alleges that the Respondents have thwarted the prosecution of his case by -

- Using deceptive methods including of l**ying to His Honour, in Court for seven months and in particular, on 24-4-25, 5 business hours prior to the trial.**

- In documents such as the **Notice of Reasons for Dispute** and

- Various acts by contempt of Court including **filing** of all affidavits outside the court order date.

6. The Respondents are, in the opinion of the Applicant, in contempt of Court by –

    - Filing of all affidavits and statements later than the Court order required date of 14-4-25.

    - Alleged lying by Counsel Susan Hedge to His Honour in Court for 7 months, about various matters significant to the case.

    - Solicitor Sara McCabe, who assisted Counsel. Similar accusations are made against to Susan Hedge.

    - Council CEO Dr Kerrie Freeman and Lord Mayor Schrinner who have allegedly instructed Counsel, Council solicitor and Council witnesses.

- Council CEO Dr Kerrie Freeman and Lord Mayor Adrian Schrinner who have paid Counsel, Counsel solicitor and Council witnesses to allegedly lie in Court.

- Withholding of the easement document, from Manteit, since 26 questions were asked to the council employees on 10-10-24 (filed) about the easement. No response by the council officers to Manteit. Council and the Respondents have deliberately withheld the easement document for 7 months. Hedge was forced by Judge Williamson KC to hand over the easement document.

- The Respondents hid the easement document to thwart the application and to assist with the incompetent and alleged fraudulent Corrigan report, who unashamedly used easements

- Corrigan placed easements traversing the middle of the lot, at the front of the lot, preventing any structure, and any services. This totally prevents Manteit from the development of the block.

  All of Corrigan's plans flood, continuing the trend for Schrinner and Freeman to be hydraulic designers to the world.

- Freeman and Schrinner need to cease instructing council employees preparing hydraulic plans without the owners consent, since as His Honour stated one cannot deviate from the Upstream Drainage red lines other than minor, since it would not be generally in accordance with those red lines.

- In addition, it would be absurd to place pipe easements that require being open to the sky, in the middle of a block, hence preventing the building of houses and services to the block.

- In addition, the **easements** placed outside 600mm from the perimeter without owner's consent contravene BSD 8111 of which there is precedence of Henderson V Brisbane City Council 4139 that clearly demonstrates the correct placement of red lines, being 600mm from the boundary. They did not cut any corners. The words BSD 8111 are clearly written on that approval.

- It is not the usual practice to cut corners with a hydraulic pipe. In that case, a red line by Council was placed in the final plan, correctly, but was placed on the plan by consent orders.

- The council employees in this subject case, placed a pipe in the form of a triangle in the right rear of the block. Council now has no objection to being called a "sham triangle" by Manteit. The statements by His Honour regarding

placement of easements I believe would support my contention of pipe easements should not be placed outside 600mm from the boundary, as was the ”sham triangle”.

- As per my audit of 412 cases, filed, Council employees do sometimes place hydraulic lines in the DA approval.

  But most of those red do not require an RPEQ hydraulic licence. Eg driveways do not require a hydraulic licence. Ryan in his report has mischievously allegedly attempted to fool the court by pretending that a driveway red line that required no hydraulic licenced was the same as a hydraulic red line.

General comment, supported by the submissions

7. The preparation of a hydraulic red line, whether DA approved or not, requires a hydraulic licence. QBCC provides for fine of designs of pipes over $1,100 in value. There is no licence required to design a driveway.

But those council officers who choose to engineer DA approved red hydraulic red lines must firstly have RPEQ qualifications.

Then these officers should state their RPEQ number on the red line. Thirdly, Council must expect challenges by owners current and in the future, to be challenged, as a S81 application is required to modify those red lines.

8. The Respondents have allegedly attempted to protect the reputation of the unlicenced council employees. In the case of Freeman and Schrinner they have allegedly attempted to protect their own reputation.

- The Respondents have allegedly **chose protection of themselves** and council officers over truth and the facts.

  In that process, they have allegedly used devious means to achieve that attempted protection, but have been caught out in a big way.

  This is often the case where the accused digs a deeper and deeper hole. The lie gets bigger and bigger.

  Eventually they cannot climb out of that hole. They become ever more tardy until even a judge has to pull them up on outlandish statements.

9. Changing a position is one thing. That may cause a retrial and and costs awarded against the party that proposes the change in position.

But when you (the Respondents) know that the pipe is 1.2m under the Ashridge Rd kerb and you hold out your statement as truthful for 7 months is an entirely different matter.

Any 8 year old can see from contours and spot levels that the pipe is flooded, and was posted online around 10-10-24 for 8 billion people could see, including crossections. The Respondents knew this for 7 month and even as court officers, they took the gamble and refused to advise His Honour, the pipe was in fact flooded, for 7 months.

You (The Respondents) still do not change your position regarding red lines until the day of the trial.

10. The Respondents were allegedly too embarrassed to admit that the placing of the **Onsite Drainag**e kerb adaptor 5.1m up from the low side of the kerb.

This created problems, since Manteit would have had do raise the house pad .5 higher. This was the only case 412 approved cases where council employees decided to draw a DA approved Onsite Drainage system on the approval.

Manteit was stuck with this council employee design until a S81 application. Filed statements from Brisbane Certification Group stated that they would not approve a house that provided for the kerb at the low side of the kerb.

84 Approval must not be inconsistent with particular earlier approvals or accepted development

(1) The private certifier must not approve the building development application if—

(a) the application relates to either or both of the following approvals (each an ***earlier approval***)—

(i) a development approval given by the local government;

(ii) a PDA development approval under the *Economic Development Act 2012*; and

(b) the earlier approval has not lapsed; and

(c) the application is inconsistent with the earlier approval.

Maximum penalty—165 penalty units.

Using Council red line for Onsite Drainage would cause the owner a $27,000 fine to him or the private certifier.

11. You (The respondents) then get caught out by your own witness. You then scurry around for another defence that Upstream Drainage red lines and easements can be placed in the middle of the block.

It is alleged that you (Hedge) then draw the ire of His Honour, who corrects your statements, basically as allegedly ludicrous, for various reasons, including easements.

In addition His Honour advised Hedge that even if there was a “solution”, it would not be generally in accordance with the original red line.

Then you say to His Honour (Hedge, transcript) **“I accept that”**. Finally, the game is up. The charade has ended,

You (Hedge) allegedly then admit the 7 months lie, by you (Hedge) and all those persons who instructed you (Hedge) to lie for 7 months.

So Manteit cannot build to the red line, because it ends up 1.2m under Ashridge Rd Kerb

So Manteit cannot submit plans to Council to deviate from the red line, even if was a “solution” because it would not be generally in accordance with the DA approval. S164 of the Planning Act provides a fine to the owner of $751,000 for deviation from the approved plan.

My RPEQ engineer would have lost his licence for designing the approved plan, or any other hydraulic plans that deviate from the DA approval.

This topic has been well documented in filed affidavits. To us the words of His Honour “ad nauseum that you (Manteit) has stated the same things repeatedly, in your affidavits.

I could not have been any more specific in my affidavits and have stated that I could not have built the pipes or any other pipes that deviated from the red lines.

12. Then you (The Respondents) realise that you have made a “mistake”, in relation to the timing of the submitting of engineering drawings (transcript 28-4-25) by your own admittance, is a significant matter in this case.

You (Hedge) tell the world 6 business hours later on 28-4-25 that this is a “significant issue in this case”

But you (Hedge) told His Honour only 5 business hours earlier, to his face, that no further approvals are required for submitting of engineer drawings. You even quote the Ryan report to His Honour on 24-4-24, prove to His Honour that you are talking the truth.

You (The Respondents) get witnesses to state the same thing, on 22-4-25.

Then you get the witnesses to make an entirely different statement to the court on 29-4-25.

Schrinner and Freeman should be ashamed of themselves for forcing witnesses to change their positions on the day of the trial, to hide a significant issue in the case for 7 months. You then sandich this into a trial to avoid all discussions about the significant matter until the trial.This practice needs to cease.

13. Full outline of arguments of contempt of court have been filed.

14. The reasons for filing at this date is due to time taken in compiling transcripts in order that the material has accurate audio (available from me) converted to written transcript evidence, not just hearsay.

15. The Planning Court is at a fork in the road. It can either ratify the the alleged use of criminal conduct as precedence for all future Planning Court cases, or alternatively, ratify the disallowance of the use of criminal conduct as precedence.

16. It is alleged that the Respondents took the gamble and changed all their posistions filed on 24-4-25, in as little as one hour later after lying to Judge Williamson KC.

17. The Respondents used a tactic of bundling all matters together, to fool the court.

18. Hedge deceptively did not table affidavit 49 or state that is was filed on 24-4-25

19. A retrial will be applied for, depending on the outome of this application.

I require the court to state in the judgement -

(a) Whether these alleged criminal practices are **accepted** by the Planning Court as precedence for future barristers, solicitors, Councils and Council witnesses. That would include that allegedly fooling a judge for 7 months would be considered appropriate.

(b) Whether these alleged criminal practices are **not accepted** by the Planning Court as precedence for future barristers, solicitors and Councils and Council witnesses.

(c) I will probably be back in the Planning Court in January, with the same file, if a current S81 application is disallowed by Council. I will need to refer to any outcomes of this current application and again make the same allegations, in my application to the Planning Court. This will occur each and every time a S81 is filed.

(d) In my filed audit of around 20-1-25, of 412 Council approved cases, it was found that one property had 3 S81 applications approved in the calendar year 2024, in relation to Henderson V Brisbane City Council 4139/18.

20. Please note that I have now included Brisbane City Council as a Respondent.

21. I will object to any parties instructing City Legal or any barrister from Byth Chambers as their represented defence as this would be considered a conflict of interest.

This application is to be heard by the Court at Brisbane on the day of December 2025.

THE APPLICANT ESTIMATES THE HEARING WILL TAKE 1 HOUR.

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Registrar