

From: Phil Best <philbest313@gmail.com>
Sent: Saturday, 30 January 2021 1:27 PM
To: philbest313@gmail.com
Subject: Fwd: AFTER 10 YEARS WORK AND 7-DAYS COMPLING THIS AND THE ATTACHED EMAIL - THE MCLR CANNOT CONTINUE
Attachments: THE MCLR SPENT 7-DAYS COMPILING THIS EMAIL, WE EXPECT THAT YOU WILL HAV.... (2.58 MB)

Phil Best - Electrical Engineer 0411-123400

From: philbest313@gmail.com <philbest313@gmail.com>
Sent: Wednesday, January 27, 2021 6:46:26 PM
To: 'LordMayor' <Lord.Mayor@brisbane.qld.gov.au>
Cc: Adam Allan <northgate.ward@bcc.qld.gov.au>; Amanda Cooper <brackenridge.ward@bcc.qld.gov.au>; Andrew Wines <enoggera.ward@bcc.qld.gov.au>; Angela Owen <calamvale.ward@bcc.qld.gov.au>; David McLachlan <hamilton.ward@bcc.qld.gov.au>; Fiona Cunningham <cooparoo.ward@bcc.qld.gov.au>; Fiona Hammond <marchant.ward@bcc.qld.gov.au>; James Mackay <waltertaylor.ward@bcc.qld.gov.au>; Kate Richards <pullenvale.ward@bcc.qld.gov.au>; Kim Marx <runcorn.ward@bcc.qld.gov.au>; Krista Adams <hollandpark.ward@bcc.qld.gov.au>; Norm Wyndham <mcdowall.ward@bcc.qld.gov.au>; Peter Matic <paddington.ward@bcc.qld.gov.au>; Ryan Murphy <chandler.ward@bcc.qld.gov.au>; Steve Toomey <thegap.ward@bcc.qld.gov.au>; Steven Huang <macgregor.ward@bcc.qld.gov.au>; Vicki Howard <central.ward@bcc.qld.gov.au>; Deagon Ward <deagon.ward@bcc.qld.gov.au>; Forest Lake Ward <forestlake.ward@bcc.qld.gov.au>; Moorooka Ward <'moorooka.ward@bcc.qld.gov.au'>; Morningside Ward <morningside.ward@bcc.qld.gov.au>; Tennyson Ward <Tennyson.ward@bcc.qld.gov.au>; Wynnum Manly Ward <'WynnumManly.Ward@bcc.qld.gov.au'>; gabba.ward@brisbane.qld.gov.au <gabba.ward@brisbane.qld.gov.au>; pullenvale.ward@bcc.qld.gov.au <pullenvale.ward@bcc.qld.gov.au>
Subject: AFTER 10 YEARS WORK AND 7-DAYS COMPLING THIS AND THE ATTACHED EMAIL - THE MCLR CANNOT CONTINUE

Dear BCC Lord Mayor and Councillors,

Even though I have been “disengaged” by the Lord Mayor’s Office, I am persisting by sending this email to Lord Mayor Schinner.

We hope that Lord Mayor Schinner will remove the former Lord Mayor Quirk “disengagement” status and effectively respond to this email.

Perhaps the Lord Mayor will allocate the complaint reference number, which the BCC CEO Mr Jensen and City Legal never did.

As you may know the LNP unpopularity on the Mt Coot-tha Issues has boosted the popularity of the Qld Greens, plus we fully expect that this will continue to grow.

- Plus we believe that this lingering Mt Coot-tha based LNP unpopularity will also affect the upcoming Federal Election, which by that date will hopefully be largely COVID-19 free.
- We also believe that Local Government CPV and/or reduced political donations will be legalised before the next Local Government Election, which if the past elections were any indication, will greatly reduce the LNP Councillor majority.

After several years work the MCLR have reached their final stage, but because the BCC CEO and City Legal is totally ignoring all of our complaints, I cannot see any future in our work.

- However other residential groups, such as the “Zipline-Killers” MCPA, plus the ABC and other political parties, are likely to take our data further.

- Plus in mid-February, we expect that the Office of the Information Commissioner (OIC) will allow us to receive the contents of our June 2020 RTI request, which the BCC has tried very hard to prevent us from receiving. (I believe that the expensive BCC-OIC liaison has continued for several months).

Please note that myself, the MCLR and MCPA are all politically unbiased, plus we apologise if you find the data below and attached email report difficult to believe.

- However we are all totally honest ordinary residents, who simply only ever wanted to get on with their lives like ordinary Brisbane people.
- At the end of the attached email report, we do consider the possibility of the MCQ hole being filled with tunnel spoil, however this is distinct from DA non-compliance.
- Also, please forward this very important email, if you believe that this is useful.

The BCC-CEO (Mr Colin Jensen) is ultimately responsible for BCC operational statutory compliance, but he chooses to totally ignore our complaints.

1. Brisbane City Council (BCC) extremely strong seismic blasting effect from the Mt Coot-tha Quarry (MCQ), is located in prime tourist public parkland with Title Deed "As a site for a Public Park and for no other purpose whatsoever".
 - Similar to the ill-fated Mt Coot-tha Zipline.
 - The MCQ took the attitude that for the mighty BCC their DA compliance conditions were just a formality, which they could ignore.
 - The ordinary local residents groups cannot fight the BCC, which has two entire layers of "clever paid lawyers" (City Legal Lawyers and JLTA Lawyers).
2. The effects on the closer Mt Coot-tha Local Residents (MCLR), is that each blast sounds "like a bomb going off inside their home".
 - This was previously described by Cr Judy Magub as "Callous Disregard for the Local Residents".
 - The BCC has never replied to our 19 requests, asking for their estimated blast strength to be provided with the publicised "Notice of Blast" email.
 - The BCC has ignored all of our complaint items and specifically stated that they will not even consider our complaint (hence no BCC MCLR complaint reference has ever been allocated).

We believe that after 800 very strong blasts, we have conclusively proved:

3. That the BCC MCQ has deliberately never complied with their DA operational conditions, as defined in the DA Schedule-F document.
 - Not an occasional mistake or perhaps sometimes an error – NO NEVER!
4. Schedule-F defines an "overarching" requirement that their noise and seismic vibrations **must always be measured in EHP/DES defined Noise Sensitive Places.**
 - This has always been totally ignored by the BCC.
5. Schedule-F contains 3 maximum noise requirements and 2 Air Blast (Overpressure) requirements.
 - Noise measurement has been totally ignored by the BCC, even though the MCLR measurements show levels that greatly exceed the allowed maximums.
 - Overpressure (Air Blast) has never been measured in a Noise Sensitive Place, as specified by Schedule-F.
6. As highlighted by the Environmental Defenders Office (EDO), the EHP/DES Noise Measurement Manual (NMM) requires that noise and seismic effects must always be measured in the most affected location
 - This is required to avoid false data-substitution.
 - This is also totally ignored by the BCC, because this would elevate their recorded seismic blast effects.
7. The MCLR estimated rehabilitation costs (2032 completion) is an unfunded \$500 Million ratepayer bill.
 - Approx. one sixth of the entire annual BCC budget.
8. The Tourism and Employment Lost Benefit costs greatly exceed this – we believe \$6 Billion.
 - Eden Cornwall published quarry rehab success gross benefits 2000-2018 = GBP£2 Million.
 - Gardens British Columbia 2014 report, was CA\$300 million actual revenue plus thousands of additional jobs.
9. All of this agony and lost ratepayer money, is just for common plentiful road gravel which sells for a paltry \$5/tonne, and is delivered to LNP donor companies.

- False Data Substitution by the BCC MCQ has been a permanent and invalid operational procedure.

We believe that our data proves that the BCC MCQ has made long-term conscious decisions:

10. To permanently and grossly misrepresent all their MCQ Noise, Overpressure (Air-Blast) and Seismic Ground Vibration, using whatever methods that they can find.
11. To create massive choking silica dust clouds that saturate the Botanical Gardens, Walking Tracks, Wildlife and Residential areas.
 - To ignore the 11% of Australians who are asthmatics, some of whom actually seek a pollution-reduced refuge in the Botanical Gardens and Walking Track areas which the MCQ regularly saturates with their harmful silica dust.
 - To carefully locate their existing BCC dust monitoring stations where the MCQ blast dust never blows, plus to physically collect and handle the dust collection samples themselves.

Hence, we have attached what may be our final complaint email to the BCC CEO and City Legal.

12. Yet still the Mt Coot-tha Local Residents (MCLR) have never received any BCC complaint reference number, when our first complaint document was September 2020.
13. Plus Mr Langham from BCC City Legal, has stated that they will no longer consider our non-compliance complaint (as contained in the attached email).
14. We can be fairly sure that the BCC will also choose to shut-down our Human Rights complaint, because this is one of their subordinate departments.
15. We believe that we have proved that the BCC has never once complied with their DA operational conditions as defined in their DA Schedule-F document.
16. Our June 2020 RTI request still has not been responded to, plus other promised 2019 RTI data has still never been received.

So our latest report email (attached) details how we believe, that for the Entire History of the Mt Coot-tha Quarry (MCQ) - and specifically since 2000:

17. That the BCC has made the conscious perpetual decision to grossly misrepresent or ignore their DA statutory reporting.
18. Thereby ignoring the statutory monitoring and limitation specifically defined conditions of the BCC MCQ DA IPDE00920708 Schedule-F, and additionally the EP-Act.
19. The IPDE is previously known as EPPR00447313 or SR0041.

To get to This Stage:

20. The large amount of volunteer process work done for several years to reach this stage, has been extremely tiresome and emotionally draining, (being the MCLR Engineer and now MCLR Chairperson, almost all work was done myself – Philip Best).
21. There were many times when we believed that I could not proceed, because the “fighting the BCC” effect on my mental and physical health was very severe.
 - On one occasion whilst working on the MCQ complaint, I had a heart failure.
 - We had call the ambulance who then insisted that I be immediately taken to Wesley Emergency by Ambulance.
 - I believed that I was going to die from heart failure, but thanks to the clever ambulance staff, I pulled through.
 - So I am back on the Job Now, fighting for the MCLR against the impossible BCC.
22. Added to this is the complete lack of my income gaining activities, whilst spending my wife’s money to keep the process going, repeatedly left me financially drained.
23. Yes, my wife also had to pay for the Wesley Emergency Hospital and medication costs.

Repeated MCLR Whistle-Blower Events:

24. Hazardous Blast Dust complaints to the EHP/DES have been ignored, because they are only concerned with Environmental Nuisance.
25. Complaints to DNRME have also failed, because they are only concerned with dust inside the MCQ fence.
26. The 2011 Whistle Blower event was supported by State Treasurer Andrew Fraser, caught the MCQ misrepresenting their seismic monitoring by 300%.

27. The decades of costly invalid monitoring data is wasted ratepayers money, which was used to provide misrepresented and invalid Schedule-F compliance data.
28. Seismic Blast Vibrations are regularly created, which are more than 5 or 6 times the normal Australian and Queensland maximums, and which have violently shaken the MCLR homes for at least 2 decades.

Thank you for reading this email, your time and focus are highly valued.

PLEASE READ THE ATTACHED EMAIL, LOOK AT OUR WEBSITE AND HELP US IMPROVE MT COOT-THA DOGIT PARKLANDS.

Disclaimer: All of the information presented above is believed to be proven - by the EHP/DES, DNRME & BCC provided MCQ RTI data.

Kind Regards, Philip Best.

Philip Best - Electrical Engineer - ABN: 64 056 607 713

Chairperson Mt Coot-tha Local Residents (MCLR)

Active Member Mt Coot-tha Protection Alliance (MCPA)

M: 0411-123400

f: www.facebook.com/SaveMountCoottha

w: www.MtCoot-tha.org (alias www.SaveMtCoot-tha.org, retired: www.BanTheBlasting.org)

e: PhilBest313@gmail.com

L: www.linkedin.com/in/philbest/

Epictetus, Discourses II :

"If you lost the capacity to read, or play music, you would think it was a disaster.

But many people think nothing of losing the capacity to be honest, decent and civilised."

Cr Judy Maqub :

"The BCC shows Callous Disregard for the (Mt Coot-tha) Local Residents."