

**From:** PhilBest313@gmail.com  
**Sent:** Thursday, 10 January 2019 10:12 AM  
**To:** 'Corro DES ESR EESWQC'; 'Mailbox Investigations'  
**Cc:** 'Maiwar Electorate Office'; David Hassall (hassalldavidc@gmail.com); 'Roy Saint'  
**Subject:** RE: Complaint re: Mt Coot-tha Quarry  
**Attachments:** SussexStToClosestHomesMoreThan4point5timesFurtherAwayThanOffice.jpg

Dear Mr Cambourn,

Attached is the relative distance measurement as measured using the [BCC CityMap2014 facility](#).

You can see that the distance from the closest private homes and cemetery memorials is approximately 4.66 times the distance from the closest (secret) weighbridge & office monitoring point.

The only conclusions that we can see are:

1. The BCC MCQ SSE deliberately ignored the effects on the closest homes, which were only a short walk from the MCQ Weighbridge offices.
2. The BCC MCQ SSE would have known that the blast vibration effects on the local homes were far above their maximum values.
3. The BCC MCQ SSE tried on 3 occasions to side-step the RTI legal process, by not providing the monitoring data recorded at the weighbridge office, when this had been approved by the Brisbane RTI Office.
4. The quality of the blast vibration data provided on three separate occasions by the BCC MCQ SSE, was inferior to that provided in the December 2018 RTI, where the BCC MCQ finally were forced to comply with the legally administered and approved "all blast vibration data".

Thank you for reading this email.

We look forward to receiving a validation of the whole truth concerning the BCC MCQ blast vibration footprint reporting corruption.

Kind Regards, Philip Best and all the Mt Coot-tha Local Residents.

Philip Best – Chairperson, Mt Coot-tha Local Residents Group (approx. 80 homes).

Philip Best - Electrical Engineer  
ABN: 64 056 607 713  
3 Sir Samuel Griffith Drive  
Mt Coot-tha  
Toowong Qld 4066  
Australia

p: 0411 123400  
e: [PhilBest313@gmail.com](mailto:PhilBest313@gmail.com)  
L: <https://www.linkedin.com/in/philbest/>

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**From:** PhilBest313@gmail.com <PhilBest313@gmail.com>  
**Sent:** Thursday, 20 December 2018 4:43 PM  
**To:** 'Corro DES ESR EESWQC' <DESESREESWQC.Corro@des.qld.gov.au>; 'Mailbox Investigations' <INVESTIGATIONS@ombudsman.qld.gov.au>  
**Cc:** 'Maiwar Electorate Office' <maiwar@parliament.qld.gov.au>; David Hassall (hassalldavidc@gmail.com) <hassalldavidc@gmail.com>; 'Roy Saint' <roy@saintconsulting.org>  
**Subject:** RE: Complaint re: Mt Coot-tha Quarry

Dear Mr Cambourn,

We would like to take this opportunity to thank you for your contribution so far and to confirm our goals: Simply that the work we have done so far is validated and that this be communicated to the BCC.

- As you would know, we tried very hard in 2017 with the pre-2016 data, and after one year's work the Lord Mayor simply stated that our work contained errors and conveniently discarded everything we did.

- Hence we began working even harder in an attempt to expose what the BCC has done to the Mt Coot-tha Local Residents.
- We badly need somebody other than ourselves to communicate this to the Lord Mayor, hopefully this will be your department and not any lawyers.
- Hence we strongly suggest that the QG Statisticians Office views our spreadsheet, as well as the EDO reports, Mr Birrell's reports and the latest RTI Data.
- The additional task of considering the data which the Lord Mayor discarded, is not at all something which will overly strain the DES department budget.

Regarding the BCC MCQ Blast Vibration Data, please note that the Mt Coot-tha Local Residents monitoring point was setup beside Mt Coot-tha road and was given the name "PhilBest". This was later changed to outside 3SSGD (3 Sir Samuel Griffith Drv), however as this is a corner block and the internet map system correctly locates the alternate address 159 Mt Coot-tha Rd, we refer to this as 159MCR. However it is still related to the same block of land and our private home.

The use of our home for the main monitoring location was to create the upside comparison against this new BCC monitoring point - at the same address.

Regarding the latest RTI data prior to Blast 600 in 2011, we wish to advise that we have checked the data in our Blast Vibration Excel spreadsheet against the latest BCC RTI Data.

1. We found some very minor changes where the new data disagreed with the existing data, however these were not sufficient to affect Mr Clancy Birrell's Statistics reports.
  - a. 1/8/2003: Richer St changed to 5.06.
  - b. 12/8/2003: Sussex Street value was duplicated (it was a very low value anyway).
  - c. 10/9/2003: Same thing happened.
  - d. 14/12/2004: Richer St changed from to 0.77 (a very low value).
  - e. 13/7/2016: Mt Coot-tha Road changed to 5.25.
  - f. 8/12/2016: Mt Coot-tha Road changed to 1.36.
2. Also in the BCC data report, there are some confusing data where two blast counts have been assigned to the one blasting data set. (example attached).
  - a. Hence in order to maintain the blast count system, we have simply duplicated each row.
  - b. The concept of an accurate blast count is not something that the BCC can confirm, as the blast number counting begins at 573 on the 12<sup>th</sup> May 2010.
3. When adding the BCC Weighbridge Office data, we have added this as an additional column to the right, but only entered the data before Blast 600 (before MCQ was forced to setup the 159MCR aka 3SSGD) permanent monitoring point.
4. Regarding our derived data for 159MCR before blast 600, all we have tried to do is get some idea of what life would have been like in the local residents homes.
  - a. Hence at the time, we simply believe it was the best approximation method available, by combining the Sussex and Richer St values (2D extrapolation method).
  - b. The Local residents believe that they have the right to know what was done to their homes, and hence If anybody can arrive at a better approximation method then please advise.
  - c. The USBM states a high blast-count condition called fatigue, which damages the homes and reduces the building's ability to withstand additional blast vibration by as much as 50%.
5. New Weighbridge Office Calculations before Blast 600:
  - a. Average Office Blast Vibration = 6.25mm/second.
  - b. Maximum Office Blast Vibration = 15.7mm/second.
  - c. Average Office/Sussex St Upsize = 3.1x (310%).
  - d. Maximum Office/Sussex Upsize = 8.81x (881%).
  - e. Average Office/Richer St Upsize = 6.73x (673%).
  - f. Maximum Office/Richer St Upsize = 23.88x (2388%).

## 6. Conclusions:

- a. It is obvious that the BCC MCQ SSE would have known that the blast vibration levels at the closest homes would have been much stronger than what was being measured at Richer Street and Sussex Street.
  - i. Hence the published monitoring point data did not at all represent the true blast vibration footprint.
  - ii. Please refer to Clancy Birrell's Statistics Report.
- b. The decision to only publish the data from their much further away monitoring sites allowed them to illegally increase their blasting strength.
  - i. They ignored the effect on the local residents homes immediately opposite the quarry entrance.
- c. This can clearly be seen in the charts from when the BCC MCQ was forced to create the new permanent monitoring point (PhilBest/3SSGD/159MCR).
  - i. After blast 600, there is a noticeable reduction in overall blast vibration strength.
- d. The Internal House Vibration Upsize Parameter of  $2.56 \pm 0.03$  remains unchanged.
- e. When you add the internal blast vibration sympathetic resonance upsize value to the new difference factors above, the results are very alarming indeed.
- f. The TMR website clearly shows the maximum historic and monument blast vibration value as 2mm/second.
  - i. The new owners of the Cobb & Co home opposite the quarry are extremely concerned.
  - ii. Yet the BCC is happy to place severe constraints on whatever the owners want to do there.

Thank you for reading this email.

Kind Regards, Philip Best and all the Mt Coot-tha Local Residents.

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**From:** Corro DES ESR EESWQC <DESESREESWQC.Corro@des.qld.gov.au>

**Sent:** Wednesday, 19 December 2018 1:31 PM

**To:** philbest313@gmail.com

**Subject:** RE: Complaint re: Mt Coot-tha Quarry

Dear Mr Best,

Your further comments are noted thanks.

My emailed advice to you yesterday at 3:54pm clarifies how I will be conducting this investigation.

Regards, Neil



**Neil Cambourn**

Acting Executive Director

Energy, Extractive and South West Queensland Compliance

Environmental Services and Regulation

Department of Environment and Science

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P 07 3199 7518

Level 8, 400 George Street, Brisbane QLD 4000

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**From:** [philbest313@gmail.com](mailto:philbest313@gmail.com) <[philbest313@gmail.com](mailto:philbest313@gmail.com)>

**Sent:** Wednesday, 19 December 2018 11:13 AM

**To:** Corro DES ESR EESWQC

**Cc:** 'Mailbox Investigations'; David Hassall

**Subject:** RE: Complaint re: Mt Coot-tha Quarry

Dear Mr Cambourne,

We wish to advise that Ms Clarke cannot agree with the defined scope of the investigations, plus we also believe that the independence has failed.

1. One of the major parts of our complaint is that the data before 2016, when the MCQ was only reporting blast monitor values from the much further away Sussex St and Richer St.
2. We spent a considerable amount of time and money on this investigation, which lasted most of 2017, and culminated in a report from Local resident David Hassall to LM Quirk. Quirk said that our report had errors and is thus ignored, but would never say what the errors were (possibly punctuation or spelling errors).
3. Our Statistician reported that the blast vibration footprint data was misrepresented by a factor of approximately 300%.
  - a. This is indeed a gross misrepresentation.
  - b. Uncovering and quantifying this consumed a massive amount of the local residents time and money.
  - c. It is well known that blast vibration effects on buildings are cumulative and the USBM standard defines this as fatigue. This is a major human comfort destroyer, because every additional blast is adding to the effects from previous blasts.

FYI: It was indeed very difficult to get the BCC MCQ Manager to provide accurate data and we have asked the OIC to investigate why this was not provided even after the RTI Officer Mr Simons approved the release which took 3 separate RTI requests before MCQ manager finally provided the RTI approved data.

- But now that we finally have the “secret” data, we can clearly see that the MCQ would have known what was happening.

Ms Clarke has drawn a line through our complaint and decided that all this very important data prior to 2016 cannot be considered, the official reason is that it consumes “excessive departmental resources”.

- But unfortunately, this data is also highly relevant to Ms Birch (Ms Clarke’s supervisor) in that she was the MCQ liaison or case manager with the BCC at the time when the MCQ was grossly misrepresenting their blast footprint reporting to the DES.
  - It was when Tim Adams took over her role that he quickly halted this gross misrepresentation, which was blatantly and obviously wrong.
  - Hence it could be argued that Ms Birch should have taken this action, but did not and was therefore grossly negligent.
- In addition to this Ms Clarke will not agree that while Ms Birch was the case manager, that the blast vibration as measured in the MCQ DOGIT non-commercial land area would have indicated to the MCQ management that extremely strong vibrations were being imposed upon the local homes, with residents opposite the quarry actually living inside there at the time of the blast.
- Ms Clarke refuses to agree that:
  - All MCQ vibration monitoring is done on BCC land, however the Quarry Land is also non-commercial DOGIT land.
  - All MCQ vibration monitoring points have exactly the same status, whether inside the quarry grounds or outside.
  - All MCQ vibration monitoring points are close to innocent residents homes and have the same status.
  - All blast vibration monitoring done inside the BCC MCQ RPA has the same status as all other monitoring points, the only “place” variable is the distance from the source to the private homes.
- In addition to this, if the BCC had earlier reported these extremely strong vibration values to the DES, then the DES would have known what was going on.
  - It is possible that Ms Birch was not informed of the secret blast vibration monitoring done by the BCC MCQ SSE.
- Ms Clarke refuses to agree that clear photographic evidence of blast vibration damage may indicate a loss of human comfort (with or without Stat Dec).
  - The damage reports that we have provided are specifically for the purpose of indicating gross personal comfort violation.
  - No occupied residing home owner that I know would ever be “comfortable” with this situation.

Hence we sadly have to report that the investigation which promised such success, has now failed.

It is neither thoroughly investigated nor is it independent, as you promised.

We have totally lost faith in both Ms Clarke and Ms Birch.

As a possible way forward for pre-2016 data:

1. As DES Tim Adams is familiar with our case, might I suggest that he consider looking at our new data.
  - a. For him this does not consume “excess departmental resources”.
2. Preferably any other person would need some engineering expertise, a knowledge only of acoustics is possibly less desirable.
3. The Qld Government Statisticians Office would be willing to look at the RTI Data and easily verify what Clancy Birrell has said.
  - a. I spoke with Nathan Domrow this morning on 3035-6421.
    - i. We can update our spreadsheet with the more accurate (latest RTI) and additional data.
    - ii. BCC RTI David Simons sends them the RTI data direct, or I simply forward Mr Simons email.
  - b. The QGSO can easily check the RTI data against our spreadsheet.
  - c. QGSO could then very easily verify what Clancy Birrell has said.
  - d. Note that we performed a 2-dimensional extrapolation. This was an attempt to see what life might have been like in the residents homes before the Mt Coot-tha Rd monitor was setup around blast 600. We simply state that this was the best possible method at the time.

Regarding the 2016+ data:

4. Photographic Evidence shows that the quality of their MCQ blast vibration monitoring does not conform to well-published DES concrete block style transducer monitoring standards as recommended by John Heilig.
  - a. Mr Nathan Russell will confirm that the Heilig monitoring company is using the Soil Spike because the MCQ SSE directed them to only monitor this way (that is what he told me).
    - i. We can visit the monitoring sites in January or February to verify he above.
    - ii. Alternatively I can simply do a Stat Dec concerning our photos.
5. The BCC has a responsibility to strictly adhere with the terms of their SR0041 and subsequent EPPR00447313 and the Schedule F conditions.
  - a. Whilst there may have been liaison from the DES on occasions, the BCC still has a clear requirement to strictly adhere with the terms of their EA Schedule F.
    - i. The BCC has a responsibility to both the DES and the Local Residents, to comply with their EA Schedule F (exactly as it is written).
  - b. Analysis of data provided by the Mt Coot-tha Local Residents and (the second) subsequent statistical analysis indicates that the BCC is not adhering to their EA Schedule F.
    - i. Legal opinion as provided by the Environmental Defenders Organisation and subsequent statistical analysis confirms this fact.
  - c. The DES should accept the monitoring done by the residents because:
    - i. It was setup and reported by Saros and placed by responsible well qualified engineers in their own residences, which established an upsize parameter with a very low variance.
    - ii. Because the BCC or MCQ would never advise the estimated blast strength (even any basic information) it became impossible for the local residents to fund fully attended monitoring sessions. Many blasts were either cancelled, very late or had low data values (depends on the charges used and the exact blasting location).
    - iii. The ground vibration upsize factor variance of 0.03 can be verified by simply by performing additional blast vibration monitoring sessions in the same way.
    - iv. Also the exact timing and waveform distribution can be verified with the original data measured by Nathan Russell.
    - v. The timing of the difference between ground vibration and overpressure sound are particular to the one location.
    - vi. Similarly, NV Engineers could re-measure the internal noise which we measured using their equipment in 2016.
    - vii. Whilst the ground vibration transducer placement rules have defined ground location definitions, Schedule F has a clear requirement to monitor in or on noise sensitive places.
      - o A private resident is the primary DES noise sensitive place.
      - o This can only be done by physically attaching to buildings, which is indeed a well-defined and accepted practice both in Australia and overseas.
    - viii. However by comparison, most of the current BCC MCQ ground vibration monitoring data does not adhere with published DES requirements and also Mr Heilig’s preferred method.

- There was even a period when the MCQ SSE told Mr Nathan Russell to not use the existing concrete block that Mr Tim Adams had organised to be setup on Mt Coot-tha Rd.
- Use of the existing concrete block for transducer placement resumed when the local residents lodged a complaint.

Thank you for reading this email.

Kind Regards, Philip Best and the Mt Coot-tha Local Residents.

Philip Best - Electrical Engineer  
ABN: 64 056 607 713  
3 Sir Samuel Griffith Drive  
Mt Coot-tha  
Toowong Qld 4066  
Australia

p: 0411 123400  
e: [PhilBest313@gmail.com](mailto:PhilBest313@gmail.com)  
L: <https://www.linkedin.com/in/philbest/>

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**From:** Corro DES ESR EESWQC <[DESESREESWQC.Corro@des.qld.gov.au](mailto:DESESREESWQC.Corro@des.qld.gov.au)>

**Sent:** Tuesday, 18 December 2018 3:54 PM

**To:** [philbest313@gmail.com](mailto:philbest313@gmail.com)

**Subject:** Complaint re: Mt Coot-tha Quarry

Dear Mr Best,

I understand that you phoned for me and have requested that I call you back in relation to your formal complaint made in regard to the operations of the Brisbane City Council's Mount Coot-tha Quarry and your dealings with the Department of Environment and Science (the department) in regard to the regulation of the quarry, and certain concerns you have documented about particular officers of the department. Please be assured we take allegations such as these very seriously.

As advised in my letter dated 15 November 2018 (reference number CTS32131/18), your complaints outlined in your email of 26 October 2018 are being thoroughly and independently investigated.

I am the delegate and decision maker in this formal complaint management process, and therefore it is necessary that I maintain a totally independent and objective position in my management of your complaint, in order that the statements presented in your correspondence are properly investigated, and evaluated transparently in an environment that does not afford any grounds for perceptions of bias or other potential influences from any parties related to this matter.

For that reason, I will not be communicating directly with you, or any other party to this matter while my enquiries are in progress. I trust you appreciate the need for my independence and objectivity.

I wish to also confirm for the record that Ms Birch's contact with you was simply to request that you refrain from further contact with Ms Clarke, whom I had tasked to undertake the necessary research and collation of information subject of your complaint for my review, and to specifically request that you refrain from making further requests of Ms Clarke to consider additional matters that are considered beyond the scope of our formal investigation, which I confirm remains the scope as formally submitted by you in your formal complaint email of 26 October 2018.

I understand Ms Birch made further contact with you yesterday via telephone to offer a face to face meeting between yourself and Ms Clarke to re-confirm the scope of the complaint with you. Ms Birch is not involved in my review process, and will not correspond further with you. I have also now requested Ms Clarke not correspond

further with any other parties at this time unless requested by me, until her work for me and my investigation is complete.

Should you have any further relevant information in support of your complaint, I would ask that you please present it to the email address below, and similarly if I require any further information, I will correspond via this email - [DESESREESWQC.Corro@des.qld.gov.au](mailto:DESESREESWQC.Corro@des.qld.gov.au)

As also anticipated in my letter of 15 November, the history and complexity of the matters raised and the quantum of correspondence to date is impacting on my ability to finalise your complaint within our preferred timeframe of 20 days. However I will be in touch once I have all of the relevant information to hand to provide you with an estimate of when my investigation is expected to be complete. With consideration to the Christmas/ New Year period, I anticipate that this will be sometime in January 2019. I appreciate your patience while we work through this.

Regards Neil



**Neil Cambourn**

Acting Executive Director  
Energy, Extractive and South West Queensland Compliance  
Environmental Services and Regulation  
Department of Environment and Science

P 07 3199 7518  
Level 8, 400 George Street, Brisbane QLD 4000

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