

**From:** PhilBest313@gmail.com  
**Sent:** Wednesday, 19 December 2018 11:13 AM  
**To:** 'Corro DES ESR EESWQC'  
**Cc:** 'Mailbox Investigations'; David Hassall (hassalldavidc@gmail.com)  
**Subject:** RE: Complaint re: Mt Coot-tha Quarry  
**Attachments:** BirchKerynne-CaseManagerChangedToTimAdams-16-Sept-2011.jpg;  
EstablishingPermanentMonitoringPointAtTheClosestHomes.jpg;  
TimAdamsEmailScreenShot.jpg;  
UseOf30kgConcreteBlockMeasuringGroundVibration.jpg

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.
  - A private resident is the primary DES noise sensitive place.
  - 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.

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

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

**To:** 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

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