

From: PhilBest313@gmail.com
Sent: Sunday, 17 March 2019 3:39 PM
To: 'environment@ministerial.qld.gov.au'; 'thepremier@premiers.qld.gov.au'
Cc: David Hassall ; Peter Hale; 'Maiwar Electorate Office'; 'Corro DES ESR EESWQC'; 'Mailbox Investigations'; 'Juanita Williams'; 'Love, Simon'; 'O'Malley, Brendan'
Subject: RE: Letter enclosed regarding internal review decision of complaint - 32131/18 - Ombudsman 2018/03278
Attachments: CTS32131-18_Letter_-_Internal_Review_Decision_of_Mr_Best_complaint.pdf
Importance: High

Dear Minister Enoch (Leeanne),

We acknowledge receipt of your department's investigation report regarding our 26th October 2018 complaint, in which your department simply stated their view as "evidence that they could not find", but without any corresponding details, reasons, arguments, locations, depth, time, etc.

We fully reject your DES department's (they/their) internal review decision because we were promised a thorough and impartial investigation. This clearly and definitely has not happened.

1. They proceeded to use departmental resources using their own department's greatly reduced-scope-defined investigation, when they knew that we had stated clearly in writing on more than one occasion, that this was unacceptable because they had excluded avoided and the major part of our complaint.
 - a) They took the decision to proceed with their "crippled" investigation, which they pretend to be for us, but was in reality only what suited their department.
 - b) They have never provided any reasons of any kind for their decision to greatly reduce and redefine our investigation scope.
2. Their lack of acceptable (scope) process has succeeded only in delaying our complaint resolution by an unacceptable 5 months, and possibly considerably longer.
 - a) They decided to keep secret that they had not revised their invalid changed-scope definition, we only found out last week their "Review Decision" email arrived (as attached above).
 - b) Had they advised this, then we would have cancelled the complaint and re-issued two new ones, with a primary focus on the pre-2016 corrupted data.
3. The DES Ms Clarke's decision to ignore everything before 2016 includes the period when the BCC Mt Coot-tha Quarry (MCQ) was monitoring at several locations, but deliberately chose to only report the furthest away location data whilst keeping the closest data hidden from the DES.
 - a) During this period it was Ms Clarke's boss (Ms Birch) who was in charge of the BCC MCQ operation.
 - b) It therefore appears to some people, that the decision to ignore this data was solely for the purpose of protecting Ms Birch from perhaps being exposed.
 - c) Indeed, it was not until Ms Birch moved to a different role that were effectively able to liaise with the EHP/DES and get this data reporting corruption stopped.
4. Measurement of blast vibrations in the homes closest to the blast zone only began around Blast 600 in November 2011.
 - a) We have spent considerable amounts of time, energy and money to be the "Whistle Blower" of this deliberately and grossly corrupted data reporting.
 - b) Analysis of all relative blast vibration data measured after this blast by our statistician, indicates that the degree of data corruption was between 2.6x and 3.6x (3.1x \pm 0.5). 310% \pm 50%.
 - c) Hence the quarry was able to blast around 3 times stronger and still be within their EA Schedule F limits.

- Even if we were extra cautious and decided on 2x, then this is still a major deliberate data corruption event.
 - d) In trying to get the MCQ measured data from their weighbridge office area, we had to create three separately Approved MCQ Data RTI requests and get the BCC RTI Department manager to write to the MCQ manager, before the MCQ manager (Mr Bell) actually provided the secret hidden data.
 - This became a long drawn-out process which greatly delayed our actual receiving and interpreting of the data.
 - e) The new data clearly shows the degree of data corruption which has occurred. Plus the BCC MCQ manager would have known about the extremely strong blast vibrations that they were inflicting on the very unfortunate local residents, whose sole valuable possession (their home) was immediately opposite the quarry, and which the MCQ manager could clearly see from their KRA-42 Resource Processing Area.
 - Average Office Blast Vibration = 6.25mm/second.
 - Maximum Office Blast Vibration = 15.7mm/second.
 - Average Office/Sussex St Upsize = 3.1x (310%) (similar to our statistician's estimate).
 - Maximum Office/Sussex Upsize = 8.81x (881%).
 - Average Office/Richer St Upsize = 6.73x (673%).
 - Maximum Office/Richer St Upsize = 23.88x (2388%).
5. With our (MCPA) P&E court action against the Brisbane City Council at Mt Coot-tha, we were indeed hoping to obtain a validation of the above data corruption, from your DES department which is covered by the cancelled scope section of our complaint.
- a) We (the whistle blowers) can only describe our statistician advised misreported data, as anything other than gross blast vibration footprint data corruption.
 - b) This lack of compliance might then be considered by our high quality legal team.
 - c) Their above ineffective scope and continuing delays, have severely compromised this.
 - d) They have ignored the advice from our legal team regarding the BCC MCQ EA Schedule F requirements and monitoring requirements.
 - e) They have deliberately confused the concept of reflected ground monitoring near buildings and tried to incorrectly apply this to actual vibration amplification monitoring inside tall Mt Coot-tha (BCC approved) buildings.
 - f) Their own DES Noise Measurement Manual (NMM) clearly states that concrete block style transducer mounting is required, which was also confirmed in writing by one of their staff.
 - Yet they allow the MCQ to repeatedly violate this NMM ruling, even in prime long-term monitoring locations.
 - They know that AS2187.2 Appendix J clearly recommends against using spiked transducer monitoring.
 - Establishing a concrete block is not at all a difficult thing to do, it greatly increases measurement accuracy and reduces variability. It also negates any possible bystander tampering and reduces equipment theft. As the monitoring location is unmanned, it is a simple matter for a human or animal to disturb the poorly connected spike.
 - Yet this (MCQ defined) spiked monitoring process became the primary measurement factor to define what the MCQ could inflict upon the local residents and their precious homes.
 - Our own project RPEQ engineer (Mr Roy Saint), has stated clearly in writing, that the spike transducer mounting for long term monitoring locations is unacceptable.
6. We have asked several times by email for a meeting and been totally ignored.
7. They state that they will not re-prosecute our complaint.
8. They also state that they are unlikely to correspond with us further on this matter.
- a) Hence they are shutting the gate on the entirely and extremely important unresolved corruption and possible contamination.

We note that:

- 9. AS2187.2 Appendix J, which they say they believe and which was due for redaction last year, has no concept or definition of blast counts above low levels.

- a) Your department considers this as adequate.
 - b) Whilst at Mt Coot-tha there have been c800 counted and several thousand uncounted extremely strong blasts.
 - c) More than half the counted blasts were obviously and grossly misreported, by only reporting the vibration levels from the much more remote monitoring and keeping secret the closer ones.
10. The USA USBM standard defines Building Fatigue from high blast counts and states the ability of blast vibration fatigued buildings to handle future blast vibrations as being reduced by 50%.
11. Whilst local residents have proceed with damage cover-up cosmetic actions, buildings do not have any ability to self-repair.
- a) So if they were structurally or cosmetically damaged before blast 600, then this damage probably still exists and degrades the houses.
 - b) It also limits their ability to withstand future blast vibrations.
 - c) Further smaller blast vibrations can then cause increased damage.
12. As shown on our website www.BanTheBlasting.org, KRA-42 has zero defined separation Zone between the Resource Processing Area and the private homes.
13. We have also advised of our serious Asbestos contamination concerns at the few relevant Mt Coot-tha homes, from long-term blast vibrations which they have chosen to ignore.
- a) Other agencies and departments do not understand about blast vibrations.
 - b) The extreme amount of building shaking that has been done to the private Mt Coot-tha homes over the years continues and mounts up to considerable levels.

Summary:

We find your department's response totally undemocratic and absolutely unacceptable, to the extent where the major accusations contained in our complaint regarding the gross misrepresentation of blast vibrations by the BCC MCQ, remain ignored and totally unanswered.

We will devote our utmost energy towards obtaining a fair and unbiased result which does not ignore the major part (or indeed any parts) of our complaint.

Our expectation is that you (the DES Minister) will uphold basic democratic and accountability practice, which is so clearly and obviously lacking in your departments investigation response.

We are just honest quiet people trying to live an ordinary life, our expectation is that your department will match our honesty and professionalism.

We do not want to be doing any kind of reactive work.

However we will not accept any other outcome, regardless of the duration, until the absolute truth about our undeniable data is revealed.

Yours sincerely, Philip Best.

Chairperson – Mt Coot-tha Local Residents (MCLR).

Active Member – Mt Coot-tha Protection Alliance (MCPA).

(NB: we have previously provided names of residents in the c80 Mt Coot-tha Local 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
 L: <https://www.linkedin.com/in/philbest/>
 W: www.StrategyKpi.com

From: Corro DES ESR EESWQC <DESESREESWQC.Corro@des.qld.gov.au>
Sent: Friday, 15 March 2019 2:11 PM
To: philbest313@gmail.com
Subject: Letter enclosed regarding internal review decision of complaint

Dear Mr Best,

Please find enclosed letter regarding internal review decision of complaint.

Kind Regards,



Energy, Extractive and South West Queensland Compliance
Department of Environment and Science

Level 7, 400 George Street, Brisbane
GPO Box 2454, BRISBANE QLD 4001



The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.
Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.
If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.
