

<i>Name of Witness</i>	Bernard John EARSMAN
<i>Date of Birth</i>	[REDACTED]
<i>Address and contact details</i>	[REDACTED]
<i>Occupation</i>	Retired – School Bus Driver
<i>Officer taking statement</i>	Det Insp Mark Ainsworth
<i>Date taken</i>	29/3/2011

Bernard John EARSMAN states;


1. I am a married man, [REDACTED] years of age and I reside with my wife at [REDACTED] [REDACTED] Oakey. I have resided at this address since September, 1993. I am retired but currently work as a school bus driver approximately 2 hours per day. My residence is a fibro on brick residence, lowset, approximately 60 years of age. The house is set on 2000 square metres and is on a slightly elevated block about 300 metres north from Oakey Creek. The residence is bounded by the Oakey Army Base to the north and is in a suburban type street with other similar type residences in the street. Between my residence and Oakey Creek is a park that spans about 280 metres in width. My residence is located about 18 and a half kilometres from the Cooby Dam as the crow flies.
2. I have previously performed community roles in Queensland, Victoria and New South Wales with the rural Fire Services from about 1976 to 1981 at Goombudgee where I held the position of first officer. In New South Wales I was involved in bushfires and flood events as a volunteer.

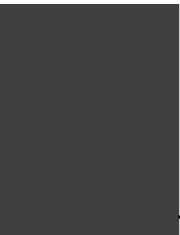
Witness Signature. [REDACTED]
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Signature of officer [REDACTED]

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3. I recall Monday 10th January, 2011. On this date we had received approximately 56 mm of rain in the Oakey area. From Christmas Day up to the 10th January, 2011 the area had received a fair amount of rainfall. As an interest I record daily rainfall on a rain gauge at my residence. I also record temperatures wind direction and moon phases. For the month of December, 2010 I recorded we had 21 days of rainfall with a total fall recording 336.75 mm for the month. In January, 2011 the heaviest rainfall I recorded was on the 6th January, where I recorded a fall of 43.75 mm of rain. ***I now produce weather records compiled by myself for the months of December, 2010 and January, 2011.***
4. As well as keeping my own weather records I continually monitor the BOM sites. I recall on Friday 7th January, 2011 I commenced monitoring the BOM site on my computer from about dinner time up to about 10.05am on Tuesday 11th January, 2011.
5. On 10th January, 2011 I saw that the water from Oakey Creek had risen about half way up the park between Oakey Creek and my residence. This rise was not out of the ordinary for the Oakey Creek in this area. I saw that the park bench had the eastern side under water however the western end was out of the water. This bench is located some 50 metres from my residence. ***I can produce a photograph of this bench and its location. Detective Ainsworth took a photograph of this on 29/3/2011.***

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6. I noticed about 11pm on 10th January, 2011 the water had receded to be a distance of about 60 metres into the park. I was aware that the BOM had issued a flood warning for the Condamine River which is located about 55 kmh from my residence. The Oakey, Doctors and Gowrie Creeks all flow out to the Condamine River joining it just south of Dalby.
7. The BOM site provided a reading for the Gowrie Creek but no reading was provided for the Oakey Creek as there is no gauge on the Oakey Creek at Oakey. I have since found out that the closest gauge to Oakey is on the Gowrie Creek south of Oakey.
8. As a result of the rainfall in the area, on 10th January, 2011 I contacted the Toowoomba Regional Council on numerous occasions. I believe I attempted to contact them on at least seven occasions. The purpose of these calls was to inquire as to the status of Cooby Dam. At 1.14pm on the same date my wife finally got through to someone in the Water and Sewerage Section of the Toowoomba Regional Council to inquire about Cooby Dam. This person (who I don't have his details recorded) said he would go out to the dam and check the heights of the water. We never heard back from this person at all.
9. At about 10.05am on 11th January, 2011 I contacted the State Emergency Service (SES) on phone number 132500. I spoke to a female SES officer for 4.43 minutes about the water in our vicinity.

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This female advised me that there was no flooding in Oakey and there would be no flooding in Oakey. I do not know what the name of this female is.

10. At this time due to the continuous rain and the rising again of Oakey Creek I started to lift up property inside my house. This included lifting the power boards, removing the water pump from the outside rain tank, lifting power tools in the shed and other equipment. I also took the bedding off the double bed and put it up on top of the wardrobe. Around this time I saw the water rise about 9cm in a period of about 90 seconds.

11. About 10.20am my wife and I self evacuated from our premises. At this time the water had risen over the concrete slab in the rear of our house. The water would have been about 50 mm over the slab when we left the house. The water continued to rise rapidly; I made a decision not to risk the safety of my wife and myself resulting in our self evacuation. The flood waters had come from Oakey Creek. My wife and I waded along Stanley Street and turned into Beale Street, turned right into Davidson Street towards the Railway Crossing. About halfway between Beale Street and the Railway Crossing we were picked up by our next door neighbour and driven to our daughters place at Bell Street, Oakey. We stayed at our daughters place for a number of days.

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12. At about 5pm on the 11th January, 2011 I returned to our house as the flood water had receded. There was no water on my house block at this time. The water had receded back into the park. We had about 200 mm of water go through the house destroying carpets, whitegoods, books and other property.

13. On Wednesday 12th January, 2011 we commenced cleaning up our residence and moved back into the house on the following Saturday.

14. At no stage did we receive any warning from the Toowoomba Regional Council or emergency services about the pending flood. It was my own research on the BOM site and monitoring of the ABC radio that alerted me to the flood event. I would say that the warnings on the BOM site were timely and accurate but as far as I could tell they did not necessarily relate direct to Oakey. As far as preparation for the flood event in Oakey I would describe the preparation as non-existent. There was no information from the council, the SES could not assist with sandbags and in fact told us that there would be no flooding in Oakey.

15. The only time I saw a council representative was when two council employees, David Totenhofer and Karen King attended our house after the flood. They provided advice and assistance to us.

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We were provided with an electrician to check white goods, offered legal assistance and cleanup volunteers and we were also introduced to the Toowoomba Recovery Centre people. Family and friends provided food and clean up assistance. The local RFS assisted in the clean up hosing houses down. A number of private people provided bobcats and trucks and in my opinion they did not stop.

16. I believe an evacuation centre was set up in the Oakey Civic Hall however at the time of the flood I was not aware of this evacuation centre. No one had told us it was in existence. After the flooding event I believe the response in the community was excellent. Recovery of the area occurred very quickly and a deal of assistance was provided. Once the SES advised that they did not have sandbags, ADF staff kicked in and arranged sandbags for various premises including business premises.

17. When the recovery phase was on the Toowoomba Regional Council advised the community of the clean up and also provided trucks to remove rubbish from premises.

18. On 13th March, 2011 I provided Paul Lucas, Deputy Premier and Attorney General for Queensland a submission regarding what I believe to be a number of contributing factors to the flood events in Oakey.

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In this submission which is attached to my statement I consider that the flooding in Oakey was caused by three factors including; the removal of culverts from the railway line, the inadequate railway bridge over Doctor's Creek east of Jondaryan and the bridge over Oakey Creek on the Warrego Highway Bypass having an insufficient opening to allow flow of water.

[Redacted]
B.J.EARSMAN

Justices Act 1886

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated 10 APR 2011 and contained in the pages numbered 1 to SEVEN is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

.....Signature
Signed at OAKEY this TENTH day of APRIL 2011

Witness Signature [Redacted]
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OATHS ACT 1867-1981

I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1981 that:-

- (1) This typewritten statement by me dated 29/3/11 and contained in the foregoing pages numbered 1 to 7 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

Signature

Taken and declared before me at Townsboro
this 19th day of April 2011

Witness:

Justice of the Peace/Commissioner for Declarations
of the State of Queensland.