

COMMISSION OF INQUIRY ORDER (NO.1) 2011  
COMMISSIONS OF INQUIRY ACT 1950

SUBMITTER: COMMITTEE OF JABIRU PLACE CTS 19169

Date of submission 5 April 2011

SUBMISSION TO QUEENSLAND FLOODS COMMISSION OF INQUIRY

LIST OF MATERIAL IN SUPPORT OF SUBMISSIONS

Doc No.	Date	Description
1.	undated	Ipswich City Council Flood Map
2.	undated	Aerial Photograph town house complex
3.	undated	Aerial photograph <i>Jabiru Place</i> and environs
4.	18.04.94	Site Plan Building Locations Stage 1 Drawing No 43751-01 No 1 of 4
5.	18.04.94	Floor and Drainage Plans Elevations Sections and Details Drawing No 43751-01 No 2 of 4
6.	18.04.94	Pool House Structural Details Drawing No 43751-03 No 3 of 4
7.	18.04.94	Proposed Carport Structural Details Drawing No 43751-04 No 4 of 4
8.	24.11.94	Site Plan Building Locations Stage 3 Drawing No 43695-03 C
9.	24.11.94	Siteworks Layout Plan Drawing No 43695-C1
10.	24.11.94	Services Layout Plan Drawing No 43695-C2
11.	24.11.94	Details & Notes Drawing No 43695-C3
12.	24.11.94	Floor Plan Type A & B Units Floor Framing Plan Drainage Plans Drawing No 43695-10
13.	24.11.94	Floor Plan Type C Units Floor Framing Plan Drainage Plans Drawing No 43695-11
14.	24.11.94	Floor Plan Units 20,21, 22 & 23 Overall Dimensions Bracing Plans & Elevations Drawing No 43695-17

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**SUBMISSIONS**

On behalf of the Jabiru Place CTS 19169

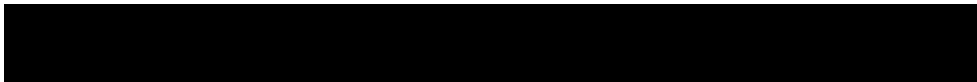
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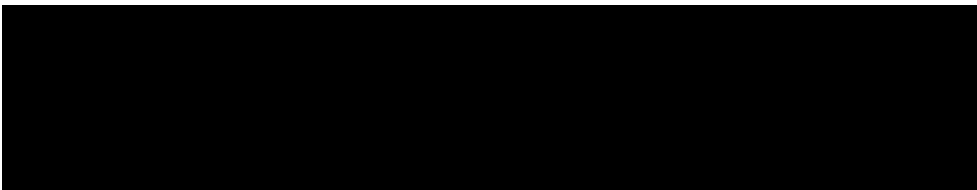
15. 24.11.94 Floor plan Units 24, 25 & 26 Overall Dimensions Bracing Plans & Elevations Drawing No 43695-18
16. 24.11.94 Floor Plan Units 27, 28 & 29 Overall Dimensions Bracing Plans & Elevations Drawing No 43695-19
17. 24.11.94 Unit Type A & B Section Thru and Details Drawing No 43695-20
18. 24.11.94 Unit Type C Section Thru and Details Drawing No 43695-21
19. 24.11.94 Slab and Footing Details Drawing No 43695-31
20. 14.11.95 Floor Plan Units 35, 36, 37 & 38 Overall Dimensions Bracing Plans & Elevations Drawing No 43695-24
21. 14.11.95 Floor Plan Units 30, 31, 32, 33 & 34 Overall Dimensions Ground Flr Bracing Plan & Elevations Drawing No 43695-22
22. 14.11.95 Floor Plan Units 39, 40, 41 & 42 Overall Dimensions Bracing Plans & Elevations Drawing No 43695-25  
  
(Copy of above Plans for documents 4 to 22 are included on A3 paper)
23. 10.11.10 Email from Anton Rush to Matt Morgan (contact with Origin Alliance)
24. 16.12.10 Email from Anton Rush to Committee regarding works on Monash Overpass
25. 25.01.11 "Past Advice for a modern Flood", The Courier Mail



27. 02.02.11 Letter and RTI Application form to Ipswich City Council for copies of documents and information
28. 02.02.11 Letter and RTI Application form to the Department of Main Roads for copies of documents and information



30. 18.02.11 Letter from Ipswich City Council to Committee (RTI application)
31. 23.02.11 Letter from Department of Main Roads to Mr Morgan enclosing s.41 notice



[REDACTED]

35. 03.03.11 Email from Chairman to Department of Transport and Main Roads (narrowing the scope)

[REDACTED]

37. 01.04.11 File note of meeting with Derek Millar, Department of Transport and Main Roads

38. 04.04.11 Letter from Allan McLaughlin Registered Surveyor

39. undated Statement of Sharron Lee Campbell

40. undated Statement of Sharyn Finn

41. undated Statement of Anya & Brett Hunter

42. undated Statement of Tania McLaughlin

43. undated Statement of Matthew Morgan

44. undated Statement of Anthony Rush

45. undated Statement of Michael William Wilkinson

46. undated Statement of Sarah Wilkinson

## SUBMISSIONS

### REFERENCES & TERMS

1 For consistency the following terms will be used throughout this submission:

- (a) **Body Corporate** means the Body Corporate for Jabiru Place Community Title Scheme 19169 located at 13 Bridge Street, Redbank.
- (b) **Brisbane Flood Disaster** or **Disaster** means the flood event that took place on 11 January 2011.
- (c) **Complex** means Jabiru Place.
- (d) **Développement** means the subdivision and construction of Jabiru Place being known as the project "*Abergavenny Unit Development*".
- (e) **Developer** means Abergavenny Investments Pty Ltd.
- (f) **Jabiru Place** means the Community Title Scheme 19169 being located at 13 Bridge Street, Redbank.
- (g) **Monash Overpass** means the overpass being constructed on land resumed from Jabiru Place by the Department of Transport and Main Roads as part of the Goodna to Dinmore Ipswich Motorway Upgrade. The Overpass exists from the Ipswich Motorway and travels in a northerly direction to join Monash Road at the intersection of Monash Road and Brisbane Terrace, running parallel to McAuliffe Street.
- (h) **Owners** means the registered proprietors of the town houses forming the Group Titles in the Community Titles Scheme 19169.
- (i) **Residents** means the occupants of the town houses forming the Group Titles in the Community Title Scheme 19169.

### BACKGROUND

- 2 Jabiru Place is a Community Title development. The land comprises an irregular shaped battle axe allotment that has a gentle slope from north-west to south east. The north western alignment adjoins the Brisbane to Ipswich Railway Line. The North Eastern alignment adjoins an open grassed area. The open grassed area includes a natural watercourse, which flows down along the North Eastern boundary from the direction of the Redbank Station. The southern boundary adjoins the rear of several improved residential allotments.<sup>1</sup>
- 3 The development is located within the Ipswich City Council in the suburb of Redbank approximately 30 kilometres south-west by road from the Brisbane General Post Office and 10 kilometres east of the Ipswich Post Office.
- 4 Jabiru Place comprises 42 residential town houses with an internal road network, barbeque area and communal swimming pool and tennis court.
- 5 The development of Jabiru Place was undertaken in 5 separate stages<sup>2</sup>. The stages of development appear to have been:
  - (a) Stage 1 - Units 1 to 9;
  - (b) Stage 2 – Units 10 to 19;

<sup>1</sup> Aerial photograph *Jabiru Place* and environs [Document No 3].

<sup>2</sup> Site Plan Building Locations Stage 1 Drawing No 43751-01 [Document No 4].

- (c) Stage 3 – Units 20 to 29;
  - (d) Stage 4 – Units 30 to 38; and
  - (e) Stage 5 – Units 39 to 42.
- 6 The first state of the development was constructed in 1994.
  - 7 Following completion of construction of the subdivision by Abergavenny Investments Pty Ltd the resulting development was registered in accordance with the *Building Units and Group Titles Act 1980 and the Building Units and Group Titles Regulations 1980 (1980 Act)*. The Group Titles Plan of Resubdivision No. 103134 was registered with the Titles Office.
  - 8 On enactment of the *Body Corporate & Community Management Act 1997 (BCCMA)* transitional provisions applied to the 1980 Act. The effect of the transitional provisions of the BCCMA was to replace building units plans and group titles plans under the 1980 Act with community titles schemes (CTS). The enactment of the BCCMA also precluded further group titles plans being registered.
  - 9 Under s326 of the BCCMA a former group titles plan registered under the 1980 Act is referred to as an "*existing plan*". The existing plans were dealt with by commencement of a new CTS for the existing plan with each lot being included in the new scheme.
  - 10 Each item of additional common property under Division 2 of Part 2 of the 1980 Act (other than that incorporated into the parcel because of Division 2) became a body corporate asset for the CTS.
  - 11 The body corporate under the 1980 Act was taken to continue in its existence without any change to its corporate identity, and became the body corporate for the new CTS.
  - 12 The transitional provisions also provided for existing plans to be converted. In the case of a group titles plan it is taken to be a *standard format plan* under the BCCMA. Any group titles plans easements applicable under the 1980 Act continued to apply such as easements for support for the common walls between each town house.
  - 13 It is of significance to note that Jabiru Place is immediately adjacent to a significant upgrade to the Ipswich Motorway being the Monash Road overpass. The construction of the overpass has resulted in a significant (approximately 793 square metre) resumption of land from Jabiru Place together with an assortment of issues directly resulting in significant loss of amenity and enjoyment of use of the town houses for residents. The overpass is being constructed between McAuliffe Street and Jabiru Place<sup>3</sup>.

#### **IMPACT OF BRISBANE FLOOD DISASTER**

- 14 Units [REDACTED] were filled with water from ground floor through to half way up the walls of the first floor. The height of the water reached approximately 5100mm. These were the 9 units that were most severely impacted.
- 15 The water was present in the units for not less than 48 hours, taking days to recede to the extent that owners could access their units in relative safety. Practically all plaster board required removal together with ceilings, all fittings such as kitchen cabinetry and all furnishings and chattels in the town house.
- 16 Units [REDACTED] were filled with water to the level of the ceiling of the first (ground) floor level. The height the water reached was approximately 3200mm. The plaster board ceilings were all destroyed. The water did not reach the first floor level.

<sup>3</sup> Aerial photograph *Jabiru Place* and environs [Document No \*].

- 17 Units [REDACTED] were inundated with water approximately half way up the walls of the ground floor level. The height the water reached varied from approximately 150mm to 800mm. The lower plaster board sections of walls were destroyed together with kitchen cabinetry and all furnishings.
- 18 When the residents could access their town houses following the Disaster the town houses were progressively stripped of all furniture, furnishings, clothes, kitchen ware, white-goods and chattels. In almost all cases these items were thrown away. A refuse pile was put together in the car parking spaces in the central driveway area.
- 19 The refuse was removed by Origin Alliance during the week commencing Monday, 17 January 2011. It took 87 loads in tip trucks, which had a capacity of approximately 12 cubic metres. This equates to approximately 24 cubic metres of waste per town house, and gives a good indication of the quantity of material deemed beyond salvageable.
- 20 The full extent of the Disaster is best understood by considering the statements included with this submission.

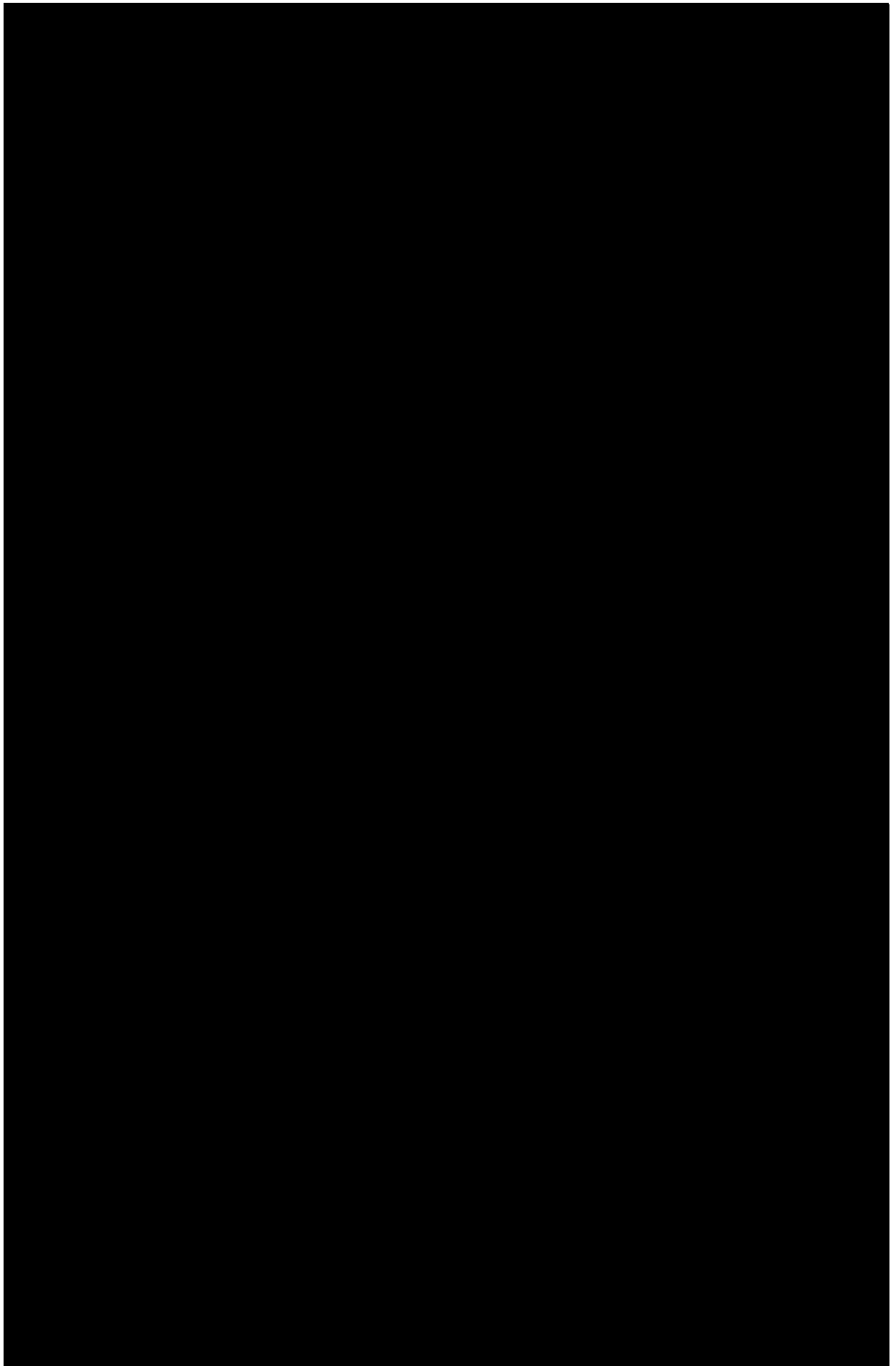
#### ACCESS TO INFORMATION

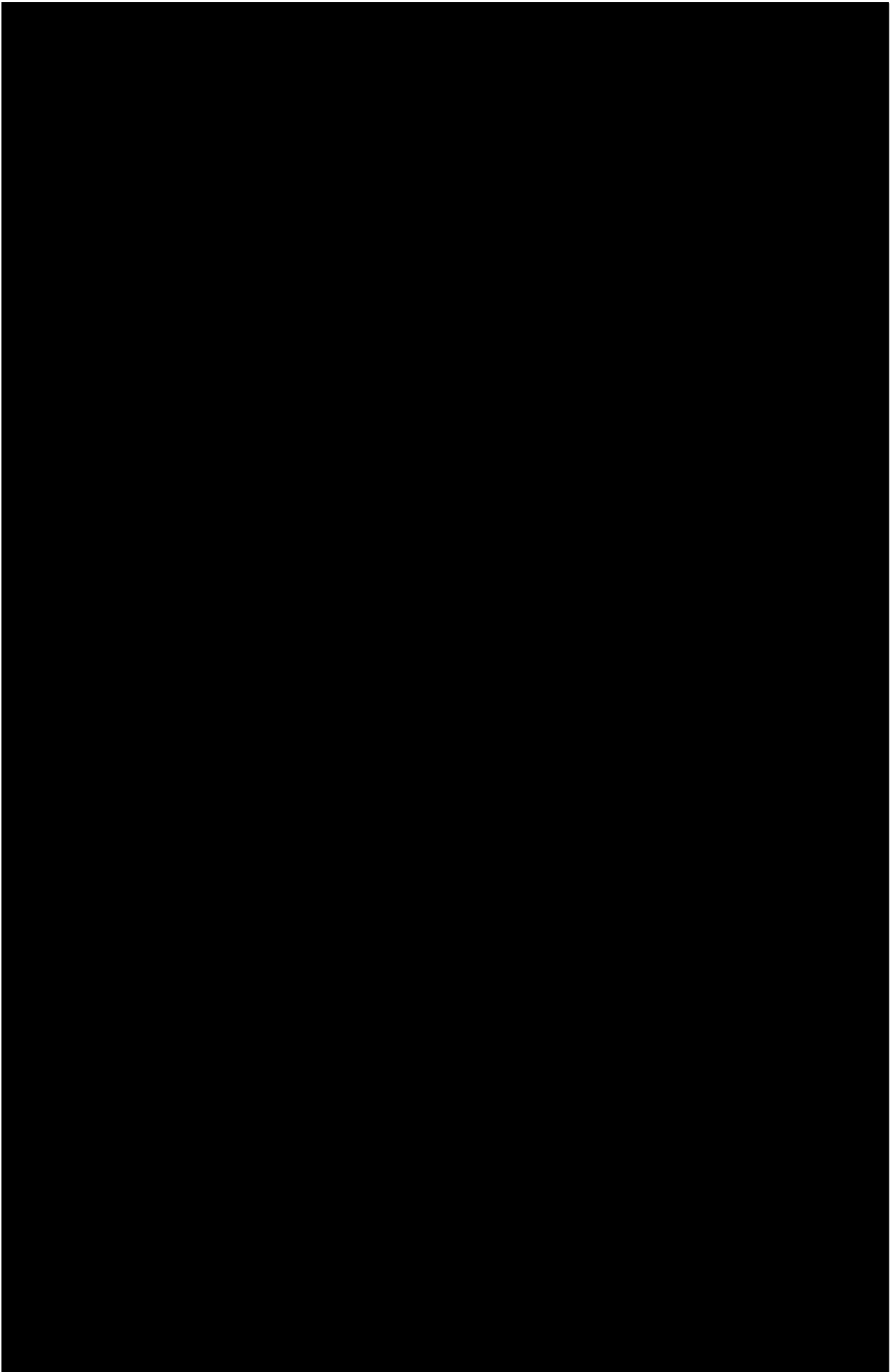
- 21 The majority of residents of Jabiru Place lost all their personal paperwork and records as a result of the Disaster.
- 22 In an endeavour to be able to make informed and worthwhile submission the Committee of the CTS has made two applications pursuant to the *Right to Information Act 2009* (Qld). The applications have been made to the:
  - (a) Department of Transport and Main Roads<sup>4</sup>; and
  - (b) Ipswich City Council<sup>5</sup>.
- 23 After communications acknowledging receipt of the applications the responses received communications indicating the extent of the requests may result in a rejection on the basis of s.41 of the *Right to Information Act 2009* (Qld). The Committee were invited to narrow the scope of the applications, and meetings have been held with representatives of Ipswich City Council and the Department of Transport and Main Roads.
- 24 A number of documents have been received from Ipswich City Council<sup>6</sup>, but the Committee is yet to receive any documentation from the Department of Transport and Main Roads. There are further documents that have been ordered from the Council; but it is still dealing with the substantive request for documentation.
- 25 Representatives of the Committee met with Mr [REDACTED] from the Department of Transport and Main Roads on Friday, 1 April 2011 for the purpose of the Committee narrowing the scope of documents requested under its RTI application. At that meeting no documents were provided.

<sup>4</sup> See application to Department of Transport & Main Roads [Document No 28].

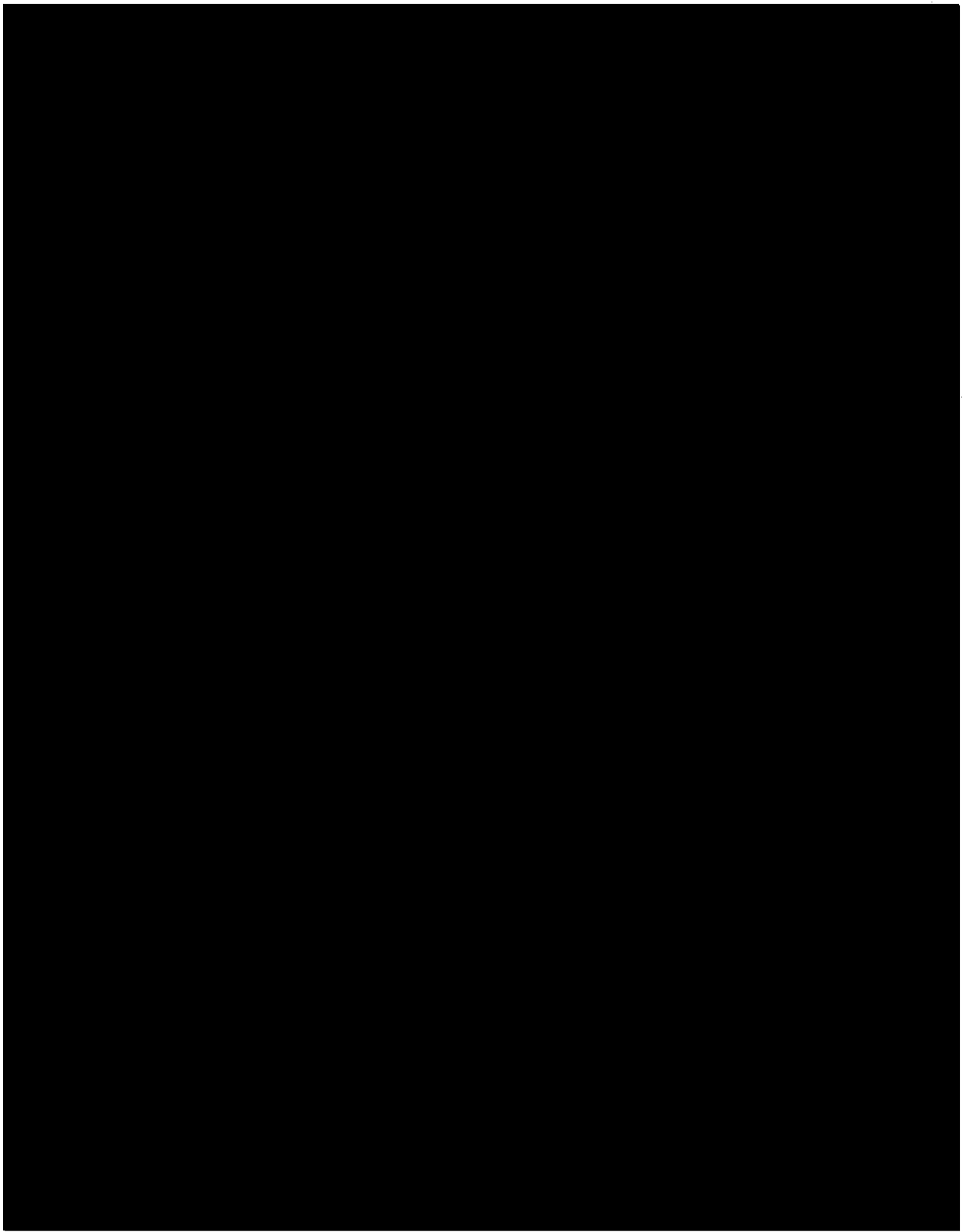
<sup>5</sup> See application to Ipswich City Council [Document No 27].

<sup>6</sup> See drawings [Document No 4 to Document No 22].









***CRITERIA 2(c) ALL ASPECTS OF THE RESPONSE TO THE 2010/2011 FLOOD EVENTS***

**Measures taken to inform the community**

- 48 The residents of Jabiru Place first received notification they needed to take action to remove themselves and secure any readily portable possessions by a text message from the State Government on 11 January 2011, which was broadcast to all mobile telephone owners within the Redbank area. The message said:

(a) *"Flash Flood Warning Brisbane River to reach 18 to 19 m Wednesday AM. Residents close to River or associated tributaries monitor situ overnight and evacuate if required"*.

- 49 Apart from the text message the residents of Jabiru Place did not receive any warning or advice from any government instrumentality or body, or receive any information or advice from the Ipswich City Council.<sup>18</sup>
- 50 The message also did not provide any advice, by reference to landmarks, of what water that high would inundate. It did not give any clear indication of the risk to property.
- 51 The residents of Jabiru Place did not receive any personal visit from the Queensland Police Service or Council or SES to advise of any impending Disaster, or the likely impact of the flood waters.
- 52 The resident of unit [REDACTED] remained in her town house for the duration of the Disaster and quite conceivably could have been seriously injured as she was in her bedroom and had no means of escape. She stood in the corner with water up passed her chest height, and did not come out of her unit until the water had receded and residents returned to the complex and were hosing the mud off her front drive.
- 53 Sharron Campbell (unit [REDACTED]) was evacuated from her unit by Anton & Kelly Rush of Unit [REDACTED] on 11 January 2011 after vehicular exit access was cut off by rising flood waters. She had stated that she would not leave the complex because she had 3 cats, and had no relatives or friends close by and had no where to go and had no form of transport. Anton & Kelly insisted she leave the complex with her cats and stay with Anton's mother.<sup>19</sup>

#### **Measures to protect life and private and public property**

- 54 The residents of Jabiru Place did not receive any advice or assistance from any statutory body to assist with protection of life, or private and public property prior to the Brisbane Flood Disaster.
- 55 Following the Brisbane Flood Disaster the residents of Jabiru Place received considerable assistance from volunteers and not for profit organisations such as Community One. Queensland Fire & Rescue and Queensland Rural Fire Service came and assisted, Elements of the Australian Defence Force also came and assisted.
- 56 Immediately following the Brisbane Flood Disaster the residents of Jabiru Place were left without power and were effectively cut off from normal access routes to Bridge Street, Redbank. Jabiru Place could only be accessed by driving on several roadways against the usual flow of traffic.
- 57 Although the support of the people of South East Queensland (Brisbane, Gold and Sunshine Coast) was extremely generous and volunteers were willing, significant destruction of property resulted from the inability of residents and owners to adequately clean furniture and goods on site (extremely difficult without hot soapy water) and the site lacked anywhere to store cleaned furniture and goods. The only way to have clothes, linen, furniture and other household items cleaned was to rely on family and friends to take loads away for cleaning and restoration.
- 58 The government instrumentalities did not offer or provide any facilities for cleaning or restoration.
- 59 After the emotional shock of the significant destruction caused by the forces of the flood waters, which brought significant sediment, it was impossible for residents to develop a

<sup>18</sup> See paragraphs 4, 5, 15, 16 and 17, statement of Sharron Lee Campbell [Document No 39]; see paragraph 14, statement of Matthew Morgan [Document No 43]; see paragraph statement of Michael Wilkinson [Document No 45].

<sup>19</sup> Paragraph 19, statement Sharron Lee Campbell [Document No 39].

strategy or methodology for salvaging household goods. As a result a significant amount of household goods, which could have been salvaged were sacrificed to land fill because:

- (a) Residents did not know how to go about cleaning furniture;
  - (b) Residents were not clearly informed whether or not cleaning furniture, linen and other household items with disinfectant and hot soapy water would be sufficient to prevent any disease resulting from sewerage contamination in the flood water.
  - (c) Residents did not have access to hot water or any storage facilities.
  - (d) Residents were overwhelmed by the magnitude of the impact of flood waters on the contents of their homes and absent knowledge or understanding of salvage techniques and the space and capacity to access hot water a "throw away" mentality developed.
- 60 Of the 42 townhouses 33 were affected by the Disaster. There were approximately 10 town houses that had flood waters reach within approximately 30 to 40 centimetres of the ceiling in the upstairs floor of the town house. The water also took at least 48 hours to recede, which meant the town house and its contents were soaking in flood water for that time.
- 61 The radio broadcasts continually made announcements to obtain and download information from websites, which was of no assistance to the residents as power was cut in Redbank and the associated suburbs.
- 62 As there was a significant number of volunteers (many turned away from volunteer centres) the manpower could have been utilised to take household goods, clothes, linen and other materials off site for cleaning and temporary storage and then return.

#### **Immediate management, response and recovery**

- 63 On the second day of recovery Jabiru Place had received the services of Centrelink, and had an officer on site dealing with inquiries directly.
- 64 The local member of parliament had made arrangements for certain volunteers to present themselves at Jabiru Place for deployment within the complex to assist residents cleaning out town houses.

#### **Resourcing, overall coordination and deployment of personnel and equipment**

- 65 The deployment of experienced salvage operators would have been extremely useful to assist tired and emotional people with realistically assessing what of their possessions could be salvaged with some time and effort instead of consigning practically everything to the tip.
- 66 A lack of methodology and knowledge of viable salvage techniques resulted in an extensive and expensive waste of natural resources.

#### **Adequacy of equipment and communications systems**

- 67 The communications systems did not provide the residents with any warning of the speed of the rise of the flood waters. There was little or no contact from any statutory authorities in relation to this area of Redbank.
- 68 There was a lack of information about the impact 16 metres of water was likely to have. For example, would it cover the driveway, ground floor or upper level of the town house.

#### **Adequacy of the community's response**

- 69 The Brisbane and Ipswich Communities rose to the challenge of the Disaster magnificently and new friendships and alliances have been forged as a result of the Disaster.

**CRITERIA 2(e) ADEQUACY OF FORECASTS AND EARLY WARNING SYSTEMS – BRISBANE VALLEYS**

- 70 Absent the warning from Vodafone and other messages received from others the residents of Jabiru Place would not have evacuated in time to avoid being stuck in the rising flood waters. There was at least one resident that did stay in a town house during the Disaster.
- 71 Many residents are extremely critical of the local and state governments failure to warn residents of the dangers. This failure is more significant given the existing knowledge of the council and state government, based even on an optimistic interpretation of 1 in 20 year flood event was that Jabiru Place would be affected by the Disaster, and people's lives and property would be at risk.<sup>20</sup>

**CRITERIA 2(g) ALL ASPECTS OF LAND USE PLANNING THROUGH LOCAL AND REGIONAL PLANNING SYSTEMS TO MINIMISE INFRASTRUCTURE AND PROPERTY IMPACTS FROM FLOODS**

**Council planning**

- 72 Absent receiving a copy of the documents comprising the Development Application and Approval in respect of the development it is somewhat difficult to make concluded submissions in relation to the residents' concerns in relation to the development.
- 73 The Site Plan Building Locations Stage 1<sup>21</sup> includes two notations namely:
- (a) "old flood line"; and
  - (b) "new flood line RL 11.500".
- 74 It appears from these notations the Developer had some hydrological modelling done so as to effectively move what is assumed to be the 20-year flood line away from the proposed unit development. As the Committee has not yet received a complete copy of all documents requested in its RTI application it has not been able to reach a concluded view on this issue.
- 75 The Committee has also been unable to consider the conditions upon which the Ipswich City Council granted development approval or the conditions on which the Council granted building approval.
- 76 It is certain, however, that the location of the flood lines (both old and new) on Drawing No 43751-01 do not reflect the reality of flood events.
- 77 On the Site Plan Building Locations Stage 3 the old flood line has been completely omitted. The new flood line also fails to follow the contour of the existing land form.
- 78 The modelling appears to be entirely inadequate and flood prevention measures entirely lacking in respect of the development.
- 79 The owner of unit ■ in Jabiru Place is a surveyor and has taken flood levels on AHD height Datum. He observed that the flood level on 13 January 2011, which was two days after the initial inundation was RL 16.90 metres<sup>22</sup>. Mr McLaughlin indicates that he observed level of the flood level exceeded that of the 1 in 100 year flood event. It also appears to be at odds with the OV5 flooding and urban stormwater maps publicly available<sup>23</sup>.
- 80 The Committee is concerned about the Council's approval process especially in approving construction of a high density residential development in such a high risk location. The

<sup>20</sup> See statement of Sharron Lee Campbell [Document 39].

<sup>21</sup> Site Plan Building Locations Stage 3 43695-03 [Document No. 8]; Site Plan Building Locations Stage 1 43751-01 [Document No. 4].

<sup>22</sup> See document No 38 - letter from Allan David McLaughlin dated 4 April 2011.

<sup>23</sup> See document No 1 OV5 Flooding and Urban Stormwater Flow Path Areas.

location's risk is now enhanced by virtue of the Ipswich Motorway Upgrade and the overland water flow problems directly resulting from the Monash Road Overpass.

- 81 The plans indicated the flood line on maps was based on a 1 in 20 year flood event, and not a 1 in 100 year flood event.<sup>24</sup>
- 82 It appears the quality of information readily available and advice provided by conveyancers and solicitors on the purchase of the town houses meant the residents were not aware that if Jabiru Place had been constructed in the 1974 floods it would have been underwater.<sup>25</sup>
- 83 Professor Grigg outlined a proposal for homes in flood prone areas to have "legally-enforceable flood plans that would outline how the property would be affected by each metre of water rising in the Brisbane River". If Professor Grigg's advice had been adopted the residents would have had a clear understanding of what action to take on hearing that the Brisbane River was to reach 18 to 19m.
- 84 Based on the recommendations of Professor Grigg's report the land on which Jabiru Place is constructed would have been set aside for parklands or open space, such as an addition to the Pan Pacific Peace Park.
- 85 Given the reduction in values of homes imposed by insurers assessing certain homes (such as the Jabiru Place town houses) as an "uninsurable risk" for flood damage development of a rating system and flood plans would assist in giving certainty to insurers, home buyers and home owners about the real, not imagined, risks of flood damage.<sup>26</sup>
- 86 The development has, as has been recently demonstrated put lives at risk.

#### **Management of Ipswich Motorway Upgrade**

- 87 As part of the Ipswich Motorway Upgrade the State government has resumed an area of land of approximately 793 square metres situated at the most eastern point of the Jabiru Place complex. This area of land was heavily planted with various species of trees, which were mature and provided a dense canopy with limited underbrush. The area of land formed part of a natural waterway and was set down from the level of the existing tennis court. The topography of the resumed area was slightly undulating with the mid to rear sections being the lowest.
- 88 In the weeks prior to the Brisbane Flood Disaster the residents and Committee of Jabiru Place had noticed flash flooding occurring from the combined effects of:
  - (a) Clearing and earthworks on the adjacent land as part of the construction works for the Monash Road overpass.
  - (b) The inadequate overland drainage from the land adjacent to the north east corner (near swimming pool and tennis court) of Jabiru Place.
  - (c) The flow of the water being impeded and effectively dammed because of the construction of the Monash Road overpass.
  - (d) The watercourse being vegetated with reeds and other flora typically located in swampland previously assisted in the control of the overland water flows by slowing the velocity of the flow of water and enabling the area to soak up the water. The changes to the topography of the area from earthworks and construction of the Monash Road Overpass have reduced the water carrying capacity of the land, and resulted in a

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<sup>24</sup> See paragraph 5, statement Tania McLaughlin [Document No. 42].

<sup>25</sup> See paragraph 26, statement Anthony Rush [Document No. 44].

<sup>26</sup> See Documents No \*\*

blockage of the overland water flows. The result is banking up of water and additional flooding to McAuliffe Street, the adjacent Pan Pacific Peace Park and Jabiru Place.

- 89 Prior to the Brisbane Flood Disaster the Committee had taken photographs, video footage and amassed evidence of observations of the water flows and the impact of the construction process and overland drainage design of the Monash Road overpass.
- 90 The effect of the flash flooding causes water to back up to flood the tennis court. The velocity of the water coming down the incline along the north-eastern boundary will also cause problems with the structural integrity of the swimming pool, because of the potential for the continual drainage problems to undermine that boundary line along the area of the swimming pool.
- 91 Whilst Origin Alliance continued building up earth to increase the height of the overpass they installed three 2.1 metre drainage pipes to drain the overland water flows from Jabiru Place and the portion of land immediately adjacent to Jabiru Place. Approximately 2 weeks later the preparatory earthworks were removed and the drainage pipes were increased by the addition of another two 2.1 metre pipes.
- 92 Following installation of the further pipes the Committee continued to notice that the overland water flows failed to drain away in a timely manner and the water continued to bank up with the Overpass acting like a dam wall.
- 93 Mr Anton Rush (Secretary) spoke with Origin Alliance on or about 10 November 2010 to point out that since the earthworks and construction undertaken for the Monash Overpass the drainage was inadequate and causing flash flooding to the tennis court area.<sup>27</sup>
- 94 On 1 April 2011 Committee members met with Mr [REDACTED], Project Manager (SEQ Projects), Department of Transport and Main Roads. The purpose of the meeting was principally as a result of the Committee's RTI application, and to try to narrow the scope of the Committee's application by identifying documents of particular interest to the Committee. A file note of the discussion with Mr [REDACTED] forms part of the Committee's submissions<sup>28</sup>.
- 95 As is confirmed by the meeting on 1 April 2011 the Department of Transport and Main Roads is charged with the obligation of ensuring the local conditions (in terms of overland water flows drainage, utility and amenity of dwellings) are not made worse by the Ipswich Motorway Upgrade.
- 96 It is obvious from basic physics that significantly raising the height and width of the Motorway and significantly altering the storage capacity of adjacent lower lying land must necessarily result in flash flooding to the lower lying adjacent areas. The water flows from the increased size of the Motorway require discharge, which by its nature causes increased risk of flash flooding to lower lying areas such as Jabiru Place. This issue has been further exacerbated at Jabiru Place by the adjacent construction of the Monash Overpass, which is a significant additional mass.
- 97 A registered surveyor<sup>29</sup> has calculated that 4,000 cubic metres of volume has been lost due to the construction of the Monash Overpass because the area resumed and raised for the Overpass was approximately 1 to 1.5 metres below the property boundary. The area resumed and forming the Monash Overpass could have allowed for an estimated 4,000 cubic metres of storage area for water run off. This now has been reduced to approximately 120 cubic metres.

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<sup>27</sup> See Document No 23 and 24.

<sup>28</sup> See Document No 37.

<sup>29</sup> Allan McLaughlin.

**CONCLUSION**

- 98 The residents of Jabiru Place face an uncertain future, including difficulties financing significant repairs to property to restore the buildings, and difficulties obtaining insurance to cover the risk of "water damage" or "flood".
- 99 In the absence of receiving financial assistance to restore the lots in the complex more complicated issues leading to the financial ruin of owners will ensue in the next 6 to 12 month period, once the Banks cease offering hardship relief.
- 100 Given the nature of the problems currently experienced by the owners can be directly linked to the approval and development process, and overland water management issues have been made significantly worse by the Ipswich Motorway Upgrade it would be fair for the residents to expect the Council and the State Government to take responsibility for the current situation. Absent direct intervention by the local council and state government further property damage will occur at this location, and perhaps in less fortuitous circumstances life will be lost.

**DATED:** 5 April 2011



**Jeanenne Wilkinson**  
Senior Associate  
Contact: Jeanenne Wilkinson

