

Note

This statement has been redacted to remove certain personal information and information that is not relevant to the land planning terms of reference.

<i>Name of Witness</i>	Paul Christopher PITMAN
<i>Date of Birth</i>	[REDACTED]
<i>Address and contact details</i>	[REDACTED]
<i>Occupation</i>	Property Developer
<i>Officer taking statement</i>	Detective Sergeant Stephen Platz
<i>Date taken</i>	10 th August 2011

Paul Christopher PITMAN states:

1. I am a property developer and owner/director of a 63 room motel located at 2 Opal Street, Emerald known as the Route 66 Motor Inn. In early March 2007 I submitted a development application to the Emerald Shire council to build this motel. The application was for Lot 60 on Survey Plan (SP) 140178, Parish of Selma at the corner of Opal and Cliffe Street, Emerald being a 4,767m2 block of vacant land. I am able to produce a copy of this application.

**Exhibit: Development Application (D203/06) on Lot 60
Survey Plan number 140178, in the parish of Selma at the corner of Opal and
Cliffe streets, Emerald.**

Marked Exhibit No/...

2. In August 2008 purchased this block of land and began construction of motel. The land is located approximately 500 metres west of the Nogoa River on the eastern side of town. At the time of purchase I was aware that the area had been flooded in 2007 and previously on many other occasions. I do not recall being advised by my conveyance J Jones and Associate it was just common knowledge.

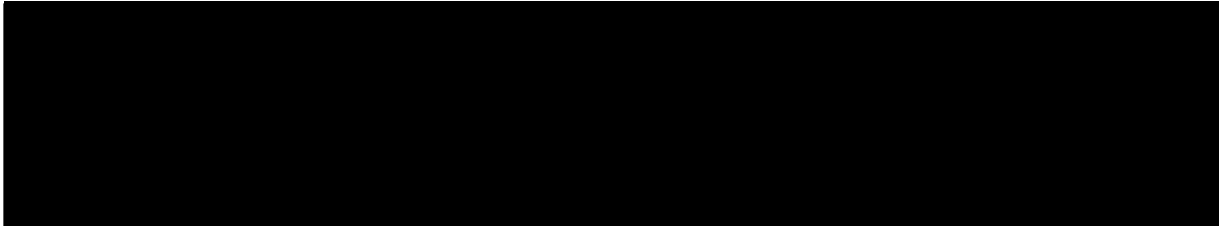
Witness Signature [REDACTED] Signature of officer

Page Number 1 of 4

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3. Due to my knowledge of previous flooding I trusted that the council was fully aware of the flood history and that they would issue the correct fill heights to avoid future flooding. The development application set the minimum finished surface level over the site at 177.4 m Australian Height Datum (AHD) and the minimum finished floor level for any structure at 177.7 m AHD (**Witness refers to Exhibit No/... part (1) 28**). I ensured that the floor level as above this height and was constructed 150 mm higher than the set height. Construction was finished in April 2009 and it has been operating as a motel since this time.

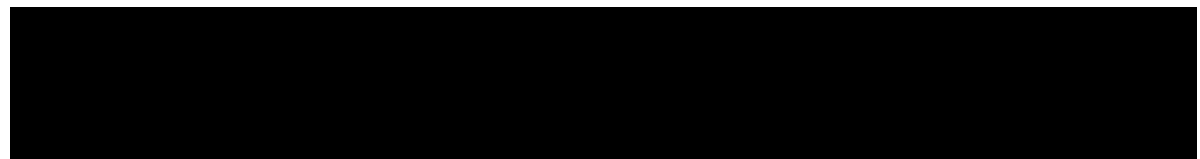


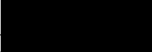
5. On the 31st day of December 2010 Emerald experienced heavy flooding. On this day the Nogoia River broke its banks and flooded towards our property. I arranged for some sandbags and wooden sheeting in an attempt to protect the motel, but eventually the river inundated the entire motel 200ml above floor level. I thought that we would be safe from flooding due to the minimum floor heights imposed by the council. This flooding caused considerable damage to the walls, infrastructure, equipment, carpets and fixtures in the motel. I am able produce photographs of the flooding and subsequent damage.

Exhibit: Series of photographs depicting flooding in and around 2 Opal Street, Emerald.

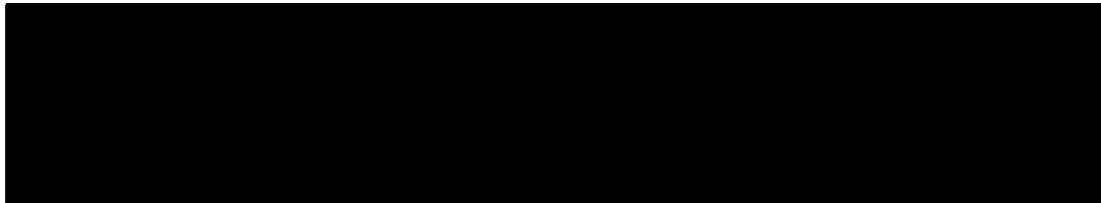
Marked Exhibit No/...

6. As the pictures depict the majority of the flooding came from the river however we also experienced a back up of storm water from a blocked storm water drain.



Witness Signature.  Signature of officer





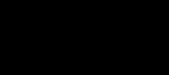
8.

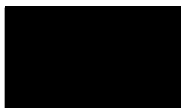


9. My main issue with regards to the flooding was the approval of my development application based on floor heights that did not take into account previous flooding in Emerald. I thought that we would be safe from flooding due to the heights imposed by Emerald shire council now known as the Central Highlands Regional Council since amalgamation. I have made inquiries with the council concerning what records they have used to base these heights upon and I was told by a council representative that their historical records in relation to flood levels had been destroyed. I believe that all the planning heights should be reviewed and I am aware that the council have imposed an embargo on all development applications concerning the height issue.

10. Furthermore, I do not think that the council has done enough to prevent flooding in Emerald especially since flooding has been a historically regular occurrence. Firstly, the Fairbairn dam has limited flood mitigation capability and I believe that the dam spillway should be developed so it has the ability to conduct controlled releases of water or a levee bank be constructed round Emerald which ever is the most cost effective.

11. Another issue I identified is the damming effect of the Central Line Railway that runs from east west through the town. The railway is only a short distance from my motel and is raised a considerable distance above ground level on an earthen bed. When the flood came through I saw the water back up on the railway and was unable to pass through quickly as there are in-sufficient culverts in the line.

Witness Signature,  ... Signature of officer



The only one closest to our location had an opening of approximately 1m x 1m to let an immense amount of water through. I am of the opinion that this back up of water also contributed to flooding in our area and that more culverts should be installed.

12.

[REDACTED]

[REDACTED] I consulted an engineer and constructed a levee bank around the motel to a height of about 1800 mm with heavy bracing to strengthen the wall. I have also installed two pumps to remove water, one of which has a 5000 litre per minute pumping capability.

P.PITMAN

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 11 th August 2011 and contained in the pages numbered 1 to 4 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.
	[REDACTED].....Signature
Signed atBrisbane...this 26 thday of.....August.....2011	

Witness Signature. [REDACTED] . Signature of officer

[REDACTED]