

██████████
FIG TREE POCKET

QLD 4069

23 August 2011

To the Queensland Floods Commission of Inquiry,

Re Submission about development of flood plains

I make this submission on behalf of some of the residents of ██████████
at Fig Tree Pocket.

██████████ is a cul-de-sac, off ██████████ at Fig Tree Pocket. It backs onto vacant land which includes Cubberla Creek and its flood plain. The vacant land is bounded by Jesmond Road.

When we bought the land our house was build on, in 2006, we were told that the vacant land behind our block could not be developed because is was below the 1974 flood levels. Our neighbours on both sides were told the same thing.

Shortly after our contracts settled, the vacant land was bought by a developer ██████████. The vacant land is part of a larger parcel of land which includes a house at ██████████.

Sometime in 2007, the developer had truckloads of fill delivered to build up the level of the vacant land immediately behind our house at 27 and the houses on both sides of it. The fill raised the level of the land immediately behind us significantly. However, we were told that the developer did not have permission from the Brisbane City Council to fill the land. We were told that he was directed to stop filling.

In 2009, the developer applied to develop the entire parcel of land at ██████████. The proposed development of 15 house blocks included several larger blocks on the vacant land immediately behind us, i.e. on the flood plain of Cubberla Creek.

We did not object to the development. We considered that it would be hypocritical to do so: we had purchased subdivided and developed land. Although we would be inconvenienced and disappointed by the development, we did not think we had good enough reasons to object to it. We are aware that many of our neighbours and the residents of ██████████ (which also backs onto this land) did object.

While the Brisbane City Council was in the process of considering the development application and the objections to it, the floods came. Cubberla Creek flooded homes in Ramada Place and Jesmond Road (immediately around us). We were very lucky. The fill, which had been deposited behind our houses, distorted the natural flood plain and protected our homes. We had a sense though that, had the fill not been there, the flood waters would not have extended

as far as they did into Jesmond Road, Ramada Place and Thiesfield Street and some of the homes in those locations would have been spared.

We thought that because of the tragedy of the flood and the damage to the homes so close to us the development application would not be approved. However, in an effort to ensure that this would be so, we wrote to our local councillor (Julian Simmons) explaining that we had not previously objected to the development but that it was now a matter of safety. We sent him photographs which had been taken of the rising flood waters, as they rose and at their peak. We explained that we had seen the waters balloon into areas which were not part of the natural flood plain because it had been distorted by fill.

We received an acknowledgment of our submission, but it was not clear whether or not it would be taken into account in the council's consideration of the development application (because it was out of time).

We were astonished to learn that the development was ultimately approved (with some amendments to the original proposal). It seemed to us to defy common sense. We invited the councillor to come and talk to us, so that we could show him how high the waters came and the site of the proposed development. He did meet us one morning. He told us the hydrologists saw no difficulty building in this area as long as there was enough fill deposited. We told him that part of our concern was that the fill distorted the flood plain and meant that those who had chosen to live in an area which one would not expect to flood were at risk as the waters ballooned. He invited us to take that up with the council's expert hydrologists.

We have not taken the matter any further until now.

In our respectful submission, it is not simply a matter of building up land in one area to ensure it is above predicted flood levels: that build up has a consequence for others. We cannot understand why this development was approved (insofar as it concerned the land immediately behind us: other parts of the land parcel are on relatively high ground). We respectfully request the Commission give consideration to this proposed development in particular in the context of its examination of all aspects of land use.

We have attached to this submission the development proposed and its approval and some photographs of the flood waters as well as correspondence from Councillor Simmons.

We are troubled by the proposition that, after everything that has happened this year, the Council has granted an approval which places at greater risk those who have already endured the consequences of one devastating flood.

Yours faithfully

Tim Ryan





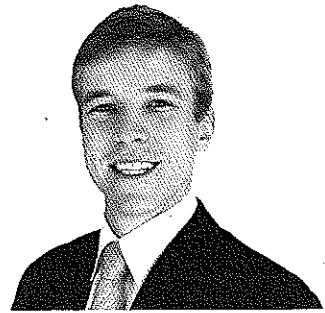






Cr Julian SIMMONDS

Councillor for Walter Taylor Ward



8 July 2011

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Mr Brett Thompson

FIG TREE POCKET Q 4069

Dear Mr Thompson,

Re: [REDACTED] Development – Follow up

I write to thank you for meeting with me and the Council Planner, [REDACTED] on Monday, 4th July 2011 regarding your concerns about the [REDACTED] Development in Fig Tree Pocket.

I appreciate you taking the time to come into my office and speaking with me regarding this issue.

As discussed at our meeting, I made representations on your behalf to Brisbane City Council's Principal Engineer within the Waterways Technical Specialist Team and requested that he advise whether or not the proposed abovementioned development would cause additional flooding in existing homes in the event of a simultaneous river and creek flood.

The Principal Engineer has advised that the "Brisbane River sets the flood planning levels for the area because the resulting flood level in the River is so much higher than the local creek flood level. This large difference in flood levels makes the impacts of simultaneous flooding of creek and river (referred to as Coincident Flooding) irrelevant for this area. Furthermore, the joint probability of a river and creek flood simultaneously occurring is actually far rarer than a 100 year flood probability so not normally considered in flood studies.

The Cubberla Creek Flood Study (local creek flooding) did model a 100 year creek flood coinciding with a 25 year ARI Brisbane River Flood (a reasonable assumption typical of most flood studies), which had minimal impact on creek flood levels. It also showed that during a larger River Flood the creek level is drowned out by the river because the "local" creek flood levels are so much lower than that of the Brisbane River".

Therefore, his expert advice is that "even if Coincident Flooding occurred (combined 100 year creek and river flood events) there would be no impact by the proposed filling as it does not alter the "highest" flood level (Brisbane River level) that is used for setting development levels, nor impacts the lower creek flood level as the filling is not within that area".

I hope that this information is of assistance to you.

If you have any further concerns, please do not hesitate to contact me on [REDACTED]

Yours sincerely,

P.S - Further advice as promised Brett.

Cr Julian SIMMONDS
COUNCILLOR FOR WALTER TAYLOR WARD

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Updates on events within the Ward are also available on my new website www.juliansimmonds.com.au

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