

<i>Name of Witness</i>	Julian James CHAMBERS
<i>Date of Birth</i>	██████████
<i>Address and contact details</i>	██████████ South Queensborough Parade, Karalee
<i>Occupation</i>	Business Owner
<i>Officer taking statement</i>	Detective Sergeant Stephen Platz
<i>Date taken</i>	20/09/2011

Julian James CHAMBERS states:

1. I am a █████ year old married male presently residing at █████ South Queensborough Parade, Karalee, with my wife and children. We purchased and moved into the house in 2008. The premises is a low set wooden home set on stumps that are about half a metre off the ground and is about twenty years old. The house is situated above the banks of the Bremer River which is about twenty metres above the normal river level. The Warrego highway bridge is approximately half a kilometre to our north west where it crosses the Bremer River.

2. Upon purchasing the house in 2008 I liaised with the Real Estate Agent, Ray White, that I purchased the property through, with regards to the potentiality of flooding. The Real Estate Agent showed me the current flood maps for the area which indicated that it was out of a 1/20 flood event but within the Q100 zone. There were no maps or information with regards to its status during the 1974 floods. As the house is twenty metres above the river and my trust in the flood mitigation ability of the Wivenhoe dam, I felt comfortable that our flood risk was minimal.

3. Not long after we moved into our house a new industrial development commenced construction just across the Bremer River and about 400 metres downstream. Prior to the development this area appeared to be a natural flood plain where any excess flood water would cross between the bend in the river.

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4. I watched the construction of this estate, known as Citiswich, over the many months it was built and I observed the massive earthworks that were occurring at this site. I saw the earth moving machines build a large level piece of ground approximately ten metres above the natural flood plain only a short distance from the river. Upon this level ground a large building was constructed on the side closest to the Warrego Highway (*Witness views photographs, Exhibit No/...*).
5. Between the 11th and 13th day of January 2011 the Bremer River flooded and as a result our house and those in the vicinity were inundated. The water reached the roof of our house and caused significant damage to our property. I subsequently compiled a letter that outlines our experience during this time and sent this to the Queensland Floods Commission Inquiry. I am able to produce this submission.

**Exhibit: Submission to the Queensland Floods Commission
Inquiry by Julian CHAMBERS**

Marked Exhibit No/...

6. During the flood in January I noticed how the flood waters that encroached onto our property came from the direction of the Citiswich development and the Warrego Highway Bridge. The flood water travelled up South Queensborough Parade and flooded us from the road side first before the side closest to the river. Eventually the river rose above the 20 metre high bank and the two arms of the flood met.
7. With regards to the flooding there are two main issues I wish to highlight. Firstly is the Citiswich development. Whilst watching the Bremer River rise I noticed that the flood waters could not escape across the flood plain where the Citiswich development is located. I suspect that the 10 metre high earthen fill on which the development is based, acted as a dam and pushed the water back upon the residential area. I base this upon the direction of flow of the flood water and my observations of the flood water at the Citiswich site. I believe that this has increased the height of the flood water due to the reduced flood plain area. I

indicated this development to the flood commission investigators who took photographs of this site. I am able to produce these photographs.

Exhibit: Series of Photographs depicting the raised earthen wall at the Citiswich site.

Marked Exhibit No/...

8. The second important issue is the lack of road access to and from our housing development. As stated in my submission I decided to check on the status of South Queensborough Parade road near the Warrego highway bridge. To my surprise the road was flooded at this location by Tuesday afternoon on the 11th of January. This is the only road that leads in and out of our development. Our only option was to exit via private property at the opposite direction to the flood waters. My decision to exit through this property was based upon emergent circumstances so that my family and fellow neighbours could get to safety towards the highway. Unfortunately, the property owner did not like people escaping through his property despite the potentially life threatening situation.
9. It is imperative that there should be some road access out of flood risk zones that does not become inundated at the first stages of flooding.

Insurance

10. In 2007 I took out home and contents insurance with AAMI at my old premises at Darra. At the time of taking out this policy I was aware that we were covered for flood but not what type of flood we were covered for. I cannot recall receiving a Product Disclosure Statement (PDS) but I am aware that the PDS is viewable on-line.
11. On the 11th of January 2011 when our house became inundated, I contacted our insurer via telephone. I had a conversation with an AAMI representative and explained to her the inundation to our home. The representative was encouraging and stated that she was 99% sure that we were covered for the flood that affected

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our home. I was told that under my policy we were covered for temporary accommodation and these costs would be reimbursed. The representative also stated that an assessor would come out to our home.

12. After the flood we had to seek alternate accommodation and as we were under the belief that the costs would be reimbursed, we rented a house.
13. About four weeks later an assessor came to our home at Queensborough Parade and had a quick look around the house. He did not say anything to us and provide us any information on our claim. At this time I was positive about the claim due to the initial statement by the AAMI representative.
14. For the next four months I did not receive any contact from the insurer. I recall contacting them on occasions to find out what was happening and it appeared that they were back peddling on their original statement that I was most likely covered. I was explained that I was only covered for flooding via storm water.
15. After the four month period I received a letter that stated that I was not covered for the flood damage and our claim was denied. I checked the on-line PDS which confirmed that I was only covered for storm flood and not the purported Riverine flood that they had assessed it as. I am not happy with the timeliness of our claim and the fact we had to wait four months before we could do anything to our property. We were encouraged by the initial statement by the insurance representative only to be told otherwise when we were officially informed via the letter.

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16. As a result of the denial of our claim we have lodged action with Legal Aid to dispute the basis of their decision concerning the definition of flood.

J.CHAMBERS

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 20/09/2011 and contained in the pages numbered 1 to 5 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 atBrisbane....this...22nd.....day of.....September.....2011

Witness Signature.  Signature of officer





