

<i>Name of Witness</i>	Nicholas John WHITE
<i>Date of Birth</i>	[REDACTED]
<i>Address and contact details</i>	[REDACTED] Hume Street, Woodend Qld 4305
<i>Occupation</i>	Business owner
<i>Officer taking statement</i>	Detective Sergeant Stephen Platz
<i>Date taken</i>	11 <sup>th</sup> October 2011

**Nicholas John WHITE states:**

1. I am a [REDACTED] year old male presently residing at [REDACTED] Hume Street, Woodend with my partner, Elizabeth TILBROOK. This house was purchased this house in 1980. Our house is located on the western bank of the Bremer River and is approximately 22 metres above river level. Our house is a three bedroom, highset, Queenslander style wooden dwelling that was built in the 1850's and is located in the Ipswich Parish, [REDACTED]. The land zone in our area is classed as residential.
2. At the time of purchasing our house we conducted the normal property searches aswell as further research concerning flood. As a result of inquiries through word of mouth and flood maps, we learnt that in 1893 our house was inundated to the roof level but survived due to its traditional structure. In 1974 the water came up to about half way up the stumps of the house and did not inundate the floor level. We were aware that our area was flood prone but were satisfied that our house was sufficiently resilient to flood based on this information.

Witness Signature [REDACTED]

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... Signature of officer [REDACTED]

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3. In January 2010 we became aware of an operational works application for the land directly across the Bremer River from our house, at the southern end of the North Ipswich Railway Yards. I have photographs of this site prior to development and am able to produce these.

**Exhibit;                      Photographs of aforementioned site Part of Lot [REDACTED] on [REDACTED] prior to subdivision and development**

**Marked Exhibit No/...**

4. I learnt that the applicant, Leda Design and Construction (Qld) Pty Ltd had plans to develop this site for a high density residential development. I reviewed the material that was available on-line which proposed the shifting of contaminated soil from stockpiles on the site in order to build steeper river banks. We had a number of concerns about this proposed development, which included; increased flooding towards our property; toxic contamination; erosion to properties on the opposite bank; increased dust and a flawed vegetation management plan. We detailed these concerns in an objection to the proposed development that we sent to the Ipswich City Council on the 20<sup>th</sup> January 2010.

**Exhibit:                      Objection to Planning Application OW 6291/2009 & MCU – 6293/2009 dated the 20<sup>th</sup> January 2010**

**Marked Exhibit No/...**

5. On the 5<sup>th</sup> February 2010 my partner and I sent in an objection to this application due to our further concerns of toxic fill and subterranean fires at the site. I am able to produce this letter.

**Exhibit:                      Objection to Planning Application OW 6291/2009 & MCU – 6293/2009 dated the 5<sup>th</sup> February 2010**

**Marked Exhibit No/...**

6. On the 8<sup>th</sup> June 2010 the Ipswich City Council (ICC) responded to our concerns outlined in our previous objections. I am able to produce this response from the council.

**Exhibit: Letter from Ipswich City Council dated 8 June 2010  
regarding objections to Material Change of Use Application**

**Marked Exhibit No/...**

7. Within this letter the council mentioned that a flood impact study had been conducted and was submitted with the development application. I subsequently requested a copy of the flood study which was sent to me by [REDACTED], the Senior Engineering officer on the 27<sup>th</sup> August 2010. I am able to produce this flood study.

**Exhibit: Cardno Riverlinks Central Flood Study dated 23<sup>rd</sup> July  
2008**

**Marked Exhibit No/..**

8. Upon analysing this report I identified a number of areas that I think were deficient in the study. The areas I identified included; failure to include 100 year flood scenarios; modelling based on data that does not include post 1974 flood impact; the instability of the proposed site area as a result of the planned 19.5 m platform; failure to study likely flood scenarios and erosion of properties on the west bank. I outlined these areas plus further points in an e-mail to [REDACTED] on the 31<sup>st</sup> August 2010. I am able to produce this e-mail and his response on the 1<sup>st</sup> September 2010.

**Exhibit: E-mail to [REDACTED] in relation to Cardno Flood Study  
and subsequent response.**

**Marked Exhibit No/...**

9. I later received a response from Cardno concerning the areas identified in my e-mail. This response still did not explain how the constriction of the river profile would cause flood levels and velocities to decrease. On the 23<sup>rd</sup> of November 2010 I sent an e-mail back to [REDACTED] highlighting this issue. I am able to the Cardno response and my return e-mail.

**Exhibit:** Cardno response with regards to property owner's concerns and E-mail sent to [REDACTED] in relation to Cardno response dated 23<sup>rd</sup> November 2010.

**Marked Exhibit No/...**

10. Due to my further inquiries on this issue I learnt that an Operational Works development permit had been issued for [REDACTED] North Ipswich. I also obtained a copy of this permit issued by [REDACTED] of the ICC. I am able to produce a copy of this document.

**Exhibit:** Operational Works Development Permit, Application number 3262/10, for Lots [REDACTED] dated 15<sup>th</sup> July 2010

**Marked Exhibit No/...**

11. I was not happy with regards to the approval for this permit. It appeared that the council had dismissed our reasonable objections and our concerns, relying instead on the developer, Leda Holdings Pty Ltd having done due diligence

12. In November 2010 I learnt that the ICC had approved the development application for Lot [REDACTED] of the said location. I subsequently obtained copies of this application and a report from Energex concerning the material change of use for this site. I am able to produce these copies.

**Exhibit:** Development Application Decision Notice for Lot [REDACTED] on [REDACTED] and Energex report with regards to this site

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13. On the Wednesday the 12th January 2011 after significant rain and flooding in the region, the Bremer River peaked and flooded properties to our North at the river bend. The water rose to 19.5 metres above the normal river height and came to our back retaining wall. We suffered flood damage to a small workshop that I have below the retaining wall but there was no flood incursion into our premises. I observed that the land across the river, the site of the proposed development, was totally submerged. I am able to produce photographs of the site during the flood.

**Exhibit:** Series of photographs of Lots [REDACTED] during the January 2011 flood

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14. At this time I was aware that the rail line height was more than 19.5 metres and it was covered with water. I am able to produce a Bureau of meteorology graph showing the peak height on the 12<sup>th</sup> of January 2011 at the Bremer River.

**Exhibit:** Bureau of Meteorology graph indicating river heights for the Bremer River during the January 2011 floods.

**Marked Exhibit No/...**

15. I also obtained a 'NearMap' photograph of the Bremer River at the site of the proposed development, which he was taken the day after the flood peak. I am able to produce this photograph.

**Exhibit:                Nearmap photograph of the Bremer River captured on the 13<sup>th</sup> January 2011**

**Marked Exhibit No/...**

16. On Monday the 21<sup>st</sup> day of February 2011 I observed work continuing at the proposed site. Since this time the river bank has been extended, creating a platform 19.5 metres above river height. I am able to produce a Riverside central plan and a Nearmap image displaying the elevated platform to 19.5 RL.

**Exhibit:                Riverside Central Site Plan depicting Elevated platform to 19.5 metres adjacent to the Bremer River**

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17. I have sent a number of objections to this development to various agencies and departments. I have outlined these concerns within letters to the Ipswich Electorate Officer, the Premier, the Reconstruction Authority and the Queensland Floods Commission of Inquiry. I am able to produce these letters which outline my concerns to this development.

**Exhibit:                E-mail to Ipswich Electorate office dated 15<sup>th</sup> February 2011**

**Marked Exhibit No/...**

**Exhibit:** E-mail to Queensland Redevelopment Authority dated 1<sup>st</sup> of March 2011

**Marked Exhibit No/...**

**Exhibit:** Letter to Queensland Premier dated 5<sup>th</sup> of August 2011

**Marked Exhibit No/...**

**Exhibit:** Letter to Queensland Premier dated 15<sup>th</sup> of September 2011

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**Exhibit:** Submission to Queensland Floods Commission of Inquiry

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18. In summary we believe that the whole process with regards to the approval of the Riverside Central development did not involve or take into consideration the residences on the opposite bank of the Bremer River. The opportunity to make a public submission concerning their proposals was limited and the attaining of applications and other supporting documents was difficult. None of our concerns have been suitably addressed. In summary our concerns relate to; the inappropriate re-profiling of the riverbank, which I believe will increase flood risk and flood flows; failure of the Council to obtain 3<sup>rd</sup> party review of the 2008 Cardno Flood Study which I believe is flawed as it used inappropriate modelling tools; inappropriate use of the river bank to store contaminated fill; the potential for increased storm water run off into the Bremer river from the development, causing scouring on our side of the river; and the high flood risk for the many hundreds of units that are proposed for the Riverside Central site (most to be built approximately 2 metres below the Temporary Local Planning Instrument level) will endanger lives and property in future floods. As the earthworks for Riverside Central have been continuing unabated since the flood, it is apparent to me that both state government and local council are conflicted when choosing between

encouraging development and avoiding the tragic loss of life and property through inappropriate floodplain development.

N.WHITE

**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 11/10/2011 and contained in the pages numbered 1 to 8 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 .....Ipswich...this....14<sup>th</sup> day of.....October.....2011

Witness Signature  .. Signature of officer 