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holding
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lawyers

30 January 2012

Queensland Floods Commission of Inquiry
Level 30, 400 George Street
BRISBANE QLD 4000

Partner
Direct Line
Email
Our Ref

Toby Boys

TZB:11800005

Attention: Ms Susan Hedge

By hand

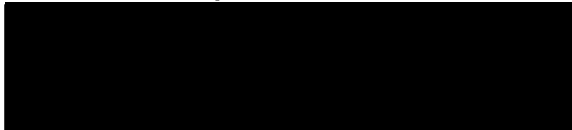
Dear Ms Hedge

Queensland Floods Commission of Inquiry

We refer to the Requirement to Provide Statement (**the Requirement**) dated 25 January 2012 sent to Albert Navruk (your reference Doc 1835074).

Please find **enclosed** Albert Navruk's statement in response to the Requirement.

Yours sincerely



HOLDING REDLICH

Enclosures: 1

QUEENSLAND TO WIT

I, **ALBERT JOHN NAVRUK**, of c/- SunWater Limited (**SunWater**), Level 10, 179 Turbot Street, Brisbane in the State of Queensland on 30 January 2012 do solemnly and sincerely declare as follows:

INTRODUCTION

- 1 This statement is given in response to a notice dated 25 January 2012 ("**notice**") requiring me to give a statement for the purpose of the Queensland Floods Commission of Inquiry. Exhibited to this statement and marked "**AJN-1**" is a copy of the notice.
- 2 This statement has been provided without any knowledge of the contents of other evidence that will or may be adduced, or the submissions that have or will be made to the Commission of Inquiry. I will supplement this statement with addendum statements if it is necessary.
- 3 I will provide any further information or explanation required by the Commission of Inquiry.

QUALIFICATIONS, EXPERIENCE AND CURRENT POSITION

Qualifications and experience

- 4 I have worked at SunWater, and its predecessors, since 1973.
- 5 I have an Associate Diploma in Civil Engineering and I have been a Draftsman with SunWater for the entirety of my employment with SunWater.

Current position

- 6 My current position at SunWater is as a Senior Technical Officer/Draftsman, in the Infrastructure and Development division.
- 7 In addition to my role as a Senior Technical Officer/Draftsman, I also worked as a flood officer in the Flood Operations Centre (**FOC**) during flood events. I started in this role when the FOC was established in the late 1990's and ended that role when SunWater's contract to provide flood operations services expired in mid-2011.

DATES AND TIMES PRESENT IN THE FLOOD OPERATIONS CENTRE

- 8 I worked as a Flood Officer (commonly known as a Technical Assistant) in the FOC during the January 2011 flood event in the following shifts, with the following people on shift:

- (a) From about 7am to 7pm on Saturday 8 January 2011 with Rob Ayre as the flood engineer;
- (b) From about 7pm, Tuesday 11 January to 7am, Wednesday 12 January 2011 with Rob Ayre and John Ruffini as the flood engineers. I also recall that Terry Malone and John Tibaldi were in the FOC during that period but they were not formally rostered on at this time; and
- (c) From about 7am to 7pm, Saturday 15 January 2011 with Terry Malone as the flood engineer.

ENTRIES IN THE FLOOD EVENT LOG

9 The notice requires me to provide a statement which gives an account of the entries in the flood event log that were made by me between 12am 7 January 2011 and 12am, 12 January 2011 on the following topics:

- (a) The transition from strategy W1 to W2 or W3;
- (b) The transition to strategy W2;
- (c) The transition to strategy W3;
- (d) The transition to strategy W4;
- (e) The primary consideration in operating the dam and choosing release rates at any time

(which I refer to for convenience as the “**relevant event log entries**”),

including information in respect to:

- (a) Any errors or omissions in the entries in the relevant event log entries;
- (b) Any information or details that I am able to add to the account given in the relevant event log entries.

10 The entries that I consider may be “relevant event log entries” are the following:

[date]/ Time	Action	Category	Initials
08.01.2011 8:10AM	RA advised Matthew O'Reilly (Wivenhoe Dam) on directive #4 and discussed strategy.	Correspondence	AN
08.01.2011	Rob Drury rang. RA advised current status and strategy.	Correspondence	AN

10:50AM			
11.01.2011 8:35PM	<i>Peter Burrows (Seqwater) called FOC to speak with all duty engineers on the operating strategies for Wivenhoe releases.</i>	<i>Correspondence</i>	<i>AN</i>
11.01.2011 8:55PM	<i>Peter Burrows (Seqwater) rang asking about possibly reducing releases. TM advised that we are seriously considering it, but this would have little effect on the levels in Brisbane River. Peter would like technical reports every hour throughout the night.</i>	<i>Correspondence</i>	<i>AN</i>
11.01.2011 9:35PM	<i>JT rang to discuss the latest directive to raise Wivenhoe Dam. JT suggested not raising.</i>	<i>Correspondence</i>	<i>AN</i>

- 11 In relation to the 8:10AM and 10:50AM entries, the initials "RA" mean Rob Ayre, who was the Flood Engineer on shift at the time.
- 12 I am not certain whether these entries are "relevant event log entries", because I cannot now recall the conversations. However, I think that the word "*strategy*" in the 8:10AM is probably a reference to the gate opening directives, because it records that Rob Ayre was speaking with Matthew O'Reilly, a dam operator. I think that the reference to "*strategy*" in the 10:50AM entry is likely to mean "*release rate strategy*" because I normally use the word *strategy* to mean strategies in terms of rates of release of water from the dams, including Wivenhoe Dam.
- 13 However, because I do not have an independent recollection of the conversation, I do not recall whether the conversation also included a discussion of the primary considerations in choosing release rates or the strategies under the manual in terms of W1, W2, W3 or W4. I am not aware of any error or omission in these entries and there is nothing that I am now able to add to the account given in these entries.
- 14 In relation to the 8:35PM entry, again, I cannot be sure whether this is a "relevant event log entry". However, I think that the reference to "operating strategies" in this entry is likely to refer to release rates rather than "primary considerations" or strategies W1 to W4, because I normally use the words "operating strategies" in the context of strategies about release rates. Having said this, I cannot recall the conversation, so I cannot recall what was discussed. I am not aware of any error or



omission in this entry and there is nothing that I am now able to add to the account given in this relevant event log entry.

- 15 In relation to the 8:55PM entry, this may have been a relevant event log entry because it relates to a telephone call from Peter Borrowes of Seqwater asking about reducing releases and Terry Malone advising him that "we" (meaning the flood engineers) were considering that. However, I cannot recall the conversation so I cannot recall whether there was any discussion about the primary considerations for choosing release rates. I am not aware of any error or omission in this entry and there is nothing that I am now able to add to the account given in this relevant event log entry.
- 16 In relation to the 9:35PM entry, the conversation that is recorded in the entry may relate to considerations for operating the dam and releases rates and may, therefore, be a "relevant event log entry". The initials "JT" mean John Tibaldi. I have a vague recollection that John Tabaldi called to discuss the most recent Wivenhoe directive and suggested that the gates should not go down and then back up again. However, I do not recall the detail of this conversation. I am not aware of any error or omission in this entry and there is nothing that I am now able to add to the account given in this entry.

FURTHER INFORMATION ABOUT RELEVANT CONVERSATIONS

- 17 The notice further requires me to provide any further information or details, including accounts, if possible of all conversations (in person or telephone) that I took part in with, or overheard between, the flood operations engineers and/or the flood officers and/or other persons between 12:00AM 7 January 2011 and 12:00AM 12 January 2011 in respect to the following topics:
- (a) The transition from strategy W1 to W2 or W3;
 - (b) The transition to strategy W2;
 - (c) The transition to strategy W3;
 - (d) The transition to strategy W4;
 - (e) The primary consideration in operating the dam and choosing release rates at any time.
- 18 I do not recall any conversations in respect to those topics.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

Affirmed and Declared at Brisbane)

this 30th day of January 2012 in the)
presence of:)

.....




Signature of the declarant

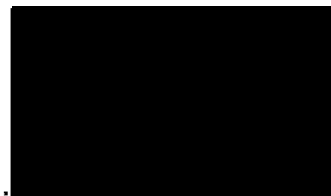
.....
~~Justice of the Peace/ Solicitor/
Commissioner for Declarations~~

CERTIFICATE OF EXHIBIT

Exhibit marked "AJN-1" is the exhibit to the statement of **ALBERT JOHN NAVRUK** sworn 30 January 2012.



Deponent



Solicitor

B:1377523_1 NMW

CERTIFICATE OF EXHIBIT

Holding Redlich
Level 1, 300 Queen Street
Brisbane Q 4000
Tel: (07) 3135 0500
Fax: (07) 3135 0599
Ref: TZB:11800005

Our ref: Doc 1835074

25 January 2012

Al Navruk
SunWater
Level 10/179 Turbot Street
BRISBANE QLD 4000

REQUIREMENT TO PROVIDE STATEMENT TO COMMISSION OF INQUIRY

I, Justice Catherine E Holmes, Commissioner of Inquiry, pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* (Qld), require Al Navruk to provide a written statement, under oath or affirmation, to the Queensland Floods Commission of Inquiry, in which the said Al Navruk gives an account of:

1. the dates and times when he was present at the flood operations centre during the 6 to 19 January 2011 flood event
2. the flood operations engineer or engineers who were at the flood operations centre at those dates and times
3. entries in the flood event log that is Exhibit 23 before the Commission that were made by him between 12.00 am, 7 January and 12.00 am, 12 January 2011 on the following topics:
 - a. the transition from strategy W1 to W2 or W3
 - b. the transition to strategy W2
 - c. the transition to strategy W3
 - d. the transition to strategy W4
 - e. the primary consideration in operating the dam and choosing release rates at any time
4. any errors or omissions in the entries in the flood event log that is Exhibit 23 before the Commission that were made by him between 12.00 am, 7 January and 12.00 am, 12 January 2011 on the topics listed as 3(a) to (e), above.
5. any information or details that he is able to add to the account given in the entries in the flood event log that is Exhibit 23 before the Commission that were made by him between 12.00 am, 7 January and 12.00 am, 12 January 2011 on the topics listed as 3(a) to (e), above.
6. Any further information or details, including accounts, if possible, of all conversations (in person or telephone) he took part in with, or overhead between:
 - a. the flood operations engineers and/or

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- b. the flood officers and/or
- c. other persons

between 12.00 am, 7 January and 12.00 am, 12 January 2011 on the topics listed as 3(a) to (e), above.

In addressing these matters, AI Navruk is to:

- provide all information in their possession and identify the source or sources of that information;
- make commentary and provide opinions they are qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion.

AI Navruk may also address other topics relevant to the Terms of Reference of the Commission in the statement, if they wish.

The statement is to be provided to the Queensland Floods Commission of Inquiry by 12pm, Monday 30 January 2012.

The statement can be provided by post, email or by arranging delivery to the Commission by emailing info@floodcommission.qld.gov.au.



Commissioner
Justice C E Holmes