

QFCI

Date:

11/4/11

Exhibit Number:

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IN THE MATTER OF  
THE QUEENSLAND FLOODS COMMISSION

A COMMISSION OF INQUIRY UNDER THE  
COMMISSIONS OF INQUIRY ACT 1950

AND PURSUANT TO  
THE COMMISSION OF INQUIRY ORDER (No.1) 2011.

**AFFIDAVIT**

I Paul David Watson of [REDACTED] in the state of  
Queensland, solemnly and sincerely affirm and declare:

1. I am a legal graduate in the employ of Maurice Blackburn Lawyers, ("MB") solicitors for the Fernvale and Surrounding Communities Action Group ("FSCAG"). Under the supervision of the managing principal of MB Queensland, Rod Hodgson, I have conduct of some aspects of the preparation for the participation in the Commission of Inquiry.

2. On 8 April 2011 and 9 April 2011 I spoke with Mr Dennis Ward ("Mr Ward"), President of FCAG.

3. I discussed with Mr Ward the members of the FSCAG appearing on the list provided to the Commission under cover of letter dated 18 March 2011. A copy of that list is annexed and marked "A". It contains 81 names.

4. Mr Ward informed me and I believe the following.

5. Mr Ward has personal knowledge of the people listed in Annexure A.

6. All of the people on that list are Fernvale residents whose properties are immediately downstream of the Wivenhoe Dam and are consequently particularly vulnerable to inundation by its releases, with the following exceptions;

- i. Amanda Seed - Ms Seed's property had not been damaged;
- ii. Geraldine Meyers - Ms Meyers does not live in the Fernvale area

AFFIDAVIT  
Filed on Behalf of the Applicants

Maurice Blackburn  
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iii. Peter Ranson - Mr Ranson does not live in the Fernvale area

7. Maurice Blackburn represents the remaining 78 people named in Annexure A with respect to the hearings before the Commission. Maurice Blackburn does not represent any other persons with respect to such hearings.

Sworn by Paul David Watson on 11 April 2011 at Brisbane in the state of Queensland in the presence of:

Signed:



Deponent



Solicitor

*Robert Johnson*

Attachment 1: Fernvale Community Action Group

Name	Phone	Address			Damage	Insurance	Grievance
							All parties have a grievance with the management of the Wivenhoe Dam
Andy & Theima Woodman			Fernvale	4306	All walls have been removed, flooring damaged, complete loss of contents, house uninhabitable	QBE	Excessive delay advised that they are still investigating the claim, no timeframe for decision
Bob Keable			Fernvale	4306	Insurance assessor's estimate is \$80,356.00. Internal walls, electrics, some flooring, kitchen replacement, bathroom cabinets and re-leveling of one section of house	Comminsure	undue delay in decision in addition to event being termed flood instead of flash flood (Claim rejected)
Ken & Linda Brooker			Fernvale	4306	All contents ruined, interior damage to walls and structure in two storey home, car damaged, all contents in shed lost	Westpac	Mismanagement of Wivenhoe Dam, no grievance with insurer claim approved
Danielle & Peter Maxwell			Fernvale	4306	All content in shed and majority in house destroyed approx \$65K lost, internals to be completely stripped	CGU and APIA	Claim rejected, was not advised by broker of no flood coverage when specifically asked for it, Dam mismanagement
Angela & Kim Emblen-Reeves			Fernvale	4306	Substantial structural damage, 90% contents lost	Defence Service Homes	Mismanagement of the Wivenhoe Dam, No grievance with insurer
Paul & Debbie Graham			Fernvale	4306	5ft water through house, complete internal structure to	Defence Service Homes/NRMA	No Grievance with DSH, NRMA approved but still not paid (contents), angered by

Group Concerns

Action Group Mission  
 The January floods has brought residents from Fernvale and surrounding communities together in a number of community meetings. In these meetings two common themes emerged; The first being the inadequacy of communication within the area before, during and after the floods. The second the lack of infrastructure maintenance and development, particularly in

"A" Annexure

✓  
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Attachment 1: Fernvale Community Action Group

					be removed, 95% contents lost, 2 cars lost		no warning to evacuate	
✓	Dave & Belinda Townsend		Fernvale	4306	Gyprock to be replaced to 1200mm. Bathroom, Kitchen to be replaced. Large furnishings to be replaced.	Suncorp	Mismanagement of Wivenhoe Dam, claim approved awaiting payment	older areas. The "Fernvale & Surrounding Communities Action Group" has been formed by residents to proactively work together to ensure our community voice is heard, improve communication and identify ways of bringing our community together. We invite all household in the Fernvale and Surrounding Communities to register their interest in being part of the action group. The greater the number of households represented, the stronger our community voice will be.
✓	Kevin & Faye Williams		Fernvale	4306	Water to ceiling, all contents destroyed.	Elders	Excessive delay in assessing claim hydrologist assessment complete, decision pending, little contact from insurer, mismanagement of W Dam	
✓	Terry & Jeanette Jones		Fernvale	4306	All contents ruined, interior damage to walls and structure and garage	NRMA	Excessive delay in processing acceptance and approving repair work, insufficient contact	
✓	Lynette & John Lynch		Fernvale	4306	All contents ruined, interior damage to walls and structure	QBE	Excessive delay in assessing claim and no contact from the insurer, mismanagement of W Dam	
✓	Brian & Vanessa Isbell		Fernvale	4306	2 Properties damaged - 100% contents (Home and garage), car, ride on mowers lost, fences, floors, walls, structure damaged	CGU and APIA	Mismanagement of the Wivenhoe Dam	
✓	Jeff & Susan McRae		Fernvale	4306	Damage to home and contents, water went to top of curtains, \$100,000 damage to business	Suncorp	No grievance with insurer, claim approved. Grievance with Wivenhoe Dam management	
✓	Dave & Cathy Mills 2964913_1.DOC		Fernvale	4306	Extensive damage to internal and external structure, vast loss of contents	CommInsure	no information provided and undue delay in processing claim. The only contact we receive from them is when I	

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						have made the initial contact. Assessor came to our residence January 17th 2011.
✓ Dale & Di Press			Fernvale	4306	Internal walls and doors removed, contents and home office lost	RACQ Excessive delay in assessing claim, little contact from insurer, mismanagement of W Dam
✓ Gerald & Shirley Jenkins			Fernvale	4306	1.4 meters of water through house, contents destroyed. Walls to be replaced to 1.5 meters.	RACQ Excessive delay in assessing claim, expecting rejection, little contact from insurer, mismanagement of W Dam
✓ Harry & Christine Lossow			Fernvale	4306	1.5 ft went through house, \$100K damage to house, \$82,000 loss of contents	Westpac Excessive delay in assessing claim and no timeframe given for decision understands policy includes flood
✓ Hayley Moore & Riki Haswell			Fernvale	4306	Half way through house, all contents lost, not home at time. Hot water system destroyed. House unlivable.	CommInsure Excessive delay in rejecting claim, mismanagement of Wivenhoe Dam
✓ Bev Ruthenberg			Fernvale	4306	Extensive damage to internal and external structure, complete loss of contents	Westpac Mismanagement of Wivenhoe Dam, claim approved awaiting payment
✓ Dennis & Sue Ward			Fernvale	4306	75% contents lost, interior structural damage, 2 cars lost, 2 dirt bikes and ride on mower damaged	AAMI Mismanagement of Wivenhoe Dam, claim approved unsure of 100% coverage, awaiting payment
✓ Cheryl Turton			Fernvale	4306	\$240,000 building, \$150,000 contents, \$507,000 building and contents damages to rental properties	Real Excessive delay in assessing claims, expecting rejection, little contact from insurer, mismanagement of Wivenhoe Dam

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✓	Joan & William Sharpe	[REDACTED]	Fernvale	4306	Interior walls, ceilings, tiles, built in cabinets, wardrobes destroyed, contents lost, 2 Cars lost	Suncorp	Mismanagement of Wivenhoe Dam, no grievance with insurer claim paid
✓	Julie & Neville Messenger	[REDACTED]	Fernvale	4306	6 feet of water through the house, all contents destroyed	RACQ	Excessive delay in assessing claim advising waiting on hydrology report, expecting rejection, little contact from insurer
✓	Brian & Linda Hall	[REDACTED]	Fernvale	4306	Interior/exterior damage, 90% contents lost, sever damage to business machinery	DSH	Mismanagement of Wivenhoe Dam, no grievance with insurer claim paid
✓	Col Bradford	[REDACTED]	Fernvale	4306	4 foot of water through house. Majority of contents destroyed, tools lost, fencing damaged	Suncorp	Excessive delay in paying approved claim, little contact from insurer, mismanagement of W Dam
✓	Elizabeth Briggs	[REDACTED]	Fernvale	4306	Up 1500mm walls, floors etc damaged, All contents in house and shed destroyed, car damaged	Allianz	Excessive delay, expecting rejection, mismanagement of Wivenhoe Dam
✓	Richard & Kelie Wigg	[REDACTED]	Fernvale	4306	Damage to walls, doors, floors, kitchen, bathrooms, large lost of contents	Suncorp	Mismanagement of Wivenhoe Dam, Excessive delay and no indication as whether claim will be accepted/rejected
✓	Julie Bounds	[REDACTED]	Fernvale	4720	water level at roughly 1.2 meters high inside house, all carpets, blinds, walls, kitchen, laundry and bathroom ruined, Majority of contents ruined.	Suncorp	Excessive delay and no indication as whether claim will be accepted/rejected, mismanagement
	Debbie & Tony	[REDACTED]	Fernvale	4069	Damage to floors/walls, lost of	AAMI	Excessive delay advised they are waiting on the

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Camilleri				furnishings, electricals, air-conditioning unit, ride on mower, shed contents		hydrologist report, expecting rejection mismanagement of Wivenhoe Dam
✓ Kerrin Van Til			Fernvale 4105	Pontoon Damage Only		
✓ Garry & Trish Hirsch			Fernvale 4306	Damages to walls, interior furnishings, clothing and content of shed	Westpac	Excessive delay in rejecting claims, failing to properly assess, mismanagement of Wivenhoe Dam
Philip & Browmen			Fernvale 4306	Lost significant Land from Property, all contents in shed lost	Youi	Excessive delay in assessing claim advised decision to be made by 1 April 2011, mismanagement of Wivenhoe Dam
✓ Hartmut & Noeline MoKosch			Fernvale 4306	Total lost of contents (renting property only insured for contents)	RACQ	Excessive delay, advised decision will be based on hydrology report, no timeframe for decision given
✓ Shane & Angela Newnham			Fernvale 4720	Damage to electrical and air con systems, walls, doors, floors, car, 100% contents lost.	NRMA/QBE	Excessive delay in assessing claim (QBE) expecting rejection, No grievance with NRMA, mismanagement of Wivenhoe Dam
✓ Nicolaas Koimans			Fernvale 4069	95% contents lost, sever damage to interior and exterior of home, shed lost	Defence Service Homes/NRMA	Mismanagement of Wivenhoe Dam, no grievance with insurer
✓ Melissa Kelly			Fernvale 4066	All furnishings/electricals lost, floors/walls damaged, family heirlooms lost	Youi	Mismanagement of Wivenhoe Dam, claimed rejected after 1 day with no assessor sent out
Mark & Myrene 29/4/11 1.doc Tome			Fernvale 4075	Severe damage to home, sheds and garage and contents within, ride on mower	Suncorp	Mismanagement of Wivenhoe Dam, no grievance with insurer claim proved

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				lost			
Amanda Seed			Fernvale	4306	No damage to property, saw the flood come through and supporting community	N/a	Mismanagement of Wivenhoe Dam, not directly affected by flood damage no insurance grievance
Wendy & John Harrington			Fernvale	4306	Damage to ceiling, insulation, rainwater tanks, interior walls and driveway Severe damage interior/exterior structure, furniture, content, car and hobby business destroyed	Suncorp	Excessive delay in assessing claim and no individual assessor sent out to property yet, mismanagement of W Dam
Pam and Ernie Elliot			Fernvale	4306	Damage to walls, floors, carpets, electrical systems, air conditioner, pool, 90% contents lost	?	Mismanagement of Wivenhoe Dam, no grievance against insurer
Janet Carpenter			Fernvale	4306	Sever damage to interior/exterior structure, floors, electricals and contents, 2 cars lost	Westpac	Mismanagement of Wivenhoe Dam, no grievance against insurer
Geale & Trevor Hare			Fernvale	4306	Walls, floors and furnishings damaged	Defence Service Homes/Westpac	Excessive delay in assessing claims, mismanagement of Wivenhoe Dam
John & Dawn Hunt			Fernvale	4306	Extensive damage to internal and external structure, vast loss of contents	Real	Mismanagement of Wivenhoe Dam, no grievance against insurer claim is settled
Tracey Coop			Fernvale	4306	Extensive damage to walls, floors,	RACQ	Excessive delay in assessing claim advised waiting on hydrology report, mismanagement of Wivenhoe Dam
Brian & Katie Girot			Fernvale	4306		NRMA	Claim approved/pending building assessor came



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				furnishings, doors 100% contents lost		about two weeks ago only nothing more has come of it. Dam mismanagement
Geraldine Meyers		Rifle Ridge	4306	building \$530,000 contents 201,400	Comminsure	Mismanagement of Wivenhoe Dam, claim originally rejected subsequently accepted on review.
Peter Ranson		Rifle Ridge	4306	building \$530,000 contents 201,400 Walls to be replaced to 1200mm high. Kitchen and Bathrooms to be replaced. Furniture needs to be replaced	Comminsure	Mismanagement of Wivenhoe Dam, claim originally rejected subsequently accepted on review
Trevor Goshneck		Fernvale	4306		Suncorp	Excessive delay in processing approved claim (home) content insurance paid, mismanagement of W Dam
Jim & Barbara Buiter		Fernvale	4306	1650mm in house, lost all contents, severe damage to interior/exterior house moved off stumps. 6 months to rectify. 2 metres high. thru house. High ceilings. Lost all contents. Not living in house at present		Mismanagement of Wivenhoe Dam; only had 5 minutes to evacuate. No warning given, decision pending for insurance, hydrologist assessment done
Pauline Gordon		Fernvale	4306		Suncorp	Mismanagement of Wivenhoe Dam; no grievance with insurer claim approved and assessor sent to property