

**QFCI**

Date:

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Exhibit Number:

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**STATEMENT OF ANGELA JANE NEWNHAM**

I, **ANGELA JANE NEWNHAM** of [REDACTED] Street, Fernvale, Queensland 4306 (Date of Birth: [REDACTED]) make the following statement:

1. I give this statement in relation to the flood events of 10-12 January 2011 ("The Floods") as requested by the Queensland Floods Commission of Inquiry.
2. I have been a resident of the Fernvale area for 2 ½ years. My husband Shane and I bought our land there 5 years ago. My address at the time of the floods was [REDACTED] Fernvale, Queensland 4306.

**Flood Information**

*Events of 10 January 2011*

3. It was raining consistently during the day.
4. My husband, Shane, drove down our street (Schmidt Road) which comes to a T intersection with the Brisbane Valley Highway. He had merely gone out to see what was happening in the area as we had consistent rain.
5. He advised that when he came to the intersection of Schmidt Road and Brisbane Valley Highway, he could see a police officer on the Brisbane Valley Highway and that part of the road had been closed.
6. My husband advised that he approached the police officer and asked if there was anything the residents needed to be worried about, as there was water coming across the Brisbane Valley Highway which had caused the partial road closure.
7. My husband advised that the police officer said he had no idea, he knew as much as everybody else and that he got told nothing.

[REDACTED]  
Angela Newnam

[REDACTED]  
Solicitor

8. When my husband came home and told me that the Brisbane Valley Highway was partially closed, that there was water coming across and that the police officer had no information to offer, I was a bit concerned but did not think it to be anything major.
9. I was not alarmed as it was not unusual for water to come across the Brisbane Valley Highway and cause partial closures when there had been consistent or heavy rain.
10. I went about the rest of my day with no real concerns regarding the weather or possible flooding.
11. At approximately 9.00 pm that evening, I saw substantial movement up at the Zanows Quarry. The Quarry is located further up the hill behind our property
12. I could see that they were moving all their trucks and heavy machinery that could be driven out of the Quarry to higher ground.
13. I knew that they were moving the vehicles as I could see a number of headlights and there were usual noises associated of heavy machinery being driven.
14. I remember becoming increasingly concerned at that moment because the Quarry sits on the corner of the Brisbane River immediately down from Wivenhoe Dam. Instinctively I knew that there must be something serious likely to occur if the Quarry was moving their most expensive equipment out of harms' way.
15. I could see by the headlights that they were moving all the heavy machinery up into the paddock behind our property which adjoins the Quarry's main access road.
16. I went inside immediately. I went to the Bureau of Meteorology website to see if there had been any updates for our area. There was no warning in relation to the Fernvale or broader Somerset area.
17. I also went to the Facebook website to see if anybody in the area had posted any news or warnings regarding the Fernvale area.

18. On my friend's, Kerry DeRuiter's, profile she stated that she had received emails from SEQ Water notifying of impending Wivenhoe Dam releases water.
19. Kerry also stated that she was packing up her house and would be leaving the area as she lived near the river and was worried about the releases and water that would be entering the Brisbane River from the Lockyer Creek.
20. I wrote back that since we did not live close to the river and that I did not believe that we would be affected, that I would be happy to have her store any of her belongings at my house. She declined my offer.
21. I am unsure why Kerry had received emails from SEQ Water. I believe it may have been because her husband owns an earth moving business and they live on the river.
22. I called my mother, Bev Richardson and my father-in-law, Phil Browman, who live three houses up on Schmidt Road, and expressed my concerns about the movement at the Quarry.
23. My mother and father-in-law came down to our property and we decided that we would take it in turns to stay awake and to keep an eye on any movement at the Quarry or for any signs that water was flowing from that direction.
24. My father-in-law called the State Emergency Service ("SES") and they advised that they had no information regarding Fernvale. The SES did not even know where Fernvale was.
25. We kept the spotlights on in the backyard because we believed that this would be where any water would come from and is also the same direction as the Quarry.
26. At approximately 11.30 pm we had received no warnings via the radio or the Bureau of Meteorology website so, after discussion with my mother, father-in-law and husband, we decided that since there were no warnings we were obviously

overreacting. Soon after this, my mother and father-in-law went home and my husband and I went to bed.

*Events of 11 January 2011*

27. Although I had an uneasy night's sleep, there was nothing specifically that woke me up this morning and I got up at the usual time with my children at 6.00 am. When I woke, there was a heavy downpour of rain, which I believe had continued through the night.
28. At approximately 6.15 am I went to the Bureau of Meteorology website to see if there had been any further updates. I also continued to check the Facebook website to see if my friend, Kerry De Ruiters, had posted any more comments about information that she had been receiving from SEQ Water. There was no new relevant information on either website.
29. At approximately 6.30 am we had lost power due to the consistent rain. I was not particularly worried about losing power because it was a semi-regular occurrence when there was any heavy rain.
30. At this time I was with my family, my husband, my daughter, Jamasyn, aged ■, my son, Levi, aged ■ and my ■■■■■ baby boy, Jed.
31. We all huddled together listening to the radio for any updates or news regarding our area. I had taken all of the batteries out of the kids' toys to ensure that we had continual access to the radio.
32. Throughout the morning, the rain was heavy and consistent. Our friends that live in Lowood, just outside of Fernvale, sent me various text messages to see if we were okay as they had received alert text messages telling them to evacuate the Lowood area.
33. At this time we had not received any information or warnings regarding the Fernvale area.

34. At approximately 10.00 am, I was trying to send a text message but couldn't see the buttons on my mobile because it was so dark due to the storm.
35. Soon after my neighbour, Karen [REDACTED] came to our house and advised that her 4 year old nephew, Jesse [REDACTED] was missing from the nearby area of Minden. Karen advised that she was told that residents of the Minden area were told to evacuate. Karen advised me after the floods that Jesse was confirmed to have died later that night.
36. By this time I was starting to get quite scared however, since I had still not received any warnings I did not know what to do. I sent text messages to my mother during the day saying that I was quite scared.
37. My brother-in-law, Craig [REDACTED] who resides in Laidley, sent me a text message to say that he was evacuating as his house was starting to flood. This also concerned me greatly.
38. I felt like a sitting duck. We had received no warnings nor heard of any events of the surrounding areas. I was confused and did not know what we could do or know where we could go. As we had not been warned to evacuate, I thought it was best to stay in the house as I had a new born baby.
39. At approximately 12.00 pm, I could see into an easement near our property and there was a green unit with a red light flashing on top. I asked my husband what this was and he said it was a sewerage unit and that the flashing light meant that the system was failing.
40. At approximately 2.00 pm it had stopped raining and my husband went for a drive to see what was happening in the area. He took photographs of the houses that had gone under due to flooding on Poole Road, the end of Schmidt Road and the Fernvale-Lowood Road.
41. My husband was out for approximately an hour. During that time, our friends, Amy and Travis [REDACTED] who live on high ground on Munkets Lane, had come to our

house. They advised that they too had been driving around, checking out the area as the rain had stopped and had dropped in to see if we were okay.

42. My husband advised that he had received a text message at 3.30pm stating that the Brisbane River would peak at 20 metres. There was no information describing where in the Brisbane River this would peak, or whether the Fernvale area would be specifically affected.
43. My husband had not registered to any text alert system, but I believed that he received this text message as he is part of the Rural Fire Brigade. He has since told me that the message was not from them.
44. My husband did not receive any further messages. And, considering that the rain had passed and the water receded, we disregarded the message as it featured no warning regarding the Fernvale area.
45. Amy, Travis, my husband and I discussed that now the rain had stopped we felt safe from further flooding. We believed that that worst had passed and we had survived.
46. Because there was lots of people out and about, the rain had stopped and the complete absence of warnings, I felt my panic subside and I thought that I had overreacted the night before and during the day.
47. My husband arrived home soon after Amy and Travis had arrived. Travis advised my husband of an alternate sealed route to get to their property. They thought that it might be a nice idea to get together seeing the threat of flooding had passed. They advised us to take this alternate route as the road we normally take to their property is a dirt road and this would have been damaged by the rain.
48. Another neighbour from immediately across the road, Annette (unsure of her last name) and her baby, came over to our house to see if we knew anything more regarding a possible flood. She advised that her husband was stuck on the other side of the Brisbane Valley Highway closure.

49. We all chatted at our property discussing the night's previous events and that we all felt relieved that the worst had passed.
50. At approximately 4.00 pm everyone went back to their respective homes and it was still not raining at this point.
51. As we still had no power, I thought it was best that I bathe the children while there was still daylight and we had an early dinner on the barbecue.
52. At approximately 6.45 pm, just on dusk, my husband was on the back deck having a cigarette and I was inside with my children. My husband said that he could see water coming through the back paddock and, since it had not been raining for a number of hours he was concerned.
53. Our neighbour, Gary [REDACTED] was out at his shed which we could see from the back veranda. My husband and Gary were talking about the water coming in, the possible causes and what they should do. My husband spoke to Gary for only a couple of minutes and during that time, the property to the left of Gary, which is on an easement, filled up with water before our eyes.
54. It was at this point that I knew that we needed to evacuate. Distressed, I ran to the front of our property and saw that the front yard was already underwater and the storm water drains failing. The water levels were travelling uphill against the normal direction of the easement.
55. At this point I reached extremely panic. I ran inside and grabbed my eldest children and had them put shoes on in case we needed to evacuate to the roof. My husband put all three children into our car as I collected blankets to keep the children warm. We had no warning or time to prepare for evacuation.
56. My husband called to me to get in the car or he would not be able to get out of the driveway because the water was rising so rapidly.
57. When my husband called out, there was only a small amount of water at his feet.

58. Within the 1-2 minutes that it took for me to get to the car, I had to walk through water that was up to my knees.
59. I saw my neighbour, Annette, standing outside of her house with her baby, stunned, and watching the water. Frantically, I told her to get into her car and follow us to higher ground at my mother's property.
60. My husband left my children and myself with my mother and then drove back to our house with my father-in-law, Phil to collect items for the baby. They had to wade through almost waist high water to get to the house.
61. I was terrified because it was approximately only 5-6 minutes that had passed from the time that my husband had first noticed water on our property to the time of us needing to evacuate; the water had risen in such an alarming rate in that time.
62. Due to this panic, I stood in the driveway of my mother's house and screamed down the road to my husband to come back because I did not believe we were high enough to avoid the impact of flood.
63. When my husband had arrived back shortly after, I piled my family into our car while my mother, father-in-law and my neighbour, Annette did the same. At first we went to drive up Schmidt Road, however, this road was blocked due to water flowing across the road and there was no way that we could get through.
64. It was at that point that my husband decided that we would go to Amy and Travis [REDACTED] house as they live on much higher ground.
65. We had to drive back down Schmidt Road which intersects with the Brisbane Valley Highway. Straight opposite the end of Schmidt Road is the local school which is boarded by a six foot tall wire fence and was locked.
66. I could see that there was approximately ten cars with families either inside or lined up along the fence. I remember being distressed and crying thinking that they were not going to survive because the school was not on high enough ground.



67. It appeared obvious to me that everybody there was confused and did not know what to do or where to go. I believe that people went to the school as exits on both sides of the Brisbane Valley Highway had been cut off and it was the nearest public building. It was at this time that I could hear a fire siren blaring, however, I had not heard this at the house. In any event, at the time that I heard the fire siren, our house had already been flooded and we were in immediate danger.

## Warnings

68. For the duration of the flood we had access to our mobile telephones and the battery powered radio. Prior to losing electricity, we also had access to the internet and television.
69. In the days leading up to and at the time we were required to evacuate, on 11 January 2011, we had not received any warnings through the media or any alert text messages from emergency services. We were lucky that my husband had noticed the water coming into the backyard otherwise we would not have been able to escape the surge of water that came through our property.
70. When we saw the other residents were confused and scared, standing outside the locked school, it was apparent that no-one had received warnings or knew what to do in an emergency such as this.
71. The fire siren that I had heard when we were near the school was an ineffective warning system as this had been sounded after we had been flooded and in immediate danger.
72. I am in disbelief that in our area, in the shadow of the Wivenhoe Dam, there is no warning system in place. I was fearful to bring my children back to live in Fernvale knowing this. Due to the extent of damage we suffered, we had no choice but to return because we cannot afford to live anywhere else.
73. There was no-one, SES or otherwise, on the ground door-knocking or warning people to evacuate. There were a number of helicopters in the air, on 10 and 11

January 2011, who would have been able to see that there was significant water coming. Still we were given no warning.

74. I remember the previous day, 10 January 2011, that there was a generic warning on the radio stating if you live in a low lying area and near a river, that you should think about self-evacuating. As we did not live near the river, and, that it was such a generic message, we did not think that we would need to evacuate. This is the only warning that we had received during the entire event.
75. I believe that appropriate measures could have been put in place to warn residents. This would have been in the form of radio announcements that name suburbs specifically in danger and providing direction. Further, a comprehensive evacuation siren system for the town would have been necessary and a designated evacuation point and co-ordinator to be in place for a disaster such as this.
76. Further, I believe if SEQ Water thought it was necessary to warn Kerry DeRuiter, who lives in the neighbouring town of Lowood, of impending releases, this information should have been passed on to Fernvale residents.
77. Had SEQ passed this information on to Fernvale residents, by whatever means they thought appropriate, we would have been in a position to prepare for road closures and flash flooding.
78. Further, disclosure of this information by SEQ Water to the Fernvale community would have displaced my ignorance of the impact of its releases. I assumed that as we were not close to the Brisbane River we would remain unaffected.

### **Flood Preparation**

79. There was absolutely no preparation for the Fernvale area in relation to flood. At the time of the flood all possible evacuation points were either locked or unmanned.
80. As there was no warning, there was nothing that I, or other residents, could do to prepare for the incoming surge of water.

81. Fernvale does not have a police station and when there is a flood, road crossings become impassable and we are isolated from the neighbouring Lowood Police Station. We have a small Rural Fire Brigade who pulled together an ad hoc response with limited resources.
82. However, despite the Rural Fire Brigade's efforts, there was no warning for them to be able to implement flood preparations. Even at the time of flooding, police and the SES in the area were unable to provide any information. We were basically left to fend for ourselves without any information or insight as to what to do.
83. The Fernvale area was completely unprepared to deal with the floods. There was no Emergency Response Team in place, no evacuation procedures or warning systems nor any communication with any emergency services on the ground that were able to assist residents as events unfolded.
84. At the very least, the helicopters present at the material time were in a position to see the incoming flood waters and ought to have provided some type of warning to the Fernvale residents below.
85. I was particularly disappointed that Somerset Regional Council had made no effort to safeguard our community from such disasters. It was readily apparent to the Council that Fernvale is vulnerable to releases from Wivenhoe Dam and that we suffer loss of power and isolation regularly when there are any heavy storms. Despite this, the Somerset Regional Council had put in place no warning systems nor Emergency Response Team and had not adequately provided resources to the Regional Fire Brigade to be able to initiate any substantial and immediate response in such situations.

### **Council and Government Response to the Floods**

86. I understand it was the First Officer of the Rural Fire Brigade that co-ordinated the response in our area on an ad hoc basis.

87. Regarding assistance immediately after the floods, the Federal and State Government acted in a timely manner. There was no meaningful or timely assistance offered by the Somerset Regional Council at this time.
88. Immediately after the floods, we were given access to resources such as emergency funds from the Department of Housing and basic home items and food stuffs from Lifeline and Red Cross.
89. Also during this period, the Fernvale community was given access to resources from Red Cross, Lifeline, the Australian Defence Force ("ADF"), Centrelink and the Rural Fire Brigade. This included access to basic food stuffs, household items, clean drinking water etc. The ADF was also enquiring as to what assistance they could provide to residents in relation to damage sustained at their property.
90. I do not believe that there were any measures taken to protect life or property in the Fernvale area at this time.
91. There was no presence of Somerset Regional Council in the area and no communication with them via any media that we had access to. There was no information provided by the Somerset Regional Council to the Fernvale community regarding road closures, evacuation points and emergency centres, water storage, food or medical supplies.
92. It was the community effort which formed the bulk of the response in the Fernvale area.

### **Flood Recovery**

93. I believe that the Recovery process for the Fernvale area from the Federal, State and Local Governments has been insufficient. In particular, I believe the asset test used to determine who would receive assistance with rebuilding was too low and the Premier's Relief Fund has taken too long to be distributed to people in need.
94. However, I was contacted by personnel from Community Relief within days of being flooded and they provided some assistance.

95. In relation to updates on the recovery and the clean up effort, we have received no active updates. The only updates we have received are through a community effort at the Recovery Centre which posts notices for public viewing.
96. I believe that the Somerset Regional Council's response to the recovery has been appalling. They cut off services to the Fernvale community too early and when there was a significant ongoing need. Further, we were never advised in any meaningful way of these services available prior to these services being cut off.
97. Also, when we were notified by Council of the grants that may have been available to us and the various verifications that we needed to obtain, there was very limited time for us to be able to apply successfully for these grants.
98. I believe that the Somerset Regional Council have begun some emergency repairs, but I have not seen much progress in the months that have preceded the floods.
99. I believe that a daily debriefing, at a set time, during the initial weeks following the floods would have been a much needed improvement on the lack of updates that we received.

### **Insurance**


100. As a result of the floods, our 2 year old home was inundated and most of our possessions were ruined.
104. We are insured with NRMA for our House insurance and QBE for our contents insurance.
105. Our coverage from NRMA was sufficient to cover the losses we incurred due to the floods. We have had no issues dealing with NRMA over the duration of our claim. We are disappointed that it took six weeks to receive an answer in respect of our claim. However, on the whole we are satisfied with the service that we have received from NRMA.

106. However, we are disgusted with the response, or lack thereof from QBE Insurance. I have found them rude to deal with. And, as an example, they once went as far to say "Look honey, you have the wrong insurance company" when I requested an assessor to come out.
107. Initially, QBE had an assessor come out to our property to assess the extent of damage. He was there for a total of 10 minutes and told us that we were not covered.
108. Following this, I called QBE on approximately 31 January 2011 requesting that they put this rejection in writing, as indicated by their nominated assessor. They then advised that they were waiting on a hydrologist report and as such had not made a decision on our claim.
109. I called again on approximately 28 February 2011 to follow up the whether the hydrologist report had been received. It was confirmed that the report had in fact been received but it had not been analysed as yet. As such a decision had not yet been made in regard to our claim.
110. On approximately 14 March 2011, I call again to see if they had reviewed the hydrologist report. I was advised that they had not received this report and as such have not reviewed it or made a decision in regard to our claim.
111. My last attempt to call them was in late March 2011. I could not get through to anyone and could only leave a message on their answering machine.
112. On the 13 April 2010, I received a letter from QBE rejecting my claim.
113. I am appalled that for over 13 weeks QBE has behaved in this way and moreover have been allowed to do so.
114. I am also dissatisfied that there has been little support from members of parliament or the Somerset Regional Council to give a voice to those affected by the conduct of their insurers. I am also dissatisfied that there has been no pressure put on the insurers to act in a timely manner and uphold their obligations under their policies.

I, **ANGELA JANE NEWNHAM**, certify that the above history is true and correct to the best of my knowledge.


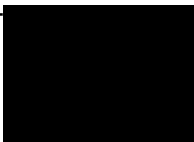
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**ANGELA JANE NEWNHAM**

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*15-4-11*  
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**Date**

**Witnessed by:**  
  
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**Solicitor**

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*15/4/11*  
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**Date**

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**Angela Newnham** ..... **Solicitor**