

Date: 11/4/11

Exhibit Number: 19

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COMMISSION OF INQUIRY

**THIRD STATEMENT OF ROBERT ARNOLD AYRE**

**QUEENSLAND TO WIT**

I, **ROBERT ARNOLD AYRE**, of c/- SunWater Limited (**SunWater**), Level 10, 179 Turbot Street, Brisbane in the State of Queensland do solemnly and sincerely declare as follows:

**INTRODUCTION**

- 1 This statement is a further supplementary statement to my two statements previously provided to the Commission of Inquiry on 23 March 2011 (**my first statement**) and 29 March 2011 (**my supplementary statement**).
- 2 The opinions that are contained in this statement are my own. I do not provide this statement on behalf of Seqwater.
- 3 I will provide any further information or explanation required by the Commission of Inquiry.
- 4 The definitions used in this statement are the same as the defined terms in my first statement.
- 5 This statement contains some corrections and clarifications of my first statement and my supplementary statement.

**CORRECTIONS**

- 6 At paragraph 385 of my supplementary statement dated 29 March 2011, I incorrectly use the word outflow instead of inflow. The 5<sup>th</sup> sentence in that paragraph should read "*The peak release of 7,464m<sup>3</sup>/s was reached at 8pm on Tuesday 11 January and was less than the peak outflow inflow.*"
- 7 At paragraph 69 of my first statement, I refer to the approval process for the W&S Manual and the NP Manual. The current version of these Manuals have been approved and gazetted.



- 8 At paragraph 102 of my supplementary statement, I state that John Ruffini issued Wivenhoe Directive 9. Terry Malone issued this directive.
- 9 At paragraphs 386 to 389 of my supplementary statement, I respond to a suggestion contained in the Australian in an article titled '*The 48 hour delay that sealed Brisbane's fate*' that officers from the BCC improperly influenced the Duty Flood Operations Engineers in their decisions concerning releases from Wivenhoe Dam. This article suggests that that the Duty Flood Operation Engineers knew by 7:10pm on Sunday 9 January that high releases of water from Wivenhoe Dam would be needed, however, it took until Tuesday 11 January to start releasing more than 3,000m<sup>3</sup>/s. The article asserts that the event log points to the BCC's influence on the release strategy on Sunday, January 9, and refers to a number of telephone conversations between 7:15pm and 7:20pm on Sunday 9 January in support of that assertion, as well as a conversation at 0:55am on Monday 10 January.
- 10 As is explained in paragraphs 372 to 380 of my supplementary statement, I ran a model at about 8pm on Sunday 9 January, which suggested that releases were required to be increased gradually to reach 2,600m<sup>3</sup>/s by 8am Tuesday 11 January. The situation report issued by me, John Ruffini and Terry Malone at 9.04pm on Sunday evening (after I had conducted the modeling) refers to the fact that releases from Wivenhoe Dam would be increased to 2,600m<sup>3</sup>/s by the morning of Tuesday 11 January 2011. These gradual increases commenced with Wivenhoe Directive 8 at 2am on Monday 10 January once bridge closures were achieved safely, and was followed by Wivenhoe Directive 9 at about 6.30am. Releases in excess of 2,600m<sup>3</sup>/s had been achieved by 8pm on Monday evening, which was earlier than had originally been projected in the situation report issued at 9.04pm on Sunday evening, (and was within the time frame that had been indicated in the 6.30am situation report from Monday 10 January).
- 11 I note that Wivenhoe Directive 10 was issued at 8:30am on Monday 10 January by Terry Malone and John Tibaldi, which essentially paused the increases in the gate operations and maintained releases at about 2,000m<sup>3</sup>/s for a period. In my view, however, this pause in the increase of releases from Wivenhoe Dam did not impact upon the strategy being used as releases of 2,600m<sup>3</sup>/s were still achieved before the projected time

(Tuesday 11 January). As is recognised in the W&S Manual, the strategy chosen at any point in time is likely to change during a flood event. In my view, it was perfectly viable and appropriate for there to be a pause in the increase of releases at this point in time in order to see whether further increases in releases could be avoided so as to reduce the risk of downstream flooding. I further note that releases started to increase again under Wivenhoe Directive 11 issued at 3pm by Terry Malone and John Tibaldi. Ultimately, this pause in increased releases did not prevent the projected release of 2,600m<sup>3</sup>/s being achieved within the planned time frame.

- 12 Accordingly, what I should have said in the final sentence of paragraph 389 is: *"Therefore, I reject any assertion that this contact from the BCC had any improper influence on the operational decisions made in the FOC during the January 2011 Flood Event."* That is in keeping with the heading to that section of my supplementary statement because I was responding to the allegation of *"improper influence"*.

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 8<sup>th</sup> day of April 2011 in the )  
presence of: )

.....  
Signature of the declarant

.....

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