

**Third statement of Kenneth John Morris
and attachment dated 6 February 2012**

Third Statement of Kenneth John Morris

I, **Kenneth John Morris**, Civil Engineer, care of Green Square, 515 St Paul's Terrace, Fortitude Valley in the State of Queensland, state on oath as follows:

1. I refer to my first Statement dated 4 April 2011 which is exhibit 403 in the Commission.
2. Attachment "**KJM-17**" is a copy of a covering letter from the Commission dated 4 February 2012 and a Requirement to Provide Information dated 4 February 2012 requiring me to provide certain further information to the Commission in the form of a statement (**Requirement**). This Statement is provided in response to the Requirement.

3. The covering letter from the Commission relevantly provides as follows:

"In answering this Requirement, the Commission does not require any information or document which has already been provided to the Commission. In any such case, the relevant person giving the statement need only state that the information or document has already been provided to the Commission and identify where it is contained."

4. I have approached this Statement in response to the Requirement in accordance with that direction.

WHETHER THE ACCOUNT OF THE DISCUSSION BETWEEN MR KENNETH MORRIS AND MR TERRY MALONE IN PARAGRAPH 10 OF THE STATEMENT OF NEVILLE GEORGE ABLITT IS ACCURATE AND IF NOT WHY THE ACCOUNT IS CONSIDERED INACCURATE, INCLUDING ANY REFERENCE TO ANY CONTEMPORANEOUS NOTES AND/OR OTHER DOCUMENTATION OF ALL TELEPHONE CONVERSATIONS WITH MR MALONE ON 9 JANUARY 2011.

5. I have read the statement of Neville George Ablitt including paragraph 10 of that statement which refers to a conversation at 4.27 pm on 9 January 2011 between Mr Malone and me. I refer to paragraphs 62 and 63 of my first Statement where I set out the SEQ Water Event Log (**log**) entries relevant to the conversation in question and stated that while I do not specifically recall the conversation, I had no reason to doubt the accuracy of the account in the log. Having read Mr Ablitt's comments in paragraph 10 of his statement about the content of that conversation, I still do not specifically recall the conversation nor do I recall making any representations about keeping flood-vulnerable bridges open as long as possible.
6. Further, I would not have made such representations. The only bridge which could have been considered a flood vulnerable bridge in Brisbane City at the time of that conversation was Mount Crosby Bridge. I would not have been particularly concerned about that bridge being inundated because there are alternative routes for people on either side of the river in that area to reach the City even if the bridge is closed. I would have had no reason to express concerns


Kenneth John Morris


witness 

or make representations about keeping other bridges open upstream of the Mount Crosby Bridge because they are not in Brisbane City and are outside my area of responsibility.

7. I have no contemporaneous note or record of the conversation with Mr Malone.

MY UNDERSTANDING, IN THE PERIOD BETWEEN 7 JANUARY 2011 AND 12 JANUARY 2011, OF WHICH FLOOD OPERATION STRATEGIES, REFERRED TO IN THE 'MANUAL OF OPERATIONAL PROCEDURES FOR FLOOD MITIGATION AT WIVENHOE DAM AND SOMERSET DAM' WERE USED IN THE OPERATION OF WIVENHOE DAM BETWEEN 7 JANUARY 2011 AND 12 JANUARY 2011 AND THE TIMES AT WHICH EACH STRATEGY WAS IN USE.

Preliminary observations

8. During the January Flood Event I was generally familiar with the strategies in the Manual of Operational Procedures for Flood Mitigation at Wivenhoe Dam and Somerset Dam (**Manual**) and their designation as W1 to W4 (**Manual Strategies**). I also understood that there were basically three steps contemplated, the first being to attempt to keep bridges open, the second being to minimise damaging flows in the lower Brisbane River, and the third being to protect the Wivenhoe Dam from overtopping. While I probably would have assumed from the language used in Situation Reports and discussions, that the FOC Engineers were operating in one of those three basic steps from time to time, I did not turn my mind to which particular Manual Strategy (i.e. which "W" strategy) might have been being employed and I do not recall ever discussing that matter with the FOC Engineers or others. The reasons for that are as follows.
9. First, my primary concern through the January Flood Event was to identify the current and predicted flows in the lower Brisbane River, to determine their likely impacts, and to communicate this information to the LDCC and ultimately to the residents of Brisbane. There was no particular reason to analyse and communicate the particular Manual Strategy for those purposes, particularly as very few people would have understood references to the "W" strategy being employed from time to time. Further, while the selection of the release rate strategy is guided by the Manual Strategies, it is the release rates, not the Manual Strategy under which they occur, which was and is material to me.
10. Second, I was also concerned during the event to communicate to FOC, to the extent appropriate, matters relating to the impacts of particular release rates on the City, as occurred for example on Monday morning, 10 January 2011. Again, this did not require me to turn my mind to the particular Manual Strategy being used. It was sufficient for me to know the release rates proposed from time to time and to have the general understanding of the steps in the Manual described in paragraph 8 above.


Kenneth John Morris


Witness

Friday 7 January 2011 to Sunday afternoon on 9 January 2011

11. For the period Friday 7 January 2011 to the afternoon of Sunday 9 January 2011, I do not recall having any particular understanding of the Manual Strategy in place. I do not recall turning my mind to the question. My focus was on the release rates and expected flows for the Brisbane River. Further, until I was called into work on Sunday evening, I was not conscious that a major flood event was in prospect. As I recall it, my main concern over this period was with whether flow rates might affect ferry services (flows above 1000 cumecs can cause problems with debris in the River). I do not recall any discussion with any FOC Engineer over this period in which there was any mention of the Manual Strategy in use.

Sunday evening on 9 January 2011 to Monday 10 January 2011

12. I refer to paragraphs 64 to 103 of my first Statement. Those paragraphs deal with my involvement in monitoring the escalation of the event during Sunday night and Monday morning. Those paragraphs detail my telephone conversations with the FOC Engineers and my consideration of the key Situation Reports.
13. Based on the statements made in the Situation Reports (referring expressly to the objective for dam operations as being to minimise the impact of urban flooding downstream of the dam), I understood at the time that the FOC Engineers were executing a Manual Strategy consistent with the second step described in paragraph 8, i.e a strategy concerned with minimising damage to urban areas. I do not recall, however, that the FOC Engineers using the expression "W3" and it is not something I would have inquired about.
14. My understanding remained that the dam was being operated in a Manual Strategy concerned with minimising damage to urban areas until about midday on Tuesday 11 January 2011.

Tuesday 11 January 2011 to Wednesday 12 January 2011

15. My communications with the FOC on Tuesday 11 January 2011 to Wednesday 13 January 2011 are dealt with in paragraphs 104 to 113 of my first Statement.
16. I recall that I had a conversation with Peter Baddiley from BoM around 2:00 pm on Tuesday 11 January 2011, and he informed me about the increase in release rates from Wivenhoe dam which were to occur. From that point on, it was clear to me that Brisbane City was facing a very large and damaging flood event on the scale of the 1974 event or larger. I do not recall turning my mind to Manual Strategies at this time. My main concern was to try to determine what flows and levels would be in the lower Brisbane River and to plan the City's response to such an event. Although I do not specifically recall thinking about this, I would have

Kenneth John Morris

Witness

understood that the dam was being operated in the Manual Strategy associated with the third step described in paragraph 8 above. However, I do not recall giving any consideration to the question of which "W" strategy was being applied and I do not recall ever discussing that matter with the FOC Engineers.

HOW, IF AT ALL, THAT UNDERSTANDING CHANGED SINCE 12 JANUARY 2011 AND THE REASON FOR THE CHANGE IN UNDERSTANDING.

17. There has been no change to my understanding of matters relating to Manual Strategies as set out above since 12 January 2011.

I make this statement conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867 (Qld).

Dated 6 February 2012

Signed and declared by Kenneth John Morris at
Brisbane in the State of Queensland
this 6th day of February 2012

Before me:



Signature of person before whom the declaration is made



Signature of declarant

SCOTT WILLIAM SHARPEY (SOLICITOR)

Full name and qualification of person before whom the declaration is made

Our ref. 1844543

4 February 2012

Mr Scott Sharry
Clayton Utz
Level 28
Riparian Plaza
71 Eagle Street
BRISBANE QLD 4001

Dear Mr Sharry

Mr Kenneth Morris – Requirement to Provide Information

Please find enclosed the following Requirement to:

1. Mr Kenneth Morris, Civil Engineer, Brisbane City Council.

The Commission requires the further information requested in the Requirement to be addressed in order to complete its investigations in respect to the Term of Reference (f).

In answering the Requirement, the Commission does not require any information or document which has already been provided to the Commission. In any such case, the relevant person giving the statement need only state that the information or document has already been provided to the Commission and identify where it is contained. However, please feel free to provide any other information that may be relevant to the Commission's inquiry in respect of this matter.

Please note that the statements are to be provided to the Commission by 5 pm, Monday, 6 February 2012.

Please contact Mr Dominic Nguyen on telephone [REDACTED] should you have any queries.

Yours sincerely

[REDACTED]

Kyla Hayden
Executive Director

Encl.

Our ref: 1844450

4 February 2012

Mr Kenneth Morris
Civil Engineer
Brisbane City Council
Clayton Utz
Level 28
Riparian Plaza
71 Eagle Street
BRISBANE QLD 4000

REQUIREMENT TO PROVIDE INFORMATION TO COMMISSION OF INQUIRY

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

1. whether the account of the discussion between Mr Kenneth Morris and Mr Terry Malone in paragraph 10 of the attached Statement of Neville George Ablitt is accurate and if not why the account is considered inaccurate, including by reference to any contemporaneous notes and/or other documentation of all telephone conversations with Mr Malone on 9 January 2011
2. his understanding, in the period between 7 January 2011 and 12 January 2011, of which flood operations strategies, referred to in the 'Manual of Operational Procedures for Flood Mitigation at Wivenhoe Dam and Somerset Dam', were used in the operation of Wivenhoe Dam between 7 January 2011 and 12 January 2011 and the times at which each strategy was in use
3. how, if at all, that understanding changed since 12 January 2011 and the reason for the change in understanding


In addressing the above matters, Mr Morris is to:

- Provide all information in his possession and identify the source or sources of that information; and
- Make commentary and provide opinions he is qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion.

The statement is to be provided to the Queensland Floods Commission of Inquiry by **5 pm, Monday, 6 February 2012.**

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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