

Transcript of Proceedings

Issued subject to correction upon revision.

THE HONOURABLE JUSTICE C HOLMES, Commissioner

MR JAMES O'SULLIVAN AC, Deputy Commissioner

MR PHILLIP CUMMINS, Deputy Commissioner

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IN THE MATTER OF THE COMMISSIONS OF INQUIRY ACT 1950

COMMISSIONS OF INQUIRY ORDER (No. 1) 2011

QUEENSLAND FLOODS COMMISSION OF INQUIRY

TOOWOOMBA

..DATE 27/04/2011

..DAY 10

THE COMMISSION RESUMED AT 10.01 A.M.

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COMMISSIONER: Yes, Mr Callaghan.

MR CALLAGHAN: I think Mr Gollschewski is still in the witness box.

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STEPHAN WILLIAM GOLLSCHESKI, CONTINUING EXAMINATION-IN-CHIEF:

MR CALLAGHAN: Now, just when we adjourned last week you produced a tape and transcript of the conversation that you'd had with Mr Tyson?-- That's - that's correct.

And the transcript was tendered. I don't know if that copy is available but I have a copy here which I can show to you just to confirm that you would say that at least up until - I'll just put it in front of you. I've left that open at page 5. By all means review the four and a bit pages before that, but I'd suggest to you that the concerns that had been raised you would say are dealt with by that part of the transcript which appears on the first four pages up until the first question and answer on page 5 which concludes with Mr Tyson saying, "Yeah, yeah, that's no worries, mate. Yeah. That's fine"?-- Yep, that's correct.

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Okay. Thank you.

COMMISSIONER: Well, Mr Callaghan, should we limit the exhibit to that extent?

MR CALLAGHAN: Yes, Madam Commissioner, the balance - there's nothing relating to the issue that you were being asked about last week that's canvassed in the balance of the transcript; would you agree with that?-- No, that's correct. That's correct, Mr Callaghan.

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COMMISSIONER: Well then, that portion of the transcript which goes up to, what is it, the first question and answer on page 5, did you say? I don't have it in front of me, although I've seen it.

MR CALLAGHAN: Up until the first question and answer on page 5 which concludes with the answer, "Yeah, yeah, that's no worries, mate. Yeah, that's fine."

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COMMISSIONER: That will be the exhibit and the tape accordingly - this is Exhibit 107 we're talking about. That part of the tape, accordingly, will be the exhibit too.

MR CALLAGHAN: Now, Mr Gollschewski, you have also prepared a substantive statement in relation to the business of the Commission; is that correct?-- I have, yes.

Yes. Can I show you that statement a 48-page statement dated 10 March 2011?-- Yes, that's correct.

I tender that.

COMMISSIONER: Exhibit 140.

ADMITTED AND MARKED "EXHIBIT 140"

MR CALLAGHAN: Do you have another copy in front of you?-- I have one with me, yes.

Yes. Would you mind just having that there because I am just going to take you to some specific parts of it?-- Sure.

Page 23?-- Yes.

And to put it in context, we're talking about the period at perhaps 5.30 p.m., thereabouts, on the 10th of January this year?-- Yes, I understand.

You, in effect, say that you saw the need to establish a senior management team because it was clear to you that even at that time, that the events that were unfolding required a major response from the police and that the normal disaster management arrangements were not appropriate?-- That's correct.

I just want to get you to elaborate on that?-- Yes, certainly. Can I - just to give some context, what occurs when this event unfolded, of course, was it was unexpected and unwarned for us. So, we immediately go into a response mode. What happens in the early part is that the individual police officers, so the operational police officers, are deployed to wherever they can be deployed to whether it be in response to a call that comes through the communications centre or, indeed, the fact that they're already out on the road and come across things. So they're out on the - out in the community doing what they have to do in an operational sense responding to the needs of the community, and we're dealing with a major flooding event so there's cars being washed out away and calls for service and all that type of thing. Additionally for that, we put out all the resources that we had available including in - onto the road. So what happens in the initial part is that those officers do what they can and they respond to the needs of the community on the ground and they feed back the information as to what's happening. In - through that process we then try to get situational awareness, if you like, of what's actually happening out there: what is going on; what is impacting on our community; what is the risk to the community; how widespread is it; what do we need to do. So after we go through that period of trying to actually get a real clear understanding of what's occurring, we then have to look at

what are the more strategic things that we have to do as an organisation in order to ensure the safety and security of the community because that's our basis line as the police service. We're there to ensure the safety and the security of the community. In doing that we get an appreciation, in this instance, that it's an enormous event. That we have people being washed away in Toowoomba; we have reports of houses being washed away in the Lockyer Valley; enormous amounts of water; people - our people and all emergency services being prevented from getting to scenes because of the - just the nature of the weather event and the flooding that's associated with it. And we have to start thinking about, "Well, how can we do stuff that's going to make that better and make the community safe and secure as it can possibly be?" It also becomes apparent at that time that we do have deaths and we need to consider things such as investigations and those sort of parallel matters that still have to be done and have to be considered at that very early stage. So you get to the point, after you get some situational awareness, that we need to show leadership and that's my role. I'm in charge of the region, I'm responsible for it. I needed to make sure there was leadership and a leadership team in place that could make informed decisions on what was needed to support our people and the other emergency services to do their jobs out on the road and in order to support the community. So after getting that situational awareness which, as I've indicated in my statement, included going out and looking at certain scenes to see how things were and what was really happening and talking to Brisbane about what we might need or may not need, and then it was a matter of getting the key players together and establishing a senior leadership team and making decisions on what we should do and what resources we needed to be able to do that.

Could I just pick up on something that you just said. That you saw the need to ensure that there was sufficient support, or words to that effect, for yourselves and for the other emergency services?-- Yeah, that's right, because there's - there were conversations during the afternoon, certainly and not just at my level; Brett Schafferius, the DDC, had a lot of conversations with other agencies. But I had a conversation with the QR - Queensland Fire and Rescue Assistant Commissioner and there was a clear need for helicopters. So QFRS being a combat agency in terms of rescue, they needed resources to be able to do what they did and needed - clearly, they needed helicopters and the mechanisms that are in place is that for the request to be put through the police through the DDC arrangements.

That's what I wanted to - that's what I just want to explore-----?-- Sure.

-----as to the way it all worked, because you say in your statement that there was something about these events, and I'm assuming just the sheer scale and speed with which they unfolded, that suggested to you that I think what you describe in your statement as the normal disaster management arrangements were not appropriate?-- Yeah - sorry.

What are you referring to when you talk about "normal disaster management arrangements"?-- Well, normally - in the lead up to that - that day, we'd had flooding across the region including in Dalby. The response that question used in that area was very much within the Disaster Management Act arrangements and the established protocols that go with that. Meaning, that you have a District Disaster Coordinator, who is usually a district officer in the police, or always, who sits at the top of the disaster management arrangements at district level and then works with the Local Disaster Management Groups in providing both a response and then moving into recovery. I have a very limited role in that as I've explained. I - I assist with making sure they're resourced properly, dealing with some of the political and media impacts of it, getting involved to push things along if they need that bit of a push and, basically, just making sure that they're well resourced and properly supported, and that's what we did in the ones up until the 10th of January. But what occurred on the 10th of January was we - we were seeing a loss of life on a scale that was unbelievable and we - we feared on that afternoon, based on the information we had, that there wasn't just two people deceased in Toowoomba, that there was probably multiple people deceased. So you need a very strong agency response and the police are the primary agency responsible for making things happen when there's loss of life in terms of bringing some order back into the community.

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I'm not trying to be picky, but when you in your statement say "normal disease management arrangements", do you perhaps mean normal for that period? That is to say, the ones-----?-- Well, no, no-----

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-----that had been in place for the flooding events which had occurred-----?-- Yeah, that's - that's fair but that would generally be what happens in most disaster situations. What happened in Toowoomba and the Lockyer Valley is characterised by that enormous lots of life.

Yes. Can I suggest to you that what you might be saying is that would generally be the case in most, can I say, slow moving disaster situations?-- Yeah, that's fair.

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Or disaster situations of which you had more warning-----?-- Absolutely.

-----than you had about the events-----?-- Yes.

-----of the 10th of January?-- Yes.

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But you didn't see the existing disaster management arrangements as being sufficient to deal with a fast moving, fast breaking situation of the kind?-- No, I didn't indeed. I felt that we needed to augment what was there and, obviously with the structure, the DDC Brett Schafferius was brought in as part of the senior management team. It was never designed to replace it. It was designed to enhance it and augment it and give it, if you like, more grunt from a Queensland Police

perspective to get things happening on the ground.

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So can you just illustrate for us what you were doing, the sorts of things that you were doing that would not normally be able to be done by a DDC, a District Disaster Coordinator?-- Well, ordinarily a DDC would make his request for resources and determine what he needed and report up through the State Disaster Coordination Centre and through those arrangements. What we did in terms of any policing response, that it was coordinated through that senior management team and looked at more broadly from my perspective to say, "Is that sufficient? Perhaps you need more. Perhaps we need to go to a higher level to ask for additional resources." You know, it is not just a matter of, in general terms, in a normal disaster situation a request may go into the SDCC for a helicopter or something along those lines. This needed to happen quickly. There needed to be helicopters and assets on the ground quickly. To go through the reporting mechanisms through the DDC and through the SDCC in that instance may have been a little cumbersome and not as timely as it should have been.

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Well, let's stick with helicopters as a specific example-----?-- Certainly.

-----to see how it did work then and might work in the future because, obviously, helicopters and the availability thereof is an issue that is of concern to the-----?-- Absolutely.

-----people of the Lockyer Valley. You already mentioned that you did do something in relation to the provision of helicopters; is that right?-- Yeah, after the phone call came in from Tom Dawson from the Queensland Fire and Rescue, I discussed that with the DDC, Brett Schafferius, and said, "What's in place?" He advised that the phone calls were being made for helicopters to be - to get there.

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Sorry, what did he advise, that he would make the phone calls?-- That they had been made. I'm not certain whether he had made - but certainly through his arrangements, he had made them. We then discussed how broadly could we - what other options were out there. Did - did we need to expedite requests for military helicopters, ADF, et cetera. How could we make that happen, and it was that kind of discussion. And certainly with Mr Dawson, I assured him we were doing everything we could do to try to get them up there but there are obviously challenges in terms of the weather and the ability for the helicopters to be deployed.

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Look, you might have covered that, but how did the helicopters actually get into the air the ones that did get into the air on that 10th?-- Oh, look, I don't - I don't have direct knowledge on who made the call but, clearly, an EMQ helicopter at least was in the air and undertaking rescues that afternoon.

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Well, did your efforts have any success in terms of getting helicopters in the air that afternoon?-- No, I'm not going to take credit for that because Mr Schafferius was already across

that and had done things to do that, make that happen.

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Well, I'll ask him about that. Moving on in your statement, at page 30 you record that as the disaster situation developed in Ipswich, that was clearly too much for the Acting Chief Superintendent Morrow to continue to coordinate operations for that district as well. That's correct?-- That's correct.

I'd like to explore this issue of the challenges presented when you are confronted with different disasters at different places within the same region. We're talking about a police region, I accept, not necessarily the District Disaster Coordinator region?-- That's right.

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But what was - well, what were - you explain to us what was the situation and how was it dealt with?-- Basically, the situation was that we had the ongoing issues west of Toowoomba. So we had Dalby, Roma and, off and on, Warwick district with flooding going on there. We had this enormous event in what we call the Toowoomba district, which includes Toowoomba itself and the Lockyer Valley. And the way we're structured as an organisation, that the primary responsibility for policing in those districts sits with a particular district officer, who at that time was Brett Schafferius, who as well as being the district officer was the DDC for that area. So we had that enormous event happening as well. And then with the waters that moved into the Brisbane River and into the Ipswich and Brisbane - ultimately Brisbane, we had another emerging event that needed that layer of strategic management, if you like, to sit over the top and make sure that our response as a policing agency was as comprehensive and appropriate as it could be. The bottom line is no one person, including myself, could possibly stay across all those issues that they needed to stay across to make that happen. So what we decided was we needed a dual structure to address different aspects of the disaster that was unfolding. So initially - and this was an evolving structure that we ultimately ended up with what we felt was the best structure, but initially we looked at using two superintendents and it was divided between Toowoomba and the other areas, the other districts. So, there's five other districts. So Andy Morrow took responsibility for Toowoomba and Alan McCarthy took responsibility for Ipswich and the other districts in terms of overseeing their disaster response but also making sure that your normal policing business goes about as it needs to go about.

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And where did Lockyer Valley sit in that space?-- In the Toowoomba part, so under Andy Morrow. We still were operating at that time with Brett Schafferius as the DO, the District Officer, I should say, and the DDC for Toowoomba district. The normal core business policing was being undertaken by one of his commissioned officers. As we moved along we decided - well, we determined quite clearly that that still wasn't an ideal structure. It was still too much pressure on Brett Schafferius. He had to devote his attention to the disaster management aspect. So we then moved to the ultimate structure, which is the one that's demonstrated in my

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statement, where we actually had a chief superintendent/operations coordinator for disaster management and recovery and a chief superintendent for operations coordinator for normal policing business. And under that we had a district officer who would look after the normal business, policing business, for the Toowoomba district and Brett Schafferius being the disaster - taking the disaster role at a superintendent level in Toowoomba district. So that - that dual structure, if you like, was implemented to allow as complete a response as we could possibly give to the disaster management response in recovery but also to ensure that we still provided a professional policing service to the community. And we were very careful to make sure that those people didn't act in isolation. It was a coordinated approach through that senior leadership team.

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Well, if I can take you to page 45, the second-last line on the bottom of that page?-- Yep.

Where you say that, "It was clear that the powers under the Disaster Management Act were required to give effect to the operations"?-- Yes, and that's specifically - I probably didn't say it there and I should have. It was specifically relating to what was occurring in Grantham and the Lockyer Valley.

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Yes. Well, I was going to ask you what did the Disaster Management Act allow you to do that you could not otherwise do?-- I don't claim to be an expert on it.

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No?-- I'm advised from Mr Schafferius and from QPS solicitor. What we were looking to do was to have access to the powers to search and containment of the area of Grantham for a period after the - oh, after the event, obviously, but - and, ultimately, it had to be extended because of the unique nature of the problems in that area so that we could continue to operate. And the reason for that is is that Grantham was a particularly challenging environment in that we had to exclude the town members from the town for a period which caused a great deal of concern for them, understandably. The reason we had to do that was that we had multiple deaths and missing people. We had to do as comprehensive a search of the area we could do to recover the bodies in that area and we had also had to render it a safe environment. It was an inherently dangerous environment - gas bottles, sharp objects, dead animals, a very, very unsafe environment. So our view was it was caused by the disaster. We needed the powers under the Act to control that environment so that we could render it a safe environment and complete our search in terms of the recovery of deceased persons and rendering it - because some of the houses were quite dangerous as well. Inspecting them and identifying which were dangerous before we could allow the community members back into there.

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I appreciate that this may well be more a question for Mr Schafferius than it is for you but is that the extent to which you would say that the powers under the DMA were required to give effect to the police operations so far as you

were concerned?-- From my point of view it was about having a safe - an environment that we could operate safely in.

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I have no quibble with that. Let's live the Grantham situation aside?-- Yes, and-----

I understand what you say about that. I'm just wondering whether there were any other examples that you have of things that you were authorised to do under the Disaster Management Act which you could not otherwise have done using ordinary police powers?-- We had a lot of discussion about which powers were best, you know, whether it should be a PSPA declaration after the conclusion of the DMA. Because what was happening is there was a statewide disaster declaration that was going to cut off at a certain time and we had to think what was the most appropriate way. Can I tell you, we went for advice on that to QPS solicitor and I don't-----

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Yes, I'm not - sorry. I will interrupt you. Are you still talking about Grantham?-- Grantham, yes.

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Because I have no problem with Grantham?-- Okay.

I understand what you've said about that and how that - the powers under the Disaster Management Act were necessary to do what you did there?-- Mmm.

But apart from the Grantham situation, specifically, and what you had to do there in terms of securing the location, were there any other examples in the period from 10 January onwards in which it was apparent to you that the powers under the Disaster Management Act were necessary to do what you did?-- We operated under the state one. I - Mr Schafferius definitely would be able to talk about Toowoomba. There was one for Roma, which I've articulated in my statement, which related to a proactive declaration so we could stop a B&S ball going ahead where people were at risk.

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Right?-- That was a use of the DMA in order to prevent something happening. That was quite successful for us. So, there was that example.

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Also on page 45 of your statement you express the opinion that some Local Disaster Management Groups struggled with the enormity of the challenges. Now, you also noted that this was perhaps understandable and you've acknowledged there was no lack of commitment by the individuals involved but this is a topic we need to explore. Can you elaborate on what you had in mind when you expressed the view that some Local Disaster Management Groups struggled with the challenges?-- Certainly. I think councils, if you look at what their normal core business is and using the Lockyer Valley as an example, what transpired there and the level of response that was required, it ultimately turned out the state couldn't provide the resources that needed to do that. We had to get the ADF in and significant numbers with significant equipment and expertise and right from across the QPS to do the search. It was an enormous event. I think it is entirely understandable

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that local councils whose core business is nothing to do with that are thrown into a situation where they have to very much be leaders in terms of how to respond. I think that's an enormous challenge for them, particularly in this instance. One of the key issues initially was command and control.

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Mmm?-- You know, we as an agency and with our partner agencies, such as the Queensland Fire and Rescue and the ADF, are about command and control which is about establishing order, putting people in place, working out what's going on and planning effectively to put a response in place that can bring order about. That's not the role of councils. That's not what they're about. You know, it's - I think it's unfair that they should be held responsible for the response that happened in the first five day - five to seven days in Grantham. Clearly, they're not equipped nor trained nor resourced to undertake that sort of role. What does work is that when we work in partnership with them to put in place what was put in place in the Lockyer Valley to try and make it work and, certainly, that's the way it went forward. And it wasn't easy. There was some - there was some issues.

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You speak about partnership and I understand, I think, what you mean, you need all parties working together. But you've also referred to the concept of command and control, so who should be in charge in that partnership?-- That's an interesting thing because the DMA as I understand it layers it to local level, district level and then state level. The police are put in at the district level as the DDC, through that structure. At the local level, the LDMG has some control of that change. What we have to do and as part of the DDC's role is to work through that with the LDMGs to work out what the appropriate response is. Now, clearly, and I'll quite upfront about this, clearly, in this instance with the loss of life that we had and the dangerous environment, I was never going to allow the police not to have control of that scene until we decided it was a safe scene and allowed anyone in and that included the LDMG. That just wasn't going to happen.

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Can I take the example of missing persons. That's ordinarily a police responsibility anyway?-- Yes, it is.

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Disaster or not?-- Yes.

And, as I think you've suggested, the search for missing persons involved the Australian Defence Force?-- Yes, it did.

And SES volunteers as well?-- Yes, it did. AFP as well.

AFP, thank you. So that was all being supervised by the police, was it?-- Yes, it was. We had lead on that - that response.

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Okay. What was the formal mechanism, if any, by which that was organised?-- You mean legislative based?

No, how it worked on the ground?-- Well, initially - initially the - obviously the AFP are brought in under a DACC,

D-A-C-C, a defence assistance to the civil community, which is under federal legislation. In disaster instances where it's beyond the capacity of the state or the local resources to deal with a disaster situation we can request ADF assistance. So that was done in this instance.

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I'm not so much concerned with how the assistance got there?-- Yes, okay. Sorry.

It is how it worked once they were there?-- Well, how it worked once they got there was there was a joint management on the ground between my field commander Inspector Mark Kelly, his deputy Tony Neumann and the ADF commanders on the ground.

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Whilst you say it was a joint approach, and I'm sure they worked together well?-- Mmm.

Was it Mr Kelly who was actually in charge?-- It was clear that it was police response. The ADF - the way it works is the ADF, we would tell them what tasks we want completed and then they would command their assets on how they would achieve that. So, for instance, in terms of the search that was done, a foot search from Murphys - sorry, from Spring Bluff down the Lockyer Valley which happened on a number of occasions, we would go to them and say, "This is what the plan is. These are the resources we think we need." The army commanders would then go away and make that happen and give us the resources so that could be facilitated. So in terms of what needed to happen to progress that recovery, search and recovery aspect, it was police lead. Obviously the ADF have an enormous amount of expertise and they had input into how that may be done more efficiently and effectively. What we did establish was the search and rescue cell that would plot the search and they were police officers, and we had three layers in that. We had the search and rescue experts that would plot our searches and how we were going to do it. We then had the Brisbane Water Police OIC that would review that and look for any weaknesses in it, to see whether they'd missed anything and the methodology was sound. And then over the top we had the state search and rescue coordinator Jim Whitehead reviewing it again to make sure that we hadn't missing anything in our methodology.

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So then that was done in coordination with the ADF to say this is what we need to do, and they said these are the resources we have available to assist you to do that, and then it would be planned together and the actions would take place.

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No one is suggesting other than that it all worked as well it could have. But you do have this interesting situation where effectively the Queensland Police are leading an operation and the Australian Defence Force were effectively doing what you were requiring them to do?-- Which is what that's all about: them coming in and assisting us, yes.

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Yes, sure, assisting. But it's a question of who is in charge. And remembering we're look at next time?-- Yeah, I agree. Look, there were things we've done there that haven't been done before that should be looked at as a template for how things should be done in the future, and the ADF acknowledged that on the ground. They said that, to them, was something they hadn't done before and they needed to look at in terms of how to do business in the future.

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Yes. And as I say, it was obvious that everyone worked together well on this occasion. But if hypothetically there had been a conflict as to the manner in which something should have been done, how would that have resolved?-- Well, that's where I start to come in. It would be fed up the chain of command to see whether we could resolve it at different levels. Certainly I was in contact with my counterpart in the ADF in general terms about how things were travelling. If there was something we couldn't resolve, we would have had to resolve it at a higher level.

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And which chain of command are we talking about? The ordinary QPS chain of command, or the-----?-- No, this - in terms of the terms of the search and recovery in Grantham - was done through the QPS chain of command. That was an agency response, that particular aspect.

On the basis that missing persons are a police responsibility?-- Yes, and also that we knew we had a number of deceased and that once those persons were located, that there were certain things that had to be done in terms of the investigation and the requirements of the coroner and how that had to be dealt with. So we had to retain the lead on that.

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Which, as I say, would have been your responsibility, disaster or not?-- Absolutely.

Just finally, and still on page 45, you make the suggestion that there might be a contingent of qualified individuals to be deployed upon request. I think someone else has suggested the term a fly-in team available in disaster response. Can I just ask you who in your view should be in such a team, what skills should they have, who should direct them, questions like that?-- Yes. Look, the greatest ability someone can have in one of these situations is having had to deal with one before and having expertise on what works successfully. There were people brought in from other councils, for instance, the

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Lockyer Valley, to assist them with certain aspects of that and how it should all happen.

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Just ask you to pause. Do you know how that happened?-- Look, that was probably done - that was done more through the disaster management arrangements than rather - I'm aware that there were discussions early on - look, we all recognised enormity of the event and that-----

Look, again, sorry, I'll ask Mr Schafferius-----?-- So there were political aspects of that as well. The actual decision-making on how that came about, I can't give you detail on that.

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Okay. I'd ask you to finish what you had started?-- Yeah, in terms of what we see is that in this instance the council's been confronted with a - and the community's been confronted with a situation that no one foresaw. If you had said which areas in Queensland were likely to flood in terms like this, Toowoomba and the Lockyer valley probably weren't high on the list of ones that could be foreseen. So does the expertise exist there in either - including the police officers - how experienced are we in dealing with that sort of environment. We're lucky in that we do have command and control training. We do deal with crisis management all through our careers, so we have some experience in that that we apply learnings in other areas. I'll get back to my point before that the councils aren't necessarily trained or equipped to do that. They may have plans - under the Disaster Management Act they're required to keep them and exercise those sort of things, but how close is that to what actually occurred in this instance? I would suggest there is probably a fair gap there. So in terms of disaster management, but in other parts of the State there are people that have had significant experience in these types of events in dealing with the aftermath and the recovery. There's an enormous amount of expertise and experience out there. We should lever off that and try to establish this cadre, if you like, of people, who, if - when needed, or when there's a demonstrable need to impose them on someone, if it ever got to that point, that they can be called upon to assist with some of these areas that may well not have that expertise.

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Specifically who do you have in mind?-- Well, it's a matter then - this is a body of work I think still needs to be done. It's a matter of examining what worked well, because there will be things that worked quite well, and other parts where we did not pick up the ball and operate as effectively as we should have. They are the areas where we probably need to identify some expertise. But quite simply, it's someone at a senior level that can come in and just say to - be at a DDC or be it a local mayor, this is what works in this area. This is what you need to do, and this is the experience that we know working within the parameters of the Act - and if the Act is not appropriate, it should be reviewed as well - that you need to do to make this work properly.

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Just coming back - just picking up on what you said-----?--

I'm sorry, there's another point there that's really important. Because the reality is that these sort of events may never happen in a council's lifetime, so the individual experience in these things may not be there. They need to be able to say hang on, we've been hit with something that's beyond our experience, we need help, and there should be an identification of who can provide that help in a very timely manner.

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Sticking with these events and just to quote your words back at you, insofar as the QPS is concerned, what parts of the events did you not pick up on as quickly as you might have? Do you have a view on that?-- Look, yeah, I do. I've got a number of issues that I think we certainly can improve as an organisation. I'm happy to go through them whenever you would like to do that. But the key issue for us, I think, was that the structure we ended up with, if we had had that in place right up the front, that would have been very useful for us and we may have been able to get across things a lot more quickly. The challenge for us on that day was the situational awareness aspect. What was actually going on and what needed to happen in terms of providing safety and security for the community. And then once we had established that, how can we access the resources we need to do that? So what has to be remembered is that we couldn't access resources into Toowoomba or the Lockyer Valley until the Wednesday. So this occurred on a Monday night, and it wasn't until Wednesday that we could actually start to get some of our expertise from State Crime Operations Command and the other areas in Brisbane onto the ground to assist us to do with what I want. So what capacity do we have as an organisation to get people more quickly in this type of environment? We need to reflect on that as well.

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Was that access question - access issue a question of road access?-- The roads were cut, so we couldn't get through. But we got SERT and PSRT on the ground in Grantham in that night simply because a conversation between myself and the deputy, and I said, "We're going to need help. I don't know what yet, but you'd better get something happening." He mobilised resources and sent them on the basis of we knew something bad was happening, and it was big, and we needed to respond. So we got those resources on the ground that night. If we had waited another hour or two, we wouldn't have had any resources on the ground in Grantham that night. So we wouldn't have had anyone on the ground if that call hadn't been made. Because then what happened after that, we couldn't get people. We couldn't fly them in because of the weather conditions. On the second day any helicopters that could have flown people in were required for search and rescue. So quite responsibly we didn't insist on bringing extra troops in that we needed to be able to do our business. Those assets had to be diverted to search and rescue efforts that day. Then the weather became problematic and there were only probably the ADF ones that would fly in any case, so that was really difficult. So what do we do as an organisation in the future if we're confronted with the same situation and we need additional resources? And they are things we need to work through, and it's not going to be solved yet.

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COMMISSIONER: I'm still not clear about the sorts of people you contemplate in your flying squad, if we call it that, the cadre of experienced people coming in. Are you talking about emergency rescue type people, police, council, executives; who are you talking about?-- I think just people who have experience in disaster management. And the problem, Madam Commissioner, as I saw it, was we go into this enormous response phase initially, and then we have to move into the recovery, and we need to do that quickly, and it was problematic about when we should do that. And it wasn't clear when - I'm certain Mr Jones might even talk about that - that it wasn't clear when they should take over and what they should do, and we were kind of feeling our way as to how that would happen.

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Do you have any views, though, as to people from what disciplines might be useful?-- I think certainly in the local council areas about - people that are experienced in how they should operate when they deal with a disaster management situation and trying to move from response into recovery. We certainly as an organisation try to approach these things from an all hazards approach, which means that in a disaster situation, or counterterrorism one even, or a major event, we try to put the same structures in place that will be effective across all those boundaries. But like any other organisation, our people are limited by either their experience, so if they are exposed to these things, and the training that we can give them and also the support that can be brought in at those times.

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Thank you.

MR CALLAGHAN: Can I just take you back to something you mentioned just a second ago about the conversation that you had, I think with a deputy commissioner, which led to the mobilisation of certain resources, perhaps a SERT team and a Safety Response Team on the evening of the 10th; is that right?-- Yes, that's right, the - Deputy Commissioner Barnett initially.

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And you refer to that I know at pages 24 and 25-----?-- Yes.

-----of your statement. And again I'm not being critical, obviously, but that wasn't something that involved or needed to involve Mr Schafferius-----?-- No.

-----in his capacity. That was just something the police had to do, and do very quickly?-- Based on the events as they were unfolding, and certainly looking at the weather event, being exposed to it directly, it was clear that we were going to be challenged significantly and that we would need additional resources. So my initial conversation with Deputy Commissioner Barnett was to the effect that we would need resources; that I didn't have proper situational awareness; and it was some time before I would get it. Once I did get it, I would give him some better indication of what we thought we might need in the shape of those resources. Obviously,

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that took some time to happen, so.

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All right. When I asked you a moment ago what parts you might not have picked up on as quickly as you could have, you seemed to look down. I don't know if you have a list of-----?-- I've got a little things of things that I felt - I'm quite happy for you to have a look at that. It's just a list of things I wrote out that I had felt needed to be considered in terms of us being better positioned next time. Overall, you know, I think given - I think it's really important to make this point, that this was an immediate response situation from my organisation. There was no warning, and we're talking about Toowoomba and Lockyer Valley. There was no warning that caused us to preposition and prepare for an event that was going to happen. So we're immediately into response, which puts a whole different slant on it. So how do we then be in a better position to respond next time? And if you like, I'm happy to run through them.

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Yes, I do want to know what you've got there. Is it easiest for us to tender the document? Is it legible?-- Reasonably. But I'm happy to - if you want to tender it, Crown Law have a copy of it. I gave it to them before I came in so? Do you-----

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Perhaps I could just have a quick look at it?-- Because I think it's going to need some - obviously it's dot points that I've written, so it will need some interpretation, yes. Some of these things are covered in my statement and some aren't, because I've gone back through it and reflected on it further and decided there were some additional issues. I'm happy to provide another statement.

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I think that might be the most efficient way of doing it, if you're happy to do that. I might tender this document, but get you to just do an addendum statement if you don't have a problem on elaborating on the once that you haven't already covered in your first statement; is that okay?-- Yes, certainly, I've got no problem.

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I'll tender those notes.

COMMISSIONER: Assistant Commissioner Gollschewski's list of points will be Exhibit 141.

ADMITTED AND MARKED "EXHIBIT 141"

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MR CALLAGHAN: On that basis, I have no further questions

COMMISSIONER: Thank you. Ms McLeod, did you have any questions.

MS McLEOD: No, nothing arising.

COMMISSIONER: Mr Gibson?

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MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: Thank you, Madam Commissioner.

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MR MacSPORRAN: Assistant Commissioner, just a couple of things that arise from your list. And you are going to give another statement, so I won't take you through it exhaustively. But just a couple of matters that might assume more significance than some of the others. You talk about warnings, and your point here is you say there's no silver bullet. What do you mean about that in terms of warnings generally for these sorts of events?-- The experience I've seen in this is no one system will give us the sort of coverage that we need to to be able to give an effective warning to the community. I know there's been talk, certainly in the media and other places, about SMS alert systems and the like. And they all have merit, but they need to be looked at as part of a total package of solution, not the be all and end all. The bottom line is not everyone in the community has a mobile phone, and if they do, they might not read their SMSs. Not everyone is on the internet, so they don't necessarily access web pages. They don't listen to the radio or look at the TV. In this particular instance we had to do everything from sending out media warnings, alerts, going around knocking on people's doors, and even driving around in cars with loud hailers and that type of thing. So the point really is what are the needs of an individual community that might be at risk for a disaster? And that's going to change from places like Brisbane to the more remote places. You may need systems of sirens. You may need something to get their attention so they know they have to listen to some sort of warning. Because our experience as an organisation is even when you do that, even when you even go knocking on people's doors, there's still going to be some people that don't want to heed the warning and will stay where they are. That's the challenge for us, is that if we go down one particular solution, we're going to miss people. So we need to be as comprehensive as we possibly can in our warning systems and we need to do some sort of assessment of what the needs are of particular areas where we need to get the warnings to, because it's going to change from area to area.

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I think you need the local community to understand the protocols, what the warnings are and what their needs are?-- Yes, they had need to be educated if this particular trigger happens, they need to take heed and there's danger.

All right. Now, in terms of evacuations, whether they were voluntary or mandatory, what's the approach from the QPS for that?-- Our initial approach is as a flood event is - we'll

use a flood event. Whether it be flood event or a fire event, you could probably look at it both the same way. But as a risk is identified, the community will be engaged with and advised that they need to consider evacuation. As it gets to the point where the risk is such that people's lives are - and property is at risk, we will consider a mandatory evacuation. Once it's determined that we can't guarantee the safety and security of that community, we will move to - or propose to move to - and it's done, obviously, with the LDMGs as well as the people in that particular space, that will have to be done through the disaster management arrangements. We will also look at mandatory evacuation. Our preferred approach, apart from mandatory evacuation, is then negotiation with the community. We're not going to go around and lock people up and put them in handcuffs. We will tell them it's a mandatory evacuation and negotiate with them how to get them out in a timely manner.

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But does history suggests that there is difficulty convincing people to evacuation voluntarily, even in these sorts of events?-- There is definitely a history that that can be a problem. And we rely on the expertise and communication scales of our officers to get that message across, and I think in the case of Condamine there was certainly no force used behind anyone to have to make them evacuate.

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One of the difficulties in these events was that people found it hard to believe that the events as they unfolded could have been as serious as they in fact were?-- Look, I'm aware there's people in the Lockyer Valley that have stated to my people, and certainly the AC of Laidley and others, that even if they were told what was going to happen, they wouldn't have believed it.

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Now, can I ask you this: you've touched upon the question of the extended period before which the residents of Grantham were allowed back into community and the reasons for that. Can you just tell us in a little more detail the reasons for that?-- Yeah. What occurred, obviously, on the 10th was an enormous event, and Grantham, compared to any other community across Queensland in terms of the loss of life and the destruction of the community was - it was the worst. And it took some time to establish some control, and it wasn't until Wednesday we established our control with Mark Kelly taking command on the ground, access, all those types of issues. Once the enormity of the issue became in place, we put up a cordon around the town and controlled access into and out of the town. The decision was made that it - as I said, it was an inherently dangerous environment in terms of the instability in houses, and the debris, and types of things that were in the houses, the yards and the fields, and also we were very conscious of the fact that we had multiple people missing from that area, and there was likely to be deceased persons in that area. So we had the need to: (1), search that thoroughly, but quickly, but thoroughly and locate those deceased persons and then deal with them in terms of a professional forensic response and the need to involve the coroner and the investigation; and we had to do that in a way

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that it's not going to be hindered. If we let people back into the town, it would have - you know, things such as the debris piles, that sort of stuff, may have been disturbed before we were able to properly search them, and I could not in all consciousness - in my conscious allow a member of the Grantham community to go back in there and find a deceased person or one of their loved ones. I just couldn't let that happen. And so we searched it, and we searched it again, and we searched it again, and to the extent that one of the deceased was found in a house in the fourth search, such was the devastation and the terribly challenging environment. And I wasn't going to let those people back into the town while there was a chance they would find a loved one in there. That was just unconscionable. The other thing, of course, was their safety and security. We couldn't let them back in and then have people injured because it's an unsafe environment. We had the resources - the ADF helped us - to restore it to a safe state. We have the expertise to do the searches quickly and professionally as possible. I think it's remarkable that we were able to allow them back eight days after the event, given what had occurred.

Additionally, if people are allowed back in a their homes and they start to clean up, you then don't know what has been searched and how thoroughly, for instance?-- That's exactly right. There was very detailed planning with our search. It was done by sectors. We did try to open up those sectors that were cleared. But in terms of where they would be, that would mean people would access through areas that hadn't been cleared. So until we could get to the point where we could say we've done everything as far as the town, we're confident there's no further deceased persons there and that it's a safe environment to let them back in and start that process of cleaning up, that wasn't going to happen. And that was my decision, and I stand by it.

The DMA was amended in November last year?-- Yes, that's correct.

Did that have any impact upon the management of these events?-- Well, we went straight into a new system. To some degree there had been discussion about it, so it was - we were conscious of the fact that we had a new system that we had to operate under. My role, as always, has been for Assistant Commissioner and Chief Superintendents, we don't particularly have a role under it but we're-----

COMMISSIONER: Slow down?-- Sorry, Madam Commissioner. That we don't a particular role under it. So whilst we're aware of it, we're moving into new territory, and it hadn't been exercised as such at any level, certainly not at my level, as to what we could do under a disaster response arrangement under the new regime. So I guess our first test of how we went under it was these events.

MR MacSPORRAN: Perhaps on a more positive note, can you tell us anything that you consider was done well during these events?-- Look, my people were on the ground with the

community, and they are members of this community. Every police officer that is out there on the ground trying to serve the community are also members of that community. Twenty eight of my members in this region are considered for nominations for bravery for putting their own lives and well-being at risk to serve their community in this event and all the events. So I think the police got out there and did what they could do. It was an extraordinary set of circumstances. We just simply couldn't get to places that we needed to get to do to things that we needed to do in some instances, and that took time. And I think what we do well in that period where we couldn't get the support we needed because of the environment and the weather, that we established control, that we got our assets in the right places, we supported the community. No persons were lost after the initial event. You know, there were no accidents where people were injured because we hadn't been careful in making sure it was a safe environment. We established our control, and then when we had the ability to, we brought in all the resources that we could to make this happen as quickly and professionally as possible. Without the ADF and the AFP and the other agencies that all kicked in, this thing could have gone for months. An enormous amount of resources were brought in to try to make this thing happen. There wasn't one thing that we thought of that we couldn't get that needed to do it. So I think overall our response was magnificent. There's going to be things that we're going to need to improve on. My word there are. And we know that. We know that we need to improve in certain areas, and we will be better next time. But I think overall the response on this was - for instance, if you look at what happened right across the State - and I know that Yasi is not in the terms of reference for this Commission - but the big difference between what happened in Toowoomba and Lockyer Valley and what happened there was when the warnings were in place and you had time to prepare, no lives were lost. Whether we could do more to save property or not is a matter for consideration. But in the instance of Toowoomba and the Lockyer Valley, we didn't have warning and we've lost too many people.

You mentioned 28 of your officers have been nominated for bravery awards. What's the number of people who have been nominated for recognition arising out of these events?-- 132, something like that. And that's including the searchers in Grantham crawling under houses and putting themselves at risk to try and find the deceased, the loved ones of these people in the community, that type of thing.

You've spoken of the dual command structured that developed through these things, and that was adopted for the management of the Yasi event, was it?-- Yes, it was. It was in both far northern and northern regions, as I understand it. And certainly in our senior executive debrief that we've undertaken, that's seen as something that we need to acknowledge as a good methodology and to build on if necessary to - but certainly that would be the starting point for any future events of this nature, that we would go with that type of model.

Now, can I take you back to your dealings with Mr Tyson finally. How did it come about that you, as an Assistant Commissioner, were going out to speak personally with Mr Tyson?-- As I indicated the other day, the Commissioner and I had fairly lengthy conversations about that particular issue. We put in place a - I made an instruction that the police were to attend all funerals and show support for the families in the community of all people that were lost in the floods and to provide traffic policing at those events. In addition to that, we were conscious of the issue with Mr Wheeler in relation to the Tyson family. It was our concern that - and my concern - that that would become a matter of some media interest, and I think I've been validated in that concern, and that it would - may perhaps get quite untidy, and what needed to happen was that in due respect - out of compassion for the Tyson family, we needed to open up dialogue with them and explain to them as best we could what we were doing. What actually happened in the weekend leading up to that, there was already media reporting of the triple 0 call, and there was a comment made that they were told to stay put. Now, my knowledge at that time was there was one triple 0 call by the Rice family. I was not aware of the Queensland Fire and Rescue triple 0 call next last week. In fact, I didn't know it existed. And there was a second call, to which I refer, it was one that was made to Jason Wheeler by a member of the public referring to the Rice family car. They were the two calls only that I was aware of. Because the paper had got it incorrect in terms of saying that they were told to stay put - now, that may have been what they were told. I'm not suggesting that, by my means, that's false reporting. They obviously were told that, but it was incorrect. So we felt we needed to talk to Mr Tyson and open dialogue with him at a senior level and say look, what you are hearing is not necessarily correct. There is a tape. We are investigating it. I have listened to it, and I know what's in the paper is not correct. But we need to investigate that, and in due course we'll be able to brief you on what the findings of that are. That was an incredibly difficult thing to do. Seventeen days before he had lost his wife and child, and having to undertake that was a very difficult experience, and I felt out due compassion for Mr Tyson I needed to say something without revealing - making a release of the information on what was in that. And my release was that Donna sounded quite calm, and to my - in my view, she did. And I felt that was an appropriate thing, to give him some personal peace on that particular aspect. And as it turned out, I wasn't - the Firecom triple 0 call I wasn't aware of and unfortunately was operating under the premise that there was a comment made about no credit. And I thought that, unfortunately, the last person that Donna Rice may have spoken to on this earth was Jason Wheeler, and I was very concerned about that.

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Why didn't you play the tape to him?-- Look, that's just inappropriate, in my view, for a number of reasons and, as Mr Callaghan said, we went around and around a bit last week about it. But the coroner owns that investigation. It wasn't

my place to release it, one. Lawfully, I didn't believe I could do that. Secondly, I don't think it's appropriate to turn up at someone's house 17 days after they had lost their loved one, play a tape saying, "Have a listen. This is your wife's last talk to a member of the Police Service." To me, that just lacks compassion. And that's my view, and I may not be right, and I accept that. But that's my view, and I certainly didn't want to do that. I felt the appropriate thing for us to do was let it be fully investigated, let it fall where the evidence says what happened happened, and then tell John about what had occurred. And certainly that was my plan.

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And certainly that was my plan. That investigation, sadly, is still not completed, so I can't comment on the outcomes of that investigation. And the Coronial is certainly not completed yet either. The Commission has come in ahead of that, so now Mr Tyson has heard it and, you know, entirely appropriate of course. But I didn't get the opportunity to go back and talk to him. I had planned to catch up with him at a football carnival a couple of weeks ago that he attended, which was a police one which he and Blake were invited to, but I unfortunately had to pull out at the last minute because of family bereavements. I didn't get the chance to catch up with him

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Now, you know that Mr Tyson gave evidence here before Easter?-- Yes.

And made some comments about the conversation you had with him at his home on that day?-- Yes.

You've denied certain aspects of that?-- Yes.

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But you've told us that the conversation in its entirety was taped?-- Yes, that's correct.

That's been tendered here. Commissioner, I would ask that that tape be played for the first portion of it. It is four pages of transcript.

COMMISSIONER: Why?

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MR MacSPORRAN: Well, Commissioner, this issue has been given prominence in this Inquiry.

COMMISSIONER: Yes.

MR MacSPORRAN: Mr Tyson has spoken to it. He has given a victim impact statement. It has had some impact in the media. Assistant Commissioner Gollschewski has denied certain parts of the conversation. The best evidence is the tape itself and whilst that has been tendered, it hasn't been ventilated.

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COMMISSIONER: Well, it has been transcribed. Mr Callaghan, I think, has said that the relevant portion of the transcript is all that - has identified the relevant portion of the transcript. Why do we need to play it? It seems to me you might consider, Mr MacSporran, whether in your efforts to show that Assistant Commissioner Gollschewski wasn't insensitive to Mr Tyson you run the risk of being insensitive to Mr Tyson by labouring the point.

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MR MacSPORRAN: Well, I would have thought that I was as sensitive as I could have been when I questioned Mr Tyson last week. The fact remains that he made some allegations and the tape speaks for itself. The tape hasn't been played.

COMMISSIONER: Wouldn't sensitivity have dictated that, A, he was told during the conversation itself that he was being taped and, B, when the question arose of what he had said last

week, he was told then that there was a tape and invited to listen to it before giving evidence?

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MR MacSPORRAN: Well, Commissioner, you may understand that those developments occurred within the space of a couple of hours. That tape only became-----

COMMISSIONER: But the assistance of the tape was surely known by Assistant Commissioner Gollschewski from the minute he first heard that Mr Tyson had something to say about the conversation.

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MR MacSPORRAN: Well, yes. But in terms of what the allegation was, we didn't discover that and neither did Assistant Commissioner Gollschewski until after lunch immediately before Mr Tyson gave evidence.

COMMISSIONER: Is that so, Mr Callaghan?

MR CALLAGHAN: The nature of Mr Tyson's concern was communicated during the morning break and the statement was taken over the luncheon break and provided towards the end of the luncheon break. Mr Tyson, as I recall it, wasn't actually called for at least an hour or so after we resumed after lunch and I wouldn't have allowed him to be called if I'd known of the existence of the tape or the transcript.

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COMMISSIONER: Anyway, Mr MacSporran, we might be getting off the point a bit. It seems to me that natural justice requires that Assistant Commissioner Gollschewski be able to answer the allegations; he has done that. The transcript is on the record. It will be on the website. This Inquiry has to move forward and I don't want to waste any more time on what seems to be an issue not really within the terms of reference than is absolutely necessary. So I don't propose to have the tape played now.

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MR MacSPORRAN: Thank you, Commissioner. Assistant Commissioner, one last matter. In terms of the triple 0 calls themselves, we are going to hear more evidence about this in Brisbane apparently, but do you have a view on the staffing and resources available to the communications room here in Toowoomba?-- Sorry, could you repeat that, Mr MacSporran.

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Do you have a view on the staffing resources?-- Yes, our staffing for the Toowoomba Communications Centre is constantly under review. There has been a number of submissions made in terms of the appropriate staffing levels of that. We recognise there's a risk there. We're trying to address that at the moment in terms of securing additional staffing for it. But that has to be considered in terms of the fact that at a service level we're reviewing our entire communications strategy. We have a project which is called CAD, computer-aided dispatch. It has been rolled out across the service on a priority needs basis. Toowoomba is certainly being considered in that. That will have an impact on what levels of staffing are appropriate. The introduction of Policelink has been considered in terms of what difference it

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will make to the demands on policing, on policing - on staffing communications centres. It is now evident that that's not going to give us the relief we thought. So we need to look at our staffing models. As I said, those submissions are in. The service has a limited amount of resources and has to apply them on a priority evidenced-based basis and that's what's happening. Toowoomba is certainly in the mix but it is not the highest priority across the organisation at the moment. And, look, the bottom line is even if it is upgraded to a category - the next category - the name just escapes me at the moment, that would mean that on a day like the 10th of January, the additional five staff that it would get to man the communications room would equate to one extra person in the communications room. And the enormity of the event that happened on that day, that wouldn't make any difference.

Sure?-- Can I just make a comment about - I'm really quite disturbed about the thing to do with Mr Tyson. I think I need to say something about that. Mr Tyson in my view is a good person who has been through a terrible event and he has just simply not remembered what was said. I have no issues with Mr Tyson and I look forward to the police being able to re-establish the good relationship that we've had with him all the way through and I just think what happened last week was unfortunate and I certainly wish it hasn't been conducted that way.

Yes, certainly. Thank you, Commissioner.

COMMISSIONER: Mr Callaghan?

MR CALLAGHAN: No, I have no further questions. May Mr Gollschewski be excused?

COMMISSIONER: Thanks, Mr Gollschewski, you're excused?-- Thank you, Madam Commissioner.

WITNESS EXCUSED

MR CALLAGHAN: I call Vivienne Jamieson.

VIVIENNE ANN JAMIESON, SWORN AND EXAMINED:

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MR CALLAGHAN: Could you tell the Commission your full name, please?-- My full name is Vivienne Ann Jamieson.

And as your clothing might suggest, You're a volunteer rural firefighter?-- That's correct, I'm first officer of Grantham Brigade.

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You prepared a statement for the purposes of the Commission; is that correct?-- That's correct.

I'll show you a copy of that. That's a 15-page statement dated 21 January 2011?-- That's correct.

I tender that.

COMMISSIONER: Exhibit 142.

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ADMITTED AND MARKED "EXHIBIT 142"

MR CALLAGHAN: And I'll provide you with a copy because I'm just going to take you to some specific parts of it?-- Sure.

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Now, first of all, Ms Jamieson, in that statement you detail the events relating to the 6th of January 2011?-- That's correct.

Which was obviously a very long day?-- Very long.

And also the 7th and the 8th of January?-- That's true.

And just by way of summary, on those days you were working very hard to assist in flood relief and preparation for future flooding?-- That's right.

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Moving then to paragraph 27 of your statement, you speak about a phone call that you received after the events of those dates between the 6th and the 8th?-- Yep.

You talk about a phone call from the Ipswich Rural Fire Service Area office?-- That's right.

Can you just tell us about that?-- I'll go on memory more than what's there. Leading up to this call I received a call from my daughter on the 6th. She was staying with her boyfriend in Grantham. They had previous flooding in December, 26th or 27th. They received no help from any services. I was actually out of state at the time. But this statement here is that because we drove through the flood waters to sandbag - we were asked by the community of Grantham, "We need sandbags. We need help. No services

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help", which was SES or police, council, anybody. I took it upon myself as a brigade member, my oath the day I joined was to serve my community, which is Grantham. We proceeded to sandbag. Yes, we had to drive through water. We found that it was safe enough in the vehicle we had to drive in this water. We were taped by a gentleman unknown to me at the time but later on I found out he was a news reporter. They actually showed our vehicle driving through what is known as Anzac Avenue which is just alongside the main road through Grantham. We were heading to the service station at the time which is known as Marty's. We were checking that the sandbags we gave him were sufficient enough. We were very close to being out of sandbags ourselves which we asked from the SES service. I received a phone call the next day, told, "Brigade vehicles will never drive into flood waters ever again. Do you understand this message?" "Yes." And that was the call.

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All right?-- Which came from higher. I don't know just who but someone higher.

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Well, you identify the person you spoke to but did that person say the instruction had come from higher?-- Yes.

If I can take you to paragraph 30 of your statement?--
Mmm-hmm.

And I might be interpreting this, but was it the case that you and Mr Damrow, in effect, worked a way around-----?-- Sorry? McGuire?

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Yes, sorry?-- Yes, Danny.

I should take you to 28 and 29 as well?-- Okay, yes.

Where you refer to Mr Damrow receiving phone calls and I'm not exactly sure what happened. But, in effect, is it the case that you worked a way around that instruction by ensuring that Firecom received a call first and then you were sent out, or what are you talking about in those paragraphs?-- Okay, I'll just re-read this again, because a lot was happening on those days.

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I suppose the question comes down to this: why did you tell Danny to ring Firecom South East?-- We were told, because we were stood down, that we could not go into flood waters. That if any water went across the road, we could not enter. We could not help our community. Danny was on the most northern side of - sorry, the southern side of the town. There was a bridge between us. It was quite flooded. People were driving in. We were told if people wanted help or drove into the water, we were to call the SES number, which I told Danny to and which in - further down in 31 was the message that we received. That we could not - or not in that one but there is one where we were told if anyone needed help, they had to dial SES number 132 whatever it is. I just can't think of it straight offhand.

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You talk about that in paragraph 29?--?-- Mmm-hmm.

And people told you that the SES were either unable to help them or not answering their phones?-- Correct.

And so, then you go on in paragraph 30 to talk about the conversation with Mr McGuire and how you told him to call Firecom South East and send a message?-- Yes, which was under instructions from Stuart Damrow through fire service itself.

Right. But once you got the message on the pager, was it the case that you felt authorised to respond?-- Yes, we did. Because prior to that he had been pulling a lot of cars out of the flooded area.

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You refer a lot in your statement to the use of mobile phones through this period?-- Yes.

Was the mobile coverage in your area adequate for this situation?-- It was very good at the time, yes.

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Still, I think, talking about the 9th of January, can I take you to paragraph 36, and this ties back in with what we were talking in paragraph 29, and that is difficulties in contacting the SES?-- Correct.

What have you got to say generally on that topic?-- The phone number we were given was not non-answered, constantly. On the day of the disaster, the same thing.

Is this your experience and the experience of others reporting to you?-- Yes.

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Moving then to the events of the 10th, and you've recorded them all in your statement. I don't need to dwell on them?-- Yeah.

But again, at paragraph 65 you pick up on this issue again. That is - this is your daughter, I think, Bronwen tried to call the SES?-- Correct.

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And could not get through?-- That's right.

Do you know whether it was the case that the number wasn't answering or was it engaged or-----?-- Was not answering.

Was not answering?-- Just kept ringing out.

You then speak in the following paragraph 66 about a call to triple 0?-- Yes.

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You appreciate again it is your daughter who made the call?-- Yes.

But then you eventually spoke with the operator?-- Correct.

Were there any troubles getting through to triple 0, do you recall?-- It took a little while to answer, which was understandable.

Mmm?-- The person was very courteous, very helpful. As I said in there, they asked my information, which I gave over the phone, the information of people being on roofs. Sorry. No, they were very helpful, that gentleman was.

All right. Just excuse me for a moment.

COMMISSIONER: Now, are you all right there? Would you like a break?-- No, I'm right, thank you.

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MR CALLAGHAN: Well, I have really finished all that I wanted to ask you because the rest of what you know is recorded in your statement, isn't it?-- Correct.

Indeed, in the statement that was tendered there were some notes that you made which are attached?-- Yes, handwritten notes.

Yes?-- As a - which is known as a first officer's report, which was I was asked to forget about. I nearly destroyed them, then I decided no.

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You were asked to forget about?-- Yes.

I'm not sure what you mean?-- I was told that what happened before the 10th did not happen.

Who told you that?-- The person was Mr Ewan Cayzer of Fire and Rescue.

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And when did that conversation occur?-- Just before the - just after the 10th.

Right?-- Then I've - was told about Danny. Sorry.

And was this a conversation in person or over the phone?-- Over the phone. They did not wish to have the officer's report, which you have got.

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Thank you. That's all the questions I have.

MS McLEOD: No questions.

COMMISSIONER: Mr Gibson?

MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

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MR MacSPORRAN: Thank you, Commissioner. Mrs Jamieson, just one matter. When you were received the direction to stay out of the flood waters with your vehicle, did you understand that was for reasons of your personal safety?-- Yes, I can understand why they said it but at the time we were safe.

You were frustrated?-- We weren't frustrated. We were safe. We knew our boundaries. We knew when to pull out.

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And the direction for you to refer callers to you or to the SES was designed to refer people to other people that had the expertise to help them?-- Yes.

Who were trained. You understood the SES were specifically trained for these events?-- My knowledge at the time was that the crew that was there was ill-trained and ill-equipped.

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Okay?-- Which we found ourselves.

As a member of the-----?-- Through personal things.

As a member of the rural fire brigade, you don't receive training specifically for flood events, do you?-- That's correct.

Because you deal with fires?-- That's what we're supposed to do, but we are supposed to be under fire and rescue, which covers all.

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Yes?-- But they will not give rural firefighters training.

No. You know there is nothing that stops you as a rural fire brigade member responding in an emergency, is there?-- That's correct.

Thank you.

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COMMISSIONER: Any re-examination, Mr Callaghan?

MR CALLAGHAN: No, thank you. May the witness be excused.

COMMISSIONER: Thanks very much, Ms Jamieson, you're excused?-- Thank you.

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WITNESS EXCUSED

COMMISSIONER: Mr Callaghan, did you want a morning break or not? Would this be a convenient time?

MR CALLAGHAN: Yes, this would be a convenient time, thank you.

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COMMISSIONER: All right. We'll adjourn for 15 minutes.

THE COMMISSION ADJOURNED AT 11.20 A.M.

THE COMMISSION RESUMED AT 11.35 A.M.

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MR CALLAGHAN: I call Stuart Damrow.

STUART WILLIAM DAMROW, SWORN AND EXAMINED:

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MR CALLAGHAN: Could you tell the commission your full name, please?-- Stuart William Damrow.

Mr Damrow, you're the group officer for the Gatton Rural Fire Brigade?-- Ex. I resigned from that position.

Were you as at January of this year?-- Yes.

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And you've prepared a statement - an eleven-page statement dated 8 March 2011; is that correct?-- Yes.

I'll show you a copy of that. That's the statement you prepared and signed?-- Yes.

I tender that.

COMMISSIONER: Exhibit 143.

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ADMITTED AND MARKED "EXHIBIT 143"

MR CALLAGHAN: Mr Damrow, your statement covers a number of events and they are all recorded in there. Everything in the statement is now evidence before the Commission, but I'm particularly interested in paragraph 17 of that statement. That relates to a conversation that you had over the telephone with the acting area director for the rural fires Ipswich?-- Yes.

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Thank you. Just tell us about that? It's recorded in that paragraph, but I would be interested to hear what you have to say about that conversation?-- When I got the phone call, it was notifying me that anything to do with the floods I was to tell everyone in the group area that if anybody asked for assistance, they were to be given the SES's free call number - which was the 132500, I think it was - and that we were not to drive into flood waters and we were not to have anything to do with the floods.

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And was there any indication as to where this direction was coming from? Was it coming from someone higher than the person you were speaking to or?-- It was. I was asked to ring another person higher up in the service, which I think was - I

call them a DMO, but I think it's duty manager operations. I talked to that person and said - he told me the same thing, and I was told that I had to notify all the brigades in the group. So I actually contacted the Firecom centre at Southport, and they actually put a page out to all the brigades telling them the same thing: that if anyone wanted assistance, they were to give them the SES number and they were to ring the SES because they were the ones that deal with floods, not us.

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Just on that topic of the SES number, did you have any experience of attempting to ring that number during these events in January?-- No.

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Were you aware of any other people talking about attempts they had made to ring that number with or without success?-- I've been told and had phone calls from people saying that they hadn't been able to contact the SES, they hadn't - I think it was Boxing Day they said that the water had come up in the town - I was flooded in at my place. I couldn't get in there that day - and they said that, yeah, no one had come to help them. They hadn't seen the SES or nobody else.

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All right. Thank you. The rest of your evidence is as recorded in your statement, so I have no further questions, thank you.

COMMISSIONER: There's no Ms McLeod. Mr Gibson?

MR GIBSON: No, thank you.

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COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: The directive to stay out of flood waters, did you understand, was for your own safety?-- From the messages I got, it was to let everybody else know that they were to stay out of them.

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Were there general messages going around that it was dangerous to drive into flood waters?-- I heard rumours to that effect.

And you, as - you had no particular training, did you, in dealing with flood waters and rescues?-- Not in rescues. Flood waters - I've been in amongst flood waters all me life. I know how to tell when the creeks are rising and when they are dropping and how to drive in, what to look for everything else. But no official training.

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And no training in that respect as a member of the rural fire brigade?-- No.

Did you understand the SES were the experts in that field?-- So I was told.

Thank you.

MR CALLAGHAN: No re-examination.

COMMISSIONER: Thanks, Mr Damrow. You're excused.

WITNESS EXCUSED

MR CALLAGHAN: I call Brett Schafferius.

Might I ask if anyone acting for Mr Schafferius knows where he is?

MR MacSPORRAN: He is here, your Honour. I've seen him this morning. Perhaps we can just give him a quick call. He's not far away.

COMMISSIONER: If he could be tracked down, that would obviously be helpful.

Have you another witness if he doesn't appear?

MR CALLAGHAN: No. As it happens, the next one we have after him isn't here either.

COMMISSIONER: I expect you were thinking that he would take some time.

MR CALLAGHAN: He will be a while, yes.

COMMISSIONER: Mr Callaghan, did Mr Schafferius know he was required this morning?

MR CALLAGHAN: Yes.

COMMISSIONER: Was he summonsed, do you happen to know?

MR CALLAGHAN: Yes.

COMMISSIONER: Today, I assume?

MR CALLAGHAN: Yes.

BRETT WADE SCHAFFERIUS, SWORN AND EXAMINED:

MR CALLAGHAN: Can you tell the Commission your full name, rank and station, please?-- My full name is Brett wade Schafferius. I'm a Detective Inspector of Police attached to the Toowoomba Police District.

You are the author of a 13-page statement dated 14 March 2011;

is that correct?-- Yes, that's correct.

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I'll show you a copy of that. That's your statement?-- Yes, it is.

I tender that.

COMMISSIONER: Exhibit 144.

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ADMITTED AND MARKED "EXHIBIT 144"

MR CALLAGHAN: You've got a copy, I think, that's been left in front of you?-- Yes.

I just want to take you to some specific parts of it. If we can go to page 3 and the very top of that page. You talk about making the decision to debrief the Local Disaster Management Group core members on 5 January to discuss a number of issues that had been highlighted through the response to the events up until that time?-- Yes, that's correct.

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Is that correct? Can you just elaborate on that? What were the issues that were highlighted?-- Yes. Well, during - prior to 5 January there had been flooding in both the Lockyer Valley and the western parts of the Toowoomba Regional Council area. There were a number of minor issues that had arisen during the management or dealing with those floods, mainly to do with communication, email addresses, the contact points for people over the Christmas break, and things like that.

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So what was the upshot of all that?-- I wanted to touch base or discuss these issues with both LDMGs so that we could fix them for the future.

Who were you speaking to?-- In relation to Toowoomba I met with the mayor, the Councillor Noel Strohfeld, who is the chair of the LDMG in Toowoomba, Mr Norman Fry and Mr Kevin Wruck from Toowoomba, who are the local disaster coordinator and the executive officer for the local group. In relation to the Lockyer Valley, present was Mayor Steve Jones, the Deputy Major Graham Moon, Gerry Franzmann, Justin Fisher, I believe, and another - number of other council employees.

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All right. Moving forward, then, to 10 January, can I just ask you at the outset according to one entry on a document maintained by, I think, someone in the Lockyer Valley - whether it was the council or the disaster management group I just can't recall, but suggests that at 2.45 p.m. on the 10th you called the council, and the entry just reads, "Cars picked up all over Toowoomba. Anyone missing Murphys Creek?" Are you aware of the conversation to which that entry would seem to relate?-- Not that specific one. As the DDC, and during these events at the coordination centre, I maintained a comprehensive running log of events, the people I spoke to,

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et cetera, as did a number of my team. I am aware that
 afternoon I did speak to Gerry Franzmann, I think, from the
 council. I'm pretty certain I spoke to Mayor Steve Jones.
 Again I'm not 100 per cent certain. But we were certainly in
 contact with the representatives from the Lockyer Valley that
 afternoon.

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On the afternoon of the 10th?-- Yes, absolutely.

I was going to ask you about that because as I read your
 statement, page 3 and following you - perhaps page 4 might be
 the better example. I understood you to be conveying that as
 events broke on 10 January, the response was by emergency
 services, that is to say, in response to triple 0 calls?--
 Mmm.

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Is that correct?-- Yes. I had referred to them as agency
 responses. As these - the events unfolded extremely quickly,
 without warning as to the size of what we were facing. The
 agencies QPS, QFRS, SES, the local councils through the LDMGs,
 they all swung into the business of dealing with the situation
 that was being confronted by all of us.

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That's right. And I probably am focusing on the middle part
 of page 4 of your statement where you speak about the
 establishment of the senior management command cell for the
 police themselves?-- That's right.

But then you move to the morning of 11 January, where you say
 you became aware that the Lockyer Valley LDMG - or via them
 that evacuations were required?-- Yes, that's correct.

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What I'm interested in is communications with Lockyer Valley
 on the 10th itself?-- Okay.

And the nature of them. Whether they were in the nature of
 just an agency response, or whether it was a district disaster
 coordinator response that you were providing at that time?--
 Yes. When I was speaking to members of the LDMG, the mayor or
 the local disaster coordinator, it was very much as a disaster
 management response. I appoint - as you've highlighted in my
 statement there, at - the first phone call that I was aware of
 in relation to any out-of-the-ordinary events occurring was at
 1.35 p.m. when I was contacted by our communications centre to
 advise that there was a person at Crows Nest who may need
 evacuation due to rising flood waters. Now, as soon as that
 came in I allocated an acting inspector to go to
 communications to coordinate the policing response at that
 stage. He had the rank of a commissioned officer, so he could
 authorise or request additional resources as they came about.
 At that stage it was unforeseen what was going to occur in
 Toowoomba and then later in the afternoon in the Lockyer
 Valley, so at that stage alone it was very much an agency
 response, the police response. Then in the early part of the
 afternoon the events in Toowoomba commenced to unfold where,
 tragically, two people lost their lives. It was then later in
 the afternoon again that word came in that Murphys Creek had
 been affected, Postmans Ridge, and then further down to

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Grantham. What has to be realised is that the water that rains on Toowoomba flows to the west. The water that flows down the Lockyer Valley is from the catchments in the Lockyer Valley. So the initial events that we were dealing with were over Toowoomba themselves, and at that stage the Lockyer Valley issues had not yet arisen.

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I take it - we've got some understanding of the nature of the situation here in Toowoomba on the 10th, and, of course, it was absolute mayhem. I take it that you were - what were your ordinary police responsibilities what were you being called upon to do in the ordinary course of your duties on that day?-- As the district officer? Me personally? Or police generally?

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Well, no, you. You personally?-- Well, me, personally, I was being kept apprised of the situations as they were developing. I allocated the resources that were available to me; for example, putting a commissioned officer into communications to coordinate the events. I had continuous liaison with Acting Chief Superintendant Andy Morrow and our assistant commissioner as the events unfolded that afternoon. If I could just say that as the events unfolded, it became extremely clear that afternoon that the management and the response to the catastrophe that we were facing here in Toowoomba, and in particular the Lockyer Valley, was beyond the resources locally district wide, and in some instances with the State. We requested additional resource from the AFP and the ADF to respond to it. So it became extremely clear that afternoon.

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And I'm sure that's right, and I'm sure - and no one is suggesting that necessarily anything should have been done differently. What we're interested in - or what I'm interested in is this, that you were the district disaster coordinator for the purposes of the Disaster Management Act?-- That's right.

But you also had responsibilities - your ordinary responsibilities insofar as policing of Toowoomba is concerned?-- That's correct, yes.

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And what hit Toowoomba was unprecedented - or if not unprecedented, certainly on a scale that no one anticipated. And you would necessarily, I would suggest - and correct me if I am wrong - have been preoccupied with dealing with what had to be dealt with in Toowoomba because that was what you were aware of?-- Initially, absolutely, yes.

And certainly I'm sure once the information started coming in from the Lockyer, you started to give that attention?-- Absolutely.

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But my question, I suppose, is this: could you have been proactive, even if you had wanted to have been, in terms of investigating what was happening in the Lockyer? Because your ordinary responsibilities would have kept you fully occupied, wouldn't they?-- No. When you say "investigating", is that

from a policing perspective or disaster management?

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No, from a disaster management perspective is what I'm interested in. I'm suggesting, if you like, that you would have been so fully occupied with an extraordinary situation that had to be dealt with on a police basis that even if you had wanted to, say, make some inquiries of your own about the Lockyer, there wouldn't really have been time or resources available for you to do that?-- No, I won't agree with that.

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Okay?-- If I can elaborate?

Please?-- What I did is on the afternoon as the events in Toowoomba were unfolding, I allocated specific portfolios to the senior members of my team. And that was there was an officer in communications to look after that side of things. As we became aware cars were being swept away, I allocated another inspector to look after the search and recover, et cetera, from that. So I was divesting the roles - not the responsibilities. That always rests with me. But the specific roles to deal with it I divested down.

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As the events through the Lockyer Valley became apparent, I had structures in Toowoomba already dealing with it. I'd allocated another acting inspector to go down and be the liaison point with the Toowoomba LDMG and very competent people I'd placed in those positions. I had trust and faith in the job that they were doing and that could then allow me to move on as roles were - sorry, not roles, as the situation was developing throughout the afternoon.

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As I think you note in your statement, there was - or the need became fairly apparent for helicopters?-- Yes.

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And that was delegated to Acting Inspector Newman; is that right?-- No, that was on Tuesday the 11th when there were evacuations were required. On the afternoon of the 10th, Acting Inspector Jim McDonald was in communications. He was dealing with EMQ helicopters and also CareFlight. Through the disaster management arrangements I had got on to the State Disaster Coordinate Centre and had also requested any air assistance they could provide.

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Sorry, could I just-----?-- Yes.

Who did you speak to there?-- Through Chief Superintendent Alistair Dawson.

And when was that call made?-- On the - that afternoon.

Sometime that afternoon?-- Absolutely. Early in the - early in the piece.

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Okay. Was there any follow-up on that or on the helicopter issue?-- Yes, absolutely. I received notification later that afternoon that additional helicopter resources had been located and were ready for deployment. The problem that was facing us on that day, especially in Toowoomba, was the weather.

Yes?-- And we couldn't get helicopters into Toowoomba. I'm led to believe that that was also the situation early in the piece in Grantham, unfortunately, until the EMQ chopper could get in and start getting people off roofs.

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Were you aware of how many helicopters were available even if they weren't able to be used?-- No, I don't have a specific number, but I'm - roughly, at a guess, I would say at least half a dozen because we have the local state resources and I'm aware just from memory that there may have been access - resources from northern New South Wales as well. But the issue wasn't with the number of helicopters that were available.

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No, I understand?-- It was with the weather that we couldn't get them in there.

I follow, but I'm just interested in how the helicopter resources were deployed. For example, you talk about being aware of some in northern New South Wales. How did you become

aware of those?-- Via e-mail. Again, I'd have to check to be a hundred per cent certain as to the contents of that but I was advised there were additional resources, helicopter resources available but they just couldn't fly.

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Advised by whom?-- Through the State Disaster Coordination Centre.

Thank you. Well, there was obviously a need to liaise with the Lockyer Valley Local Disaster Management Group. Who was your point of contact there?-- Okay. Well, I spoke to Mayor Steve Jones on a very regular basis during that period. I had an executive officer also and he was in constant contact with Gerry Franzmann, Justin Fisher and other members of the Lockyer Valley LDMG.

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Is that from the 10th onwards?-- Oh, even before that.

Specifically on the 10th?-- On the 10th, yeah, absolutely.

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Now, did you learn that a number of survivors of Grantham had made their way to the school, to the Grantham-----?-- Yes, I did. Late - late in the afternoon or even early evening I was aware that there was an off-duty police officer from the academy who was there and he'd been in contact with my communications centre and also with the Lockyer Valley LDMG, advising that there were a number of people at the school.

And what efforts were made to provide assistance to those people, at least on the 11th, understanding that it all happened fairly late on the 10th?-- Yes.

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But what was - what assistance was directed towards those people on the 11th?-- To my understanding, there was requests through - the LDMG was made aware of that situation as well. The problem was on the 11th there still wasn't road access to the school, was my understanding. Coupled with that was then on the morning of the 11th it became apparent that Forest Hill and parts of Laidley needed to be evacuated. Now, the same problem that confronted us on the afternoon of the 10th again hit us on the 11th in that we had air resources. By this stage we had a couple of - we had Black Hawks, we had Sea King helicopters from the ADF available to get people out of Forest Hill but the weather wouldn't allow it to fly. We then attempted to get in amphibious vehicles from Brisbane but because of collapses on the road we couldn't get those there. So our major focus on the 11th was to evacuate Forest Hill and parts of Laidley. As that went on, I'm aware that constant - not constant contact but contact was maintained with the police officer at Grantham. There was, to my understanding, no severe medical issues. There were no immediate, you know, essential supply issues. You know, there wasn't water - they had a barbecue set up at the school and they were being fed.

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Nothing as compelling as the need to evacuate the people from-----?-- No, with the resources that were available it is a matter of prioritising and the advice that Forest Hill was going under, my concern is to get the people out of

Forest Hill. These other people, they were high, they were dry, the water was receding, they were being fed. Okay, it wasn't ideal conditions by far but given the situation that was presented, it was a matter of prioritisation.

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Thank you. The first entry to the Grantham actually occurred on the 12th, the first actual opportunity, and I think you might just place on the record the reasons why it wasn't possible for that to have occurred sooner?-- Okay. Well, if I can just say that on the evening of the 10th there were police resources that made it in from the east to Grantham and assisted with a number of evacuations of people. That was provided by members of SERT and PSRT, Public Safety Response Team, and they continued on in there until the afternoon of Thursday. On the Wednesday morning, which was the 12th, that's when Inspector Kelly commenced his search of the Grantham area.

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That takes us to the bottom of page 4 of your statement, I think, where you talk about commencing the searching efforts in conjunction with the senior management team for the region. Who are you talking about there?-- Yes. Well, on the afternoon of the 10th of January a senior management team was formed by our assistant commissioner consisting of a number of people - myself, the chief super, the assistant commissioner and a number of other members. We met on a regular basis to discuss policing efforts. Now, when it came to the search of the Grantham township for victims, that is quite rightly an and always will be a principal responsibility for police and that - so the decision to go in and continue and the format was very much made by the senior management team of the police under the direction of the assistant commissioner.

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Is that because the primary or if not the primary, certainly a really pressing need was the search for missing people?-- Absolutely.

Yes?-- Absolutely.

Just turning to the top of the next page, you speak to being aware on the evening of the 12th of January that there was a prospect of water running out in the Lockyer Valley and you commenced coordinating efforts to ensure water supply. What was involved in that?-- On the afternoon, as it says in the statement there, it became apparent that the Lockyer Valley may well run out of drinking water and that was due to the very severe impact on infrastructure due to the flooding event down there. What occurred from then was, following the process, was a request for assistance was forwarded from the Lockyer Valley LDMG through district on to state. By this stage I had accessed additional officers to work in my coordination centre. We commenced accessing water tankers, storage facilities. We bought a couple of tanks to set them up at Withcott. We arranged air deliveries of drinkable water. Off the top of my head I can't remember how much was delivered but that supply of water continued virtually 24 hours a day until the infrastructure was back on.

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Can you just go into a bit more detail. When you're talking about accessing it or arranging air deliveries, how was that actually done?-- Through the State Disaster Coordination Centre. So the request for assistance would come - I'd be speaking to the mayor on - on a very regular basis at this stage and a request would come through. I'd send it on to state. We'd access what we would locally, which is the proper way to do things. 1

How would you do that?-- Through my executive officers working the phones. I know that they accessed a couple of tanks that we could get down to Withcott. There was a couple of water tankers from here. We accessed through the Toowoomba Regional Council their water supply point at the top of the Range and then later on there's one over towards Harris Town to fill it up. So that's what we could do locally, and then through state we organised the helicopters deliver drinking water and I know that that was delivered to evacuation centres and additional tankers. I know the ADF ended up supplying some as well from Amberley. 10 20

Can I just come back to what your executive officer was doing in accessing some from Toowoomba?-- From Toowoomba. It was a matter of getting the clean, drinkable water.

Yes?-- So it was speaking to the local council to ask them for access to their storage points.

Your executive officer did that?-- Yes, that's right. Yes. Also, the accessing of water tankers, I think there was only a limited number in Toowoomba, one or two. 30

And that was-----?-- From - from memory.

Sorry?-- And we - sorry. The executive officer spoke to those people and we virtually said, "Start getting water down to the Lockyer Valley."

Okay. Do you know, was this a contingency for which your executive officer had provided according to a plan or was he just using his own initiative, or what was the story?-- No, no for - using his initiative and he did it extremely well. 40

Yes?-- The greatest thing about the disaster management arrangements from my perspective at the district level and at local level is that communication chain. Is knowing the right people, having direct communication with the people who have the authority to make decisions.

Mmm?-- To my way of thinking, if there is someone in my disaster group that I say, "Can I access A, B, C?" and if their response is, "Look, I'll have to check and get back to you", I don't want that person. I want the actual person who can make the decisions. 50

That's what I'm getting at, I suppose, with this specific example of the request coming up for water?-- Yes, yes.

And you, in effect, getting your executive officer to make inquiries with the council?-- Yes.

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Whether there is anything written down or any guide for someone in the executive officer's position as to what to do in that situation. And I accept what you're saying; he used his initiative and it all went well. But if someone was in that position who didn't have the initiative to make that contact?-- Yes.

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Is there any provision plan for such a person to look up a users guide and look up "water" and who to ring to get it, that sort of thing?-- Given the specific situation with the water, I'm not aware of any specific plan on, you know, to jump through the hoops to get it all done this way.

No?-- What - you know, what has to be remembered is what happened on the 10th of January was unprecedented.

I understand. I'm really looking at this systemic issue of how it's done and for the future and, as I say, accepting that your executive officer did a wonderful job and used his initiative, you're telling me that that was why it was successful, not because of any structure or any documentation which allowed that to happen?-- No, well, there's always the structure in place and that's the disaster management arrangements.

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Yes?-- It's - basically, the very simple version is what's needed at local level, they try and access locally. If they can't get it, they come to district, which is where I sit. If I can't access it district wide, I go to state. Now, given the enormity and the amount of water that was needed in this specific instance, it was very clear, locally, the Lockyer Valley LDMG couldn't access it. I couldn't access it all at district level. So in conjunction with what we did, it was also forwarded to the State Disaster Coordination Centre and provided for there.

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Okay?-- It would be - water was this situation but the framework is in place for virtually anything that's needed like that.

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You speak in your statement of maintaining contact with the core representatives of the Lockyer Valley Local Disaster Management Group. I think you have probably already told us this but that was the mayor and the Councillor Moon?-- Yes, to a lesser extent Councillor Moon. Mayor Jones, as the chairperson of the LDMG, is sort of my point of contact at that level. My executive officer liaises with the local disaster coordinator and other members.

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Well, you obviously rely upon them for information?-- Yes.

Was the information provided lacking at any point?-- I don't know if it was lacking, would be the appropriate word.

All right?-- The problem with this entire situation that we

were presented with, we were getting comprehensive situational awareness across all levels - locally, district and state. There was the information that would be forwarded through that I would seek clarification on, quite rightly, and it would be got. We had very good communication channels with the LDMG. The situation reports were forwarded up as required. As things arose, we dealt with the situations and if there was anything needed clarification, it would be clarified.

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The search for missing persons was obviously something which required a specific police response. We've already heard that it was an effort which involved Queensland Police, the ADF, AFP, SES and so on?-- Yes.

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How did that coalition work from your perspective? I know it worked well?-- Yes.

Functionally, how did it operate?-- If I can just say, it worked extremely well.

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Sure?-- Not just well but extremely well. What happened was that the request for the additional assistance, mainly from the ADF and the AFP, were made at state level, quite rightly. Inspector Mark Kelly was the forward commander on the ground coordinating the search efforts at both - initially at Murphys Creek and that chain, and then Grantham. His 2IC, second in charge, was acting Inspector Tony Neumann. The collocation, the physical collocation of the ADF and the Queensland Police Service I think was integral to the success of the entire venture. We set up right in the middle of Grantham and the ADF set up their command cell from a matter of 10 metres away. So Inspector Kelly and the ADF commanding officer were always speaking. The search requirements were dictated by - or set by Inspector Kelly. He would allocate the request to the ADF and to the search coordinators and the jobs - the job would be done and Inspector Kelly would stay over the top of that and then report back up through the chain of command.

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When you say he'd stay over the top of that, I accept that that's the way it worked?-- Yes.

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And, as you say, seems to have worked very well?-- Yes.

But he didn't have actual authority to direct anyone in the ADF to do anything in particular. It was all request and requests which were complied with, obviously?-- Absolutely.

And that obviously depends - or a situation like that obviously depends for its success on the attitude of the people involved?-- Yes.

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While we're talking about the ADF, we understand that they were involved from the 11th onwards; is that right?-- Yes, the 11th, when we had the Sea Kings and the Black Hawks ready to evacuate if the weather would have allowed us.

I don't want to get too affected by hindsight, but what about - I'll put it this way. Can you see any manner by which they might have been involved earlier on the 10th?-- In reality, I don't think so and if I can just clarify what I mean by that. The events on the afternoon of the 10th unfolded quite quickly and to a scale that I never imagined they could. I was born and bred in the Lockyer Valley and, you know, what - the tragedy that occurred down there I would never have foreseen. So really, we would - to get them involved earlier, we're guessing at something that had never occurred before based on no information, no expert advice, no local information at all. So I don't think so. At a state level, I'm aware that the state maintains those relationships and quick contacts, that if we need those additional resources the appropriate requests can go through.

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I suppose that's what I'm getting at because I don't, as I say, want to necessarily pick over what happened here but looking to the future and the need to involve them quickly, to involve the ADF quickly in a situation like this, from your perspective at least there'd be nothing stopping that from happening. It is just that it didn't happen because the situation didn't seem to warrant it until-----?-- Yeah, when I say it didn't happen, it didn't happen at my level. It may well have occurred on the night of the 10th and I can't say for certain if it did or if it didn't. But I know that there are open channels of communication at state level with the ADF - with the federal counterparts.

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If it did happen on the night of the 10th, how would that have been triggered?-- Through the State Disaster Coordination Centre.

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They're relying for their information on you?-- Yes, that's right.

Yes?-- That's right.

Okay?-- See, what has to be remembered also is that the events of Toowoomba weren't the first disaster that hit Queensland at the end of December and January.

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No, no?-- Now, I think from memory the ADF had been utilised at Rockhampton and other areas for evacuations, so the open channels of communication were already there.

Just a very different sort of a situation here?-- Absolutely.

And such a fast breaking one?-- Yes, that's right.

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Well, can I take you over to page 9 of your statement where you talk about involvement with other state agencies. Can I get a bit more detail on your perspective about the response efforts, firstly, of QFRS?-- Yes, on the - well, as this event unfolded, the QFRS are the agency with the swift water rescue teams, et cetera, that - you know, Queensland Fire and Rescue Service. As they unfolded as I've said here many times, they happened very quickly and, quite rightly, each

agency went straight into an agency response.

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Yes?-- You know, the fireys aren't there waiting for me to ring and say, you know, "Can you rescue someone", that would be ludicrous. So each agency went into their own response and it was sort of the days following that that the more coordinated response to, specifically, the searches in the Grantham area and the other issues that were being fronted up could be addressed.

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I'm sure that was a gradual transition, if you like, from the agency response to the coordinated one. Do you have a sense of when it actually became clear that they were part of a coordinated response, how long that took?-- Yes, if I can just run through it. On the afternoon of the 10th I personally spoke to the chief superintendent of QFRS here to discuss how they were going, basically. There - they had completed a number of rescues and there were a large number still to go. You know, that's - that's been widely publicised. So we allowed those to happen. You know, the agencies responded to the situations they were presented with. Then the 11th came around and it became apparent that there was another layer on top of what was unfolding in our area and that was the evacuations at Forest Hill. Then the 12th, we had to get people into the ground to start looking for victims in Murphys Creek and Grantham. During this time I'm speaking to different people. I spoke to the head of communities up here who is the - you know, charged with a lot of the community recovery efforts. So I was maintaining contact via phone anyway with these people. The first coordinated disaster, District Disaster Management Group full meeting I had on the morning of the Thursday which was, firstly, the first time that we could get the representatives from the Lockyer Valley up because of roads and other issues that were - confronted them. Secondly, it was probably the first time that I, myself, and all agencies had full situational awareness of what happened, what roads were out, what infrastructure was out, what specific issues need to be addressed. But in saying that, that's the first time a meeting was held. The disaster management arrangements kicked in immediately and, as I said earlier, to me the most important part is those communication channels and knowing who to ring and that gets back to the good relationships between members on the - on the group.

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So at your level at least, it was probably about the 13th when you could safely say that they were part of a fully coordinated effort but at the local level it may have happened sooner than that?-- It could have well happened sooner than that but when I say the coordinated effort, agencies were responding.

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Yes?-- On the 10th of January they were responding.

No, I follow that?-- But the 13th was the first time we all sat round in a room and each person had their bit.

Yes?-- Bit to say.

And that's where we're assessing the benefits of the disaster management structure and the sharing of that sort of information rather than-----?-- Yes, yes.

-----each agency just responding?-- And the responsibility for the initial response of the disaster management effort starts with local, then to district and then to state.

What about the SES? What do, from your perspective, you say about the initial response efforts of the SES?-- Yes.

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In Grantham and-----?-- Yes, the - well, the SES is tasked at the local level. I at my level did not task SES during that entire event. I'm unaware if any SES got in to Grantham on the 10th or the 11th. There could well be members of the SES that live in Grantham. I just don't know.

Who do you understand actually tasks the SES in a situation like this?-- Okay. Well, the SES command structure is there is an - to my understanding, there is an SES controller at the local level. There is then EMQ is the overarching governing body for SES and training.

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Is there a local point of contact that you have with EMQ who you would understand would be tasking people in this situation?-- Yes, well, we've got a good relationship with EMQ here. The regional manager is a Mr Bob Bundy and locally here is Mr David Fraser.

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At page 10 of your statement you address some remarks specifically to the situation at Murphys Creek?-- Yes.

And you acknowledge that the community as a whole displayed resilience at this time?-- Yes.

It's also been suggested that, as a general proposition, this community received very little attention from people in authority, especially in the early stages of the disaster. If this was so, was it attributable to the fact that the situation there wasn't known about or communication difficulties because of lack of mobile phone coverage, or what's your take on it?-- No. Well, I'd probably challenge that assertion.

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Please do?-- On the afternoon of the 10th I managed to get police down into the Murphys Creek area. We maintained a 24 hour policing presence down there for many days after that. The difference between Murphys Creek and Grantham was that Murphys Creek people virtually got back into their community immediately. That could not occur at Grantham. So immediately in Murphys Creek people could start the rebuilding, if I can use that word, process of their lives and their property, et cetera. We still have comprehensive searching to do which carried on for a number of weeks. But the assertion that there was no support provided to Murphys Creek, I can categorically say from the policing perspective that we certainly did have a presence there that

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afternoon and that continued on.

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What about from your wider DDC perspective?-- From the DDC perspective, I'm unable to say what the local LDMG, what resources they had put into the area there and it's at that level that that initial resource allocation is made.

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Because you rely upon the LDMG for information?-- And the LDMG is the body charged with that initial response. If they don't have the resources to do that, then the request is made to me.

But they first have to know about the problem, don't they?-- Well, I would assume so, yes.

And this just leads me to invite comment from you, I suppose, as to whether or not it is or should be part of the DDC's function to proactively make inquiries about things that are happening in the district, whether you should be totally reliant upon an LDMG for information in a situation like this. Where, as in this case, those in the LDMG were probably all concentrated in Grantham and obviously had been affected by what had happened, whereas another part of your district was also affected but you couldn't get to know about it?-- Mmm. Well, if you can say this. Throughout this entire event, I continually made inquiries about issues as they arose right across the entire district. For that-----

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Sorry. Did you do at that because you felt obliged to under the Act, or just because you thought it was again something that your initiative suggested that you should do?-- I think it provides a bit of both. There's Legislative requirements on a DDC. But as a police officer with a number of years' service, you know, it's - the business continuity is our business. Crisis management is our business, and we're tasked to ask questions. We're tasked to find out what the issues are to - sorry, trained to find out what the issues are so that we did address them. There's police officers throughout both the Lockyer Valley and here. They are providing information back. We're talk to the LDMGs, talking to the police on the ground in Murphys Creek and Grantham, so there's always issues that were arising. As for - part of the DDC role I think it, what parameters - if I could pose the question: what parameters would you - or would be suggested to be looked at? And I think for a DDC to be across every single issue within the district would be virtually an impossibility, and that, to me, is one of the great functions of the disaster management arrangements: the local group are dealing with the local community and the issues that they are being confronted with.

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You can see the problem, though - and I'm just interested in your opinion - that if a local group is, for whatever reason, unable to communicate to you-----?-- Yes.

-----what their problems are, there's a real sort of gap in the scheme. Because if you're relying on them for information - and I accept that you may have used your initiative. But if there's no actual obligation on you to do that. You can see a gap developing there which could be a problem. Do you have a view on that?-- I suppose there is always a possibility that something like that could happen. I don't know how you would get away from that. Dealing with it at my level, I can respond to issues that I'm made aware of or I ask questions about. I think that would be the same at the local level as

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well. The issue is what resources would be required to be deployed to those communities to flesh out every single issue for that community.

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That's not really what I'm suggesting. The gap I'm suggesting is that you, as DDC, are in a position to respond to anything that's coming up-----?-- Yes.

-----from down below, but that's assuming those down below are in a position to actually convey their concerns to you. In this situation where you've got multiple incidents in - over a fairly wide area, it seems that there's the potential for a gap in communication. I'm not suggesting a specific answer to you other than, perhaps, that all that could have been done in that situation is for a proactive inquiry to be made by the DDC of - do a rollcall, if you like, of your local groups and just make sure that you're in contact with all of them and if one is missing, an inquiry has to be made?-- That is what was occurring. I was speaking to the LDMG. My executive officers were all speaking to the LDMG on a continual basis. I don't really know an answer to your inquiry.

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Okay. All right. We've heard about this this morning already, but we'll just cover it with you as well, I think. Because as you're aware, Grantham remained off limits to its residents for some period?-- Yes.

Now, it would seem that was probably more an operational police decision or it was something necessary to service police needs of looking for missing persons, but it involved the use of the disaster management powers?-- Yes.

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Is that right? So was that your decision?-- To keep the town sealed off?

Yes?-- That was in conjunction, from the policing point of view, back to the senior management team. Ultimately the decision of the Assistant Commissioner, but I was certainly part of the decision-making process. I could not as the district officer virtually allow people to go back into a town or to a house where there is a possibility they could find a loved one or a neighbour deceased until we searched that area. The conditions in which those searches were undertaken were atrocious, and that's the only word for it. We did that search as quickly, professionally, and comprehensively as possible. I wanted to get people back into the community as soon as humanly possible to get it done, but - I don't know if you're aware, but houses were searched not once, not twice, not three times, but over - we wanted to make sure, and it was - I think it's testament that since people have been let back in, we haven't found any more victims in that area.

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Can I take you to page 12 of your statement?-- Yes.

It's the very top of that page. You - just the sentence that the LDMGs provided SES support to affected residents when called upon, can you just tell us what you're speaking about there?-- That's a very generic statement. It's in relation to

the allocation of SES resources. The SES resources are tasked at a local level. I don't task SES people at my level at all. So if there's a request for SES assistance, whether - for whatever services that are required, then that is dealt with at the local level, not at my level. 1

So it's just an observation?-- Yes. Yes.

Okay. Can I ask you this - and it may not be something that affected you. It might be something more relevant in some of our inquiries in other parts of Queensland. But are you conscious of any difficulties that have been encountered because the police districts don't necessarily align with the disaster districts?-- I haven't experienced problems with that myself. The Toowoomba District is an example of that. We have - within our disaster district we have Cecil Plains and Millmerran and Yarraman, yet they fall within the Dalby Police District. I think the police arrangements and the police communications systems are robust enough to deal with that, so I myself have not struck any problems with that. 10 20

Can you see the potential for difficulties? I mean, again this is just a matter of opinion and I'm asking you to assume a hypothetical, but it is something that we're going to be looking at elsewhere so-----?-- And I think it is a hypothetical, quite obviously. But I think the communications systems within my organisation are such that I don't think it would be a problem myself. I'm not saying it would never be. But I think as long as those relationships between the districts are robust enough, that will withstand, you know, anything that's thrown up. But at the end of the day. The provision of resources to those towns, for example, Millmerran and Cecil Plains come under the Toowoomba Regional Council LDMG, and that is the first point of call for the provision of responses, et cetera. 30

All right. Still on page 12, you speak to - I can't pick it up, but you've suggested that the Local Disaster Management Group of the Lockyer Valley Regional Council are advised of the need for recovery strategies?-- Yes. 40

What advice and from whom was it given?-- The advice - as I said, I spoke to the mayor and the LDMG on an ongoing basis. There was no secret at all that at some stage - and this was changing on a daily basis - that we would be out at the Grantham area and there was a need for, you know, then the LDMG to come back in and start the recovery side of things. Can I just say that the situation that the Lockyer Valley LDMG or the Lockyer Valley Council were presented with was a pure catastrophe. I don't know if any council of the Lockyer Valley size would have the capacity to deal with what they were presented with by themselves whatsoever. Now, to that end, on the Thursday, 13 January I allocated two additional police officers from Toowoomba to the LDMG at the Lockyer Valley to assist - wherever possible to assist in any recovery efforts that are required. I believe recovery was - and don't quote me. I haven't seen the minutes. But I'm advised that recovery efforts were first discussed at the LDMG in the 50

Lockyer Valley quite early on the Thursday, I think, of the 13th for the area. Then the following week there was - an additional disaster coordinator from Charleville was brought in, I believe at the request of the local group, to assist in the recovery efforts there. So what I'm saying there in that part of my statement is that given the enormity of what they were presented with, I don't know if they had the capability to deal with the situation. I know from a policing point of view I didn't have the capabilities to deal with it with my resources at a district level, so I had to go bigger to State to get those resources.

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All right. And to whom was the advice being given? Was it to Mr Jones or-----?-- I spoke to the mayor on a daily basis, and it was a matter of getting resources in. Quite a few resources for Grantham itself were brought in quite early; marquees, demountables, et cetera, and I know the major was very key to getting those resources in there. I think given the catastrophe that was Grantham it's - I think it's understandable that the focus was on Grantham, getting people out, evacuation centres, getting back out into the community to rebuild, and that other areas that were resilient or weren't quite as effected sort of in the prioritisation of things sort of didn't stack up to the Grantham level.

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You mentioned the concept of evacuation centres?-- Yes.

Which is something that we have heard about and will continue to hear about. From the DDC perspective, do you have a view as to the way in which an LDMG should plan or run evacuation centres?-- Yes, I've given this quite a bit of thought since the events of January. And yet again can I just say that the number of people that required accommodation or assistance at evacuation centres, I think up until the 10th none of us from the area would have ever guessed that would be needed. I personally think there needs to be - the running of an evacuation centre, to me, is a unique situation on its own. You are dealing with people in that evacuation centre who are that emotionally traumatised, stressed - they have lost loved ones, they have lost everything they have. So to me there needs to be - you know, in a perfect world would be a team of people that could be put straight in that could deal with registrations, liaison with police regarding missing persons, counselling for these - for the citizens that have lost everything. So I think that the sooner that can be done in the scheme of things, the better off the community will be. I visited the evacuation centres in the Lockyer Valley many times, as I know the major and everyone did from down there, and every different person had a different set of circumstances that was impacting on them. So there's no one fix all for those situations. On the first weekend, the 15th and 16th, a decision was made - we allocated a commissioned officer of police to deal with the evacuation centres, and I know those officers dealt with any sort of inquiry. Their brief was to deal with any inquiry that anyone had from those evacuation centres and point them in the direction. If counselling was most appropriate, we would point them in that direction. If it was whatever else, we would point them in

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that direction.

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When you say we allocated that officer, are you talking about you as DDC, or was this a senior management team decision, or-----?-- No, it was the senior management team decision, yes, absolutely.

And decided to make one available?-- Yes, they were there.

All right.

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COMMISSIONER: Can I just ask do you have a view on whether the location of the evacuation centres should be generally known before a disaster?-- Commissioner, I would say definitely yes. But if I can just say one thing, that the Lockyer Valley taught us is people will go where they want to go and where they feel safe with their community. The Grantham State School, to my way of thinking or my understanding, was never an evacuation centre, yet people went there because they could see their house, they could see their community, they could be with their community.

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Presumably there wasn't a nominated evacuation centre in Grantham anyway; is that right, or not?-- I couldn't say for certain, Commissioner, but that's my understanding. I don't think there was. I know there was - the major one was at Gatton, and that in previous times had serviced the district well. But again for a comprehensive answer on that, perhaps at the local level they might be able to provide more information than I could.

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Thank you.

MR CALLAGHAN: Another issue which has arisen which has caused considerable anxiety to a number of the people is the whole question of missing persons registers?-- Yes.

And the identities of those who are missing and how that's handled during a disaster like this. Who is responsible? Is it the Red Cross, is it the coroner, is it someone else? First of all, did you receive feedback or complaints about the way that system was working? Did you become aware of the same person being listed as missing on different registers, or not?-- Yes, I'm aware that there were double-ups and certainly I can understand the angst that would cause members of the community and their families particularly. What we did from a - the policing point of view - and this is outside the disaster management side; this is from the police - was a specific cell was set up under the senior management team to deal with all missing person reports, inquiries, et cetera, for the Lockyer Valley. Now, I think over the weeks that it was running they dealt with over 500 reported missing people, and that was - the number was so fluid it changed on an hourly basis. It would go up, it would come down as we found people, and I think that's just the nature of a disaster of this size.

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You say you had a specific cell dealing with it?-- Mmm.

Was there communication between that cell and other agencies?-- Yes, I'm aware that the cell was under the control of Acting Inspector Paul Hart. Now, as the days went on I'm aware that members from his team attended the evacuation centres with lists of names, et cetera, to take people off that had been located, et cetera. I think in a perfect world it would be wonderful if there was one register everyone could get on to to list missing people, but I don't think that that is realistic in the long term and I don't think it's attainable at all.

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Why not?-- Because you will have different family members reporting different people missing. You might have neighbours reporting people missing. You get people reported missing by description only. You have people being found and being written off and then being rereported again by other family members as the time went on. So I don't know how if there could be a one fix all for that. But I would like to see a coordinated recording at evacuation centres, one central point, just one person or one agency responsible for getting those names.

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That's what it comes down to really, isn't it: one agency?-- I think so at that local level, because they can - they would be able to write off people being found at that local level first, and then those that haven't been, well, police are responsible for searching for missing persons, so then it comes up to the police level.

And presumably the police have the computer and communication technology or are best suited to administering that sort of function?-- I think so, absolutely.

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All right. There's been a specific concern raised about the roadblocks which were put in place around Grantham?-- Yes.

And how they were monitored, and whether or not the so-called rubberneckers were effectively filtered from the district. That's a concern that's been raised. Have you got anything to say in response to that concern?-- Yes. The roadblocks were maintained at Grantham - I don't know the specific date, but it would be - it was for several weeks after the event and a couple weeks after the town was opened back up to people in there. Now, I know that there were members of the community who wanted no one in there, just locals. Which I can understand totally. They have to get their lives back on track. Yet there are other members of the community who wanted to bring in family friends, outsiders to help them clean up as well. So there's - you've got these extremes of opinions and viewpoints. At the end of the day, Grantham as a township had to be opened back up to the wider community. Now, once that happens it is impossible to stop rubberneckers. You rely on the integrity of those individuals to stay away while people are in mourning and rebuilding their communities. In the early phases it was arranged that visitors or people requested to come in, they were issued with an armband and they were registered. So, for instance, if I wanted to go and help my cousin who lived there, then I would get an armband

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and get let back in. We could never stop, I don't think, people - if people if someone really wanted to get into that community by hook or by crook, they are going to get in.

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And all you could do is set up the roadblock and-----?-- That's right.

-----hope that that has some effect?-- Yes.

In your statement you talk about or make the suggestion for a "fly-in" team?-- Yes.

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What skills or resources should a team like that have?-- Okay. As I said earlier, the events that fell in the Lockyer Valley I believe were beyond the capability of virtually any council, in reality, of that size to deal with. People at the LDMG level, and even at district level for some people, they are not trained to deal with a catastrophe of this size. So to me, to have a fly-in team who is emotionally removed. The emotional attachment to what has happened in your community I don't think can be understated. For instance, there's one councillor on the Lockyer Valley Regional Council who was personally affected by the events in Grantham, and my heart goes out to him and his family. So to me, there's a need for a team to come in, no emotional attachment, and just get on with the job in conjunction with the council. The local council are the elected representatives, and they know the community better than anyone else. But they have finite resources. They have to deal with the tragedy and the heartache their community is going through. So to be able to provide additional people, as I said, emotionally detached - sorry, wrong words. Not affected by emotion in this situation, to get things underway and then keep it going for months, I think is very important. Because the council has got other responsibilities to deal with that are ongoing, regardless of what has befallen the individual communities.

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But, I mean, I was asking about the skills and resources that such a team should have. And I hear what you say that the very fact of being emotionally removed from the situation might be a skill or resource, but - an aspect of such a team which might be helpful. But surely the nature of such a team is going to depend upon the nature of the disaster, isn't it?-- Absolutely. I think there's a couple of core people that you would need on there.

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Who are they?-- I think a communities representative to deal with - and health in relation to mental health issues, trauma counselling, et cetera, to set up those aspects, I think people with comprehensive disaster management skills. Now, to me, there are a number of people in this State that unfortunately have to deal with the disasters on a yearly or two-yearly basis. Let's look at Far North Queensland, for example, where cyclones come in. You know, we've had Cyclone Larry, we've had Yasi go through. The skill base for those up there for the recovery efforts, what needs to be done immediately and what needs to be done next week and in two weeks' time, to me I think the knowledge base is there and

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it's then a matter of being able to work with local councils to best supply that community with a quick response.

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Just coming back to those people, who specifically are you talking about? What sort of people specifically?-- Okay. Again, it will depend on what is specifically required. Say if there's major road infrastructure gone, then you'll need someone from Main Roads or Transport who deals with the emergency recovery of road systems. If it's utilities that are gone, you know, water, electricity, et cetera, then you need someone from those agencies to be able to get flown in, be on the ground, and to get things done.

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Are there any others, though, that you had in contemplation who would arguably, at least, be required, irrespective of the nature of the disaster? You cite councillors or perhaps issues, both mental and physical?-- Absolutely. Environmental health officer would be extremely important, and this came to light in Grantham. You know, a large number of health issues as the time went on that were there. Again, given specific disasters, it will take individual people, like, you know.

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Okay. All right. You're aware that section 47 of the Disaster Management Act gives the district disaster coordinator power to give a written direction about the performance of a local group's functions?-- Yes.

Under what circumstances - first of all, have you ever exercised that power?-- No.

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Under what circumstances might you see that power being exercised?-- I think that power would be as a last resort. I think the relationships and communication between the DDC and the local group are imperative, and they should be at such a stage where a direction would not be required. I think the only time a direction would be required is if there was a total failure at the local level to perform its core functions.

And that could be during a disaster or not, as the case may be?-- I think so. Say, for instance, if the local group hadn't met for two years, well, the DDC should pick up on that. But if they hadn't met, then to me that would be a situation where you would issue a written direction: Look, you need to have a meeting as is required by the Act.

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All right. And that - I mean, to pick up on what you just said, a DDC should pick up on something like that. What are the sorts of things that you think a DDC should be monitoring outside of an actual disaster periods?-- Well, the structures are in place already for the provision for a monitoring role. You know, there's yearly plans, there is training at the local level and district level, which we did at district and local level in November of last year, a similar exercise. So there's all these systems in place already. The legislation and the requirements are in place already for that to be done.

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Let's just pick up on one yearly plans, for example?-- Yes.

What should happen if a local group just doesn't do its yearly plan or doesn't review it yearly?-- Okay. Well, if I was confronted with that situation as the DDC, I would speak to the chairperson of the local group.

How would you be confronted with it? How would you get to learn about it?-- To my understanding, the plans have to be provided to district. Now, with the Legislative changes last year, the executive officer's role now rests with the Queensland Police Service as well. And I'm aware that the districts around the State are currently in the process of selecting specific dedicated executive officers. So I think that those sort of issues now with a dedicated executive officer will be alleviated to a greater extent.

All right. I think I'm just about finished, Madam Commissioner, but I might just check my notes over lunch and make sure there was nothing further.

COMMISSIONER: What time do you want to resume?

MR CALLAGHAN: I think 2.30.

COMMISSIONER: All right.

THE COMMISSION ADJOURNED AT 1.00 P.M. UNTIL 2.30 P.M.

THE COMMISSION RESUMED AT 2.30 P.M.

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BRETT WADE SCHAFFERIUS, CONTINUING:

COMMISSIONER: Yes, Mr Callaghan.

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MR CALLAGHAN: Mr Schafferius, there is just one loose end that I wanted to tidy up with you. I am going to show you a document headed "Running Sheet for Acting Inspector Tony Neumann Toowoomba District cap". Can you first of all just tell us what that is, what's contained in that?-- Well, Acting Inspector Tony Neumann was an acting inspector at the time in the Toowoomba district office in January. On the 10th of January he was the officer that I allocated initially to the Toowoomba LDMG to go down there as our liaison as the events were unfolding. On the 11th I appointed him as the coordinator for the evacuation efforts of Forest Hill and that part of the Lockyer Valley, but then on the 12th of January he went down as the second in charge to Mark Kelly in the search of Grantham and I understand this is his personal running sheet of what he did, basically.

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So you may not necessarily be familiar with the entries in it but can I ask you, in any case, to look at item 31, which is flagged there, and for the benefit of those who mightn't have a copy, can you just read that?-- "Return to LDMG. Advised Norm Fry and Kevin Wruck of BOM hydrology information re advice of severe flood Oakey Creek at Jondaryan, Bowenvile and possibly Oakey. Advised residences along that path need to be given early advice."

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The time and date of that entry is?-- 10th of January 2011, item 31 at 18:25 hours.

Now, do you know anything about that entry or are you aware of any communications-----?-- No.

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-----to or from Oakey in that regard?-- No.

No. I tender that document.

COMMISSIONER: Exhibit 145.

ADMITTED AND MARKED "EXHIBIT 145"

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MR CALLAGHAN: We might substitute a better copy at some stage but that will be the exhibit, and I have no further questions. Thank you.

COMMISSIONER: Thanks. Ms McLeod.

MS McLEOD: No questions.

COMMISSIONER: Mr Gibson.

MR GIBSON: No questions, Commissioner.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: I have nothing, thank you, Commissioner.

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COMMISSIONER: Thanks, Mr Schafferius, you're excused.

WITNESS EXCUSED

COMMISSIONER: Before we go on, Mr MacSporran, there is something I want to take up with you. I am going to ask you to take some instructions from your client, given that you represent the State Government, as to things that are causing some difficulties for the Commission in the performance of its functions.

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MR MacSPORRAN: Yes.

COMMISSIONER: Now, the position of the State Government as expressed through Crown Law in a letter of the 21st of April 2011 in relation to the interviewing of people wishing to speak to the Commission is this - I'm reading from that letter, the second paragraph:

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"As has been discussed with Commission staff on numerous occasions, Crown Law acts for the State of Queensland and all of its employees. Further, Crown Law also acts for SES and RFS volunteers. On that basis no contact should be made by the Commission directly with any state employee or state volunteer. Should the Commission wish to interview and/or take a statement from a state employee or volunteer, on all occasions the Commission should contact this office so that those arrangements can be made."

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Now, the requirement that Crown Law make the interview arrangements and that representatives of Crown Law be present, which has also been part of the way things have transpired to date, is having an inhibiting effect on the Commission's ability to obtain information from Crown employees and it would seem also, from the terms of that letter, potentially from volunteers. I am aware, for example, of an instance where a proposed interview with a police officer was to take place at which you were senior counsel and two junior counsel and two solicitors arrive. This kind of thing is apt to stifle any tendency in a Crown employee to speak freely about government agencies.

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So what I want to ask you to do is to seek instructions from

your client as to whether it's prepared to advise Crown employees and volunteers that if they wish to speak direct to Commission staff without the involvement of Crown Law, they may do so. That's the first thing I wanted to ask you.

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The second is this. I've become aware that some Crown employees have been told that if they're to be interviewed by the Commission or to give evidence to it, it may be helpful for them to consider section 1.3 of the government Code of Conduct for public service employees. Section 1.3 says that "commenting on government policy is a matter for Ministers not employees". It goes on to say that "without prior authorisation, there is to be no comment to the media on government policy."

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Then it says:

"Where providing factual information to the public on government policy is a part of official duties and responsibilities, the employees are to ensure that information is appropriately authorised and that government policy and administration is represented in its intended manner and spirit."

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Most of that doesn't seem to have much application because it deals with comment to the media or persons who have as part of their function provision of factual information to the public.

It goes on to say that any public service employee has, like any other citizen, the right to contribute public discussions on community and social issues in a private capacity and that in doing so, they must make sure that their comments are understood as representing personal views. They must maintain the confidentiality of information that they have access to due to their roles that is not publicly available, and that they should be aware that personal comments about a public issue may compromise capacity to perform the duties of the role in an independent, unbiased manner.

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Frankly, I don't see that any of 1.3 has anything to do with the Inquiry or the provision of information to the Inquiry, but I wonder whether your client would be prepared to advise its employees to that effect because I'm sure it's unintentional but it seems to me that reference to that has the potential to confuse and, at worst, may have a chilling effect on the willingness of public servants to speak frankly.

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So, what I wanted to ask you was to seek instruction as to whether your client would advise its employees that that section of the code has no bearing on their entitlement to communicate freely with the Commission on matters within its terms of reference.

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MR MacSPORRAN: Yes.

COMMISSIONER: And the third thing, and this is more by way of a suggestion, is it would be helpful if your client would ensure that its employees are informed that they will suffer

no prejudice as a result of giving evidence to the Inquiry and that they have a statutory protection in section 23 of the Commissions of Inquiry Act in that it is an offence for an employer to prejudice an employee on the account of his or her having given evidence. 1

So if you were oblige me, Mr MacSporran, by seeking instructions as to those matters.

MR MacSPORRAN: Yes. Could I just say in respect of the first matter, I understood - I may be mistaken about this but I understood that the way around that first perceived difficulty was to allow any witness that I represent or Crown Law represents to have a short discussion with the Commission staff in our absence and if there was a difficulty speaking in our presence, that would be conveyed to us and we wouldn't be present. 10

That protocol was set with the first interview, as I understood it, of a senior police officer. So that, thereafter, we took it as if we were contacted and invited to be present, there wasn't a problem in the witness having us present but it was up to the witness to indicate whether they felt able to speak freely in our presence. And that's the protocol I thought we had in place from the start of the interviewing process. But we might be able to revisit that and just see if that's a useful process. 20

COMMISSIONER: All right. It does seem, though, that public servants are informed that they have to advise their department's legal section before they can speak to the Inquiry and it just seems to me that that is not the best way of ensuring the free flow of communication. Thanks for that. 30

MR MacSPORRAN: Thank you.

COMMISSIONER: Mr Callaghan.

MR CALLAGHAN: Excuse me. 40

MS WILSON: Madam Commissioner, we have received a statement of Elizabeth Fraser. Elizabeth Fraser lost her sister Brenda Ross and her nephew Joshua Ross and I will now read out her statement.

My name is Elizabeth Fraser. Everyone calls me Bess or Aunty Bess, and I don't want my family to be forgotten. This is something I thought would never happen in Australia let alone our little town of Grantham. 50

On the 10th day of January 2011 our townspeople changed forever. They call it water inundation. There were things on that afternoon no-one should ever do or see in their lifetime. I was doing the washing and kissed my sister on the head and said, "I'll be back to finish the washing." I said to my nephew, "Leave the computers on. I'll fix it when I get back. Love you", and left. That was the last time I saw my family alive.

Not long after being up in the railway yard I tried to get back to the house. I couldn't. The water wouldn't let me. I started to watch things move. It started with small things. I couldn't believe what I was seeing. I wasn't there long and I got a call from my sister, Brenda May Ross, to say she had just rung the SES. The water was up to her knees in the bedroom which would have made the water at least seven foot high at 8 Anzac Avenue, Grantham.

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Looking at what I was seeing, their only way out was with a chopper as she was in a wheelchair most of the time and spent most of the time in her bedroom. I told Brenda that, "I love you very much and I'll see you in a couple of days." Brenda was very calm. I asked to speak to Josh, Brenda's only child and my only nephew. He was a 25-year-old child-care worker who was loved by everyone.

Josh would take children from the Grantham area to the coast to Dreamworld and if they didn't have the money, he would pay for them. As most of the parents would be working, he spent most of his time being big brother to so many children. Josh was like my firstborn. I helped look after him from when he was four weeks old. I asked if he had everything he needed. He said, "I think so." He was scared. I could hear it in his voice. "What about your computer?" "No, it's gone. The lounge room is falling apart and the floor is moving." I said, "It's okay, love, you will be okay. The SES was coming."

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But what I was seeing, it was too dangerous to send anyone out. The water tanks were being moved around as was a 40 foot semi tossed around like a child's toy in the bath. "I love you, Josh. I'm so proud of you. Hop on the bed with Mum and give her a big hug and a kiss for me. I love you and I'll see you in a couple of days." He was calm by them. "I love you", and that was the last time I spoke to my sister and nephew.

I have this massive cavern in my life. People just don't get plucked off this earth. This is not how it's supposed to happen. Brenda and I were like young school girls chatting, doing each other's hair, doing things that sisters do. We were very close.

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Josh was like my firstborn son. We spent so much time together. I'll be shopping and there will be Josh and I can't breathe. I've called out for him. I'll go and ring Brenda's phone. My life is so empty. I find it hard to sleep so when I close my eyes, I see the bad things of that day. Maybe one day I'll dream of them and be able to spend time with them in my dreams.

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I have lost half my family. Brenda being eight years older than me was the keeper of the family's stories, which are gone. Brenda's carer Chris hasn't been found and they think he may never be which gives no closure to his family and they may never have it. This is a situation that should never have happened. It has destroyed so many lives and will do so for

many years to come.

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COMMISSIONER: Thank you.

MR CALLAGHAN: I call Robert Wilkin.

ROBERT JOHN WILKIN, SWORN AND EXAMINED:

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MR CALLAGHAN: Mr Wilkin, can you tell the Court your full name, please?-- Robert John Wilkin.

Mr Wilkin, you have prepared a statement for the purposes of this hearing; is that correct? I'll show you a copy of the statement?-- Yep, yep.

It is a nine-page statement dated 24 January 2011?-- Yep.

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I tender that statement.

COMMISSIONER: Exhibit 146.

ADMITTED AND MARKED "EXHIBIT 146"

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MR CALLAGHAN: Now, just by way of summary and I am taking you to part of that statement referable to the events of the 10th of January, by your reckoning I think you say it was about 20 minutes in between when Gilbert Kilah warned you and when you reached the school; is that right?-- Yes, about that.

And it was after Gilbert warned you that you heard the radio warning on River 94.9?-- Yes.

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So it follows that it was less than 20 minutes after the warning that you reached the school?-- Yep.

Do you have any sense of how brief the time period may have been?-- No, none at all.

That's all right. Look, you describe what you did in the time that was available. Clearly you were very busy. And that description goes through your statement till about paragraph 42, where you describe how you made it to the Grantham school. Can you just tell us a bit about the situation at the school once you got there?-- Oh, I didn't - didn't make it all the way to the school. I spent most of the time down at the water's edge.

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Okay?-- Watching what was happening.

All right. What did you do then because your statement goes

from then till - well, paragraph 42 to 43 you pick up on the Tuesday the 11th. What did you do on the rest of the 10th?-- I went down to my father-in-law's house and they - he lives up on top of the school hill and that was where we spent the rest of the night there. So we didn't go anywhere to the school at all.

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And you speak also of being moved, I think, to the Helidon Community Centre by helicopter; is that right?-- That's correct.

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Can you just tell us how that was arranged or who you were dealing with to organise that?-- I can't think of his - the police officer's name that's at the school there. He was just there, asking - asking for names. So we just lined up and give our names and we just had to sit and wait and as they got people out, our turn come around.

And then you moved to stay with a family at Helendale; is that right?-- That's correct.

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Do you know how that was arranged?-- I arranged that by - by phone.

You arranged it?-- Yes.

Yourself?-- Yep.

Okay. Was that sort of movement being arranged for other people while you were at the community centre, do you know?-- No, not that I'm aware of.

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No, okay. And when did you get back to your house? When were you allowed back into-----?-- I think it was - I think it was a fortnight after. It was a Tuesday. I believe it was a fortnight later.

And what was the story with getting information about how long it might be before you could do that, or were you kept informed at all?-- Yeah, when we were - when we could get back into Grantham to listen to it all, to the meetings that they were having at the school.

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And how did you do that?-- We had to drive in off the highway from the Gatton Bypass and in.

And where were you getting your information from?-- I think it was every - every day I think there was a police officer coming up and speaking to us, informing us of what was happening and what was going to happen and all that.

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Would speak to a group of whoever was interested?-- Whoever was at the school, yeah.

Right. Thank you. That's all I have.

COMMISSIONER: Ms McLeod.

MS McLEOD: No questions.

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COMMISSIONER: Mr Gibson.

MR GIBSON: No questions.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: I have no questions, thank you.

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COMMISSIONER: Thank you, Mr Wilkin, you're excused.

WITNESS EXCUSED

MR CALLAGHAN: I call Jim or James Wilkin.

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JAMES EDWARD WILKIN, SWORN AND EXAMINED:

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MR CALLAGHAN: Could you tell the Commission your full name, please?-- James Edward Wilkin.

Mr Wilkin, you have prepared two statements in relation to the events at Grantham. Can I show you copies of those. There's, firstly, an eight-page statement dated the 28th of January and a four-page statement from the 17th of March; is that direct?-- Yes.

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Yes, I tender that.

COMMISSIONER: 147 and 148 in order of date.

ADMITTED AND MARKED "EXHIBITS 147 AND 148"

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MR CALLAGHAN: Now, you have lived in the area all your life?-- Yes.

Is it fair to say that the only plan or emergency flooding plan of which you were aware was the understanding that you'd park your cars on the high land near the railway bridge?-- Yep, that's correct.

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Was that something that anyone had told you or was that just the local understanding of-----?-- Just the local understanding that I knew of.

Were you aware of any other plan that might have been used in the case of a natural disaster such as a flood?-- No.

No. And, as I say, you record what you did and your understanding of the situation in the statements which are now evidence before the Commission?-- Yes.

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Yes, thank you, I have nothing further.

MS McLEOD: No questions.

MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

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MR MacSPORRAN: Nothing, thank you.

COMMISSIONER: Well, it was brief but, thank you, Mr Wilkin.

WITNESS EXCUSED

MR CALLAGHAN: I call Martin Warburton.

MARTIN CRAIG WARBURTON, SWORN AND EXAMINED:

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MR CALLAGHAN: Can you tell the Commission your full name, please?-- Martin Craig Warburton.

Mr Warburton, you have prepared two documents. The first is a 19-page statement of the 20th of January 2011; is that correct?-- Yes.

I'll just show you that one first. That's a copy of that statement with, I think, a bit of a diagram on the back; is that correct?-- Yes, correct.

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Yes, all right. I tender that.

COMMISSIONER: Exhibit 149.

ADMITTED AND MARKED "EXHIBIT 149"

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MR CALLAGHAN: Then there is a five-page addendum statement dated 17 March 2011; is that right?-- Correct, yes.

Yes, I tender that.

COMMISSIONER: Exhibit 150.

ADMITTED AND MARKED "EXHIBIT 150"

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MR CALLAGHAN: Then just today you've provided a third document; is that right?-- Correct.

That's the document you have in front of you?-- Correct, yes.

Can I just take you to paragraph 8 of the document that you've given us. Would it be fair to say that should read, "On the 10th day of January 2011"?-- Yes.

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Subject to that, you're happy with the contents of that document?-- Yes.

I'll tender that.

XN: MR CALLAGHAN

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WIT: WARBURTON M C

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COMMISSIONER: All right. Can we just get that amended then if there is a mistake in it?

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MR CALLAGHAN: Yes.

COMMISSIONER: Can you just change it. We'll give you a pen and if you would just change it to the "10th" if that's the right date, and that will be Exhibit 151.

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ADMITTED AND MARKED "EXHIBIT 151"

MR CALLAGHAN: Just excuse me a moment. Mr Warburton, you speak about previous flooding in Grantham but in your experience it's never been more than ankle deep at your shop; is that right?-- Except for May Day long weekend 1996, that was basically the third highest flood on record and it was about knee-deep through the shop then.

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Okay. Well, in between Christmas and the 10th of January just past, there were a series of occasions in which water came into your shop; correct?-- Correct.

And you actually were making a photographic record of this or these events as they happened; is that right?-- Correct.

I think we have a selection of eight photographs that you took?-- Yes.

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And we might get those up. Can you see that first one? Can you describe it to us?-- Basically, that was taken from my front boundary of my service station looking west back down the main street Anzac Avenue, back down past the general store, the pub looking towards Toowoomba and Helidon.

When was this?-- This was taken on the morning of the 10th.

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The morning of the 10th, all right. Can we see the next one?-- Again, the same - the same direction and the same morning.

The same time roughly?-- Yes, yes, just a little bit later.

Thank you. The third one?-- This is the same morning looking, basically, east towards Gatton, looking over Anzac Avenue, Gatton-Helidon Road back towards the Placid Hills turnoff.

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I think we're up to number 4?-- This was taken from the roof of my service station on the 10th, basically taking a photo of Ken Otto's boat going past.

And what time is this?-- This would have been around 4.30, quarter to 5, I suppose.

And you're on the roof by this stage; is that right?-- Yes, correct.

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Can we see the fifth photo?-- That was again looking directly east from my roof of my service station over towards Pauly Armstrong's road, Pauly Armstrong's house.

Again, that same late afternoon period?-- Late afternoon, yes, correct.

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The sixth photo?-- Again, this was taken from the roof looking east towards Gatton with Pauly Armstrong's house on the right-hand side of the image.

Okay. The seventh?-- This was from the roof of the service station on the same afternoon looking diagonally across the road to Mrs Armstrong's fruit shop and - and residence.

Now, they're all taken within roughly the same period of time?-- Yes.

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Within a few minutes of each other, would that be right?-- Correct.

All right. Now, you took some video footage yourself but Mr Lance Richardson also took some which you've seen; is that correct?-- Correct.

I might ask if the video footage taken by Mr Richardson could be played. And when I say you've seen it, it depicts to a large extent the situation as you observed it at the time as well; is that correct?-- Correct.

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Yes, all right. Can we get that played.

VIDEO PLAYED

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MR CALLAGHAN: And just to put it in context, Mr Warburton, on the back of that first statement that we tendered what you've written in as "service station" is your place?-- Yes.

And "pub" is where Mr Richardson was?-- Correct.

So that's a distance between those - I realise your plan is not to scale but what would that be, about 800 metres?-- Correct.

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COMMISSIONER: Do you want to make the photos and the video exhibits?

MR CALLAGHAN: Yes. I think they are on the one-----

COMMISSIONER: One disc?

MR CALLAGHAN: They are on a hard drive, I understand, which includes some exhibits that can be tendered tomorrow. But when we tender it, it probably doesn't matter. We can tender it now so we don't lose track of it.

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COMMISSIONER: All right. But would you refer to it when you're tendering-----

MR CALLAGHAN: Yes.

COMMISSIONER: -----it so when we come to the things tomorrow, so we know the entire contents of it. But the moment, the hard drive, so far as it contains those photos and video footage - can I just ask you, Mr Warburton, when you previously had flooding prior to 10 January and in other years, where was it coming from? Was it Sandy Creek or-----?-- It does come from Sandy Creek, yes.

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Had the Lockyer Creek ever overspilled before?-- It has previously, yes.

Whereabouts?-- Basically, directly across from my service station, over Barry Schultz's property - on Barry Schultz's property.

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Thank you.

MR CALLAGHAN: Do you still have that first statement there?-- Yes.

Can I just take you to paragraph 62, where you talk about a conversation that you had with Tim Pickering. Can I just ask you, is that just a type? Do you mean to say there, "I knew that Tim was not lying to me"?-- Yes.

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Yes?-- Sorry.

That's okay.

COMMISSIONER: Another pen, perhaps?

MR CALLAGHAN: Yes.

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COMMISSIONER: Would you like to put a "not" in?-- Yes.

MR CALLAGHAN: Thank you. Could I move then to paragraph 94. You talk about a phone conversation you had with Mr Jones, the Mayor?-- Yes.

Can you just tell us in any more detail about that

conversation about what was said?-- Basically, I rang the Mayor, as I have had a personal relationship prior and felt that he was probably the person to call. I didn't feel that calling triple 0 would have been the best option at the time. I thought that the Mayor would be the best person to ring and notify of the situation. I didn't know whether he was aware of the situation and-----

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And just what he said when you spoke to him; do you recall?-- I recall that he was shocked with what I was saying, and I can't - I remember he said that he was going to make a call in relation to the house that I witnessed going past, so I - yeah.

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No, that's all right. It's fair to say that the only warning that you received was that which you received from friends, not from any official source?-- Correct. Correct.

You were also in a position where during the worst of things the only way in which you could have been rescued was by helicopter; would that be right?-- Correct. At the start.

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You saw others rescued that way?-- Yes.

And in effect, I think in the material that you've tendered you wish to express the view that it seemed as if there simply weren't enough helicopters in use?-- Correct.

Now, after perhaps the absolute worst of things, it seemed that it was open to rescue some people by boat after things had settled down a little bit?-- I felt that probably an hour before the daylight disappeared, that the water had slowed enough and the debris had thinned to a point where I felt boats could have been utilised in rescuing the rest of the residents off the roofs.

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That might take us to paragraph 13 of your second statement, the five-page one. You speak of people being told not to use their boats?-- Yes. I was relayed this information after the event from Dave, the gentleman that resides at Placid Hills, and he was - basically had his deepsea fishing boat hooked up behind his vehicle at the roadblock at Placid Hills wanting to put it in the water to come in to see if he could rescue people.

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So when you say you became aware that people were being told not to use boats or they would be fined, that was something you were told?-- That was what I was told from Dave.

All right. I think at paragraph 15 - sorry, 14 of that statement you also reflect that it seemed that the QFRS Swift Water Rescue Team lacked local knowledge. Can you just elaborate on that?-- I - on the night prior to the event of the 10th, on the 9th, Sunday night, the swift water response team entered our town from the Placid Hills turnoff. Basically, they were still able to walk along the Gatton-Helidon Road through ankle-deep water. From the other side of the road they asked if they could cross over and come

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and see me, and I basically told them they wouldn't be able to cross there, they had to go further up. As the road had an incline, it was safer to come across there, and they came across and spoke to me that evening. And then again once I was out at the evacuation centre at the Grantham school, on the Tuesday night they came up to the school and was asking for directions to two certain addresses along Phillips Road, asked where the road was, and I explained the rural addressing system there and that they wouldn't be able to walk to those two properties because they just wouldn't have been able to get there. So I feel that they were probably hindered in their work because they seemed to me not being able to have local knowledge readily available.

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All right. In paragraph that follows, paragraph 15, you convey the general sense that there was a state of confusion and disorganisation-----?-- Yes.

-----in the response. Can you elaborate on that a bit?-- Just it was my perception at the time. Yeah, it's what I personally felt.

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Okay. Is there any update on your insurance situation referred to in paragraph 18?-- I have had some help by the Insurance Council. There has been an emergency \$5,000 payment put into my account. I am yet to still receive confirmation of my claim in writing yet, however.

All right. Thank you. That's all I have.

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MS McLEOD: No questions, thank you.

MR GIBSON: No, thank you.

MR MacSPORRAN: Just one matter. Do you have your second statement there, the five-page one?-- Yes.

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You say at paragraphs 8 and 9 that on the 10th the day of the events you received a warning via text message?-- Yes.

That was from some people you knew upstream, was it?-- Correct.

You acknowledge there that you didn't take the warning from them as seriously as you should have?-- Correct.

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Now, was that because you didn't ever believe that the water could ever have come as swiftly and with such volume as it did that day?-- Correct.

That was based on your long experience in the area of other flooding events?-- Yes.

But in hindsight you probably, as you've acknowledged, should

have heeded the warning?-- Correct.

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You understand other people in the area also received similar warnings?-- I'm led to believe that, yes.

Was there a general lack of preparedness to act on the warning because no one believed it could get that bad?-- Yes.

If you had heeded the warning, where would you have gone?-- Directly up to the railway line, or up to the school up to the hill, or back to Placid Hills turnoff where the ground was higher up there.

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You would have gone to higher ground?-- Correct.

Those areas largely remain out of the flood?-- Yes.

So you would have been out of harm's way in those areas-----?-- Correct.

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-----had you taken heed of the warning? Thank you.

COMMISSIONER: Mr Callaghan?

MR CALLAGHAN: No, thank you.

COMMISSIONER: Thanks, Mr Warburton, you're excused.

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WITNESS EXCUSED

MR CALLAGHAN: I call Bronwyn Darlington.

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BRONWYN FAITH DARLINGTON, SWORN AND EXAMINED:

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MR CALLAGHAN: Could you tell the Commission your full name, please?-- Bronwyn Faith Darlington.

And you've prepared an eleven-page statement dated 20 January 2011; is that correct?-- I don't recall that. Was that from the coroner?

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Let me show you a copy of the statement?-- Yeah. Is this from the coroner's office, is it?

It would have been, yes?-- Yes, that's my signature.

I tender that.

COMMISSIONER: Exhibit 153.

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ADMITTED AND MARKED "EXHIBIT 153"

MR CALLAGHAN: I just want to take you to some specific parts of the statement and just get you to comment. Can I take you to paragraph 10. You speak there about a conversation that you had with Mr Peter Friend and the idea that the warning system or the alarm system, if you like, was for someone to come and knock on the door?-- That's what's happened previously at Grantham. I rang Peter that morning because the previous evening my husband had to go out and save a couple of firies who were stuck out on the road because the Swift Water Police couldn't get them. So I rang Peter that morning and said that, you know, we really need to do something a bit better than what we have with - you know, because some people thought there was going to be alarms sounded, and there isn't. I said we needed a meeting to - public meeting to discuss getting something properly in place for us.

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Yes. So was that how that conversation ended, with the agreement that there needed to be a meeting or something?-- Yes, that's part. What I can remember of it.

While we're there. Can you just look at the following paragraph where you talk about a conversation that you had with Mr Jones?-- Um hmm.

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And you speak to him about the railway gates being locked?-- Yes.

What was his response?-- Well, he said, "It's not good enough. They shouldn't go and lock them on us." When they put that fencing up, the Q Rail put a padlock in it. They issued keys to the pub, myself, the shop, and Marty so at least there was going to be one person in town with a key to unlock the gates.

And one evening after the floods - one of the first floods the railway came along and locked the gate so people who had an emergency couldn't get their car out to take their grandson to a doctor. And then over the course of that few weeks there was another time where we went to put our cars up there and the gates were locked again.

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You referred a moment ago to Marty. Is that Mr Warburton?-- Yes.

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Again in paragraph 15 you speak about another conversation that you had with Mr Jones?-- Yes.

I'm just wondering what he said, if anything, in the course of that conversation?-- That's again when I was speaking to him, same as I spoke to Peter Friend, about having a public meeting and something having said set in place for the town.

All right. And again you speak in that paragraph about a conversation with Mr Flint as well?-- That was a couple of days prior where I physically went into the council and - that must have been the same day that I spoke to Mr Jones and the council as well. I said I've already contacted QRail, but it would be much better if you send a letter to them with the council letterhead stating that the gates shouldn't be locked at this time or that the keys should be able to work the gate.

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Can I take you to paragraphs 32 and 33. This is after you've become aware yourself of the big spike in the water gauges?-- Um hmm.

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And you say you called the council at that time and asked whether the gauge was broken?-- Yes.

Do you know who you were speaking to?-- No, no, just a female.

Just someone who had answered the phone?-- Yeah, she said it had nothing to do with the council; it was the Bureau of Meteorology. And I knew there was no point in ringing them, because I had been ringing them for a week prior to the 27th. Because the gauge at Sandy Creek wasn't working and you just get put on a merry-go-round of "You're next in line", and then the phone drops out.

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Just tell us about that. You were trying, you say, for some time beforehand to ring?-- To tell them the gauge on Sandy Creek wasn't working. I ended up e-mailing them. I did get one reply from them, and they wanted more information where the alert was located. So I emailed them back, gave them the Helidon alert number that's on the web thing and the Grantham one and said Sandy Creek is the one in between, and I couldn't give them that number because it wasn't there any more. But a few days later they got it up and running.

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And you resorted to email because you were having-----?-- It was useless ringing them. You would just get put on the merry-go-round of, you know, "You're in a queue," "You're in a queue", and then you'd drop out. I tried after a dozen times

on the phone. It just wasting 20 minutes at a time.

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You never actually got do speak to a human being?-- No.

Okay. All right. Paragraph 33, I think you record that you must have misheard Mr Friend and he said something like-----?-- I thought he said the dam had burst at Withcott and the water is coming towards us. But he must have said "It's like a dam", because there's no dam up there.

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Did he say anything else about what should or - should or could be done?-- No, no, he sounded like he was worried about it, with his own property and that. All I recall is he was saying that, and then I hung up from him and went and told my husband.

Well, can I move forward then - and you understand your statement is now evidence, so it's all before the Commission, everything that's in there. So I'm just taking you to some selective paragraphs, one of which is paragraph 71. Can you just tell us a bit more about this. Who requested you, when, where were you? Someone from Queensland Urban Utilities, paragraph 71, "In the aftermath of the event"?-- Oh, yeah. To cart water to Gatton because Gatton was running out of water.

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Yes. Who actually asked you and in what circumstances?-- They rang from the command centre in Gatton Council Chambers wanting water trucks to cart water.

So they rang you?-- They rang my mobile.

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And they obviously got that from somewhere?-- We're registered water carriers with the council, and our names on their books. Same as they rang other water carriers in the area.

All right. But it wasn't the council who rang you; it was Queensland?-- It was somebody from in the command centre, a girl. And then when we had trouble getting in, I spoke to a police officer who was at the command centre there, and he said that we'd have no problem. Just go in from the Helidon end through the roadblock and they would let us in to get the truck out.

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Was there a phone call?-- I rang the girl back, just redialed the number she dialled me on, rang her back and said we couldn't get in, and she put the police officer on. I don't recall his name. I only ever got his first name anyway. And he said to go back - go through Helidon. Couldn't get in - you won't be able to get in from the Gatton end. Just that we're in Gatton dropping people off. He said, "Go to the Helidon end and they had let you in." But they wouldn't.

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The police wouldn't let you in?-- No.

Did you suggest, for example, that they call-----?-- I told them. I wasn't with my husband and son-----

Right?-- -----at the time. But yeah, they wouldn't let them

in. It wasn't until Major Slater arrived and he organised it for us to go in and get our truck. 1

Do you know whether the police on the roadblock called the command centre or were able to?-- I think they may have called somebody, but I'm not sure. I couldn't say with 100 per cent sure.

At paragraph 73 you speak about the difficulty, which some people - some others have experienced as well of being recorded as a missing person?-- Yeah. We registered the night they took us out with the police officer in - on the western side of Sandy Creek. We registered at Helidon with the minister or priest when we got there. A couple of days later we registered again with a police officer, and then we registered with the Red Cross. And several days later after that my husband had the coroner ring his phone and told him he was dead. But we registered with four different people. People from overseas and family and friends just locally and interstate were told they had no idea where we were. So something was drastically wrong in that area. You know, they were advertising ring this 1300 number, and I know people who rang that and they were told, "We can't give you any information. Go to the website." 10 20

I was going to ask you about that. Which 1300 number was that?-- The one that was on TV that they kept-----

It's the missing-----?-- The one they kept putting on TV all the time. 30

All right. Okay. You also in paragraph 76 have something to say about the way roadblocks were being administered?-- Well, I don't think that we should have been kept out of our homes for the length of time that we were kept out. Because we had the flood of the 10th, plus the little one on the Tuesday, but then when we got back, finally were allowed back to our homes, we had things destroyed by the so-called search and recovery people, you know, with just no respect for people's property. 40

What are you talking about there?-- Oh, we had plant and machinery that was just ripped apart. You know, it had obviously been washed out of our yard, but it was still in one piece. And the excavators - I don't know whether it was the army or a private contractor - just come along and ripped it to shreds. And we're not the only ones that had things like that happen to. Quite a few people. And if you're searching for bodies, you don't search with an excavator. All they had to do with a pantech was open the back door and walk into it. Instead of that, they ripped it to shreds. I felt like we were being treated like children, being kept out of our homes. We could have been allowed in. 50

This might be relevant to the same thing, I'm not sure. But in paragraph 77 you talk about promises being made to you. What promises are you talking about and by whom?-- Oh, they started to clean up the main road before people had - you know, you'd go in and you're not - you go to your home and see

what's happened there and the mess of it and everything, and you don't get a chance to go out into the - along the road to see if anything of yours has been washed down there, you know. More than likely it's in Brisbane, but that's beside the point. I think they started doing their roadside cleanups and everything a little bit too quick.

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Were you told, though, that it wouldn't happen that quickly, or were you notified-----?-- We were told we would be given time, but there was never any quantifying time said.

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Okay. How long was it, do you think, after you were allowed back in before that happened?-- Look, honestly I can't remember.

All right. Okay. That's the only questions I have.

COMMISSIONER: Ms McLeod?

MS McLEOD: Just reserve my position on those new matters raised today.

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WITNESS: Can I make a statement, say something?

COMMISSIONER: Yes, go ahead?-- I feel prior to the floods that the authorities had ample time after that water went through Withcott and Murphys Creek, they had two hours to at least send one vehicle out to Grantham with a siren going just so people knew it was something out of the ordinary, because that's not anything that's ever happened before. We've never had anyone come out like that and warn us. We get the lady from up on the hill walk down the road and tell us we're going to flood seven hours before it happens. But, you know, one car half, an hour of the police officer's time, it may have saved one more life.

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All right. Is there anything arising - hang on a minute. We'll just see if anybody wants to ask you anything about that. Mr Callaghan or - any questions arising?

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MR MacSPORRAN: I have nothing, thank you.

COMMISSIONER: Thanks, Mrs Darlington, you're excused.

WITNESS EXCUSED

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MR CALLAGHAN: I call Mark Kelly.

MARK ALAN KELLY, SWORN AND EXAMINED:

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MS WILSON: Is your full name Mark Alan Kelly?-- That's correct.

And you're an Inspector of Police?-- That's correct.

And you're presently stationed in Toowoomba?-- Yes.

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And have you made a statement in relation to your role in the recovery - in the role of recovery that you performed in Grantham?-- Response and recovery, yes, that's correct.

Could you have a look at this statement, please. Is this your statement?-- That's correct.

Signed on 30 March 2011?-- Yes.

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The statement is true and correct?-- Correct.

Thank you. Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 154.

ADMITTED AND MARKED "EXHIBIT 154"

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MS WILSON: Your present position is that you're responsible for the Toowoomba Divisional Work Units of the Toowoomba Station, Toowoomba Communications, and the Toowoomba Watch House?-- That's correct.

From 13 January 2011 did you assume the role of the overall commander of the search for missing persons from Toowoomba Police District?-- I did, yes. And on 12 January I assisted with the forward command search with Acting Inspector Tony Neumann.

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Let's go to paragraph - page 3 of your statement where you refer to that?-- Yes.

Now, leading up to that, you had been on leave?-- I had. I was on leave - I think it was going to be effective up until about 27 January. I was at home on 10 January when the events happened. My wife is a police officer; she was at work herself. I live on the northern side of Toowoomba. There was a landslip. I was caring for my eldest child. I called in to work the next morning, and I went in to work later on Tuesday, 11 January, to relieve - or provide some relief for the commissioned officers that had worked through the night for that afternoon and evening of 11 January.

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And you then say on the 12th of January you were requested by Acting Inspector Tony Neumann to assist with the coordination of the search at Grantham?-- It was, yes. There were a number of police units coming from Brisbane, acting - an Acting Superintendent Ben Marcus, and it was a large site to manage. At that stage Inspector Joe Whyte was the forward commander for Murphys Creek and they're two distinct areas as you would appreciate and the Commission would appreciate. Murphys Creek is a large rural area, the area is spread out. There were known affected properties and missing people from different locations across a greater area, and then you have missing people from Grantham obviously. So I went down in that role and as we gained more situational awareness as to where people had been found that were missing, we realised that the search was going to have to cover a greater area which ultimately was an area of 663 square kilometres, about 131 kilometres of creek line to the mouth of the Lockyer Creek where it meets the Brisbane River.

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Now, you state in page 3 that you recall driving into Grantham?-- Yes.

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And what you saw when you drove into Grantham that day?-- Yes. It was something, I suppose, I hadn't seen, only media prior to that and was - you had to see it to believe it. Cars turned in trees, debris on roads and some of that had been cleared. I think there was a machine, I believe it was a machine of Alan Payne's, who is a private contractor who was also involved, I believe, in some of the rescues and assisting people earlier on, and he ultimately was employed by the Queensland Police to help us move debris when we were doing our search.

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So the role that you performed on the 12th of January, was that a different role that you started to perform on the 13th of January?-- I suppose-----

Or was it an expanded role?-- It's an expanded role in terms of there were two forward commands, one at Murphys Creek, which was Joe Whyte, the inspector; one at Grantham. We realised that we needed one command or one commander because there were going to be different cells of search and rescue coordinators. We ultimately ended up using 32 Queensland Police Rescue and Search coordinators, people who are trained under the legislation to coordinate those searches. Searches like this are unique. Normally they're land or water searches. This was both. And obviously - normally with a search, someone may go missing from a particular location and you know the last known point of that person and you know that they walked off in this direction or they were in a vehicle whereas this was very unique. And on top of that search you also had large amounts of debris that had been basically moved from Spring Bluff all the way to the Brisbane River and beyond.

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Now, on the 13th of January when you assumed the responsibility of the overall commander, can you give me some idea of the structure then that existed at that point in

time?-- Okay. Tony Neumann is the inspector still for the actual Grantham - the forward commander for Grantham. I'm looking after the whole search. Inspector Joe Whyte was still doing some door-knocks of residences to make sure people were accounted for with-----

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That was in Murphys Creek?-- In Murphys Creek.

Yes?-- We knew that the Australian Defence Force were coming to assist us with that search and we became aware that Mr Scheffe, who was missing from Murphys Creek, had been located near Lowood, which was about 101 kilometres by creek line downstream. So our initial point of action for the Australian Defence Force was to search the area from Spring Bluff to Grantham because there was obviously people missing from Spring Bluff - well, they were located by where people had gone missing from. And there's always the - the issue of people that hadn't been reported missing, someone who may have been in a motor vehicle or someone who didn't have a loved one to report them. So we knew we had to search from that location Spring Bluff to Grantham along the creek line including Rocky Creek and the area of Postmans Ridge.

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Now, you say at page 4 that you continued that role on the ground in Grantham to the 11th of February?-- Yes.

What occurred on the 11th of February that that role no longer was required?-- Okay. During the process we had searched the creek line from Spring Bluff to the mouth of the Brisbane River, that's 131 kilometres of creek line, three times and that was done with the assistance of the Australian Defence Force. We'd also done what searching we could do in Grantham, okay. We'd used the machinery, we'd had cadaver dogs, we had police divers who had also waded sections of the creek. And this - I suppose this search is best summarised by a presentation which was supplied when I supplied my statement in terms of the areas that had been searched day by day and where those searches - and it is a summary and it is a PowerPoint and it is a graphical demonstration with written documents as to where had been searched. We also - the search and rescue coordinators, they keep tasks of areas and an example of a task that gets created from a search. An example I can give you to is the police divers had been down searching the area down near Lowood where Jessica Keep was located. They had spoken to a farmer who had reported a debris pile and then that task came back to the command centre and then we tasked the Australian Defence Force, the engineers, who then sent their own reconnaissance team and during their reconnaissance they located Jessica Keep.

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Perhaps now would be a convenient time to take you to the work of the Australian Defence Force. At page 5 you say: "On the morning of the 13th of January 2011 Major Nathan Ravenscroft and three platoons of soldiers arrived at Grantham." Do you know who organised this?-- I believe the request had been made for the Australian Defence Force assistance. I was made aware on the evening of the 12th of January and that's when we came up with the plan of searching from Spring Bluff to Grantham

first with the Australian Defence Force. At that stage we had a number of police resources, SES resources, Australian Federal Police who were assisting us with Grantham but we saw that as important as being able to maintain the quickest search that we could make and the most thorough search we could make for not only the township of Grantham but also the people that were missing east of that location.

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When Major Ravenscroft and the three platoons arrived, had there been a protocol established then of how these soldiers were going to be deployed?-- My understanding was from the previous night that they would act under I suppose not my direction but my request. They arrived. Major Ravenscroft asked us that they would - needed time to set up. He'd actually come up the night before and he had spoken to Acting Inspector Jim McDonald briefly about what our initial plans were for the 13th of January. When he came there we colocated our search and rescue or his command post with my search and rescue in, basically, an army test. Basically, they had planners and mapping. We were on one side; they were on the other. And the search and rescue coordinators, I would say to them, "Look, we need to search the area between Spring Bluff and Grantham and you tell me what we need to do that. I will talk with the army." They then went away and planned how they were going to do that search. We would make sure the search was done between debris lines outside the actual mouth or the section of the creek. And they would do that, break that section up by platoon. So someone would go from Spring Bluff to Murphys Creek, a particular platoon, and then there would be another unit operating maybe in reverse or further down, downstream. So I suppose to answer your question in relation to the command, there were no issues in terms of me asking them to assist with particular parts of the search and, in fact, the Australian Army searched it three times, from Spring Bluff to the mouth of the Lockyer Creek where it meets the Brisbane River.

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When you said that the army would then tell you how they were going to do it, did you take that advice and let them determine how they were going to do it?-- We - I was happy with the way the search and rescue coordinators - as long as we tasked them as saying, "We need" - "This area here needs to be done from debris line to debris line down", how they did that they planned, and that was communicated to our search and rescue coordinators and we were happy with how that was being done.

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You talk on page 5 about the "ADF helicopters were deployed to conduct box and line searches of the creek line based on the entire creek system and the width of debris"?-- Yes.

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Was something that the ADF organised or was that something that you organised?-- No, it was something that we requested with the search and rescue coordinators. There was actually no person located from those aerial searches. Every person that was located was located by foot searches.

So was it the case that you requested that ADF helicopters

perform this task?-- Yes. And initially when we did start, that request would go through the major incident room in Toowoomba. So I would say two helicopters to assist with the search, box search of this area.

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Yes?-- The Australian Army actually put a liaison officer on the ground, Major Parks, and I then communicated directly with that person as to what we needed searching. They also assisted with dropping divers into locations that needed to be searched because, obviously, we've got areas reported from members of the community that had to be searched. It was a quick way of getting those divers to that particular location. Some of those were inaccessible and it was - it was an efficient way of doing that. Again, those helicopters didn't enable us not to do the foot searches and, in fact, foot searching was the only way and it was a very complex search area and, as I said earlier, it is not a standard search. You are searching things. At one point we had the army sappers with chainsaws walking ahead with divers behind them, with police with shovels and rakes and other items to try and locate the deceased people.

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Once you had Major Adrian Parks as the ground contact, did that assist being able to get that helicopter support?-- It just made it easier to communicate. It's like having an army command post with my search and rescue coordination team. Everyone's there. So if I still requested it through the major incident response room, I still got those resources.

Did you get the resources quicker once Major Adrian Parks was there on the ground?-- It enabled us to plan better, I suppose, for the next day. He would say to me, "Listen, what have you got planned for tomorrow?", and he could start himself planning aircraft.

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You also said that "Senior Sergeant Anthony Neumann had continued the deployment of personnel at cordons around the township of Grantham"?-- Yes.

Now, who manned these cordons?-- The cordons were police officers from Toowoomba initially and then there were other police brought in from the State Traffic Task Force. There were a couple of roads, two - the side from the east and the west, basically, where State Traffic ultimately end up setting their vehicles, their major incident vehicles I suppose they would call them or their booze bus vehicles. And then there were also other roads that get you into Grantham.

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So how many cordons were there?-- They were definitely four and sometimes there were more, and there were also cars moving in and around the area. The Australian Army also set up their thermal imaging equipment. I know from talking to Major Ravenscroft through the whole process that no person was detected moving within that area where they set up with thermal imaging. I know that there was one person in the cordon who was arrested. I believe that person was arrested for not only a stealing offence but a drink driving offence, but was in the actual - got into the cordon. Didn't have any

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reason to be in there. I believe there was one other person charged with looting who was actually a resident.

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The reality being if you wanted to get into the town of Grantham, you could?-- I mean, I think if you want to walk into a particular area, unless you've got a fence all the way around it, it is going to be hard to keep people out.

How did you control the media wishing to enter into the town of Grantham?-- Okay. We had the same cordon set up for them not to enter into the town. Some of those media did at different points. The Police Media Unit were - and this was probably a few days into the event or two or three days, were on the ground and they were trying to coordinate the media so it could be controlled in terms of the media gaining access to the area. It's a big task because there was media who came to, particularly, Grantham from Ireland and other European countries. I know one, I think it was the Irish media, actually landed a helicopter in a paddock or a contract helicopter had dropped them in a paddock. It was very complex to try and manage that. And again, we're not talking about a building where we're trying to exclude people. We're talking about a rural community. And it was hard work and we did our best.

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What was the rule of thumb that you acted on? Was the media allowed in at certain times or was the media banned and some just landed in a paddock?-- We - when I first got there we were keeping everyone out and during the process, okay, there were sections of the media that followed or got in following dignitaries into the actual cordon, but we tried to manage it. I think sometimes it's good for the message to go out to the world so that the people of Grantham can get the support from outside in terms of everything that they have to deal with. Again, it is complex. We're trying to control that area so that we could get the most systematic search done and keep things private for the people of Grantham. As you would appreciate, when there's so much media and such a hard area to contain, that people are - the media are going to expect and try and get into a cordon.

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Did they liaise with you?-- I did - I did media interviews with them at designated points to try and control that in terms of giving them a story. I know that they were going to the evacuation centres or recovery areas at Grantham, Helidon, Gatton and Murphys Creek. And there were other police that did do interviews with them and, generally, that was just about the process of the search, that we were doing everything that we could to locate the missing people.

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We talked before just about the army helicopters and the work that they did. At page 9 you again pick that up where you talk about, "The army helicopters flew the course and completed box searches two times and at the peak I noted at least seven aircraft that were assisting with searching or airlifting police divers and other personnel to search locations"?-- Yes.

When you talk about that at least seven aircraft, is that at least seven aircraft from the ADF?-- Yes. I think there were four Helos, Black Hawk - could be two Black Hawk and the large Chinook. I know at one stage we - with some of these debris piles, some of them were extremely large. Where we located Mr Warhurst, there was a large debris pile there. It was probably half an acre, an acre in size. There were others that were inaccessible. Even - it would take an excavator three days to walk in there if they didn't get stuck. We spoke about maybe using a Chinook to put an excavator into a location on the Lockyer Creek on the eastern side but we never actually did that because it was still too wet there. So, you know, there were different uses and with Major Park being there, we could canvass those issues and speak about them on the spot. He could go and look at them himself and make those assessments which I'm not capable of doing.

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What about helicopters from other government agencies? Did you have any need to deploy other helicopters?-- I didn't, no. I think we did request later in January on at least one occasion to do a fly from a particular area. As you'd appreciate, we had 32 search and rescue coordinators and they were given a task. Some of them come from the Gold Coast, Brisbane and other areas. Sometimes they have to be brought in, they're taken by helicopter across the area of search so they can work out what the parameters of that particular search are so they can gain situational awareness and also to redo particular sections that we felt that needed to be done again.

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When you say that you think that you can recall one other request from another government agency, which government agency was that?-- To be honest, I can't be sure because I didn't, I suppose - I just asked for-----

It didn't eventuate?-- I just asked for a helicopter.

And you got one?-- Yes.

That picks up at the next paragraph you say, "During the search I was provided with every asset and human resource that was required"?-- Yes.

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You, in that paragraph, talk about various agencies that you were working with, the ADF, the SES and the AFP?-- Yes.

Now, how did they fit in? We've talked about how the ADF fit in with the command structure?-- Yes.

What about the SES and the AFP?-- Okay. Every day and initially - like, we were starting work at 6 in the command team and finishing at probably 10, 10.30 at night. Every day we would work through our search and then plan the next day and we were - there were 37 sections in the town of Grantham that we were doing. When we started some of those you were knee-high in mud, so they were taking longer. As the search progressed we needed, you know, areas to be redone as the environment changed. Those - with the SES, we would make the

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requests through the MIR, the major incident room, for an additional SES, whether it be 100, 200, 40, 50. Sometimes we got 200, we were offered 200. Sometimes they said, "No, we can only supply 50 today but we've got more coming to you tomorrow." They always have someone who comes. Now, all those people who come, they mightn't be from one particular area but there will be someone who is appointed as their liaison officer. They're broken up into groups, they're broken up with police or a police officer to go with those groups and-----

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Can I just pause you there. So the SES were working with a police officer or more than one police officer?-- Probably one or two police officers. There may have been occasions when they were deployed to a particular area doing a particular task. So it might have been re-searching the yards where they were sent off. They were given a task sheet to say, "Do this particular task", whether it be re-search the yards of Harris Street or another street in the area. Or, "Do this particular section." They would come back to the command tent, report that information to the search and rescue coordinator. If there was any additional information, so it might be like, "There's a large debris pile behind 42 Harris Street that, you know, is of concern", whether it be because of the smell or because they can see household items in there or - so that information was continually coming back. The Australian Federal Police, similarly, they came with a senior officer. They said, "Listen, what would you like us to do?" and we'd give them the task. I know that they did do some tasks with the Australian Defence Force as well because we had trained personnel from there, I suppose our equivalent of SERT or the Special Emergency Response Team. They also stayed in the Grantham to assist with the security and to provide assistance to the police that were there if an event happened after hours. So they were camping in swags beside the command post.

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So in terms of the SES and the AFP, you directed the task that they were to perform?-- Yes.

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And how did the SES perform?-- Yes, they performed well. I mean, this was an extremely hard area to search. I know I can recall from talking to Tony Neumann that he saw one lady from the SES who had - was up to mud under her armpits, wasn't a tall lady. But they - they worked very hard under extreme circumstances, as did many people. I know one day there was 40 degree heat. We try to keep people well hydrated and fed. Everyone did their best. I can say for that type of search where you're searching 663 kilometres and 131 kilometres of creek line, is - it is - it is extremely beneficial to have trained people, young people, Australian Defence Force people who have got skills in orienteering, who can walk large distances, who are trained in that larger level of search which was unprecedented as far as I'm aware for the Queensland Police Service.

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The AFP and the ADF are professionals and the SES are largely volunteers. Did you take that into account when directing the

tasks for the SES to perform?-- The SES did do searches of creek line. We tried to understand where people had come from and the types of searches they were doing, and some searches had to be redone but only because it was so muddy in those particular paddocks, black soil, extremely muddy. We did as best we could to try and use the Australian Defence Force for the hardest part of the search and for the areas of the terrain that they were trained to deal with as opposed to State Emergency Services, who I don't think - or even Queensland Police Service, you know, we don't train to search 131 kilometres of creek line three times. That's nearly 400 kilometres of creek line. And that's - some of it might be level but some areas you're walking on the sides of embankments. There's debris piles, there's grass, you know, head high in some locations as you got further east. It was extremely hard for everyone involved.

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Inspector Kelly, are there any lessons that you learnt that you could share with the Commission to assist for the future?-- I suppose the only thing that we've already discussed with the search and rescue coordinators, and let's hope it doesn't happen again, is where you have mass casualties in terms of doing a search and having procedures for that and I think the problem with having procedures for that is every event would be different. You know, look what happened in Japan. But certainly here, I know our State Search Coordinator is already in the process and we're going to have a further, I suppose, debrief with all the search coordinators to try and develop a set of procedures for a mass casualty search where you've got fears, grave fears, for people who are missing, to do a search like that. Like I said earlier, it is not a typical land or water search. It is a search which involves, you know, digging up ground, moving debris, doing stuff time and time again as the environment changes to re-search it, so.

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Is that debrief planned in the near future?-- We've already had one debrief where we spoke about the interaction of the search and rescue coordinators. Obviously there's 32 from all over the state. We're planning to have that at Gatton, which is an area central to that, with Warren Francis, who was the overlay for the search. He was brought in. He is the officer in charge of the Brisbane Water Police, so he was brought in to overview what - the search and rescue coordinators and what in fact I was doing. And above him at a state level is Senior Sergeant Jim Whitehead, who is the state coordinator, and I think he holds some position in the National Search and Rescue Board. So they're also going to be involved in that. And Jim, that's his full-time role and he's working on that. But it is also to talk out these issues of how the command would work and if we had other agencies, how that would work in terms of - like, us being colocated was a great advantage. I know at one stage we thought about moving our command post to Gatton to the university, but we decided to stay where we were because we were all working together and that was the nexus of the search even though we were searching 131 kilometres and also by air and by boat, further east, the Brisbane River into Moreton Bay.

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It the case that the protocols that you established with the ADF should be in a more formalised - on a more formalised basis?-- I don't think we need any legislation. I think, as you said earlier, we're all professional organisations. The Australian Federal Police, the Queensland Police Service, the Australian Defence Force operate under a command process. We worked in very well. Everyone knew the task at hand. I don't think you'd need legislation for that to happen. For us internally, the QPS, to have a framework in terms of conducting a mass casualty search or looking for a search over a greater area when there has been movement of the earth, large movement of water, yes, you know - and that's - we're working on that.

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And perhaps we can particularise that. What area are you particularly working on?-- Well, it is the search and rescue in terms of coordinating that search, so how you do that. Like, as I said earlier, normally when someone goes missing and they do a search, by water they use boats, they're looking - normally by land, people walk away, they drive away. In this particular search, unfortunately the prospect of people being buried, being covered in debris where they can't be seen spread along a large distance where that whole environment has been changed by the natural event that's occurred. So it's having like - us having procedures to say, "We're going to have multiple search cells operating." As in that one, we had one from Spring Bluff to Grantham, the town of Grantham, then Grantham East. And then you could say we had another one in terms of the Brisbane River and Moreton Bay. So all those multiple cells working at one time. Whether there is one commander, such as myself, for this particular search or whether you set up a number of different commanders, they're the sort of things. And how that search - and the tasking of information that's coming in to making sure all the information that's coming in from the community, that's coming back from all the searches, the SES, the other people, so you're getting that information so that we can do the search.

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Sorry. Continue?-- I suppose it gives me some relief that in some ways no one has been found since we left Grantham, you know, that we've found everyone that was there to be found. It would give me great pleasure for everyone to be found, but I think in this instance the search was done very well, and it was because of the cooperation of all the organisational units involved in this particular search, and it would be good for everyone to be found.

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Have you got any view from your own experience whether it should be different cells with commanders, or one overall commander is the best way forward?-- It would depend. I think this particular incidence, one was a good concept. Again we had Tony Neumann, who was the police forward commander, in the Township of Grantham. I think the information flowback, you know, because you have one person going to the meetings with the assistance commissioner and the other people who had key roles, such as Paul Hart and the missing persons, Brett Schafferius obviously is the DEC, and the other, I suppose, commanders of their particular areas, so getting that information back. An example was the vehicles. You know, there was 855 vehicles. Setting up a task force to identify and account for every driver/owner of each of those vehicles so we made sure we located all the missing people. Not only those reported, but potentially those that hadn't been reported that had been in a car or hadn't been reported because they haven't got any close loved ones.

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Thank you, Inspector Kelly. I have no further questions for you.

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MS McLEOD: No questions.

MR GIBSON: No questions, thank you.

MR MacSPORRAN: Inspector, just one matter, and that concerns the issue of the search for missing persons in the Grantham area. We've heard that the residents of Grantham were prevented from returning to their homes until 18 January?-- Yes.

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Can we have your view as to whether that was necessary and if so, why?-- I believe it was necessary on a number of levels. One is the safety. It was a very, I suppose, unstable or unsafe site, you know, there was a number of gas bottles, and these things flowed a long distance. I've known about farming chemicals and other items, and just debris and knowing who is where and why they are there. Importantly for me, I believe that police and emergency services are the people who are trained and paid to perform the role of recovery of deceased people. It wouldn't be a good thing for any member of the community to have to deal with that. And as I said earlier, up until the day before people returned to Grantham we found someone in a back yard, and that back yard had been searched a number of times. And I personally went to that location and

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unless I was shown, I wouldn't have been able to see that person. But that person would have been found. The other issues being able to do that systematic search. If people come back, they naturally want to clean up. And unfortunately, we were still looking for small people during that search. And there was a prospect of someone wanting to clean up a yard using a truck and a person never being located. So that's important for me to be able to say listen, this has been done. It's been done systematically. So that on that day when we finished in the actual town of Grantham, we knew that we had done the best search as humanly possible to find the missing people.

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And all of those steps were appropriately documented, were they; where you had been, what you looked at?-- Yes. There was over 1,000 tasks for the search, and that's all documented by the search and rescue coordinators. It has to be for any coronial investigation, but also for the search and rescues by the legislation. All those searches were documented by task sheets, what had been done, what hasn't been done, whether a debris pile - and we learnt that early on - I think the house closest to our command post, as soon as the search people said - once there's a debris pile, again I can't be sure there's no one in there. Hence we had to gain the machinery, which we employed civil contractors, and the Australian Defence Force supplied 40 plant and machinery for weeks for the search.

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Now, were heavy machinery excavators used in the operation?-- Yes.

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For those of us who don't understand the process, it may seem odd that heavy machinery like that would be used to find missing people. Can you tell us how that works?-- So if there was a large pile of debris, or any pile of debris, if they used a bucket they move top - from the top down. They do it as delicately as they can do. We did try to use bobcats. It's too wet. But we found because we were doing creeks as well, creek lines they needed - and in some locations we also paid for an extended arm which came up on a float. So they do that very delicately. As I say, Mr Warhurst was located in a pile - I think I say half an acre in my statement. I think I'm being conservative how big that debris pile was, and it was metres and metres deep, and we found him.

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You used the heavier machinery to remove the heavier items so you can get access to the smaller debris piles?-- To move the debris.

Yes?-- So you can search your way through it. Does that make sense?

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Yes?-- Most of it - and it wasn't really the household items that were the problem in the main; it was the vegetation.

Trees and such?-- Yeah, and parts of trees. Bamboo, all those sorts of things, and there were piles and piles of it. We used an excavator in the creek at Grantham. For a long period of time it was piled nearly as high as the floorboards of one

of the houses near the bridge there. And I went back there probably a month ago, and the council have still got a machine there still just cleaning up and who - the same contractor, Alan Payne is the same person working - and I know our search and rescue coordinators - we're continuing our search, obviously, by canoe, boat at points of interest, and he's told us he's employed by the council. But he is still using those same methods of carefully shifting through the debris and then moving that debris away, so that we're still trying to locate people.

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You're, in effect, picking through the debris?-- Yes.

And the debris was that thick, from what you tell us, that you even considered at one point using a Chinook helicopter to fly a large excavator into a field of debris to commence the process rather than having it walk through the piles?-- Yes, and to be accessible. The problem is, I mean, they have got tracks. They can move pretty well. But there was some areas where it was so wet, that that's what they had to do. We used smaller excavators. We used two civilian contractors; the Australian Army had their own. They also had sappers with chainsaws. So I walked from Helidon to Grantham, and there are literally hundreds, if not thousands, of debris piles. Whether you want to say it's a debris pile as large as this podium or one as large as this room, and in some areas they could be searched, you know, cutting timber, chainsaws, or it could be a tree, some of those become exposed as the water levels drop. And some areas - and I'm sure I'm some of those missing people that were found were, at least at one stage when we walked through, submerged in water.

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That's why some of those areas were in fact searched on multiple occasions?-- Multiple occasions. We went back to houses multiple occasions. We went back to yards multiple occasions. We did the creek line three times. I think Katie Scheffe was located by a gentleman at Murphys Creek. We were cross-sectioning that area with that process I said earlier with the divers and chainsaws and rakes and shovels where we could do those smaller piles. But if there's debris in water and the machine won't work there, we can't physically drag that out.

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So no matter what machinery you used in the task, you did so with the due sensitivity to the purpose of the search?-- Yes, I did. I think the level of machinery used was - I think the costing - it's not about cost - was about \$125,000 in civil contract. If I had to put a dollar value on other machinery, there would be hundreds of thousands as well. Unfortunately, there's so many debris piles there and the areas - some areas are not accessible. Whether you put a [indistinct] in there, it still wouldn't matter.

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Apart from coordinating the search operation, did you say you physically took part yourself in the search?-- I wouldn't say I physically took part. I went to houses. Make no mistake, I went to the location of every person who hadn't been located. I ultimately went to the house of every person who was

missing. And when we first started, I think there were about six houses in Harris Street where people were reported missing from. And I remember when I first started I got a briefing from Tony Neumann, who had spoken to Alan Payne, who said at Harris Street there was a number of evacuations and it was a really bad affected area and there were people missing from Harris Street. Ultimately, all those people were found well. We did locate a person deceased in Harris Street, but they were from-----

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Mr Payne you mentioned on several occasions. Was he a local resident?-- He is local to the area. Mr Payne was rescuing people with that end loader. He was down there to help clean up. There's an example of having to make sure that the areas contained. Like, he was there. He was going to do his best for the community to help clean up and help start people repatriating. If you had a number of people like that come in, I wouldn't be able to sit here and say yes, we searched every area systematically, we did it in sectors. And I can put my hand on my heart and say we did the best we could, and we did it in a systematic way.

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Mr Payne was initially involved, then he became - come under your direction, did he too-----?-- Yes.

-----do it systematically and at your direction?-- Yes, him and another contractor, Mr Barry O'Sullivan, his company supplied a number of machinery. And again these people, whilst they are civilian contractors, you know - I know there was one operator who was working when we found Mr Warhurst. We've got that consideration, that those people are doing that task for us, and we tried to look out for their welfare as best we can.

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Thank you.

COMMISSIONER: Re-examination?

MS WILSON: Just one matter.

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You've referred to that slideshow that you have attached to your statement. Also attached to your statement were running logs and running sheets and reconciliation of tasks?-- Yes.

Perhaps if you can have a look at this folder, please. You'll see in this folder it contains the running sheets and running logs and the reconciliation of tasks, as well as that slideshow?-- Yes.

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Can you just explain to me what a running log is?-- A running sheet is a record of what occurs. At this time this information was received. This is what we did about it. These people arrived or assistance arrived from this area. It's just a diary, I guess is a simpler way - simplified way - a documented diary of what's occurring. I can say there are task sheets the search and rescue coordinators-----

As well?-- As well.

And why is it important to keep a running log?-- It's so, I suppose, for Court, obviously for Coroner's Court or Commissions, but it's also that you can look back and review what you did in, say, two days' time and say are we positively sure that we've done this? And we get another overlay. Another search coordinator's - we've had 32 search coordinators, and each of those that came in, they had to hand over a debrief. They then reviewed what the person before them had done, as well as my overview, the overview of Warren Francis and Jim Whitehead.

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Thank you. Perhaps if that can be tendered with Inspector Kelly's statement.

COMMISSIONER: Folder of running sheets and tasks sheets?

MS WILSON:

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COMMISSIONER: That will be Exhibit 155.

ADMITTED AND MARKED "EXHIBIT 155"

MS McLEOD: I don't object to the tender, but it's not particularly helpful for us to be provided with the log, which refers to communications with the ADF and the AFP, at four o'clock on the day of the afternoon that Mr Kelly is giving his evidence. And to be fair to those officers who are mentioned in the log, we should probably have had this before now. There may be matters that arise that I simply can't digest on the run. We weren't aware Mr Kelly was going to be called today. He was on standby, I understand, and to be given this folder at this stage is not particularly helpful.

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COMMISSIONER: So what are you asking for?

MS McLEOD: I'm just noting perhaps that I reserve my position in respect of this exhibit.

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COMMISSIONER: All right, thank you. Do you wish Mr Kelly excused?

MS WILSON: Yes, Madam Commissioner. Could Inspector Kelly be excused?

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COMMISSIONER: Thanks, you're excused.

WITNESS EXCUSED

MR CALLAGHAN: As has been pointed out, even Mr Kelly was on standby. We don't have another witness for this afternoon, so we're not far short of 4.30 anyway. Can I suggest that we might commence at 9.30 in the morning?

COMMISSIONER: All right. Adjourn until 9.30.

THE COMMISSION ADJOURNED AT 4.15 P.M. UNTIL 9.30 A.M. THE FOLLOWING DAY