

REILLY

EXHIBIT COPY



QFCI

Date: 19/05/11 JM

Exhibit Number: 424

**QUEENSLAND FLOODS
COMMISSION OF INQUIRY**

STATEMENT OF ROBERT (BOB) WILLIAM REILLY

I, **ROBERT (BOB) WILLIAM REILLY**, of c/- 41 George Street Brisbane in the State of Queensland, Public Servant in the Department of Environment and Resource Management, state on oath:-

Requirement from Queensland Floods Commission of Inquiry

1. I have been provided with a copy of a letter dated 31 March 2011 from the Commissioner, Queensland Floods Commission of Inquiry detailing the topics my statement should cover, a copy of which is attached and marked 'RR-01'.

Position at the Department of Environment and Resource Management

2. I am the General Manager, Office of the Water Supply Regulator Branch, Environment and Natural Resource Management Division, Operations and Environmental Regulator Business Group, Department of Environment and Resource Management (DERM).

Responsibilities in that position in relation to dam operations and flooding

3. I manage the work units that, collectively, have the following responsibilities relevant to dam operations and flooding:
 - (a) Dam safety work unit – advice and regulation (including administering the Flood Mitigation Manual (“Manual”) provisions of the *Water Supply (Safety and Reliability) Act (2008)*).
 - (b) Recycled and Drinking Water Quality work unit –recycled and drinking water quality regulation (including the management, in partnership with Queensland Health, of recycled/drinking water quality incidents).
 - (c) Water Industry Asset Management and Standards work unit - water and sewerage asset management advice and regulation (in addition to dam safety responsibilities). In flooding situations, the role is a non-regulatory one. The focus is on compiling, when requested by DERM’s senior management or other agencies, summaries of flood-affected water/sewerage infrastructure, and the actions being taken to restore these services.
4. These activities are delivered through three work units (namely, Dam Safety, Water Industry Asset Management & Standards and Recycled and Drinking Water) each managed by a Director with relevant technical skills and experience.

[Redacted Signature]

Robert (Bob) William Reilly

[Redacted Signature]

Witness

These officers and their staff make most of the regulatory (and related) decisions under instruments of delegation. However, I also hold delegations to make regulatory decisions.

5. In addition, I oversee the development of operational policies relevant to these responsibilities.

An account of all communications I had, and any briefings given to, or received from, the staff of the Flood Operations Centre by me between 1 and 19 January 2011 (including the provision of all emails, text messages and notes of telephone conversations)

6. I only had one interaction with the Flood Operations Centre during this period.
7. At approximately 2.30pm on Tuesday 18 January 2011, I visited the Flood Operations Centre with the Chief Executive Officer of Seqwater, Mr Peter Borrows. The Senior Flood Operations Engineer on duty was Engineer 1 in the *Report on the Operation of Somerset and Wivenhoe dams during the January 2011 flood event* dated 2 March 2011.
8. Whilst I was there, Mr Jim Pruss, Executive General Manager, Water Delivery, Seqwater, phoned the Senior Flood Operations Engineer requesting that the current level of floodwater discharge be maintained to assist with the restoration of Lowood's drinking water supply. The Senior Flood Operations Engineer then passed on that request to Mr Borrows and me. The rationale behind this request is detailed in the e-mail exchange between me and Mr Borrows, a copy of which is attached and marked as **RR-02**.
9. On 18 January 2011 the Flood Operations Centre was still in operation because although the flood peak that affected the Brisbane and Ipswich areas had passed, the flood waters that had been stored in Wivenhoe Dam were still being emptied from that Dam. This was being done in accordance with the Manual of Operational Procedures for Flood Mitigation at Wivenhoe Dam and Somerset Dam Revision 7 November 2009 ("the Manual"). In the Manual, Section 3.2 Structural Safety of Dams/Extreme Floods and Closely Spaced Large Floods at paragraph 2 states that the aim is to empty stored floodwaters within seven (7) days after the flood peak has passed but that that time frame may be extended in a very large flood by several days.
10. The Senior Flood Operations Engineer required a departure from the procedures set out in the Manual to meet Mr Pruss' request. This was because agreeing to the request had the practical affect of temporarily reducing the water level below the Full Supply Level (FSL). A departure from the procedures is permissible and authorised under clause 2.8 of the Manual.


Robert (Bob) William Reilly


Witness


11. I verbally approved the request at approximately 3 pm on Tuesday 18 January 2011, and confirmed this approval in an email later that day (see **RR-02**). While not detailed in that email, I was confident that Wivenhoe dam's water levels would reach 100% of the FSL by the conclusion of the flood event or shortly thereafter. (On 21 January 2011, the dam reached 100.4% of FSL).
12. I also advised the Assistant Director-General, Environment and Resource Regulation, DERM of my decision and he advised the Associate Director-General, the Deputy Director-General and the Director-General. A copy of the e-mail exchange is attached and marked as **RR-03**.
13. The e-mails (see **RR-02** and **RR-03**) were not sent to the Flood Operations Centre but as the e-mails are relevant to this topic I have included them. I had no e-mails, text messages or telephone conversations with the Flood Operations Centre between 1 and 19 January 2011.

I, **ROBERT (BOB) WILLIAM REILLY**, make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed .


Robert (Bob) William Reilly

Taken and declared before me, at Brisbane this 6th day of April 2011.


.....
Solicitor/~~Bar~~ister/Justice of the
Peace/~~Commissioner for Declarations~~

Our ref: Doc 1568095

31 March 2011

Mr Bob Reilly
General Manager, Office of the Water Supply Regulator
Department of Environment and Resource Management
GPO Box 2454
BRISBANE QLD 4001

REQUIREMENT TO PROVIDE STATEMENT TO COMMISSION OF INQUIRY

I, Justice Catherine E Holmes, Commissioner of Inquiry, pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* (Qld), require Mr Bob Reilly to provide a written statement, under oath or affirmation, to the Queensland Floods Commission of Inquiry, in which the said Mr Reilly:

- provides all information in his possession and identifies the source or sources of that information;
- makes commentary and provides opinions he is qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion;

in respect of the following topics:

1. his position at the Department of Environment and Resource Management;
2. his responsibilities in that position in relation to dam operations and flooding; and
3. an account of all communications he had, and any briefings given to, or received from, the staff of the Flood Operations Centre by him between 1 and 19 January 2011 (including the provision of all emails, text messages and notes of telephone conversations).

Mr Reilly may also address other topics relevant to the Terms of Reference of the Commission in the statement, if he wishes.

The statement is to be provided to the Queensland Floods Commission of Inquiry by 5 pm, 6 April 2011.

The statement can be provided by post, email or by arranging delivery to the Commission by emailing info@floodcommission.qld.gov.au.

Commissioner
Justice C E Holmes

Reilly Bob

From: Reilly Bob
Sent: Tuesday, 18 January 2011 4:29 PM
To: Peter Borrows
Cc: Hennessy, Phil A; Allen Peter; L
Subject: RE: Revised Flood Operations Strategy - Lowood Pump Station at 15:30 on Tuesday 18 January 2011

Hi Peter

I confirm my verbal approval at approximately 3 pm this afternoon as indicated in your email below. Please note that this approval only covers the Flood Mitigation Manual-related approval, and not any other approval that you may require from DERM.

Regards

Bob

From: Peter Borrows
Sent: Tuesday, 18 January 2011 4:18 PM
To: Reilly Bob
Cc: Hennessy, Phil A
Subject: RE: Revised Flood Operations Strategy - Lowood Pump Station at 15:30 on Tuesday 18 January 2011

Bob, this E Mail is to confirm that Seqwater requested you to approve a variation to the flood release regime prescribed in the Flood Mitigation Manual for Wivenhoe/Somerset dams, and that you had verbally approved this.

I recommended this variation to enable a constant flow for the Lowood WTP off-take as we have been having difficulties in supplying water from this off-take to the Lowood treatment plant. The plan is to maintain the current releases for a further 12 hours to 'stabilize' the off take for the treatment plant, and to then enable a reasonable 'final close down', to minimise bank slump issues. This close down proposal is consistent particularly with the Brisbane City Council request associated with concerns at Coronation Drive. I note that the WGM's letter to me dated 24 December 2011, advised that the WGM had no in principle objection to Wivenhoe and Somerset dams being drawn down to 95 per cent of their combined full supply level.

When we verbally discussed this, we discussed a final level of 95% FSL at Wivenhoe, and the assumption was 100%FSL at Somerset. Please note that this scenario has now been calculated, and the resulting FSL will be 94.6% at Wivenhoe and 97.3% at Somerset.

Could you please confirm your approval.

Thanks.

Regards, Peter.

Peter Borrows
Chief Executive Officer
Queensland Bulk Water Supply Authority trading as Seqwater



Level 3, 240 Margaret St, Brisbane City QLD 4000
PO Box 16146, City East QLD 4002
Website | www.seqwater.com.au



From: Duty Engineer [REDACTED]
Sent: Tuesday, 18 January 2011 3:36 PM
To: [REDACTED] Rob Drury; [REDACTED]
[REDACTED] Peter Borrows
Subject: Revised Flood Operations Strategy - Lowood Pump Station at 15:30 on Tuesday 18 January 2011

Rob/Peter

Revised shutdown sequence applied at 15:00 on Tuesday 18 January 2011 to accommodate a 12 hour hold at current gate settings (Release is 1,450 cumecs)) This will equate to a volume of 62,640 ML resulting in a lake level of around EL 66.85 mAHD by 03:00 on Wednesday 19 January 2011.

If release is then ramped down using 45 minute gate closure intervals the volume released is estimated to be 52,630 ML resulting in a lake level of EL 66.40 mAHD or 94.6% of capacity at 06:00 on Thursday 20 January 2011. This assumes no further runoff from rainfall and that Somerset regulator continues until Thursday morning as well leaving, Somerset dam at EL98.75 mAHD or 97.3%

The closedown sequence could be modified, but I am concerned we get bank slumping if we push too much harder.

Regards

[REDACTED]
Duty Engineer
Flood Operations Centre

[REDACTED]

Important information: This email and any attached information is intended only for the addressee and may contain confidential and/or privileged information. If you are not the addressee, you are notified that any transmission, distribution, or other use of this information is strictly prohibited. The confidentiality attached to this email is not waived, lost or destroyed by reasons of mistaken delivery to you. If you have received this email in error

please contact the sender immediately and delete the material from your email system. QLD Bulk Water Supply Authority ABN75450239876 (Trading as Seqwater).

-----Safe Stamp-----
Your Anti-virus Service scanned this email. It is safe from known viruses. For more information regarding this service, please contact your service provider.
Important information: This email and any attached information is intended only for the addressee and may contain confidential and/or privileged information. If you are not the addressee, you are notified that any transmission, distribution, or other use of this information is strictly prohibited. The confidentiality attached to this email is not waived, lost or destroyed by reasons of mistaken delivery to you. If you have received this email in error please contact the sender immediately and delete the material from your email system. QLD Bulk Water Supply Authority ABN75450239876 (Trading as Seqwater).

'RR-03'

Bradley John

From: Bradley John
Sent: Wednesday, 19 January 2011 8:07 AM
To: Ellwood Dean; Wall Terry; Best Debbie
Cc: Reilly Bob; McMains Lisa; Armstrong Steve
Subject: RE: Maintenance of water Supply Lockyer Valley towns supplied by Lowood Water Treatment Plant: Approval to vary floodwater releases under the Flood Mitigation Manual for Wivenhoe/Somerset Dams

Dean /Terry

I appreciate that this issue had to be dealt with in a time critical manner. However, going forward I would like to ensure that I am fully briefed in advance of any regulatory actions or delegated decisions in relation to dam flood operations.

While I am not withdrawing the Chief Executive's formal delegations - precisely to ensure that time critical decision making can occur IF I cannot be contacted, I will require that future regulatory actions or delegated decisions are the subject of advice to me in advance.

Please use all channels including direct mobile contact and my Executive Office to contact me where the timing is urgent.

We should also inform Minister Robertson and his office in relation to these matters in a timely way
Thanks

John Bradley
Director-General
Department of Environment and Resource Management

www.derm.qld.gov.au

Department of Environment and Resource Management
400 George Street, Brisbane Q 4000
GPO Box 2454, Brisbane Q 4001

From: Ellwood Dean
Sent: Tuesday, 18 January 2011 5:19 PM
To: Bradley John; Wall Terry; Best Debbie
Cc: Reilly Bob; McMains Lisa
Subject: FW: Maintenance of water Supply Lockyer Valley towns supplied by Lowood Water Treatment Plant: Approval to vary floodwater releases under the Flood Mitigation Manual for Wivenhoe/Somerset Dams

Please see attached advice from GM OWSR regarding a variation to the Flood Mitigation Manual for Wivenhoe/Somerset dams. This advice will be included in the next sit rep as well.

Regards
dean

Dean Ellwood
Assistant Director-General
Environment & Natural Resource Regulation
Department of Environment and Resource Management

Visit: Floor 7 400 George Street Brisbane

From: Reilly Bob

Sent: Tuesday, 18 January 2011 5:13 PM

To: Eliwood Dean

Cc: McMain Lisa

Subject: Maintenance of water Supply Lockyer Valley towns supplied by Lowood Water Treatment Plant:
Approval to vary floodwater releases under the Flood Mitigation Manual for Wivenhoe/Somerset Dams

Hi Dean

The purpose of this email is to advise you of an urgent regulatory decision that I made this afternoon to assist in maintaining the drinking water supply to the Lockyer Valley towns e.g. Gatton, supplied by the Lowood Water Treatment Plant owned by Seqwater.

Background

The Lowood raw water pumps were significantly damaged in the January 2011 flood event. Temporary arrangements have been put in place. However, at approximately 3 pm this afternoon, I was verbally advised by the Chief Executive Officer of Seqwater, Peter Borrow, that the flow level in the Brisbane River at Lowood needed to be maintained for another 12 hours to enable the temporary pumping arrangements to be stabilised. (In the event of failure, the raw water pumps would cease operating. If they could not be repaired quickly, and the verbal advice was that this would be difficult, then drinking water supplies to the Lockyer Valley towns would be compromised).

The desired outcome could be achieved by maintaining the existing level of releases for a further 12 hours from Wivenhoe, than planned. Reductions in releases were scheduled to commence at around 3 pm. (Releases would be gradually reduced so as to minimise the chances of river bank slumping)

Seqwater advised that maintaining the releases would reduce the full supply level in Wivenhoe/Somerset to 95% (instead of 100%), and that the Grid Manager had advised on 24 December that they had no "in principle" objection to Seqwater undertaking such action.

However, as such an approach constituted a variation to the flood release strategy approved in the Flood Mitigation Manual, approval from the CEO of DERM, or a delegated officer such as myself, was required. Such decisions are normally made by OWSR staff.

Decision

Given the circumstances, I approved the variation, as to do otherwise would potentially compromise drinking water supplies in the major Lockyer Valley towns. (Seqwater subsequently advised that the actual reduction in dam levels will be to 94.6% in Wivenhoe and 97.3% at Somerset)

Regards

Bob

Bob Reilly
General Manager, Office of the Water Supply Regulator