

QUEENSLAND FLOODS  
COMMISSION OF INQUIRY

## STATEMENT OF ANDREW GEORGE BRIEN

I, **Andrew George Brien**, of 5 Crowea Street, Bunbury in the State of Western Australia, Chief Executive Officer, Council of the City of Bunbury, do solemnly and sincerely declare that:-

1. I have been provided with a copy of the statement made by Mr John Kennedy, dated 30 August 2011 made to the Queensland Floods Commission of Inquiry which is attachment **AGB-1** and forms the basis of the statements I make in the following paragraphs.

**Role**

2. I confirm that at the time of the flood events of December 2010 and January 2011 I held the position of Chief Executive Officer of the Fraser Coast Regional Council ("Council"), a position I held for the period March 2008 to January 2011. I have worked in local government for approximately 21 years.
3. In the course of my duties as Chief Executive Officer during this time I was the Executive Officer for the Local Disaster Management Group and was personally involved in the management of the flood events of December 2010 and January 2011.
4. My qualifications include Graduate of the Australian Institute of Company Directors, Associate Fellow Australian Institute of Management, Member Institute of Public Administration Australia, and Diploma of Local Government.
5. Prior to my employment in local government, I held the position of Signaller in Australian Army.
6. The Fraser Coast region covers an area of 7,125 km from the Gunalda Range to the south, past Howard on the Bruce Highway to the north, east to World Heritage listed Fraser Island and west to Brooweena.

**Response to Statement made by Mr John Kennedy**

7. I have reviewed the statement of Mr John Kennedy dated 30 August 2011 and provide the following information as clarification for the events I believe to be a true reflection of the facts of the flood events of December 2010 and January 2011.
8. Throughout the statement by Mr Kennedy, there are continual references to the issue of 'Local Area'. It is unclear whether or not 'Local Area' refers to the local area bounded by Mr Kennedy's property or local area as in the whole of Maryborough. If the latter is the case, then there were plans in place for all of pre and post disaster management, including floods.
9. During the early stages of the flood event in December 2010, I was on annual leave and was away interstate. I received a call from Mr [REDACTED], who at the time was the Acting Director who advised of flooding

issues and the requirements to undertake some preliminary work to prevent damage to Council infrastructure.

10. Mr Kennedy has indicated on the 28 December 2010 that his property was subject to minor flooding. It was around this time that the Council staff were required to remove the rails from the Lamington Street Bridge, to prevent damage to Council infrastructure. As it turned out, this was not required, due to the flood peak being lower than expected.
11. Mr Kennedy, under Point 6 of his statement, has indicated that the river levels were rising, and that at 11pm, the river levels were fine, but by 2am, flooding had started and waters were rising very quickly. This is correct, and it should be noted that the rate of the river rise was more significant than had ever occurred previously.
12. On the night in question, Mr [REDACTED], myself and a number of other Council staff commenced the process of activating the Local Disaster Group in response to the flooding risk that was perceived to be occurring. As part of this process, there is a comprehensive documented process in relation to flooding for Maryborough, and based on river peaks, different actions were taken at different points in time. Myself and Mr [REDACTED] travelled through flood prone areas of Maryborough City, and identified potential risk areas and actions that were required to be taken. This was done in conjunction with other staff working in the Council control room.
13. Mr Kennedy has indicated under Point 7, that he did not receive any notification from anyone in relation to flooding or requirement for evacuation. The Local Disaster Group was activated early Saturday morning and plans were put in place in accordance with Council's disaster management protocols.
14. Council's Principal Officer, Corporate Communications, or the Media & Communications Officer were on hand at all times throughout the event to co-ordinate media releases and reports via all means of press - television, radio (predominantly ABC) and the local newspaper.
15. Mr Kennedy has indicated Under Point 8 that he did not receive any assistance from Government, or other local agencies, in the preparation or response stages of the flood, and he did not believe that the community was adequately prepared for what happened in January 2011. As mentioned previously, the rate of river rise was beyond that had ever been experienced in the past, and as such, many agencies were caught unaware of the rate of rise and the potential peaks which were to occur. Council staff were undertaking hourly reviews of flood levels in the Mary River, and phoning through this information to State Government departments to enable them to undertake modelling which could be used to predict potential flood peak levels. This information was then used to assess Council's response and implement appropriate actions.
16. Further, Mr Kennedy, Under Point 8, has indicated that he did not receive any assistance in preparation or response stages and this matter is disputed. I personally met with Mr Kennedy on site on a number of occasions and walked through the park to determine rises, and what actions may be required. Council staff were primarily allocated tasks to enable them to respond to the protection of Council infrastructure and road closes and evacuations where assistance was required in terms of persons and not property.

17. Mr Kennedy has indicated in Point 14 of his statement, that initially there was no response to assist with the cleanup until the fire-fighters arrived, and began to help. Obviously Mr Kennedy was not aware that the disaster control cleanup process was coordinated by the Council Disaster Control Centre and all calls for assistance were made through the Call Centre which had been established specifically to deal with flooding issues. Staff were allocated specific tasks to assist with cleanup. This occurred prior to the flood waters receding, and continued for a number of days after the floods. Myself and other senior staff members of the Council, along with senior members of other government agencies then began the process of post-recovery cleanup. This included arranging for assistance from both urban and rural fire-fighting crews, to hose down streets to make them accessible to traffic, and where possible, assisting private property owners with the cleanup of their property. It should be highlighted that the focus was on a majority of cleanup operations by state agencies as well as Council was on public assets and not private property in the first instance. This is to enable major thoroughfares to be reopened, and for traffic movement safely through public areas. Once those matters had been resolved, then Council and other state agencies were able to assist private property owners to clean up on their property.
18. In Point 15 of Mr Kennedy's statement, he has indicated there was no coordination of cleanup or recovery in our local area. As mentioned earlier, I am unsure what Mr Kennedy has defined as the 'Local Area', however the minutes and action sheets from the Local Disaster Management Committee Meetings clearly indicate that there was a coordinated approach to this, and as Mr Kennedy was not part of the Coordination Centre (being a private citizen) he would have been unaware of what was happening behind the scenes.
19. In Mr Kennedy's statement under Point 16, he has indicated that a lot of Council staff came around and were handing out their business cards. I in fact was one of those people handing out my cards, as the Chief Executive Officer, and also the Coordinator of the Local Disaster Committee. I advised Mr Kennedy if he had issues, to contact myself, or Mr [REDACTED], who was the Deputy Disaster Coordinator assisting me at the time. Mr [REDACTED] and myself also went through the caravan park on a number of occasions to ascertain potential impacts and work that was required. I met on site with Mr Kennedy on a number of nights during the flood event, to talk through some of the issues and look at potential flooding impacts within his property. We also looked at options or issues that needed to be addressed, and how we could assist Mr Kennedy in some of the mitigating processes during the event.
20. Mr Kennedy has indicated under Point 19 of his statement that there is no information being provided in relation to evacuation points, water storage, food and medical supplies etc. Again, Mr Kennedy is simply focusing on his particular property and that was only one of several hundred properties that were affected at the time. He would not have been aware of all the issues that were being coordinated. Council's established Disaster Control Centre was manned 24 hours a day, 7 days a week, with dedicated phone lines into the centre, and all emergency after hours numbers also transferred into that call centre. The Council liaised with our normal after hours call providers to ensure that all relevant calls were directed back through to the Call Centre, and they could then be acted on immediately. Council coordinated with the SES and other government agencies to

ensure that an appropriate response was provided. This included the use of SES flood boats to transfer essential supplies across to isolated areas, and also included the use of a helicopter to deliver emergency food and supplies to individual communities which were completely isolated, and were unable to be accessed by other means. Many government agencies, including local council and Wide Bay Water were required to protect the community infrastructure in the first instance and then assist where possible with private property owners, in their responses to the flooding. The SES volunteers assisted where possible, and were despatched to different areas across the City which were impacted by the flooding on an 'as required' basis, and following requests for information or support.

21. The Council had in place plans for pre-flooding, for enduring the event, and also for flooding cleanup. All of these processes are documented, and the major issue in relation to the flood events in January, was the rate of the river rise. This particular issue caught many people unaware, and due to the significant speed of the flood level rising, Council, as well as other agencies, were unable to accurately predict the level of water that was to be expected. This created confusion for a number of people, whoever Council's response was that Council was providing hourly updates on flood level rise, and were phoning these results through to state government agencies, to allow them to more accurately predict what could be expected.
22. The activation of the Local Disaster Management Group occurred Saturday morning, after the flood levels started rising late on the Friday night. The primary purpose of the Group was to deal with the flooding and the potential impacts as outlined in the Disaster Manual.
23. The post-flooding cleanup operation was planned for prior to the waters receding, and in fact, in between two of the flood peaks, cleanups had started in a number of areas, and this work, whilst not wasted, certainly made for easier cleanup following the water receding.
24. In reviewing the recommendations proposed by Mr Kennedy, it should be noted that in particular, in relation to his recommendation listed under Point 30, that people could be warned via telephone call or SMS, and not necessarily a business phone. In the particular case of Mr Kennedy, I recall doorknocking on his facility, as well as personally visiting and attempting to talk to him. At that point in time, all we had was a business contact number for Mr Kennedy, and this number was called, however, we were not able to get through to him at the time. In relation to his recommendation under Point 31, a review of the height recording processes and a backup plan was in place. The flood warning gauges were read on an hourly basis, manually as well as automatically, and information was relayed back to enable planning to occur and flood forecasting to be undertaken. Again, it should be pointed out that the rapid rate of river rise in this particular case did not enable full modelling to occur and people were, to some extent, working based on the previous assumption in relation to river rise. In relation to Mr Kennedy's recommendation under Point 32, the only issue in relation to road closures that was identified through the disaster process and in post-disaster debriefs was in relation to main roads and Council roads, and the responsibility of opening and closing roads. This matter is purely an operational one, and resulted in the public assuming that some roads were open or closed based on the signage that was placed there. In many cases, motorists chose to ignore the 'Road Closed' signs, and continued to

drive through flood waters. Under Point 33 of Mr Kennedy's response, he indicated that data was only being indicated at 3 hourly intervals. This was outside of Council's responsibility, however the Council and officers from the relevant state government agencies were working at a much faster rate and information was being provided on an hourly basis, to try and ensure more accurate information was released. In relation to Mr Kennedy's Point 35, the Disaster Management Plans are in place. Council has, along with other government agencies, specific processes in relation to disaster management. The processes were developed in consultation with all the agencies, and in this particular instance, due to the rapid rate of water rise, some of the control points were not achieved, however it should be noted that there were no fatalities in the local area, property damage in the overall scheme was minimal, and there were very few requirements for assisted evacuations of people.

25. I believe that the guidelines that had been developed by Council following the flooding in December 2010 and January 2011 are appropriate for future events, and the learning's that were obtained through this process will be put into place for any future events.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed

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Andrew George Brien

Taken and declared before me, at Bunbury this 8<sup>th</sup> day of October 2011.

Justice of the Peace/ Commissioner for Declarations

|                                    |  |
|------------------------------------|--|
| <i>Name of Witness</i>             | John Andrew KENNEDY                    |
| <i>Date of Birth</i>               | 28/06/1963                             |
| <i>Address and contact details</i> | █ Ferry street, Maryborough            |
| <i>Occupation</i>                  | Caravan Park Business Owner / Operator |
| <i>Officer taking statement</i>    | Detective Sergeant Paul BROWNE         |
| <i>Date taken</i>                  | 30/08/2011                             |

**John Andrew KENNEDY** states;

1. I am a single man, █ years of age and currently reside at the above address.
2. I own and run the Wallace Motel and Caravan Park in Ferry street, Maryborough. We have owned and run this site since 2005. The property is bordered by the Mary River and is approximately 10 acres in size, with entrances off Ferry and Hyne streets. We have 30 cabins, 10 motel units and 55 caravan sites. A few of those cabins and van sites are permanent residents.
3. In the time we have been here we have not experienced any flood events. In preparation for the pending flood and cyclone season/s we have our own evacuation plan. This was developed after we took over and because we saw a need for it as we began to rely more on staff.
4. Apart from my own business I have not been involved in disaster management or had a role with Council or the S.E.S.

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5. Our business premises were initially impacted by a minor flood on or around the 28<sup>th</sup> December 2010. It was at that time we realised that there were no disaster management plans, only disaster recovery plans in place for our local area. It was frightening to realise this as the words “prevention” and “warning” were not part of the local planning and there had been no preparation at all in our local area.
6. When the January flood came I remember we sat through a major rain event and were watching the river levels, but at that stage there were only very little rises if any and no indication of a pending major flood. At 11pm the river levels were fine but by 2am flooding had started and waters were rising very quickly.
7. We commenced our evacuations at 4.30am and continued through until 11.30pm. This was done of our own accord and the decision made by us as we did not receive any warnings at all or advice from anybody about evacuation.
8. We did not receive any assistance from government or other local agencies in the preparation or response stages of the flood and I do not believe that the community was adequately prepared for what happened in January 2011.
9. As part of our preparation for the flood and cyclone season we had already moved as much material from the ground level as was possible. We had also pumped up all the tyres on the cabins and moveable vans



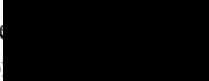
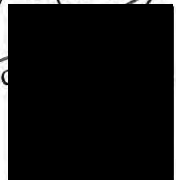
and revised our own evacuation plan. This made it a lot easier to evacuate when the time came.

10.The evacuation itself consisted of moving all of the cabins and every single asset we had in the park to higher ground, with the exception of light poles, amenities blocks and on-suite buildings, which cannot be moved. We also had to plug sewerage outlets and make sure that all of the lines were covered as best we could. It was also necessary to remove on-site power poles and cover those to make sure water could not get into them.

11.The cabins and vans need to be towed out by either tractor or 4WD, depending on the weight. We did most of this evacuation ourselves with help from family, staff and a few of our neighbours.

12.Our evacuation plan involves storing the vans in the car-park of the Hotel across the road. That worked well and the residents who we still needed to accommodate were able to come back across the road and use the amenity block in the higher area of the park. Other residents and tourists who were staying with us at the time and who could not move we had to try and squeeze into our own motel units. We made arrangements with other Motels for those who could not evacuate and we could not fit in.

13.The cabins were towed and stored in the streets on higher ground which surround the park. We got a lot of help from the locals with guarding and keeping an eye out for them while they were stored there.

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14. After the flood had passed and the water began to recede (36-48 hours) we were able to start the clean-up and recovery process. Initially there was no response to us, until the Firefighters arrived and began to help with the clean-up. They were really good at getting their hoses out and helping to wash all of the mud away and down the slope towards the River. I was very appreciative of the help provided by the fire fighters and volunteers in the wash down.

15. Apart from Firefighters, the clean-up was again mostly us, with some assistance from local businesses (Bunning's and Red Rooster). The Council also paid for a Contractor to chop up a tree for us. In regards to resources it was mostly the Fire trucks, their operators and volunteers. There was no co-ordination of clean-up or recovery in our local area.

16. A lot of staff from Council came around and were handing out their business cards and telling us they were a Manager, but they never actually seemed to go any further than that and nothing seemed to be getting managed. The help with the tree was only after the Lord Mayor had been to have a look and visit.

17. The steps taken to maintain communication, electricity and water in our area was good and we maintained those services throughout the flood event.

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18. One thing was not good was the number of rubber neckers, including a number of media organisations. Things were so bad that we were trying to evacuate and people were setting up in the middle of our two driveways making it hard to get past. We had asked the Police for some assistance but they had refused on legal grounds. Eventually on Saturday the S.E.S. were at our front driveway to prevent on-lookers from entering the flood waters on Ferry street.

19. As far as information being provided to the community about road closures, evacuation points, water storage, food or medical supplies there were none. The recovery process could have also been better if the co-ordination had been better. An example of this was some Wide Bay Water Resources staff who just sat and watched, rather than using their resources to help.

20. There were lots of meetings with different Federal, State and Local Government bodies and these were good because they allowed locals to get together. Through one of those meetings we also received some funding. I think it was through "DEEDI" who were very good at explaining the process and putting people at ease and not worrying because there was funding available.

21. I was also contacted by the Council and "DERM" after the flood but mostly that was to invite us to more meetings. It ended up being the same businesses that were attending the meetings and it came to a point

where I was too busy trying to get my business back running to go to meetings.

22.The Centrelink and Taxation offices were also excellent after the flood and the staff were really good at providing support and reducing the stress levels on businesses and the general community.

23

[REDACTED]

24

[REDACTED]

25.After the minor December 2010 flood, we did not have any flooding ourselves but the road was closed and we suffered a loss of business because of that.

[REDACTED]

26

27

28. My business is Zoned Special Purpose - Tourism, consistent with the operation of a Tourist Park. The flooding that occurred at my business arose after water broke the banks of the Mary River and continued to rise. This year's flood was different to previous floods with respect to the speed of inundation. Previous floods have taken 2-3 days to inundate, however the January 2011 flood took a matter of hours.

29. On purchasing this business 6 years ago I was aware that the property was subject to flooding. I was verbally told this and also obtained flooding maps from the Council.

**Recommendations:**

30. In the event of a future incident I believe the most appropriate way to warn people would be via telephone call or "SMS" message to a mobile phone, not necessarily a business phone.

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31. Better river height recording processes, suggestion of a back-up plan for example allowing farmers situated along the river to telephone a central contact point if river levels are rising rapidly. This central contact point could then issue "SMS" or telephone warnings down river.

32. I also think that there needs to be clear definitions of responsibility and routine updates on road closures and openings.

33. Information also needs to be available and we need to identify who has the responsibility for and providing better predictive modelling on floods. Once that is available the updated information needs to be more easily accessible as the data was only being updated at 3 hourly intervals and that was not enough, because the water was rising so quickly.

34.

35. Prevention is better than cure, so disaster management protocols should be amended to include prevention and communication rather than waiting for the disaster to occur before triggering actions from the various agencies (Council, Police, S.E.S., Fire, Water board, Ergon etc).

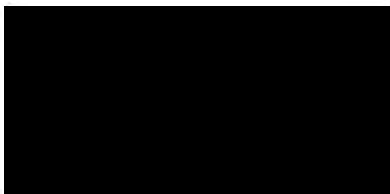
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*I am able to produce a copy of the Flood Management Plan and a series of photographs, depicting the park during the flood and after.*

*Exhibit number .....*



John Andrew KENNEDY.

Justices Act 1886

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated 30<sup>th</sup> August 2011 and contained in the pages numbered 1 to 9 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

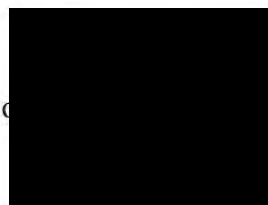
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Signed at .....Maryborough.....this.....30<sup>th</sup>.....day of.....August.....2011

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## 12. CONTINGENCY PLANS

### 12.a. Flood

The lower portion of the park is susceptible to flooding during a 1 in 10 year episode with infiltration from the Mary River & Ullulah Lagoon upstream. Due to the width and length of the river, the increase in the level of the floodwaters allows for a 2 to 3 day warning of the imminent episode and thus the evacuation of guests, onsite caravans and cabins.

The following is an overview of tasks required to minimise flood damage to park owned assets.

- Arrange heavy load towing vehicle (tractor, bobcat, truck etc). JJ Byrne & Son earthmoving have a large backhoe. A tow ball can be welded to the front hydraulic mechanism for towing with the added feature that it can be raised or lowered as necessary when going up the steep incline to Hyne Street or Ferry St. **JJ Byrne & Son** - Ph: [REDACTED]  
[REDACTED] As an alternative and if the task appears too large for the resources immediately at hand, the local radio stations may be contacted for help. In the past, stations have broadcast for help and the city of Maryborough responds accordingly. The main criteria would be for powerful towing vehicles. SeaFM, 101.9 – Ph: [REDACTED]
- Advise tourists and residents; asking residents to commence pack-ups.
- Contact electrician and arrange disconnection of power and removal of power heads from cabin and caravan sites.
- **Family Cabins 72-75**
  - Ensure tyres are pumped up.
  - Disconnect & relocate gas bottles to top shed.
  - Remove excess furniture (TV, Beds, Dining table & chairs etc)
  - Disconnect chains holding cabins to slab.
  - Disconnect water and grey water pipes.
  - Raise cabin and remove besser blocks.
  - Connect Jockey wheel to tow bar (stored in lower shed)
  - Connect tow bars and move cabins to Hyne street (or higher).
  - Ensure power heads are removed and power is disconnected.
  - Cover septic pipe with a cap to prevent blocking.
- **New Cabins 56-63**
  - Ensure tyres are pumped up.
  - Disconnect chain “tie-downs”, raise cabin and remove stabilisation blocks.

- Connect Jockey wheel to tow bar (stored in lower shed)
- Disconnect water and grey-water pipes.
- Raise cabin and remove besser blocks.
- Connect tow bars and move to higher ground.
- Ensure power heads are removed and power is disconnected.
- Cover septic pipe with a cap to prevent blocking.

### **▪ Cabins 64 & 65**

- Same procedure as above.
- Remember to remove "S" bend from the bottom of the kitchen sink in order to raise the pipes above the rubber collar.

### **▪ Economy Cabins**

- Cut down branches blocking cabin 12.
- Remove all power, water and greywater connections.
- Remove any furniture from annexes if applicable
- Remove poles from annexes and throw annexe fabric over cabin.
- Ensure tyres are pumped up and in working order.
- Remove chain "tie-downs" and stabilisation blocks.
- Connect Jockey wheel to tow bar (stored in lower shed)
- Connect tow bars and move to higher ground.

### **▪ On-Site Vans**

- Ensure tyres are pumped up and in working order.
- Ensure annexes have been cleared out.
- Remove annexes (throw over caravan if short for time).
- Connect Jockey wheel to tow bar (stored in lower shed)
- Remove mains water and greywater connections.
- Remove Television aerials (if necessary)
- Remove stabilisation blocks.
- Tow to higher ground

- **Lower amenities**
  - Remove hot water system from rear wall and plug water pipes.
  - Remove Washing Machines, Dryers and Telephone from laundry.
  - Remove entrance doors (to allow flood water to flow rather than dam).
- **Ensuites for sites 80-83**
  - Remove hot water systems from rear walls and plug water pipes.
  - Remove entrance doors (to allow flood water to flow rather than dam).
  - Cover or remove electrical components or outlets.
- **Remove Lower wire fence** (roll up wire mesh but leave poles)
- **Fence on Ferry Street.**
  - Remove all bolts from the top of each fence section and lay fence over in direction of flood water flow (most likely SW).
  - If total fence panel removal is required, ensure they are easily numbered for simple matching when they are later re-installed.
- 
- Remove all valuable or buoyant material from storage shed near sewerage pump station.
- 
- Arrange Emergency power back-up (generator hire or such).