

# Transcript of Proceedings

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THE HONOURABLE JUSTICE C HOLMES, Commissioner

MR JAMES O'SULLIVAN AC, Deputy Commissioner

MR PHILLIP CUMMINS, Deputy Commissioner

MR P CALLAGHAN SC, Counsel Assisting

MS E WILSON, Counsel Assisting

IN THE MATTER OF THE COMMISSIONS OF INQUIRY ACT 1950

COMMISSIONS OF INQUIRY ORDER (No. 1) 2011

QUEENSLAND FLOODS COMMISSION OF INQUIRY

BRISBANE

..DATE 19/04/2011

..DAY 8

THE COMMISSION RESUMED AT 9.30 A.M.

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COMMISSIONER: Yes, Mr Callaghan.

MR CALLAGHAN: I call Neil Collins.

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NEIL IAN COLLINS, SWORN AND EXAMINED:

MR CALLAGHAN: Would you tell the Commission your full name and occupation, please?-- Neil Ian Collins. I'm a civil engineering specialising in hydraulics, flooding and coastal engineering.

Mr Collins, you're the author of two documents which have been supplied to the Queensland Floods Commission of Inquiry. The first is a technical report on the Toowoomba flood of 10 January 2011; is that correct?-- Yes.

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Yes, I tender that report. The second, while we're tendering, is a technical report on the Oakey flood of 10/11 January 2011. Is that correct?-- That's correct.

Yes, I tender that report also.

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COMMISSIONER: The first will be Exhibit 75. The second will be Exhibit 76.

ADMITTED AND MARKED "EXHIBITS 75 AND 76"

MS WILSON: Mr Collins, would you mind just briefly explaining the nature of your brief in preparing those reports?-- The first one was prepared specifically in response to a request from the Commission for a report by the council into the nature and cause of the floods that occurred. And the second one, I guess, followed on from that, in that there was some specific concerns and comments in relation to Oakey that needed to be addressed.

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The documents speak for themselves, I am not going to go through them. In them you refer to the very fact of the early settlement and development of Toowoomba and the way in which the CBD took shape where it did?-- Yes, it had a fairly major influence on the drainage system.

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Look, it is probably an over simplification but is it fair to say that short of moving the entire CBD to higher ground, there is no absolute guarantee that something like the events of 10 January this year will not happen again?-- Well, I

agree with what you said about the constraints of the CBD. There is a program of flood mitigation works that are 80 per cent complete, but that's only taking the drainage system to the 100 year standard and this event was vastly more extreme than that.

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Yes, I was going to ask you about that flood mitigation program because I think you conclude that even if that was completed, 100 per cent complete, there still, by your reckoning, would have been significant overtopping of bridges and so on?-- Yes, the event in terms of flow was in many places more than double the 100 year flow. It was just an extraordinary flow.

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Just on that question of the completion of the flood mitigation program, I assume it would involve some considerable modelling but is it possible to quantify what difference that might have made, if it had been completed I mean?-- It does require additional analysis to see what effect that flood would have had if they had been completed. There are models in existence that could be used for that. That hasn't been done yet, but my opinion is that it would have still overtopped all the crossings and by substantial amounts. That is, the crossings would still have been dangerous, the roadways still very dangerous.

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The only other thing I think I might pick you up on is at 9.1 of your report in one of the dot points on that page, which is your summary of findings, you suggest that it is not feasible to install an early warning system which might have been relevant. I accept what you say and I think you expressed it earlier in your report as saying that would be extremely challenging. But, really, the question of whether it's feasible or not is probably a question better directed to those who deliver such services; would you agree with that?-- Well, there's certainly other evidence - sorry, other experts who have given evidence who have a lot of expertise in that area. I do design flood warning systems and flood emergency systems but primarily in association with private development as opposed to local authority or broader state schemes. I mean, with enough money you could get enough gauges in that you would have much quicker response time. But the reality was the rain started seriously at 1 p.m. and peak rainfall was at 1.30 and we had significant flooding by 2 o'clock and by 2.30 peak flooding. That's a fairly hard ask of any system to try and do anything other than warning in that period, but I accept what you're saying. There are others who design these systems with greater knowledge than me.

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Yes, and don't think I'm challenging what you say when you say how difficult it is going to be. Thank you, Mr Collins. That's all I have.

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COMMISSIONER: Mr MacSporran?

MR MacSPORRAN: I have nothing, thank you, your Honour.

COMMISSIONER: Ms McLeod.

MS McLEOD: No questions, thank you.

COMMISSIONER: Mr Gibson.

MR GIBSON: Thank you, Madam Commissioner. Very briefly, Mr Collins, do you have a copy of your report Exhibit 75 with you; that's the Toowoomba report?-- Yes, I do.

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Could I draw your attention to page 5-2?-- Yes.

Below the table, in the second paragraph below the table there is a paragraph that commences, "For five of the nine gauges"?-- Yes.

Read that to yourself, please?-- Yes.

There is a reference in the second-last and last lines of that paragraph to, "The whole of the catchment with a magnitude of the order of 1 in 200 to 1 in 300 year ARI for a one-hour duration storm event"?-- Yes.

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That accurately summarises your findings?-- Yes. I mean, it depends a little how you assess the data in that table but, generally, I believe that it is over the catchment for Gowrie Creek one in 200 to 300 years.

Thank you. Now, could I ask you to turn to page 9.1?-- Yes.

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Under the heading "Summary of Findings", the first dot point, the last sentence substantially reproduces the sentence to which we've just referred?-- Yes.

It does, however, refer to, and I quote, "Catchment with the magnitude of 1 in 100 to 1 in 300 years". Is that simply a typographical error?-- Yes, it is.

Should the reference to "1 in one 100" in fact be a reference to "1 in 200"?-- Yes, it is.

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Madam Commissioner, do you require the exhibit to be formally altered?

COMMISSIONER: Look, it might help. I would be sorry to think that somebody might come back to it and forget that amendment had been made. So that's Exhibit 75. If you would just make the change on the document, Mr Collins?-- On my copy?

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MR GIBSON: No, I think the-----

COMMISSIONER: The one that was tendered.

MR GIBSON: You'll be provided with the exhibit in a moment?-- Shall I initial it?

COMMISSIONER: If you like.

MR GIBSON: Thank you. I have no further questions.

COMMISSIONER: Thanks. Any re-examination, Mr Callaghan?

MR CALLAGHAN: No, Madam Commissioner, may Mr Collins be excused?

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

WITNESS EXCUSED

MS WILSON: Madam Commissioner, I call Kenneth Gouldthorp.

KENNETH MAXWELL GOULDTHORP, SWORN AND EXAMINED:

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MS WILSON: Is your name Kenneth Maxwell Gouldthorp?-- Yes.

Are you the Chief Executive Officer of the Toowoomba Regional Council?-- Yes, I am.

How long have you been in that position?-- I commenced with Toowoomba Regional Council in - on the 27th of April 2009.

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And you have completed two statements for this Inquiry?-- Yes.

The first statement is signed on the 1st of April 2011?-- I expect so.

I'll show you both of those. The second statement is signed on the 17th of April 2011?-- Yes.

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I'll show you these statements. They are your statements?-- Yes, they are.

Madam Commissioner, I tender those statements. They are two statements by Mr Gouldthorp on the 1st of April 2011 and the 17th of April 2011.

COMMISSIONER: The first will be Exhibit 77, the second Exhibit 78.

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ADMITTED AND MARKED "EXHIBITS 77 AND 78"

MS WILSON: Now, the Toowoomba Regional Council has a Local Disaster Management Plan?-- Yes.

That is dated the 29th of October 2009?-- Ah-----

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I'll show you these documents. It also has an Evacuation and Welfare Management Plan dated the 29th of September 2009, a Disaster Coordination Centre Standing Operation Procedures dated the 1st of July 2010. The Toowoomba Regional Council had a confidential meeting on the 17th of January 2011 where the events of the January flood event were discussed?-- We had a normal meeting and we had a closed session to discuss that item, yes.

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That closed session was documented?-- The report that was presented to the closed session was documented.

I think we'll just take this slowly so we can make sure we keep our documents under control. I'll show you the Disaster Management Plan, the Evacuation and Welfare Management Plan both dated the 29th of September 2009?-- Yes.

So we have one dated the - the Local Disaster Management Plan is October 2009?-- Yes.

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And the other one was September 2009?-- Yes, according to those documents, yes.

I tender those documents.

COMMISSIONER: They can be Exhibit 79 and 80 respectively.

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ADMITTED AND MARKED "EXHIBIT 79 AND 80 RESPECTIVELY"

MS WILSON: Now I'll show you the Disaster Coordination Centre Standing Operation Procedures dated the 1st of July 2010 by the Toowoomba Regional Council?-- Yes.

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I tender that document.

COMMISSIONER: Exhibit 81.

ADMITTED AND MARKED "EXHIBIT 81"

MS WILSON: I'll show you the documentation of the confidential meeting held by the council on the 25th of January 2011.

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COMMISSIONER: I thought Mr Gouldthorp called that a closed session.

MS WILSON: Yes.

COMMISSIONER: What is it, Mr Gouldthorp? Is it a set of minutes or a report on a meeting-----?-- No, it was the report that was presented to the council meeting at the time.

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I see. Thank you.

MS WILSON: I tender that document.

COMMISSIONER: Exhibit 82.

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ADMITTED AND MARKED "EXHIBIT 82"

MS WILSON: The Toowoomba Regional Council owns and operates the Cooby Dam?-- Yes.

And the Cooby Dam has an emergency action plan?-- Yes.

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And that is documented?-- Yes, I'm not overly familiar with that document but, yes.

Can you have a look at this document, please?-- It appears to be the document but it's not one that I'm familiar with. It's a document that is used by our engineers and others. I know of its existence. I don't know of its detail.

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I tender that document. There is no objection from the Toowoomba Regional Council legal representatives.

COMMISSIONER: That will be Exhibit 83.

ADMITTED AND MARKED "EXHIBIT 83"

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MS WILSON: The Toowoomba Regional Council, after the flood events, there was an emergency event report done on the Cressbrook, Perseverance and Cooby dams. Are you aware of that?-- If I could have a look at the document, it might assist. I expect that that's a document that we're required to lodge with DERM as the dam regulator. It is not a document I've reviewed but I am aware of the need for it.

I tender that document. There is no objection.

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COMMISSIONER: Exhibit 84.

ADMITTED AND MARKED "EXHIBIT 84"

MS WILSON: And the Toowoomba Regional Council also did a report for the Cooby Dam which was the special damage safety inspection following the January 2011 flood and a document was done?-- Again, this is a report that's generated following an event like this as part of the regulated dam operating procedures. It would be handled by our engineers. It is not - I am aware of the need for it and its existence but I am not overly familiar with the document.

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Okay.

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COMMISSIONER: Is that in the same category, Mr Gibson?

MR GIBSON: It is, your Honour, yes.

COMMISSIONER: You're happy for it to go in. And you want it made an exhibit, Ms Wilson?

MS WILSON: Yes.



COMMISSIONER: Exhibit 85.

ADMITTED AND MARKED "EXHIBIT 85"

MS WILSON: The Toowoomba Regional Council had a local disaster management group established during the flood event?-- Yes, the Local Disaster Management Group was actually meeting prior to - immediately prior and during the event on the 10th of January.

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There have been various meetings of the Local Disaster Management Group from August 2010?-- And - and before, yes.

Well, I'll show you some minutes of meetings starting from the 19th of August 2010?-- They appear to be correct. I do notice that one or two are stamped "unconfirmed".

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Well, I will tender those documents.

COMMISSIONER: When do they go up to?

MS WILSON: 16th of February.

COMMISSIONER: They'll be Exhibit 86.

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ADMITTED AND MARKED "EXHIBIT 86"

MS WILSON: Mr Gouldthorp, you were in Court yesterday when you heard the evidence of Mr Davidson from the Bureau of Meteorology?-- Yes.

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And you heard him talk about the ALERT system?-- Yes.

Are you aware of the ALERT system and the functions that it can perform?-- We don't have an ALERT system for flood. As far as the system of severe weather warnings and notification to local disaster management groups and local disaster coordinators, yes, I am aware of that.

Yesterday he gave evidence about the ALERT system for flood that it involved a council making an application to the Bureau and for that to be examined?-- No, I'm not-----

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COMMISSIONER: I don't know that it was an application to the Bureau, Ms Wilson. Wasn't it to the National Disaster Resilience for funding?

MS WILSON: I apologise, yes?-- No, I'm not aware of a general system that's available for that. I heard the

reference yesterday to possibly up to seven local governments having such a system. I've been a local government CEO for in excess of 10 years. I believe what was probably being referred to may have been a pilot project that was run through - in south-east Queensland only under the South-East Queensland Committee of Mayors. I'm not aware of any widespread or capacity to apply for a specific system.

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So the Toowoomba Regional Council, to your knowledge, has not made any inquiries about this system for it to be applied in your region?-- No. We are actually a member of the South-East Queensland Committee of Mayors and the discussion - the thing I believe it refers to, I'm not totally sure of the system that Mr Davidson was referring to, my best estimates of what he's referring to is there was a pilot project ran by the South-East Queensland Committee of Mayors of which Toowoomba Regional Council is a member. And I understand that that they were doing some work - it was a project which we partly funded and they were doing some work on trying to link information from a number of gauges along some river systems. It was predominantly, though, being done by Brisbane City Council and it was predominantly being done within the greater Brisbane metropolitan area. That is, from the bottom of the Range, in an around Wivenhoe and the link - and covering the area that's linked for water supply through the greater metropolitan area.

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COMMISSIONER: My impression of what he was talking about was that if you wanted to try to set up a realtime gauge system, the ALERT system, you could apply for funding to the National Disaster Resilience?-- There is a system through the National Disaster Resilience to apply for any support that helps with disaster, not specifically for something like that.

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Yes, my impression was it was one of those things that you might be able to get funding for if you applied and you came within the-----?-- If we considered that as one of the priorities over and above everything else, we could apply for funding for it and potentially get up to two-thirds funding. One-third would remain with us and the ongoing operational costs would remain with council.

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Thank you.

MS WILSON: Is Toowoomba Regional Council, following the flooding events in January, considering to your knowledge to make such application or to make such inquiries about receiving the ALERT system?-- We will consider all options and we've already conducted a debrief of our Local Disaster Coordination Centre, an initial debrief, and we will conduct further debriefs with all the information that comes to hand in order to ensure that we are better prepared for any future event, and that is one item that may be - may be considered. But we certainly haven't made any decision at this stage as to whether that's the priority item or not. There's a whole range of things that will need to be considered out of that.

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They are really policy matters for the council to consider, are they?-- Some of them will be policy matters but there

will be a number of operational matters that will need to be considered. There's a whole host of learnings from this. The reality of it is, as we've heard throughout this Court about a one in 200 to 300 year event, all our feedback from locals is I'm not aware of anybody alive today that would say that they've witnessed anything like this in Toowoomba or in Oakey previously. So from - this has really set a new benchmark for us. We will consider the information and we will consider what options we have for responding to it and one of those might be considering a flood mechanism. But I also heard the comment from - a short while ago in that the reality in Toowoomba, and remember we had three quite different events and different - different timings of events through the Condamine River, Oakey system and Toowoomba itself. In looking at the Toowoomba situation, we're talking about an hour and a half, two-hour window from when that started to when it peaked to when it dropped down. Whether an early - whether a system that would have given us 30 minutes or 40 minutes notice of what that peak might have been would be more value than other mechanisms that we might need to invest in to provide response is something that we'll have to work through.

But, Mr Gouldthorp, the Toowoomba Regional Council's focus is just not on the Toowoomba CBD. It also goes out to, as you said before, Oakey. That is a system that could assist the residents of Oakey?-- Potentially. Again, you've got three different river systems, three different catchment systems. So, you know, when you're asking me these questions I'm trying to interpret which system you're particularly referring to at the time and there may well be different answers for the different systems and the different events that occur.

Well, the starting position is that on each of these three river systems you have not got the ALERT system?-- That's right.

And are you looking at which river system may best benefit from having an ALERT system?-- I think you're taking it a step ahead of where we are, okay. We're not yet at the stage of saying that an ALERT system is the best answer following these events of what we need to invest in. We will explore all options. We'll explore all the matters relating to this event and look at every area that we can improve, and that will include considering the flood systems. But I'm not prepared to suggest to you that we've already made a decision that that is the-----

Oh, no-----?-- You know, that is the priority item. We have a got a way to before we get to that stage.

In terms of all early warnings systems, you're considering all options?-- Yes, we're considering all options with reacting to this event.

What options are on the table at the moment?-- We're looking forward to the outcome of this Inquiry and we are reliant in a large part to the Inquiry's findings. We knew this was going

on. So we're not trying to, you know, run our own in parallel to that. In addition to that, from our debrief that we've looked at, we're looking at a myriad of things from introducing VHF radios back into our vehicles, through to replacing or providing a better SES building here in Toowoomba. We'll also consider - there's a whole range of things.

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Perhaps if I can just focus your attention on early warning systems and what the council is considering in relation to early warning systems, at this point in time?-- Yes. We're looking for the outcomes of this Inquiry. We haven't put a specific - haven't made a specific decision on where we might go with early warning systems, if at all, at this stage.

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Now, Oakey got flooded on the 11th January-----

COMMISSIONER: Sorry, if I can stop you there. You see, it would assist the Inquiry if you would tell us what options you see for early warning systems. It is not much good if we say we're waiting for you to tell us and you say you're waiting for us?-- Sure, sure. Look, my personal view on that is I'm not sure of what the answer is. I have to say from my personal perspective I have seen a lot of emphasis on early warning systems and if we separate it here, if you look at Toowoomba situation separate from the others, I suppose from a practitioner's point of view I look at that and say, "Well, look, we're having a lot of debate as to whether there should have been early warning." The reality was there was some early warning. There was severe weather storm warnings out as there is on many days of the year, as there was yesterday. There was a severe weather warning out for Toowoomba and a potential flood warning for Toowoomba yesterday - in the Darling Downs yesterday. So there's a large number of those warnings. They're not discerning enough for us. They don't help us in actually making a decision do we start to evacuate people, do we start blocking off intersections, do we do anything else. So a lot of people when they're talking about early warning systems, they mean different things. So to me, a further advice as to what might happen as far as weather events and weather conditions isn't particularly helpful. In fact, if anything, we're already overwhelmed with the number of those that we get. The issue then comes into have we got something that could provide us early warning of what the impact of an event is and I think that's what - really what we're talking about. Have we got something that can tell us that in 40 minutes' time or an hour's time or two days' time we are going to have a metre of water flowing over the Margaret Street East Creek intersection. That would be useful to us, very useful to us but, again, the amount of practice that we can use that to would depend on the amount of warning. If we've only got 30 minutes' warning, there is very limited things that we can do. We might be able to get in there before other roads are cut off, because in this particular event the fact that we had widespread flooding meant access to everywhere was - was restricted. If you had early notice that that was going to happen, you might be able to get there and block it off. But an hour before the event, there - it

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becomes quite - you know, a lot of practical issues about what else you can do about it. Would you go out and put it on radio, for example, or others and tell everyone? You would have to question what you would tell them. I mean, would you be encouraging people to race home, to race and pick up their children from school, in which case you're putting more traffic out on the road, or would you be asking them to stay still and stay in their office blocks and office accommodation or where they happen to be. There's all those practical issues to consider. So, you know, we talk about early warning notices but what we're really talking about is the ability to predict what is going to happen. Not just - early warning that something might happen, there's plenty of that already there and more of it won't necessarily be of any practical use.

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All right. So, can I ask you one question arising out of that? Do you consider you got as much warning on that day from the Bureau of Meteorology as was useful? You heard the discussion, I think yesterday, about whether they could have rung you as well as the disaster management group?-- Look, in all honesty, I don't think a phone call from the Bureau of Meteorology would have added too much that we didn't already have, and we still would have been left in the delimita that something might happen, but what do we do about it, given that it's 40 minutes away. We were already - had our Local Disaster Management Group meeting, we already had our Local Disaster Control Centre on standby. We might have activated it 20 minutes earlier, but there was probably not a lot more that we would have been able to do.

The Fire and Rescue Services couldn't have been activated a bit earlier to get to some of these intersections?-- Potentially, but, again, you'd have to talk to the individual agencies as to what their level of alertness was. The Local Disaster Coordination Centre really trips in - if you have got enough notice, if it's something like a cyclone - I have had time as CEO in North Queensland - if it's something like a cyclone where you have got four or five days then you're out and you are getting everything set up. In something like this, individual agencies are responding and the Local Disaster Coordination Centre is kicking in to assist those agencies if and when they get overwhelmed and also to assist in the coordination between agencies where they might be doing their job and have to hand off to another agency, for example, under an evacuation situation where Fire and Rescue Services might be doing the evacuation and then handing the people across to us to accommodate and look after.

The next question is what about Oakey when you are talking about early warning systems? What do you see as the potential for advising the population of Oakey about water coming down the various creeks?-- Certainly any more knowledge that we can have of what is going to be the outcome of the event would be useful and to the extent that we can put that in place, I would encourage it.

That's not very concrete, though. What do you think could be put in place?-- My understanding is the catchment for the Oakey area - remember Oakey is a creek, it's not a major river system, and what we have got across our whole system is a lot of itinerant - intermittent creek systems. So, it's not like the Condamine River, which might flood on a regular basis, and my understanding, and it's limited, I am not a hydrologist, is there as a whole raft of areas that come into that catchment from overland flow. So, Cooby Dam, my understanding is contributes up to - around 28 per cent of the catchment. There's a very wide catchment. So, to the extent that we could have some sort of system across the broader catchment that could tell us in advance what was going to happen in Oakey, that would be very useful. How practical it is to put in place and how much warning it would give us, I don't know, and, again, I would say that as far as investing in the systems to help with disaster response and mitigation, I would

be cautious at rushing to put a huge investment into something that might give you half an hour or an hour's notice. You might well be better off putting your money into something else.

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Right. Thank you.

MS WILSON: A couple of matters arising from that. Did Toowoomba Regional Council engage in using SMS alerts during this flood event?-- No, we didn't.

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Do you have access to using SMS alerts?-- Not that I'm aware of.

And is the Toowoomba Regional Council considering using SMS alerts in future for future disaster?-- We will certainly explore it.

Has it been explored before?-- At Toowoomba Regional Council, I can't remember specific exploration - specifically investigating SMS. That's not to say that some of the officers within our Local Disaster Management area haven't investigated it. I am aware of the broader policy issues with SMS and the debate as to where it may assist and where it may not.

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What are those?-- My understanding with SMS is making sure it gets to everybody, there's technical issues in making sure you get it to everyone in a particular catchment. That's also the issue about - that - the amount of information that you can provide them. Again, one of the issues here that we're always conscious of in managing a local disaster is what the result of what you're going to do is going to be on human behaviour. You don't want to start a panic in the community. I mean, the last thing that would have been of any use to us necessarily on the Monday of the 10th would be to send out something that will get - that make everyone panic and rush out to their cars and try to drive home. That would put them into more danger. So, with any of those systems, the amount of information and the value of the information that you can get to them on how to react is important, not just a general alert.

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In terms of local disaster management in relation to warnings, it can be separated into two parts. The first part is the information, the warning that the council gets?-- Yep.

And then how the community is then warned by the council. You understand?-- Yeah, I do. There's a step in between.

What would you say that step is?-- The step in between is understanding the probability of an event and what reaction you are going to do to it. See, getting a warning that something may happen then triggers a decision, "Okay, if this might happen, what do we do about it?"

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Okay. Well-----?-- And that's an important point.

Well, let's use Oakey as an example. How much warning did the

Toowoomba Regional Council have that Oakey would be flooded?--  
We had no warning or no prior knowledge of the extent of  
flooding that would occur in Oakey.

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Okay. So, if you had that information, then you could convey  
that information to the public at an earlier stage?-- Yes.

And that information could be obtained through a greater  
network of rain gauges, which BOM could utilise, the  
Bureau of Meteorology?-- Or however it was provided, yes.

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But if you get that information, then you can pass that on to  
the public earlier?-- Yes, we can do two things, we can pass  
it on to the public but, more particularly, we can also start  
planning what our response is to try to prevent any issue, but  
the answer again is knowing, with a reasonable degree of  
certainty, what the end impact is. A lot of what we refer to  
as warnings are warnings that something may happen. Like a  
severe weather warning, like the severe weather warning we had  
yesterday, you know, if you get a warning that something might  
happen, then it triggers a decision, "Okay, what's the  
probability it's going to happen? What should we do about it?  
Do we start closing streets? Do we start evacuating people?  
Do we - and that will all depend upon the possibility of it  
becoming a reality as opposed to a maybe.

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Okay. Well, let's just focus our attention on Oakey, because  
if you had warning about the flooding in Oakey, then that is  
something that the Oakey residents could have evacuated?-- We  
were aware that there was an environment in - where flooding  
could occur and we had released a whole lot of notices to the  
general community about that on a wide basis across the region  
and also specifically for Oakey, there was a media release  
that went out, and our ability to communicate with the public  
is usually done through the media. A media release went out,  
I think, on the 10th to warn of possible flooding in Oakey.  
What we didn't know is what would ultimately eventuate.

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The tools that the local regional council uses to warn the  
residents in the Toowoomba Regional Council is primarily  
media?-- Yes.

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Any other tools?-- Yes, we use our - we use our own  
communications mechanisms, our own documents to provide advice  
to people about being - being - being aware or what they can  
do in the case of a disaster. We use our local disaster  
website, we actually used social media, Twitter and Facebook  
in this particular case as well, but the best means that we  
have to get information to a mass of people quickly is usually  
through the electronic media, through radio and - yes.

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So, if I was a resident of Oakey and I was concerned about  
flooding, where am I going to get that information from that  
flooding could occur?-- From, the BOM site, from media  
releases that we have put - that we've put out. We have then  
got that information, through ringing - if we have got our  
Local Disaster Coordination Centre operating, depending on  
where we are at a stage of an event, through ringing them,



there would be a myriad of mechanisms to try to get that information.

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Well, let's just not talk a myriad of mechanisms, let's particularise them?-- Yep.

How is that information given to the residents, say, in the example of Oakey? We talked about the media. We could ring the Disaster Coordination Centre. How do the residents of Oakey know they could ring the Disaster Coordination Centre?-- Prior to the event occurring?

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Prior to the event occurring?-- Prior to the event occurring, council have information on its website, council have information in what we call Council Connections, which is a document that we distribute to all of our residents across that - just under 13,000 square kilometres. That goes out quarterly, so we have a number of updates in that document. We also put on displays, particularly at all our local shows, and we advised residents through local shows about our Local Disaster Management website. We'd also done a number of community presentations and stuff through schools where we'd been advising people about our Local Disaster Management website, so that's available before the event to advise people what to do and where they can contact in the case of an event occurring. Once an event occurs, like happened here and we actually activate the LDCC, then we go out and promote the contacts that are available to people. So, here we were pushing in particular triple zero for life threatening incidents or events, our own 1300 655 - I'd need to check the number - number to contact the Local Disaster Coordination Centre, and we were also promoting the council number to ring for general inquiries including things like water and sewerage break and that that were occurring - there were issues after the event.

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Now, Toowoomba Regional Council is now the amalgamation of eight smaller councils?-- Mmm.

Before the amalgamation, can you assist us in telling us what would have been the warning systems that these smaller councils could have had to warn their residents?-- Not specifically I can't. I'm not familiar. I can talk, I suppose, about what would normally happen in a local government sense, but I don't have specific knowledge of those individual councils.

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Now, you have read statements and submissions from the Oakey residents that they got little warning, little or no warning?-- I have read some submissions, yes.

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So, you are aware that that is a factor?-- Yes.

Yes? And what is the council doing to ensure that that won't happen again? Is the council exploring other means of warning?-- We will look at all options and we are very keen to talk to a lot - the residents that have raised these issues to find out the details of their experiences. We haven't had

- necessarily had the opportunity to talk to some of the individuals yet that are raising these concerns. We will be keen to do that as part of the debrief of this particular event, and we need to get the extra information before we can really ascertain what the best steps forward are.

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And how long would that process take?-- We normally would have completed it by now. I think with the Flood Commission of Inquiry happening in parallel, it's probably extended the time for - you know, we will have that done in the next couple of months.

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Could you advise us what options could be on the table in relation to warning residents in a town like Oakey?-- I don't have any preconceived ideas as to what those - what those results will - some of the issues, we will look at the effectiveness of the messages that we can get out there, you know, what radio or media will get the message to most - to most people. I expect in this particular situation that we're talking about getting a message out to 4,000 residents - up to 4,000 residents of Oakey, 110,000 people here in Toowoomba. People will have different mechanisms that might work for different individuals. So, we will need to explore what options we have got to get messages out that everyone will hear. I don't know the answer, but I expect that if we went out and talked to community people now that people will have different levels of awareness of what was going to happen. Some will have very little knowledge, others might have said, "Well, I knew, because of this particular message that I happened to hear. I listen to ABC Radio, therefore I heard this message on the ABC." Others don't listen to ABC Radio. We need to find other mechanisms to get the message to them.

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So, what you are saying is you are going to explore the options but at this point you can't tell us what the options are?-- No. The only one that I have a personal view on in respect to radio, in particular, I would - I would suggest that one of the things that we need to do is have a particular outlet where we can promote to the community that that's where the official messages are coming from. One of the things that I saw throughout this event is that we had mixed messages out in the community, and I'm referring to - some cases to what happened after in the recovery phase as well, particularly with what was happening in Ipswich and Brisbane. We had Ipswich and Brisbane making announcements relevant to Ipswich and Brisbane over radio stations that crossed both boundaries and we had our people listening to them and responding as if they were in Brisbane and vice versa. So, we had some problems with that. The other issue that we have is dealing with rumours and - rumours and misinformation. The same radio stations that provide our message also are very keen to hear from individuals and individuals' view of what is going on, and that includes the ABC Radio. So, one of the problems that we have in - as a Local Disaster Coordination Centre is making sure we're getting out a consistent, accurate message. If you have got a radio station that's getting out our message one minute and then is doing an interview with a member of the community in a particular location who's saying something with

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their knowledge, which might be quite different to ours, you are getting mixed messages out to the community all the time. We need to find a mechanism where there is one place where the community can go, one radio station, preferably, where the community can go to that radio station and they know that all messages coming through that radio station will be the official messages.

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Now, you have read the statement and submissions of David Totenhofer?-- Yes, I have.

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And David Totenhofer is employed by the Toowoomba Regional Council as the community development officer in the Oakey district?-- Yes.

And perhaps I can get your comment, if I can, on some of the matters he raise. He states, "The emergency response at Oakey was not well coordinated: one, there was no clear understanding of who within council was responsible for coordinating a response and key personnel were on leave and were unable to get to Oakey due to being isolated on rural properties by flood waters." Or is that too much of a local level for you to be able to comment on, too much of a specific level for you to be able to comment on?-- I can comment on some - on some of that. My understanding is Mr Totenhofer is actually feeding back some of the information he got from the community.

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Yes?-- He wasn't actually present, of course, at the time, so he had no first-hand knowledge of what was actually happening. I don't believe that is the correct - is a correct analysis of what actually occurred at the time. I think what we're seeing back is a person's view or concerns being raised from people that weren't actually activity involved in the Local Disaster Coordination Centre. So, for example, with the Local Disaster Coordination Centre, Mr Ian Stevenson was the acting manager of the Oakey Service Centre. He was certainly directly involved and fully informed at all times. All of the agencies, the Queensland Fire and Rescue Service, police, ambulance and others were all fully informed from the Local Disaster Coordination Centre and they had responsibility to making sure that they inform their people, including through the QFRS, their volunteers. So, there was - I believe that there was actually good coordination going on. What we have got is we have got people that weren't actively involved in that curious as to what was happening without having any particular knowledge of what was going on.

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He says while flooding occurred at 11.30 on Tuesday, 11 January and evacuation began shortly before that, there was no meeting between Oakey/Toowoomba Regional Council staff and emergency services personnel until Wednesday afternoon. Can you comment on that?-- There was - those - Mr Totenhofer, I think, is coming from the view of prior to amalgamation. He's looking at the Oakey area as if it's a separate and discrete organisation, separate from the others. With the amalgamation of the eight councils into one, we now have a single regional organisation and our Local Disaster Coordination Centre is

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operating as a single Local Disaster Coordination Centre. I think Mr Totenhofer is coming from a mindset of preamalgamation where Oakey would have been separate, would have been had its own Local Disaster Coordination Centre and the like. I think that's part of the issue. I don't think Mr Totenhofer actually realised that there was a Local Disaster Coordination Centre operating and running, there was coordination between all those agencies. That coordination was stepping across the entire region and it was happening to a single Local Disaster Coordination Centre covering the entire Toowoomba regional area. There was also through each of the agencies their own control mechanisms to talk to people in their agencies operating across the entire region, and that includes within Toowoomba Regional Council. We had direct links between council management, the service centre manager, Mr Stevenson. We also had a direct link with Mr Chris Ruby, who was the engineer at Oakey, and we were in fact providing a lot of services that Mr Totenhofer makes reference to. So, for example, the fact that Queensland Fire and Rescue Services after the event were out there cleaning houses, that was something that was coordinated through the Local Disaster Coordination Centre operating in Toowoomba. Mr Totenhofer didn't realise that. Likewise, the Department of Community Services personnel that went out to Oakey after the event and did door to doors, that was initiated through the Local Disaster Coordination Centre in Toowoomba, but Mr Totenhofer didn't realise that. He saw them arrive there, he saw them do their job, but he didn't know that that's what initiated it, and there's a raft of other examples, including, for example, on the evacuation. As part of the - that evacuation that you made reference to before, what actually happened, we didn't have prior warning of the need to evacuate people. So, it wasn't a disaster or emergency group initiated evacuation, it was - self-evacuation started to take place, people started to self-evacuate and Queensland Fire and Rescue Services, who were there on the ground, started to assist them. Queensland Fire and Rescue Services needed somewhere to take those people, so they consulted with the Local Disaster Coordination Centre and our service centre and they were taken to the Oakey Community Centre as an assembly point, and whilst they were assembling there, we needed to make decisions as to how we were going to house and look after them, how we were going to get bedding, food, and the logistic support for them. As part of that, and that was referred back to the Local Disaster Coordination Centre and I had a direct involvement in this decision, we consulted - I consulted with BOM, I rang Mr Ben Amants to find out what the expected further rainfall was that we could expect, because our concern was that the Oakey Community Centre was also at risk of being cut-off, so our ability to provide logistic support it would become more difficult. I also contacted Mr Chris Ruby, the local engineer out there to get some more local knowledge about what may or may happen and what our access capacities may be, and ultimately, as a result of all those things, we made a decision - a decision to get those people evacuated back here into Toowoomba, where we were able to provide them with good quality accommodation and food and the like for a period of time.

Mr Totenhofer also says that there was no Oakey local emergency plan to follow. Can you assist us on that?-- The emergency plan that we have is for the entire region. Mr Totenhofer still is looking at this as if - as if Oakey was on its own, as if Oakey needed a Local Disaster Coordination Centre and an local disaster plan of its own. He is not looking at it on the understanding that Oakey is now part of Toowoomba Regional Council, and its planning and local disaster coordination is part of the Toowoomba Regional local distinct coordination.

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But Oakey needed to have an evacuation plan where the residents would know what to do in an emergency?-- Could you explain?

Well, if you are a resident of Oakey and you are being flooded, you need to know where to go to an evacuation centre?-- We don't have any permanent evacuation centres throughout the Toowoomba region. So, there's a misconception there. There's this conception that we have got evacuation centres set up permanently which we can tell people in advance where to go to. We don't. And, in fact, very few local governments in Queensland do. So, there are no permanent local - no permanent evacuation centres. What we have is we have got a capacity to take a suitable building and make it into an evacuation centre. Now, in Oakey's case, we weren't aware and didn't anticipate that there was going to be a need to evacuate people. So, we hadn't activated an evacuation centre. When the need came to find or activate an evacuation centre, we then put the necessary actions in place, and we decided that we would utilise the Oakey Community Centre as an assembly point and that we'd moved them back to the Toowoomba Grammar School as an evacuation centre where they could stay.

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But if I was an Oakey resident and I had no warning of floods and I had to self-evacuate, where do I go?-- At the moment, and this is consistent across the State, there isn't permanent evacuation centres in place. So, what we have, what the Local Disaster Coordination Centre has is that we have a list of buildings or facilities that might be able to be utilised as an evacuation centre in various circumstances. Now, we don't promote them because we don't want people self-evacuating and going to facilities that at the end of the day don't become evacuation centres. So, that's one of the issues that we have. There isn't evacuation centres that are permanently there that we can go out and advertise to people, "That is an evacuation centre. If this happens go to that place." We don't have that capability.

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Why don't you have that capability?-- Because there's no permanent evacuation centres.

COMMISSIONER: If you have prospective evacuation centres, is it a problem to let the local community know what they are so that if push comes to shove they know where they will be heading?-- Yeah, it becomes problematic for two reasons - for a number of reasons. One is depending on the circumstance -

one of the reasons why we activate evacuation centres depending on the circumstances is you don't want people moving themselves into danger. So, for example, sometimes you are selecting an evacuation centre because of its structural soundness, okay, in the event of a storm or a cyclone and you might be encouraging people to go to that evacuation centre. But in the other case, in other cases, for a bushfire or something like that, that evacuation centre might be in a place of danger. You don't want them going there. So, the difficulty you have - we have 32 identified buildings around the Toowoomba Regional Council which potentially could be used as an evacuation centre.

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How many in Oakey?-- There is one identified, but on top of that, we're not limited to that list. So, for example, the Toowoomba Grammar School wasn't actually on the list.

In a town like Oakey, imagine that you're flooded, clearly the water is coming up around your house, you have lost network access, so you can't get on the net and find out anything, you may not have a battery operated radio, you may have lost electricity and you need to leave but you have no clue where it is?-- Let me give you a specific example for Oakey. A number of the houses that were flooded in Oakey were on the other side of the creek from the Oakey Community Centre, so we're hypothesising here, but, you know, you wouldn't necessarily want to encourage people to go from their homes across - across the creek.

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You don't seem to give people a lot of credit, though, Mr Gouldthorp, for intelligence, and the counterside of it is that you have people driving around wondering where it is that they can go to?-- Most - most of the time in a disaster - remember a local disaster plan is a framework. It's set up to provide a mechanism of leadership and coordination and it's set up to provide you with a list of resources that you might utilise when you are reacting to a certain set of circumstances. Okay. We don't know for any certainty about what those circumstances are going to be. In our case, flood is not one of our higher risk areas, our high risks are bushfire and storm.

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Is that true of Oakey?-- To my knowledge, yes. So, trying to set all those things in place becomes very difficult. One of the things - even with evacuation centres, one you have got them up and running, even in a disaster situation when you have got an evacuation centre up and running, other than, say, in a cyclone where you are encouraging people before the event to get to a safe building, that's, you know, strictly sound, other than that you are getting people back to an evacuation centre to look after them. Usually you don't necessarily want the people just turning up at the evacuation centre, you

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normally want to control the people that are coming in so you can manage it and look after them and you can move them to the appropriate location. So, you know, even - and I'm giving my experience here from other events, as well as this one. You will usual try to go to a mechanism where you're getting people to an evacuation centre, you are not necessarily advertising it for people to actually automatically go there.

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Yes-----?-- Because if you do that, you don't know how many are going to turn up and what you can cater for and you're usually using volunteers and others to provide that support to an evacuation system. 1

Yes, but it is not really desirable to limit the numbers for convenience if people are out there on the roads trying to find out where to go?-- No, true, but if that's the thing to do. I mean, again, in most disaster situations you're encouraging people to stay where they are. You're not encouraging people to get out on the roads. Normally, the safest thing to do is actually to get people to stay where they are. 10

Yes, but if people have no alternative but to leave their premises and they have no clue where they might go, that in itself presents a problem; do you not agree?-- Yes, certainly. I don't have an answer for-----

I understand that there are competing considerations here?-- Yes. 20

I'm just suggesting that that's one of them?-- Sure, sure.

All right. Thanks.

MS WILSON: Considering the events that occurred in Oakey and the issues that are raised with evacuation systems, is the Toowoomba Regional Council exploring that and to set up a different evacuation strategy?-- We certainly will. We will look at all this event. We will look at how people reacted, what reactions. Obviously flood is now going to become one of the things that we will focus on for the future whereas previously more of our focus may have been on bushfire and storm damage. We have heard today, you know, this has been an extraordinary event, one in 250, one in 300. It is not necessarily, you know, something that we necessarily saw as a really high risk item. 30

In terms of the warning that residents get, you're aware, obviously, that the Cooby Dam overspilled?-- Yes. 40

And that the emergency action plan in relation to the Cooby Dam says that residents within five kilometres of the Cooby Dam should be notified of that when it reaches a trigger event of a flood event stage 1?-- I'm advised of that, yes.

What about the residents downstream from that, from the five kilometre zone? What strategies are in place to warn those residents of rising waters?-- Beyond the people in - my understanding is that the people in the immediate five kilometres are notified because of the direct impact of the overflow from Cooby and possibly fast flowing water coming down, you know, within that five kilometre distance. Beyond that, we need to take into consideration what might happen not just from Cooby but from other areas. I mean, if Cooby was spilling, for example, without major - major flooding occurring in the rest of the catchment, it would probably have 50



no - no impact or minimal impact further downstream than that five kilometres but, look, you'd have to - you would need a hydrologist to give you the answer to that. So for those people elsewhere, we take into consideration that Cooby Dam is spilling, we look at all the other information that we have to try to provide advice to people and that's what happened in this particular case. We were aware that Cooby Dam was spilling. As a result of that we notified all agencies, so all agencies were aware of that. Our local disaster coordinator Mr Wruck, once he became aware of the fact that Cooby had now filled rapidly and was spilling, when he became aware of that late on the Sunday night along with the other information he had, he called a Local Disaster Management Group meeting for the Monday morning, which - which occurred. The people - I was advised by Mr Kev Flanagan, who is the director of Water and Waste Services, that he had enacted the dam emergency - emergency action plan for the dams. I had been advised that he had taken the necessary action to notify those people in accordance to the emergency action plan, those people within that - the distance that you mentioned previously. And the people at the Oakey Service Centre I understand were notified as well.

So if you have a property on six kilometres outside the zone of the Cooby Dam, you don't receive any special notification from the Toowoomba Regional Council?-- Under the plan, under the emergency action plan for the - for the dam, no.

What about the Toowoomba Regional Council? Does the Toowoomba Regional Council take that extra step and say, "Well, look, there is not much difference between five kilometres and six kilometres. We should be warning residents a bit further downstream"?-- No, I'm not aware of a plan for specific one-on-one notice to anyone outside of that five kilometres range.

It used to be the case in previous years the local ranger utilised a phone warning system. Were you aware of that?-- And that's what occurred this time.

It occurred this time?-- My understanding - my understanding, and this is from after the event, was that a Marcus Boyd contacted the people immediately down - downstream. And I believe what occurred before, and I'm only taking this from what others have said, I believe what occurred before was that we commenced that process, we told the farmers within five kilometres and I think then the comment was that those farmers then passed it on. So the process was started exactly the same: our people notified the farmers immediately downstream within that five kilometres. Whether or not they passed it on as had happened in the past according to some witness statements, I don't know.

Is that good enough, that you're just relying on hoping that farmers will pass it on?-- It depends, I suppose, on what the impact is going to be. And I - I don't know what the impact is going to be more than five kilometres downstream, okay. My understanding is the plans have been written because it's

people within the five - that first five kilometres that might be at risk. Is it good enough if people more than five kilometres downstream are at risk; then, no, and that would be need to be changed.

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And this comes back to the amount of information that the Toowoomba Regional Council has about the potential for flooding in those areas?-- Potentially, but I don't know what the distances are off the top of my head between Cooby Dam and the Oakey township. I believe it is much more than five kilometres. So I think what you're talking about - you have got a number of tributaries. So you have got five kilometres and then you have got the rest of Cooby Creek and then you might have other tributaries. So if you are talking about the distance in between where those tributaries come in and intersect in that five kilometre point, I don't know whether there is much further information for the people----

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But the Toowoomba Regional Council doesn't have access to any flood modelling in relation to overspilling of the Cooby Dam and also the additional impact of those tributaries?-- We don't have an advanced - we don't have a modelling system that will tell us what the impact is going to be in advance, no.

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Now, the Cooby Dam is going to be upgraded?-- There's a requirement for all our dams, Cooby Dam, Cressbrook Dam - sorry, Cooby Dam, Perseverance and Lake Cressbrook to have their spillways upgraded. My understanding is that's part of a state reaction. There's dams all the way across Queensland are going to be upgraded as part of new climatic probability reports, et cetera, to make sure that they're structurally sound.

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Now, if I can take you to the Toowoomba Regional Council Local Disaster Management Group debrief meeting that occurred on the 16th of February 2011; that will come up on your screen. Exhibit 86. Do you recall the purpose of this meeting?-- We were meeting on a regular basis at that stage: daily for the local disaster management group; twice daily for an internal coordination group that I was operating to ensure that people were fully aware of the situation and we were providing whatever support was necessary to the individual agencies.

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Now, if I can take you to page 3 of that, and here we can see your input into this meeting?-- Sorry, I'm trying to pick it up and I've got a black thing across my screen that says something about, "Not optimum mode". Can I have a hard copy?

We can give you one. Exhibit 86?-- Oh, that's just gone off. Here we go.

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COMMISSIONER: It should be fine-----?-- I can read it now.

MS WILSON: Now, you've just put in your views about what worked well and what didn't?-- Can I just have a look. Is this a debrief meet something?

The 16th of February-----?-- Yeah, I just-----

Yes. We can give you the hard copy if that will assist?--  
Yes, can I just have a look just to put it in context, please.  
Yes?

You have put down things that you think that in some respects could be done better?-- This was part of a debrief to go through with all agencies and what we'd done, as you can see there from the list, is we went around the table and we had asked for everybody to put some ideas on the table.

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Are these matters being actioned to your knowledge?-- Yes, they will be. Some of them will be.

Some of them will be?-- Yes, well, we will need to go through them and it - I mean, these are ideas that each individual went through. We will need to work - work through to see the extent that those ideas or views are shared and then we'll take action from that.

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Okay?-- In particular, with the number of the comments I have made there have already been actioned. So, for example, the Local Disaster Coordination Centre, I make mention there that the facility we were operating out of was one of the training rooms at council. We now have a customised Local Disaster Coordination Centre that's set up in a new building - in a renovated building in Little Street with better screens, electronics and other things that will help support that in the future. And there's a number of other things there that are already underway.

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Now can I take you to your statement, if we can go to paragraph 31 of your statement. That is the statement that was signed on the 1st of April?-- Yes.

Paragraph 31 raises the issue that you had that the Internet was not working at various times during this disaster event?-- Yes.

That is really something that would cause you concern considering that a lot of the information that you're conveying to the residents of the Toowoomba Regional Council is through the Internet?-- Yes. My comment there was actually more in relation to our intranet, our internal services there. I might not have been specific.

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But it is also the Internet as well?-- Yes.

Because you were saying that you had to rely on fax to get information?-- Yes.

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So that's a matter which you really have to consider when you're looking at the outlying areas of the Toowoomba Regional Council?-- Definitely.

So it can't just be that the Internet is a major source of information to the residents?-- No, there has to be other information sources as well.

Now, paragraph 57 you talk about helicopters?-- Yes.

That the mayor was - you say, "When access to helicopter support became more constrained"?-- Yes.

"That the mayor was making requests to the Oakey Army Aviation Centre". Did you have an issue in accessing a sufficient number of helicopters?-- Early on in the event we didn't - we were mainly using helicopters - well, we were only using helicopters, really, to provide resupply into Cecil Plains. Early on in the event, prior to the - in late December when we were organising helicopter food drops into Cecil Plains we were doing so directly ourselves on a local basis. We found once the events unfolded in Ipswich and Brisbane, a lot of the helicopters were being redeployed down into that area and therefore our accessibility to them, it became more restrained. So at that stage we had to go back up to our District Disaster Coordination Centre, who made arrangements through the state group to provide us with helicopter support. But our ability to get helicopters at very short notice had been restricted because there wasn't so many available.

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Perhaps if we can just particularise the time frame that you're talking about?-- Sure. It would be hard for me to give you an exact date, but soon after the 10th of January.

And when that was actioned up through the district disaster coordinator up through to the state disaster, did you get appropriate response and helicopters when you required them?-- Yes, we did. We had one minor issue where we had arranged for a food pick-up and the helicopter for one reason - a reason unknown to me, it might have been redeployed for an emergency, it could have been any reason, but basically didn't turn up. So we had to re-arrange it for the next day. But that didn't cause us any major problems. It was just an operational inconvenience.

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Can I take you to paragraph 63?-- Yes.

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There you refer, "From a disaster management and coordination perspective it is preferable for an alignment of the geographical areas serviced by the Local Disaster Management Group and the Distract Disaster Management Group and the key emergency service agencies"?-- Yes.

Can you explain your reasoning behind that?-- Yes, certainly. The presumption that we have in the Local Disaster Management Group and Local Disaster Coordination Centre is when we're talking to agencies, they're providing services over the entire region that we as the Local Disaster Coordination Centre are responsible for. What we found out was that wasn't the case in some parts. So, for example, Yarraman in the north of the Toowoomba regional area comes under a different fire services area and a different health district area to the remaining parts of Toowoomba Regional Council. My suggestion is simply that it would be more convenient from a coordination

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perspective if those agencies areas actually mirrored or at least covered all of ours.

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Did it impair your response that the Toowoomba Regional Council could give?-- It didn't impair our - it didn't impair the response. It might have impacted on the - on the recovery. Queensland Fire and Rescue Services were being particularly efficient and helpful in providing clean-up services and to the extent that we believed that they were doing certain things across the entire region. We later found out they weren't actually doing that in Yarraman because Yarraman wasn't part of their responsibility.

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If I take to you paragraph 65, there you refer to the report prepared by BMT WBM on the Technical Report on the Toowoomba Flood 10 January 2011?-- Yes.

You say there that there's a large number of crossings of the Gowrie Creek system within Toowoomba and their potential to impair water flow, particularly with the buildup of debris?-- Yes.

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You say, "If no case is put forward for retaining unused crossings or little use crossings, they should be removed"?-- Yes.

Have you thought about which crossings should be removed?-- Again, I am not a technical expert but I'm aware of an unused crossing in the rail yards just downstream from the Margaret Street crossing of West Creek. It is very close to the confluence of West and East Creeks. I understand that that was a crossing that was in place to access that rail yard years ago and it is no longer used. So my view is simply, well, if it is no longer used, why don't we get it out of there.

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Is that your view or is that the view of the Toowoomba Regional Council?-- That was a suggestion.

Okay?-- It was a suggestion when I was asked, okay, if you - yes, what possible improvements could you make. It was one I put forward.

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Do you know whether the Toowoomba Regional Council are considering whether to look at and evaluate all of the crossings and see whether they are all necessary and should remain?-- We will certainly - from this, we will certainly have discussions with those agencies. That's not - that's not our crossing. It's not one that we have control of. But whether the Local Disaster Coordination Group should take this up and we should have discussions with Queensland Rail, that's one of the things that will flow out of that debrief.

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At paragraph 68 you say, "Based on what we have learnt from the flooding in parts of the Toowoomba region, if measuring devices such as rainfall gauges, stream flow gauges and other meteorological data collection currently used by the Department of Environment and Resource Management and the

Bureau of Meteorology could be augmented to increase access to that information, then I would advocate that such measures be pursued"-- Yes. 1

Now, that is because that would give the Toowoomba Regional Council more information?-- Yes. I think any - yes.

And did you feel that during these flood events, that you just didn't have enough information that you could pass on to the residents?-- Look, I have stopped and thought about this after the fact, not - not during the fact. The reality is during the fact we - we were responding to everything we could. Any more information that we can get that will enable us to orchestrate out our response better would be useful. 10

But the question is: if you had that information, could your response have been quicker in certain areas?-- If we had had that information, with sufficient time in advance of the event occurring, yes, it would have been helpful. 20

Particularly, that would be in relation to Oakey?-- That applies to all events. It applies more particularly to Toowoomba.

Thank you, that's all the questions I have got.

COMMISSIONER: Thank you. Mr MacSporran?

MR MacSPORRAN: Nothing, thank you, Madam Commissioner. 30

MS McLEOD: I have no questions.

MR GIBSON: Thank you, Madam Commissioner. Mr Gouldthorp, by way of background, the area of the Toowoomba Regional Council is some 13,000 square metres, is it not?-- That's quite right, a little less.

Within that area the population is of the order of 160,000 people, is it not?-- Yes. 40

And of that population, I think you said earlier that the population of Toowoomba City is of the order of 110,000 people?-- Yes.

And to complete this picture, is the population of Oakey approximately 3,600 people?-- The Oakey township, yes.

Now, your attention was directed to the issue of warnings to the population, bearing in mind we're concerned with the events of Toowoomba and at Oakey. Could I ask you to consider firstly, consider it in two stages - there may be more than two - first, information that was provided by council to the residents well before the occurrence of the events of January, indeed even December 2010, January 2011, and then move on to warnings that were given in relation to the occurrence of the events themselves. With respect to the first of those 50

categories, you mentioned in your evidence community bulletins or a community bulletin or newsletter?-- Yes, Council Connections.

1

This is referred to, in fact, in your supplementary statement, Exhibit 78, at paragraph 5 where you mentioned that there is a quarterly newsletter published by the council called "Council Connections"?-- Yes.

It's distributed quarterly to all households in the Toowoomba region, you say, and also available in council offices?-- Yes.

10

Is that council offices throughout the region itself?-- Yes.

Do those publications typically but not always include reference to disaster planning?-- It will on occasions, yes.

Would you look at the document which is entitled "Council Connections Summer 2009". We will provide you with a couple of copies. Might Mr Gouldthorp see this document. Copies have been provided to counsel assisting the Commission. Is this a copy of the Summer 2009 publication?-- Yes.

20

If you turn to page 3, is there a heading there "Disaster Website and Education Program Commence"?-- Yes.

Is there reference to a disaster website?-- Yes, there is.

Was that disaster website created in 2009?-- Yes.

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Yes. I tender the copy of Council Connections quarterly newsletter Summer 2009.

COMMISSIONER: Exhibit 87.

ADMITTED AND MARKED "EXHIBIT 87"

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COMMISSIONER: You've handed up two. Is one-----

MR GIBSON: There are multiple copies I understand council assisting the Commission-----

COMMISSIONER: Mr Gibson, there are two copies already with the witness, is that right?

MR GIBSON: Yes, there are.

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COMMISSIONER: So one of those is Exhibit 87.

MR GIBSON: Would you look at this document, please. Could this document be provided to Mr Gouldthorp when convenient. Two copies for convenience. Is that a copy of the Council Connections publication for Spring 2010?-- Yes.

Approximately what time of the year was that, what month of the year was that distributed?-- I would suggest it had to be early September.

1

Would you turn to page 2?-- Yes.

Is there a heading halfway down the page entitled "Are you bushfire prepared? Follow these tips"?-- Yes.

Does it, following discussion, include specific reference to the disaster management website?-- Yes, it does.

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I tender the Spring 2010 edition of Council Connections.

COMMISSIONER: It's Exhibit 88.

ADMITTED AND MARKED "EXHIBIT 88"

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MR GIBSON: You mentioned that the Toowoomba Regional Council disaster management website was established in 2009. Can you recall approximately when that was created?-- Look, I can't recall exactly but it would have been - been produced - Mr Norman Fry commenced work with council around the first couple of weeks in May and it would have been done - it would have continued to be done not long after his appointment. So probably about mid-2009.

30

Thanks, Mr Gouldthorp. It has been maintained ever since, has it not?-- Yes.

Have you caused extracts from that website to be obtained as at each of the 11th of January 2010 and the 13th of January 2010?-- Yes.

Was there a technical issue about the ability to access the website at specific dates prior to that date? Was there a difficulty about doing so to your understanding?-- I don't know the detail.

40

COMMISSIONER: Was there one?-- Sorry?

Was there one, a technical difficulty?-- I don't - I don't know.

All right.

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MR GIBSON: Perhaps I should rephrase the question. We'll deal with it in stages. Was there any technical difficulty of which you were aware as at the 10th/11th of January 2010?-- No, my understanding is that website was available.

Have you instructed staff to access the website as it stood as at each of the dates the 11th and the 13th of January?-- Yes, I have.



COMMISSIONER: Why not for the 9th?-- I beg your pardon?

Why not ask for the website as it stood prior to the events of 11th and 13th of January?-- We can do that. I was specifically trying to look at what information was on the website immediately following the event, once we had activated and what extra information we were putting on it. So that was the reason for my inquiry.

10

Thanks.

MR GIBSON: We might try to pursue that, your Honour.

COMMISSIONER: Well, that could just be informally provided to the Commission. It wouldn't be a problem, Mr Gibson.

MR GIBSON: Yes.

COMMISSIONER: Do you want those two extracts made exhibits?

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MR GIBSON: I understand counsel is providing those to the witness. Just check the dates on the copy. Check the dates on the top right corner?-- Yes.

You will, with one of them, see 20110111?-- Yes.

And the other concludes with the figures "13"?-- Yes.

I tender each of those website extracts.

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COMMISSIONER: The one related to the 11th of January will be Exhibit 89.

ADMITTED AND MARKED "EXHIBIT 89"

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COMMISSIONER: And the 13th of January will be Exhibit 90.

ADMITTED AND MARKED "EXHIBIT 90"

MR GIBSON: Those websites, web pages, include details of emergency telephone numbers, triple 0 of course, but also the number for the Toowoomba Regional Council's Disaster Control Centre, a 1300 number, does it not?-- Yes, it does. One we started issuing press releases we were putting that on all our notices.

50

And as you have just foreshadowed, do the website extracts also include media releases as they stood?-- Yes, it does.

1

Do you understand that what has been received as Exhibits 89 and 90 are not the whole of the website, but, rather, a snapshot from it?-- Yes.

In addition to the community bulletins and the maintenance of the website, has the Toowoomba Regional Council for some time maintained a Facebook page?-- Yes, we have had a social - some social media and Facebook.

10

Do you recall when that was established?-- I can't give the exact dates, but it was certainly well before the events on the 10th of January.

Would you look at this document, please? Is that an extract from the Toowoomba Regional Council's Facebook page?-- Yes, it appears to be that.

20

Does it include the communications to and from that Facebook page, which are in reverse order, much as typical internet print-outs appear?-- Yes.

It commences, does it not - I tender the Facebook extract, if it please, Madam Commissioner.

COMMISSIONER: Exhibit 91.

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ADMITTED AND MARKED "EXHIBIT 91"

MR GIBSON: Thank you. If you turn to the last page?-- Yep.

The first entry is the 10th of January 2011; is that correct?-- Yes.

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There were, in fact, entries on the Facebook page predating the 10th of January 2011, were there not?-- Yes.

Yes. And if you turn to page 25 of 27, the printing may be difficult to see, but does it indicate that as at the 11th of January in the third last entry the emergency contact telephone numbers, both triple 0 and the council's Disaster Control Centre emergency contact number were published there on Facebook?-- Yes.

50

Thank you. Is it also the case that the council maintains a Twitter facility?-- I understand that to be the case.

And has done so since well before the events with which we are concerned?-- Yes.

Is that correct? In addition to the publicity of council emergency telephone numbers in the way we have just seen, is

it the case that all contact numbers for the council are published in the telephone White Pages?-- Yes, it is. 1

Including the telephone number for the Emergency Disaster Management Centre?-- It is listed under the State Emergency Services contact number.

Thank you. Can I, then, ask you to turn to events around the 10th of January 2011? At 3.30 that afternoon, was the District Coordination Centre formally activated?-- Yes, it was. 10

That was in response to the events at Toowoomba City?-- That's correct.

And that caused the District Management Group to be activated also?-- I made that call to activate that group, yes.

Yes. In terms of the composition of that group, does it appear from the Local Disaster Management Plan, which for the record is Exhibit 79, does that plan include a list of the participants, not by name, but by office in the Local Disaster Management Group?-- Yes, it does. The local - sorry, I'm - the Local Disaster Management Group was meeting at - 1 o'clock on the 10th, I - there were several groups happening. The Local Disaster Management Group met at 1 p.m., the Local Disaster Coordination Centre was activated, and then an internal steering group was also activated by myself commencing at 5 o'clock that afternoon. 20 30

I was directing your attention to the Local Disaster Management Group?-- Okay.

That includes representatives of the Toowoomba Regional Council; that's correct?-- Yes.

EMQ?-- Yes.

Queensland Ambulance Service?-- Yes. 40

Queensland Fire and Rescue Service?-- Yes.

Ergon Energy?-- Yes.

Queensland Health services?-- Yes.

Telstra?-- Yes.

And Lifeline?-- Yes. 50

Madam Commissioner, that appears in Exhibit 79 at table 4 at page 16.

COMMISSIONER: Thank you.

MR GIBSON: How regularly did the Local Disaster Management Group continue to meet for the week thereafter?-- Daily.

On one or more occasions daily?-- The Local Disaster Management Group met daily first thing in the morning. 1

Then you referred to the Disaster Coordination Centre?-- Yes.

And its meetings. How frequently did it meet?-- The Local Disaster Coordination Centre was the operational centre, it was running 24 hours a day.

Exactly. Who was operating out of that centre?-- We had a raft of people scheduled, a Mr Kevin Ruck and Mr Norman Fry and myself were probably the main senior staff through most of the 24 hour period. I'd operate from about 6 in the morning to between 10 at night and 1 in the morning and then Mr Brian Pigeon would take over from me. Mr Kevin Ruck and Mr Norm Fry managed the roster between themselves as well. 10

Was Mr Kevin Ruck the local disaster coordinator?-- Yes, he was. 20

And what position did Mr Norman Fry hold?-- Mr Norman Fry is the coordinator of our emergency services personnel and he also assists Mr Ruck in his role.

Now, who was primarily responsible firstly for the issue of media releases?-- Media releases would have been generated from a number of sources, they could have been initiated from myself, they could have been initiated from the mayor, or they could have been initiated from Mr Ruck, or they could have been self-initiated by our media people, and what we then had was a process of once those media releases were done, they would be approved, usually by myself or Mr Arum Pratap. 30

Media releases were issued from about the 5th of January through to early March 2011; is that so?-- Yes.

And you have said in your statement at paragraph 40, Exhibit 77, that some 25 media releases were issued on the 10th and 11th of January?-- Yes, and a number of those were to be repeated. 40

Would you look at this document, please, or this bundle of documents? Have you seen that bundle and is it a bundle of media releases issued throughout the period 5th of January to the 3rd of March 2011?-- Yes, it is.

I tender that bundle of media releases.

COMMISSIONER: That will be Exhibit 92. 50

ADMITTED AND MARKED "EXHIBIT 92"

MR GIBSON: Thank you. That bundle, you may take it, comprises 107 media releases, and is it the case, as you

understand it, that some 63 releases were issued during the period 5th of January to the 15th of January 2011?-- Yes, and a number of those were to be repeated a number of times. So, 63 releases, might have ended up with a hundred or more.

1

As it happens, this is no time stamp on these particular releases. That's simply a circumstance that was overlooked at the time. For the record, you're indicating your agreement?-- Yes, yes.

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To which forms of media were these releases provided?-- They were provided to print media, local and State, a raft of radio stations and television, local and State. I - there's upwards of somewhere between 15 and 25 individual media agencies-----

Are you able to-----?-- -----for distribution.

-----inform us from your experience as to the extent to which these releases were, in fact, publicised through those different branches of the media?-- To my knowledge, quite extensively. The media was very hungry for information following these events.

20

To what extent did you, that is the council, rely on media releases as a means of providing information to the public?-- Heavily. It was our best way of mass information.

In addition to media releases, to your knowledge did the mayor, and perhaps others, conduct a number of interviews with the media?-- Yes, many.

30

By "many", can you give us even a broad approximation?-- Oh, I would suggest the mayor would have been somewhere between 50 and 100 during-----

Do you mean - I'm sorry, go on?-- During a period of a week, and I probably did four or five.

And, again, to your knowledge, were those interviews widely broadcast and televised?-- Yes.

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Now, why is it that you, the council, relied, as you have said, on the media so fully as a means of disseminating information to the public?-- Because other than the internet, it's our best - best mechanism to get information out to the public quickly and the public at large.

On reflection, do you see that changing in the future?-- No, I don't.

50

Now, you said that one function of the media releases and interviews was to correct some false information in various respects. As an example, did it come to council officer's knowledge that there was a rumour apparently that Cooby Dam was cracking or had cracked?-- Yes, on a couple of different occasions over a few day period.

Was that responded to by way of interview and media release?--

Yes, it was.

1

Now, could I direct your attention to the issue of evacuations and perhaps also a little further in the context of warnings to members of the public? With respect to the situation at Oakey, was there at any time a formal evacuation initiated by the Toowoomba Regional Council?-- No.

Was there such an evacuation initiated by other agencies?-- My understanding is there was self-evacuation that was initiated and then Queensland Fire and Rescue came in and assisted after that.

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One of the media releases which is included in the bundle is a media release dated the 10th of January 2011 specifically addressing the issue of possible flooding at Oakey?-- Yes.

It is, for the record, item 427 in the bundle. That media release, you may recall it, advised Oakey residents - and I quote - "To take precautions against possible flooding in the town."?-- Yes.

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And it went on to say that, "Flooding may occur due to significant rises in Gowrie and Oakey Creeks caused by heavy rain." Do you recall that?-- Yes.

And continued by stating that, "Residents should regularly check any water on their property to ensure that water levels are not rising." The media release advised of the SES number, a 1300 number, and requested that residents report significant rises in water levels or incidents of flooding to the SES?-- Yes.

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It also reminded people of the triple zero number in life threatening or emergency situations?-- Yes.

And, finally, it included a telephone number as to the source of the media release, that is the media relations officer's telephone number and that officer's e-mail address?-- Yes.

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At that stage, as far as you were aware, was the council aware of threatened flood levels sufficient to result in the need to evacuate?-- No, we weren't.

COMMISSIONER: Do you know what time the media release issued?-- No, I don't.

So, are there any parameters you can set up other than before midnight on the 10th of January?-- I know it was before the flooding event occurred, so it would - it was before we were aware of any evacuations taking place, or the flooding actually getting to the extent it was done. It was done as a preemptive issue. From memory, I think it was actually raised by the mayor who had been a long time mayor of Jondaryan and mentioned that, "Look, we need to get this message out." His personal experiences as a agriculturists in that area-----

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I am more interested in time than background?-- Yeah.

Thank you.

MR GIBSON: Now, you mentioned this morning that there are no permanent evacuation centres in the Toowoomba Regional Council area?-- Yes.

Why is that?-- I don't know if there's any in Queensland, there might be one or two up north, but we just don't have permanent evacuation centres, we don't have custom built evacuation centres.

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COMMISSIONER: Presumably it would be very expensive and not practical to run something as a permanent centre?-- I expect so. I know from my time as CEO in North Queensland in Mackay they were explored at various times, but the issue came down, well, how big could you build them anyway, how could you move a city say of 50 or 100,000 people to one centre, so yes, it becomes impractical.

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It is more a matter of identifying prospective centres for use in an emergency?-- Yeah, yeah.

MR GIBSON: There are, you said, 32 identified buildings in the Toowoomba Regional Council area, including one in Oakey?-- Yeah.

But there is apparently flexibility in that regard, because the Toowoomba Grammar School, to where Oakey residents were evacuated, is not one of those sites?-- That's correct, it's not an exhaustive list, it's of assistance.

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Is it the case that certain of these identified buildings are better placed for use in different types of events?-- Certainly, depending on their location, their structure, and what facilities they have if you are going to keep people there over a longer term period.

And might one also add to that that certain of these buildings are better utilised at different times? For example, perhaps issues might arise with using school buildings?-- Exactly. So, yeah, during the school year, some facilities might not be available.

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And in any particular locality, such as Oakey, having regard to topographical, geographical situations or the like, might the desired evacuation centre, in the event of a need for evacuation, might its location vary, depending on the circumstances at hand?-- Definitely.

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You mentioned the different types of disaster events. The Local Disaster Management Plan identifies a number of towns, including the City of Toowoomba, and attributes to each of those towns and localities a threat assessment status with respect to different types of potential threat; is that correct?-- I understand that is there. I don't recall all the detail of it without looking at it.

For the record, Madam Commissioner, I am referring to Exhibit 79 of the Local Disaster Management Plan, page 43. I might assist your recollection, Mr Gouldthorp. The 18 categories of disasters are there listed, ranging from flood and storm - it's now coming up on your screen - to building collapse?-- Yes.

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And we see the towns or perhaps, more accurately, districts across the Toowoomba council area to which a particular level of risk is attributed with respect to each potential disaster threat?-- Yes.

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They appear to range from rare to likely?-- Yes.

In the case of Oakey, for example, disaster threat number 1, "Flood.", is identified as a possible threat?-- Yes.

And in the category of risk, that would be one up from "rare" but one down from "unlikely"?-- Yes.

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With respect to other localities we can see, and I won't dwell on this further, the risk of flood event is respectively likely in Millmerran, Greenmount and Goombungee, Yarraman-----?-- Yes.

-----to rare in Crows Nest and High Fields. Does that range of potential disaster threats assist to explain why it is difficult to identify a particular evacuation centre locality in advance of the occurrence of the event in question?-- Certainly. The more likely of an event, the more detailed plans is going to be in place for that specific event.

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In the situation which unfolded, then, with some residents of Oakey self-evacuating, could I ask you to consider this: from your point of view or, indeed, from the council's point of view, would you ordinarily expect that a person minded to evacuate would attempt to contact either a triple 0 number or an SES number or the council's Disaster Management Centre?-- Yes, or their neighbours.

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Of course, as was pointed out by the Commissioner, in certain circumstances people may not have either internet connection or perhaps in the event telephone connection. Was this such an occurrence; in other words, did telephones go down in Oakey, to your knowledge?-- Not that I'm aware of.

All right?-- But whether that occurred to individual properties, I just don't know.

Reflecting on matters and questions which are asked by Counsel Assisting and also by Madam Commissioner herself, is it worth considering whether it is possible to inform residents as an early point in time, that is pre-disaster occurrence, of a locality that is appropriate in the event of a flood, for example, or a bushfire, for example?-- It's problematic. There's risks both ways. If you tell people in advance they have got some certainty about where they might go, but then, of course, you have got the issue if you don't

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actually activate that as a Disaster Management Centre, then people might turn up at a facility that's got no support services or, worse, they might get themselves into more risk trying to get there. So, they're the balances that - and decisions you have to make.

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And at the initial stages, is that what occurred with the Cultural Centre when some people turned up there effectively unannounced?-- Well, yeah, that's correct, and that's why one of the major reasons we evacuated them back to Toowoomba, because we neither had that had logistic support there for them, and we were also concerned that that area might actually get cut off and be inaccessible in flood and, therefore, inaccessible for us to provide them with support.

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All right. Now, one of the issues to which your attention was directed by Counsel Assisting was some concern expressed by Mr Totenhofer as to a lack of coordination among the different agencies, and perhaps implicit, if not expressly stated, a concern that that may be a consequence of the amalgamation of the councils. I think you said 19 - I'm sorry, how many?-- Eight, eight into one.

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Yes. Now, this is an issue which you have addressed in your supplementary report, Exhibit 78?-- Yes.

At paragraph 17 you describe such concerns as a misperception, you believe, by those persons?-- A misperception as far as - whether or not people were ignored, yes.

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You make the point there, if I may summarise, that although the number of elected representatives across those preamalgamation areas to the current situation have reduced from 69 to 11, all local government services have been maintained?-- Yes.

And that all council offices that were previously operated continue to be operated currently?-- Yes.

Could I ask you to look to paragraph 19 of that supplementary statement, Exhibit 78? You say that in March of this year, on the 21st of March, council implemented a customer service approach aimed at improving the ease with which the public can seek council assistance?-- Yes.

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Could you just explain that a little further and the reason behind the need to commence that service?-- Well, there's a number of reasons behind it. One, we're very conscious of trying to improve our customer service and provide the best service we can right across the entire region. In order to do that, we put in place quite extensive information systems to try to integrate data that was previously only held in different service centres and we have provided uniform training to our customer service operators right across the region. It also provides a capacity, therefore, for a member of the public regardless of where their property is to go into any service centre or call a single number. So, it's all about providing ease of service to the public.

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Thank you. Dealing with the more specific observations of Mr Totenhofer to which you were directed by Counsel Assisting, it's the case, is it not, that there was a Mr Stevenson, Ian Stevenson, whose position was acting service centre manager, Oakey?-- Yes.

And he was on duty at the relevant time?-- Yes.

His responsibilities included the provision of council services in the Oakey area, that being one of a number of customer service centres provided by the council; is that correct?-- Yes.

And did his responsibilities from the 10th of January onwards include assisting in respect of the provision of services to flood affected members of the community?-- Recovery, yes.

Yes. The situation you explained in response to questions from Counsel Assisting appeared to be one - again if I may summarise and invite you to correct me if I'm wrong - a matter perhaps of perception at the lower echelons on the ground by members of the public, perhaps even Mr Totenhofer himself, who were not directly involved in the coordination of the activities undertaken by the various agencies and their employees?-- That would be my view.

And to your knowledge, Mr Stevenson has provided a statement for use in this Commission?-- I understand he has.

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Yes, thank you, Madam Commissioner, I have nothing further.

MS WILSON: No re-examination, Madam Commissioner. Can the witness be excused?

COMMISSIONER: Yes, thanks, Mr Gouldthorp, you're excused.

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WITNESS EXCUSED

COMMISSIONER: Ms Wilson, do you want to take a morning break? I realise our time is pressing, so-----

MS WILSON: Yes. Yes.

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COMMISSIONER: Fifteen minutes, then we'll resume at quarter to.

THE COMMISSION ADJOURNED AT 11.30 A.M.

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THE COMMISSION RESUMED AT 11.49 A.M.

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COMMISSIONER: Yes, Mr Callaghan?

MR CALLAGHAN: I call Peter Taylor.

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PETER MAXWELL TAYLOR, SWORN AND EXAMINED:

MR CALLAGHAN: Your full name is Peter Maxwell Taylor?-- It is.

You are the Mayor of the Toowoomba Regional Council?-- I am.

And you prepared a statement for the purposes of this Commission, a statement dated 30th of March 2011; is that correct?-- I did.

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I tender a copy of that statement.

COMMISSIONER: Exhibit 93.

ADMITTED AND MARKED "EXHIBIT 93"

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MR CALLAGHAN: Mr Taylor, you have been present in Court whilst Mr Gouldthorp has given evidence in relation to issues affecting Toowoomba Regional Council?-- I have. I missed a little bit at the start I think.

But I think you were here for the bulk of it. Is it fair to say that you adopt all that's been said by Mr Gouldthorp or is there anything that he said to which you take exception?-- No, I don't take exception to any of the evidence he has given. I might have a little more local knowledge about some areas than others than he has given my time here.

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I am going to take you to a couple of areas which might be relevant. Specifically though, I wanted to ask you about issues relating to Oakey. You have read the statements and submissions of people like Mr Inwood, Mr Totenhoffer, Earsman and Peters?-- I have, yes.

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By that, you personally have read those and noted all of the contents in them?-- Yes. Yes, I have read them through and not - I haven't got every detail in my head but I have certainly read them through.

No, that's all right. I am only going to ask you questions in general terms because I think in examination by Mr Gibson of

Mr Gouldthorp, he took Mr Gouldthorp to Exhibit 78 and wherein was discussed the misperception that exists about the amalgamation of the councils?-- Sure. 1

Mr Gouldthorp, in particular, addressed that misperception in terms of the actual service delivery of council?-- Sure.

But managing perceptions, I suppose, is probably more your department than his?-- Sure. 10

And, look, there's probably a broader political issue here which is of no concern to us but in terms of disaster management at least, can we at least take it that you've noted the concerns of those in the community such as Dalby?-- Yes, I have. Dalby is outside of our area-----

I'm sorry, Oakey. Oakey, I'm sorry?-- Oakey, Oakey indeed. Look, yes, I think it is a misperception that even though we're a merged entity, the largest merger in Queensland with eight previous entities, some might still believe that there is an individual plan for each area which is clearly not the case. We have one combined plan for the whole region to address everyone. 20

People like Mr Inwood, though, weren't directly complaining about the plan so much as the communication?-- Certainly, yes.

You noted that?-- Yes, I have in terms of what might be happening on the Oakey Creek. 30

And Mr Earsman, for example, specifically spoke about attempts to contact the council on a number of occasions. Now, on the 10th of January I think we can all accept that contact was probably difficult for every government service in Toowoomba?-- Certainly. And I - if I could just give a little bit of background, being around for quite a while prior to the major event, I actually travelled around a lot of the town areas, now 13,000 square kilometres. We have got about 33 towns plus the city of Toowoomba and I was investigating and looking at the whole rural area. The night before on the 9th I'd actually visited the Crows Nest town where there was a local flood there. In fact, assisted one of our staff with a grader towing a truck off the New England Highway. A little further on the road I actually pulled a tree off the road myself. So, I was hands-on in the area. On the morning of the 10th I actually visited Oakey itself to find out what was happening firsthand on the creek in Oakey. 40

Mr Gouldthorp was taken to the minutes of the debrief meeting from the 16th of February 2011 and there's an itemised list of issues contained in those minutes about what Toowoomba Regional Council was doing as a result of what has been learned by the January events. You're aware of all those matters that Mr Gouldthorp addressed?-- Yes, I attended those - all of the local disaster meetings including not the latest debrief, I couldn't make, but I was at that one. 50

Can I just ask you about two or three, perhaps, specific

aspects of disaster management of relevance. Firstly, this one will be of relevance to matters later in the Commission and it may not be something about which - or detail which you know but, obviously enough, the council literature promotes the triple-0 number as a means by which citizens should react in an emergency. That's-----?-- That's true, if it's life threatening.

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Yes?-- In the matter of disaster or assistance for SES, there are obviously other numbers and we've now established our customer service centre with a single point of contact for the whole region which I think is a major improvement since this time.

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Just sticking with the triple-0 number though, do you personally and I'm not suggesting that you should but do you have knowledge of the resources available to field triple-0 calls in this region?-- No, not first-hand.

No, okay. The second matter I wanted to raise with you was the relationship of council with Emergency Management Queensland, EMQ?-- Yes.

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Can we leave aside the training role of EMQ, which is something that the Commission will examine later on and something which there is plenty of literature about in the documents the Commission has received. But what I'm interested in is your perception of the role of EMQ whilst the disaster was actually happening, whilst the flooding was actually occurring. Can you just describe your understanding as to the services that were provided by EMQ during that period?-- Well, from my attendance at the meetings, an EMQ officer was always present and giving overall support and briefings as to what - what was happening at the broader level. So I think, you know, the relationship from my point of view was good.

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You're talking about the meeting. Which meetings are you talking about?-- The Local Disaster Management Group meetings which occurred every morning. So-----

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What were they telling you? What were they telling you was happening?-- I would have to refer back to the minutes of each meeting as to what that report was, but each officer of the agencies that were represented in those meetings were giving a report from their position of their resources, what was happening and what was going on.

Yes?-- And I was certainly satisfied with the responses of EMQ.

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Satisfied with their reports at the meeting but, in terms of actual services on the ground, do you have a perception of what was being done by them?-- Not - not the detail of these sort of things. I think I was more focused on what our resources were. Making sure that all of our resources, and we have got very significant resources now being a regional council, making sure all of those resources were being made

available to whatever was being raised up at those meetings and whatever calls were made to us.

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Your perception of what they may or may not have been doing was limited to that which was conveyed in the meetings that-----?-- Sure. Look, I'm aware broadly of their state responsibilities and the support they give in terms of training and otherwise through SES and the helicopter service and emergency people that they have. But I was more focused myself on our resources and working with them, but I was certainly satisfied that they were providing and doing their job.

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Finally, I think, or, penultimately, can we talk about warning systems and as Ms Wilson made clear, there are two aspects to this. There's firstly the question of when you or other relevant authorities receive warnings about what's going to happen and then there's the question as to how that's disseminated to the community, and it is that second aspect of it that I wanted to ask you about?-- Sure.

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Because as we understand it, there are a couple of options in terms of there is the message alert service, which I think is administered by EMQ; is that right?-- Mmm-hmm.

That's a "yes"?-- Yes.

Then there is the early warning network, which is something different altogether. Something in the nature of a service which councils can opt into or not as they choose. Are you aware of that?-- Yeah, look, I have heard the discussion in the Court about potential - this was meteorology-type warning systems. I wasn't aware of the range of - I thought they were only trial meteorology warnings. I wasn't aware that was available to us, to be implemented and integrated into a meteorology department's warning system.

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No, this is in the nature of an SMS message which might get sent-----?-- Oh, the SMS service.

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That might get sent to individuals?-- Yes, I am aware of some places that use SMS service.

There is an SMS service known, as I understand it, as the early warning network which some councils such as Brisbane and I think Townsville opt into and then they advertise it or-----?-- Sure.

-----tell their constituents about it?-- No, I am aware of some places using that and, certainly, that's been discussed at our meetings and post the event been discussed as well. I think if I could - there are difficulties with it being a large area and I understand some of the SMSs get based on where the bill gets paid. So the messages could well be sent to someone not in the immediate area and some people would miss out. Also, I have really considered this - that Toowoomba is very different to further out where there's a lot more time to prepare for an advancing storm or an advancing

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fire, or in this case an advancing flood. However, the severe event at Toowoomba, and I now - used to live on the Oakey Creek and have 30 years' experience, personally, living the Oakey Creek but now I actually live in the CBD for the last 15 months - I live in the CBD area of Toowoomba, only 100 metres from probably either creek. So I'm wondering how or myself reflecting on how an SMS service would have made a difference on the day of the 10th, particularly in the city of Toowoomba. And I think about that. A lot of people were in shopping centres or are in places of work. There wasn't a large amount of traffic on the road. If we'd had an SMS warning system that said, "Severe storm. Flash flooding", sort of urging people to maybe even go home, I think we could have had more people in the middle of that very severe water that suddenly rose from a low level to a very high level. We would have - by giving that sort of warning, could have put more people at risk than it-----

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Let's just-----?-- So I have got concerns about how we might use that but it is certainly being considered.

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And that's what I was going to ask you. It was considered before January of this year from what you say?-- I've had discussions with other mayors about that system-----

Yes?-- -----that they've used in their places before this event and, certainly, more consideration since the event.

Yes, but before the event, perhaps the concerns were those which you've identified as springing from the geographic issues. The large-----?-- Yes. We're not just a compact urban area of 100,000 plus people in the city of Toowoomba. We also have 13,000 square kilometres with another 33 towns and I have to consider all of those people across a very wide area.

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Do you recall council specifically entertaining the possibility of signing up with the early warning network and rejecting it or was it just a general-----?-- No, it didn't go to a full council meeting. It was initially - along the way, I have been in local government for a day or two, I have discussed those sort of issues around various conferences with my colleagues. And, yes, we - I did - we did talk with our technology people before this event but it didn't get to a council decision about implementing it. There was no recommendation that came to council.

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And that leads me to my next question, which is, as you know, under the new State Disaster Management Plan local government has a very prominent role?-- Yes.

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Experiences could perhaps usefully be shared as between different heads of local government. Is that a formal process or is that just something that you have to rely upon the informal chance of meeting other people at conferences and so on?-- No, there's not a formal process statewide but I certainly attend statewide conferences held annually and I'm a member of The Council of Mayors and I regularly talk to my



colleagues from point to point about how we experience an event, how we responded to it, what are lessons learnt from it. That's part of the network of local government. I guess other industries do the same.

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Tell me, is there-----?-- But it is not a formal process.

Is there a summit of Queensland mayors held-----?-- There is an annual conference hosted by the Local Government Association of Queensland that's held annually. Individual councils can put up on the agenda for debate the policies of local government and have discussion about it. There are workshops held at those forums.

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And has disaster management been on the agenda of those conferences?-- Certainly, there have been - yeah, there are from time to time disaster management opportunities for workshop discussion.

It just depends on who's organising the conference as to whether-----?-- It depends how the conference is organised, what the theme is. Recently I attended a roads and infrastructure forum in Brisbane where I believe there was something - yes, I attended one - one lessons learnt, that mightn't have been the right description of the workshop, where mayors and CEOs and other emergency services Queensland people discussed post - post these disasters.

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Okay?-- And I sat through that event, or that forum.

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There hasn't been an equivalent sort of a session for preparing for disasters that you know of anyway?-- Well, it was a reflection on what happened. I can recall Brad Carter spoke and from Rockhampton other CEOs, I think the CEO from Lockyer, Mr Flint, isn't it, Ian Flint spoke. There were other speakers - this was a question and answer session around the room. It was quite useful.

I was just about to say, presumably these sorts of exchanges of information are quite useful?-- Very, very useful.

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And perhaps it could be that some sort of formalised arrangement in terms of sharing preparation for disaster knowledge might be instituted, but that's probably not something that you need-----?-- Absolutely. Particularly when you mix the executive level with the political level, we get both sides of it rather than doing it separately I think is advantageous.

Thank you, that's all I have.

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COMMISSIONER: Mr MacSporran?

MR MacSPORRAN: I have nothing, thank you.

COMMISSIONER: Ms McLeod?

MS McLEOD: No questions, thank you.

COMMISSIONER: Mr Gibson.

MR GIBSON: Thank you, Madam Commissioner. Just one topic. Councillor, Mr Gouldthorp told us that you personally conducted a number of interviews with representatives of the media from about the 10th of January onwards. Can you tell us from your recollection approximately how many such interviews were conducted in the week commencing the 10th of January?-- Yeah, my - I attempted to write them in my diary and record some of them but it wasn't possible. I've said in my statement I think it was hundreds. Because some were done in the office, some were television/radio, but I was continuously - I mean, prior to this event I was actually doing a significant amount of media as well and I was talking to farmers and people on flood areas. I was up in Crows Nest, I was visiting Jondaryan before the 10th. So, you know, I was on the ground across the whole area. And doing interviews from the 10th onwards, look, a very significant number, I estimate certainly more than a hundred. But sometimes I was on the street and doing it - literally doing a live cross to ABC locally where - in fact, the ABC attend our Local Disaster Management Group meetings and they continually come to me as the point of contact. That is my job under the Local Disaster Management Plan. That I appoint a portfolio chairman to the chair of it; I sit in on those meetings; my job becomes a liaison voice of the council and the contact and conduit between the people. So I take that role very seriously. But when you're on the street, a quick cross, a quick interview, "What's going on?", I wasn't able to record many of those.

Yes?-- And sometimes I hang up and there would have been 15 or 18 missed calls on the mobile phone.

The subject matter of most of these calls, could they be described as situation reports as to what was occurring for the state of affairs in various localities throughout the Toowoomba Council's local government area?-- Absolutely. From my knowledge of being in the coordination centre, live centre where it was happening, meetings, executive meetings in the morning room where the executive staff, my own travelling on the ground.

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Yes?-- So, a wide cross-section of information. I was in the best position to be able to give those updates which I was doing.

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Did the media interviews include representatives of print, radio and television?-- Certainly.

And was it your experience that those interviews were widely reported; that is telecast, broadcast and published?-- Yeah, I understand from feedback and my own friend and relations and family that - yeah, I could have been considered a media tart for a couple of days.

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On a more serious note, how important did council at that time regard these media interviews and effectively situation reports which you were providing as a facility for providing information to residents throughout the local government area?-- Yeah, we considered it very seriously. In fact, the CEO appointed a liaison - a senior media person, communications person, to actually formally assist me, which proved very helpful. I was able to do it in a more structured and orderly way. We set up media interview places where we conducted regular interviews.

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Putting it in a nutshell, did you, and as far as you are aware, council regard that as the most effective way of communicating in a mass sense to the population of the council area?-- Yes, we did, but we're certainly - I was also considering what was on the other internet sites, the disaster site, also the social media, although I wasn't personally managing social media, but our media - I was aware that our media releases were going through to those sites as well.

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All right. And apart from some concerns that have been expressed by residents, by and large, can you tell us what the reaction has been from the residents of the Toowoomba local government area in response to the information that was provided through the media?-- Now, I am not probably a good position to judge myself, there might be - others might be better able to judge that, but I thought I did the best I could do under the circumstances.

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Yes, and-----?-- The feedback's generally been positive.

Yes, I have nothing further, thank you.

COMMISSIONER: Mr Callaghan?

MR CALLAGHAN: Nothing, thank you, Commissioner. May

Mr Taylor be excused?

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COMMISSIONER: Thanks, Mr Taylor, you are excused?-- Thank you.

WITNESS EXCUSED

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MS WILSON: Madam Commissioner, I called David Totenhofer.

Madam Commissioner, Mr Totenhofer is not here at the moment, so I call Roy Inwood.

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ROY DAVID INWOOD, SWORN AND EXAMINED:

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COMMISSIONER: Yes, Ms Wilson?

MS WILSON: Thank you, Madam Commissioner. Is your full name Roy David Inwood?-- That's correct.

And do you live in - I have trouble with that - Boodua?-- That's right.

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And you are a farmer?-- Yes.

And you have five poultry farms in the Oakey area?-- That's correct.

Now, on the property, you have a dam yourself?-- Yes, a small dam, yes.

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And do you have levee banks, levee walls around that dam?-- Yes, we do.

How high are those levee walls?-- They would be up a couple of meters high at the moment, and - yes.

Okay. You say in your statement that, "These levees have been extremely successful in preventing flooding from the creek but cannot hold back waters from the Cooby Dam."?-- That's right, they have worked quite up well up until the dam overflowed, yes.

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Could you explain that to me? How often would the creek overflow?-- Not too often, because we were in drought, but over the years we have raised the levees two or three times. Every time the dam overflowed we had to raise it again, but yeah, just from the creek flows it held - it worked very well.

When we're talking about a creek, what creek are you talking about?-- Well, we have two creeks that come in above our farm, there's Meringanden Creek and the Gomaren Creek.

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Does your property adjoin these creeks?-- No, no, we're on the Cooby or Oakey they call it, Creek, past - at our place.

COMMISSIONER: Can I just get you to spell those two creek names?-- Spell them?

Do your best, Mr Inwood?-- G-E-M-O-R-A-N, I suppose, would be close enough.

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I don't think anybody is going to disbelieve you?-- That's right.

And the other one?-- M-E-R-I-G-N-A-N-D-A-N.

Thank you.

MS WILSON: Now, Mr Inwood, have you prepared a statement in relation to this Inquiry?-- Yes.

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Okay. And can I get you to have a look at this statement?

COMMISSIONER: That is your statement?-- That is, madam.

MS WILSON: I tender that statement.

COMMISSIONER: Exhibit 94.

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ADMITTED AND MARKED "EXHIBIT 94"

MS WILSON: And did you on the 21st of March receive correspondence from Toowoomba Regional Council?-- Yes, I did.

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And can I ask you to have a look at this document, please? On the front page of that is the letter from the Toowoomba Regional Council?-- Yes, looks like the document. Yes, it is.

And are there documents attached to that?-- Yes, I'd agree that's - that is the document.

Thank you. I tender that document with the Toowoomba Regional Council letter on the front.

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COMMISSIONER: What else is there besides the letter? What does it consist of exactly?

MS WILSON: It's the plans and guidelines attached to that letter.

COMMISSIONER: Thank you. That will be Exhibit 95.

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ADMITTED AND MARKED "EXHIBIT 95"

MS WILSON: Did you also make a submission to the Commission of Inquiry?-- I did.

Did that submission include a letter that you wrote to Anna Bligh, the Premier of Queensland?-- Yes.

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And it also included photographs and newspaper articles?-- That's correct.

Can I ask you to have a look at the document, please?-- Looks like the document - it is the document.

Thank you. I tender that document.

COMMISSIONER: Exhibit 96.

ADMITTED AND MARKED "EXHIBIT 96"

MS WILSON: On Monday, the 10th of January you received a phone call from a friend who advised you there was 1.6 metres of water falling over the Cooby Dam Spillway?-- No, that's not correct.

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Perhaps if you-----?-- I think it was .4 on the 10th.

1.4?-- Just .4.

Right?-- On Monday morning, I got a call from a friend that said it was .4 of a metre.

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And on Monday evening?-- And Monday evening I had another call to say it was now 1.6.

Okay. Now, when you awoke on the 11th of January 2011, was there flooding on your property?-- It had only just started, it was coming in to the house yard about daylight, because I was up early because I was concerned about the dam coming over that height, and, yes, I heard - there was water coming in the yard, but I could see in the distance across to our neighbours' farm, in the vicinity of the Cooby Dam, a wall of water coming about half a metre rolling across about half a kilometre wide, and it reached our farm about 6 or something like that.

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Now, you talked before about the levee banks?-- Yes.

And those levee banks were about 1.5 metres?-- Yes.

And they were surrounding your own little dam?-- Yes, in front of the house, to protect the house and all the sheds too. It was quite a long levee bank, about 3 or 400 metres long, and also protect the buildings and silos, et cetera.

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And on Tuesday, the 11th of January had the water got up to these levee banks?-- Yes, it certainly did and came over like they weren't there.

It came over the levee banks?-- Yes, just rolled over the top of them.

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Can you give some indication of the direction that the water was coming from?-- East, yeah, direct - coming in from the east.

And which direction is Cooby Dam?-- East.

Okay. So, the water was coming from the same direction of

Cooby Dam?-- Yes, certainly.

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COMMISSIONER: How far away is the dam?-- As the crow flies - I would only be guessing, Commissioner - but about 10, 10 kilometres, I would say.

Thank you.

MS WILSON: Perhaps if we can at this point of time have a look at some photographs that you took? Now, this is a photograph that you took?-- Yes, that is my photos, yes.

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And where is that photograph-----?-- That is at our residence and that was the office, we have our computers, equipment, et cetera.

When was this photograph taken?-- Well, probably about 8 to 9 o'clock in the morning on the 11th.

On the 11th. Okay. Can we have a look at the next photo?-- I have still got the same one on.

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There should be another one?-- Oh, yes. Yeah, that's the entrance to the house, entrance to the house, yes.

And how deep would the water be there?-- That would be about .4 of a metre. It didn't quite - because the house is on stumps and it didn't quite go into the main residence, it missed by about an eighth of an inch. We had towels under the doors, but we were so fortunate it just - but the other office was on ground level.

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Okay. And did the water rise any more than as depicted in this photograph?-- I think it did, because we were so busy trying to save poultry and everything that we left around that area and we couldn't get to a lot of places on the farm, but it's - certainly didn't go into the main residence so maybe it didn't rise much more than that.

Again can you tell me when this photograph was taken?-- Oh, I am only guessing again, but I would say around 9-ish, 8, might have been even earlier, because - yeah, about 6 it was - I can see them coming across the paddock, so would have been taken - I'd say around about 8 o'clock.

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On the 10th of January?-- 11th.

11th of January. Can we have a look at the next photograph, please?-- That's the same photo, almost - yes, same.

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It just takes a little while to come through?-- Oh, yeah. Okay. Right.

Okay. So, when you are talking about the waves of water, is this what you are talking about?-- Well, it came through in - you know, sort of just rolled through and it then it just continued on and went through all the sheds and everything like - you know, there was nothing to stop it, and it got that



high we did - I did manage to get around to get some photos of that, but it got maybe a little bit more high and that was too dangerous to go any further, so I didn't.

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What would be the depth of this water that we're seeing here?-- Up - about half a metre I suppose. You couldn't walk in it, it was too dangerous to.

And how wide was the water that you were seeing there? How far did extend it?-- Well, it extended right across the area, from a kilometre and a half, I suppose, and nearly the same on the other side of the creek, there would be at least two kilometres, half a metre water coming through.

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And what we're seeing here, is that what there was for two kilometres, that type of-----?-- Yes, yeah, and it would have been lot deeper in the valley. That's up in the high spot where it never goes, and through the valley it would have been over two metres deep, debris is still on the trees and they're hanging right up in the - up - could be three metres high.

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And you have lived on this property for all of your life?-- That's correct.

And your family before you, since 1911?-- Yes.

Since you have been there, have you ever seen water like this come through?-- Not - not so high as that. We have had some good ones, but not that high, no.

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Is it only the height was different or was it the speed of the water coming through?-- Height and speed. Yeah. I think it might - depends what area you were in, because some of the neighbours on - some of the other areas said that they'd seen it ever higher, so I don't know.

Just in relation to your property and what you have seen?-- Yes, certainly the highest I have ever seen it, yes.

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Perhaps we can look at the next photo?-- Right.

Where is that photograph taken?-- That's on our property. We have seven silos and the levee bank is behind there, the metre and a half high levee bank, and it's coming over there, you know, just pouring through there.

So, the levee bank is behind these silos?-- Yes, on the far side, yes.

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So, the water has already topped the levee banks?-- Yes.

And then it's coming through the silos?-- Yes.

Okay. Can we just have a look at the next photo, please? Where is this photograph taken from?-- That was taken from the top of one of the silos and that will give you some idea of how wide the water was.

Okay. And what can we see? Is that your poultry sheds?-- Yeah, that's our shed, hay shed and one poultry shed, and the creek in the furthest distance, the water - well, the creek wasn't even - it was just all water, you didn't know where the creek was.

And how long did the water remain at this height for?-- I honestly - I can't quite tell you - remember when it started dropping, but it would have been after lunch and it stayed up for quite a long time, we couldn't go anywhere. I'd say about 1 o'clock before we started noticing any difference. Probably six hours.

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That was 1 o'clock on the 11th?-- Yes, gradually went down.

When was it there was no water on your property? How long did that take?-- When the water cleared from the sheds, would have been next morning probably, we could get around the sheds, but the rest of the farm stayed under for, you know, quite a few days.

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A few days?-- Yes, on a small scale.

Can we have a look at the next photograph, please? Is that again taken from one of the silos?-- Yes, it was taken from the roof.

Okay. And would have a look at the next photo?-- Yes, those - that particular shed's gone completely, and the one behind it and the one not in the picture - there's three sheds there - were destroyed, and-----

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So, the sheds that we're seeing behind that silo, were they destroyed?-- No, no, these are looking to the south. These are different sheds altogether, yes.

So, those sheds that we're seeing there remained intact?-- Beg your pardon?

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The sheds that we're seeing there remained intact?-- No, they're - that one's completely had it, and the one behind it, we have repaired and the one in the foreground, which you can't quite see, we put it back together, but the one that's beyond repair - the one you are looking at now is beyond repair, which had a lot of stock, poultry in it at the time.

COMMISSIONER: The sheds that were destroyed, was that with poultry in?-- Yes, Madam Commissioner.

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MS WILSON: If we can have a look at this last photograph, please?-- Yes. That's the erosion that - that's the start of the erosion where it went over the levee bank, eroded that out. That's huge, that hole, and plus in the - looking towards the west, it went through the cultivation and there's all holes - not quite that big, you know, there's acres and acres of soil gone.

So, are you saying that throughout your property, there's these holes that have appeared after the flooding?-- Yes, not quite as bad as that one, that was extreme that one.

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And that was one was quite close to your levee bank, was it?-- Yes, right where the levee bank was, yeah, that's what they're standing on, the levee bank. That's gone.

Now, if I can take you to paragraph 9 of your statement? You say that, "Since the amalgamation of councils in 2008, this area has gone from being part of the Rosalie Shire to be part of the Toowoomba City Council. Since this time, I would not know who our disaster coordinator is and I believe communication from council in relation to issues has diminished somewhat in comparison with the days of the Rosalie Shire Council." Can you explain what you mean when you made that statement?-- No, I think I have might exaggerated a little bit there, maybe.

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Tell us what you mean?-- No, I think - I don't know where they ever did let us know when there was flooding coming around in Rosalie Shire, it mainly came from the - from the dam itself, from the ranger or the caretaker when we had problems with flooding and that. I think I might have misunderstood that question a bit, mmm.

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Okay. So, in terms of the communication that you received before the Rosalie Shire got amalgamated into the Toowoomba Shire Council-----?-- Right.

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-----and now when you are part of the Toowoomba Regional Council, is there any difference that you can tell us?-- Well, in letting us know when the dam overflows, yes, we didn't get any information at all, but before that, after the '74 floods, which were one in 100 years they told me - but it happened again in '86 and then the council used to ring the farms up below the dam and pass on messages when the water was coming over the spillway. We always got notified and one farmer told the next farmer.

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I didn't know anything about - that you mentioned before about five kilometres below the dam. I didn't know that was the distance, because we used to get notified and we're about 10 kilometres down.

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Who would notify you, the ranger?-- The ranger, yes.

So he would ring you?-- Yes, or-----

Was it an understanding that you should ring others?-- Yes.

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And who would tell you that, really, like you should be ringing other farmers? Did you just take that on yourself or were you told that?-- Oh, we just took that on ourselves, yeah.

Did anyone from the Toowoomba Regional Council or the dam ring you?-- This particular time?

Yes?-- No.

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You say in paragraph 18 that you believe, "This area needs a local community group established with an appointed coordinator to assist the community in times of disasters where an appointed leader could take charge, keeping the community informed as to what is going on"?-- I think it would be nice, yes, it would be a help.

This has never occurred previously though, has it?-- No, no.

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But is that something that you think will assist considering what occurred in January this year?-- I think it would help a lot of the farmers in Oakey and, you know, everybody, yeah.

Thank you, Mr Inwood. I have no further questions for you.

COMMISSIONER: Can I just ask you, are you contemplating a voluntary group or?-- Not at this stage. Well, there has been a quite a few people that are interested in what's happened and have been around so, yeah, I think it will happen, yes.

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But a voluntary group not a sort of council appointed group?-- I haven't got to that stage, I wouldn't be sure. I'm getting a bit old, you know.

It doesn't sound like much of an excuse, Mr Inwood?-- No, it doesn't.

Mr MacSporran?

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

COMMISSIONER: Ms McLeod.

MS McLEOD: No, Commissioner.

COMMISSIONER: Mr Gibson.

MR GIBSON: Thank you, your Honour. Just a couple of questions, Mr Inwood. In respect of the last couple of matters where you referred to the amalgamation of the council and you say that, "The area has gone from being part of the Rosalie Shire to part of the Toowoomba City Council", perhaps the regional council, it is the case, isn't it, that the Cooby Dam has always been controlled and operated by the Toowoomba City Council both before the amalgamation and afterwards? Is that your understanding?-- Yes.

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And what was the name of the ranger who was previously there and would make contact with farmers?-- I'd have to go back to my notes, but in 1990 I think I had a letter to say telephone numbers and I don't know whether the ranger's name was on it or not but I haven't got them here with me today. I couldn't help you.

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Before the amalgamation happened in about 2008, a few years ago now, can you recall approximately when it was that you had the last contact from the ranger at the Cooby Creek Dam?-- I think it all stopped after about the '86 floods and then it - you know, we went into drought after that and the dam never really flowed over again, only once after that, 1990, and there was no correspondence after the '86 flood I don't think.

Was the arrangement that you're recalling one whereby the ranger contacted you personally or contacted some other farmers who set up a network and passed the word down the line as it were?-- Yes, there were two other farmers above me they'd always ring first and maybe sometimes they'd ring me and if they couldn't get them, whoever was available. Sometimes you're not in the house when they ring so, yeah.

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Now, you mentioned two creeks, and although I didn't have this with me when you spelt them, Meringanden Creek, which is spelt M-E-R-I-N-G-A-N-D-E-N, and Gomaren Creek, G-O-M-A-R-E-N, where is your property in relation to those creeks? Are you upstream of those creeks or down below?-- No, we're below, we're below where they come in, about five kilometres.

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Would you look at copy - might Mr Inwood be provided, your Honour, with a copy of Mr Collins' Oakey report, Exhibit 76?

COMMISSIONER: Yes.

MR GIBSON: I am providing a copy which is-----

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COMMISSIONER: All right. Where is Exhibit 76? We have a hard copy of it I assume.

MR GIBSON: It was tendered this morning.

COMMISSIONER: We may be able to get it up on the screen, I'm not sure.

MR GIBSON: Madam Commissioner, do you have a copy of that exhibit?

COMMISSIONER: I can probably turn it up in my-----

MR GIBSON: I do have an available copy that I can provide if that is convenient?

COMMISSIONER: No, I have one here that I will share with Mr O'Sullivan.

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MR GIBSON: Mr Inwood, would you turn that up to the page that's after 4-1 and it opens up as an aerial photograph, a satellite image. Can you fold it out. It doesn't fold - no, just turn the next page. That's it, thank you. Can you just locate the Cooby Creek Dam which is on the right-hand side of this image. I think you are going to be given a bigger one that will be easier to see?-- A colour one, yep, that might help.

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Can you see the Cooby Creek Dam, about halfway down top to bottom on and on the right-hand side?-- Yes, yes, I can, quite clearly.

Thank you. Now, you take your time but can you also see the Meringanden Creek?-- Yes, yes.

And you see the Gomaren Creek?-- Yes.

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And they are both tributaries of the Oakey Creek some distance downstream of the dam?-- That's correct.

Looking at that, are you able to assist us with the approximate location of your property, perhaps-----?-- Yes. Where you see the Kingsthorpe-Haden Road sign and the Oakey Creek sign, there's a - there's a bend in the creek, a real sharp bend.

All right?-- You see the Oakey Creek and you see Kingsthorpe Road, Haden Road and you can see the nasty bend in the creek, the real U.

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Right?-- That is our property.

Are you about halfway between the dam and Oakey?-- Yes, that's correct.

And it may be of assistance, Madam Commissioner, if the exhibit could be marked with perhaps a highlighter or a marker.

50

COMMISSIONER: All right, if somebody has a marker.

MR GIBSON: I'll volunteer the use of one.

COMMISSIONER: Thank you. Could somebody retrieve the marker from Mr Gibson?

MR GIBSON: Just take care and on the document you are about to be handed, would you put a small circle, perhaps, around the location of your property, Mr Inwood?-- Actually, I made a square.

1

All right.

COMMISSIONER: Now, I might just get that shown to the three Commissioners. Thanks. Thanks, Mr Gibson.

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MR GIBSON: Might we see that?

COMMISSIONER: I'm sorry, yes. Show Mr Gibson, please, and any other counsel anxious to see it.

MR GIBSON: Thank you. Mr Inwood, it appears from this satellite image that each of those two creeks is uncontrolled. In other words, there are no - certainly no dams. Is it also the case, as you understand it, that there are no structures such as weirs across those creeks?-- Yes, I do.

20

Now, when you said that your property is about halfway along Oakey Creek, between the dam and Oakey itself, approximately how far in terms of kilometres would you put your property downstream of the dam?-- I wouldn't be any more than 10 kilometres I wouldn't think.

You'd be no more than 10 kilometres?-- Oh, yeah.

Is that what you said? I may not have-----?-- Yeah, I think so. I'm guessing, of course, but as the crow flies, I'd say 10, yep.

30

Thank you. Now, the letter that you wrote to the Premier referred to debris in a tunnel or a sluice - S-L-U-I-C-E - tunnel. Do you recall that?-- Yes, I do, yes.

In your statement you mention at paragraph 11 that there's a tunnel constructed to assist in the release of water if needed. Do you recall that?-- Yes.

40

After writing the letter to the Premier, do you recall receiving the letter from Mr Flanagan, the Director of Water Services of the Toowoomba Regional Council dated the 21st of March?-- That's right, yes, I do.

That's attached to your letter?-- Yes.

Did you note that Mr Flanagan commented that there is no sluice tunnel at that dam?-- Yes, I did.

50

And you noted that he also said, by way of explanation, that there is an access tunnel which contains a 600 millimetre diameter pipe which delivers water from the intake tower in the dam to the pump station?-- Yes, I do.

You understood that. And that the - he further said that the access tunnel provides maintenance access only?-- Yes.

Now, have you also taken the opportunity to look at some of the documents that have been posted on this Commission's website?-- No, I haven't. Only what the council sent me.

Have you then seen, other than by reference to the website, a report of a Dr Jordan from a company called SKM in relation to this flood event which includes reference to the dam?-- No, I haven't.

10

Thank you. Have you seen a statement of a Mr Alan Kleinschmidt, the Acting Director of Water Services of Toowoomba Regional Council, which has been posted on the Commission's website and may have been otherwise made available to you?-- No, no.

Thank you. You also note in paragraph 14 of your statement that further floods, you say, were caused by the dam overflow in 1981, 1984 and 1988. In front of you on the screen is paragraph 14 of your statement and although it is difficult to read just at the moment, shortly that block will disappear and the sentence to which I am referring is the third sentence in the paragraph?-- I just can't see - it's still blocked out the last-----

20

Well, I will read it to you?-- Yes.

"Further floods caused by the dam overflow occurred in 1981, 1984 and 1988"?-- Yes.

30

So it's been your belief that this dam has caused flooding on each of those occasions and, one might add, 2011?-- Yes. Can I explain?

Yes?-- Prior to the dam overflowing, my information on the Meringanden Creek from the landholder on the creek said that the Meringanden Creek was highest they'd ever seen it in his history and he'd been there for years. And also, I got word the Gomaren Creek also was the highest they'd ever seen it. That wasn't causing us any problems on our farm. The creek was handling it. Yes, it was coming over the banks but it was not doing any damage to our farms or to our sheds. But on the morning when the dam started - was .4 of a metre over, yes, we noticed an increase in all the water coming through our farm but it still wasn't - we could manage it. But when it got to the afternoon and when it went to 1.6, that's when we had the big trouble.

40

All right?-- So in my opinion, the water coming through the two creeks never caused us any trouble. We can handle those quite well. It is when the dam overflows is when it adds - it might be only 28 per cent but that 28 per cent makes a lot of difference. And if I may say so, floodgates would be very handy, even though they say they couldn't control it, the creeks will still come in, but the Meringanden Creek is up and down so quickly after that water they could hold the water back until that creek went through and then they could release some into Cooby Dam.

50



You say that by way of explanation for your belief that the Cooby Creek Dam has been the cause of flooding, including flooding on your property in 2011?-- Oh, yes, yes.

You would be willing, no doubt, to defer to the evidence and the opinions of hydrologists and those engineers who are perhaps more familiar with dam construction and operation than yourself in that regard?-- Well, they've been saying the same thing ever since I've been writing these letters. You know, like we had the Snowy Mountain engineers back up in the - after the '74 and they said the similar thing. So I don't know if they're going to change their mind and I-----

10

What did they - I'm sorry, go on?-- I just believe if they're going to update the Cooby Dam and widen the spillway and raise it, why not put gates there? Or else, as you can all see, the amount of water that came through that valley over the last 30 years would more than fill another dam up which is another site in the area which is just above our farm.

20

All right. Yes, I have nothing further, thank you, Commission.

COMMISSIONER: Ms Wilson, any re-examination?

MS WILSON: No re-examination, Madam Commissioner. May the witness be excused?

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

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WITNESS EXCUSED

MS WILSON: Your Honour, concerning the time, would this be a convenient time to adjourn and perhaps we could start at 2 o'clock?

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COMMISSIONER: Yes, we could do that. Does that suit everybody else? All right. We'll adjourn until 2 p.m.

THE COMMISSION ADJOURNED AT 12.48 P.M. TILL 2.00 P.M.

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THE COMMISSION RESUMED AT 2.10 P.M.

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MR BURNS: May it please the Commission, I appear for Senior Constable Wheeler.

COMMISSIONER: Thank you, Mr Burns. You have leave to appear.

Yes, Mr Callaghan?

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MR CALLAGHAN: Mr Burns' appearance might indicate the subject matter will now turn to the circumstances surrounding the death of Donna and Jordan Rice.

At the outset, I will tender a recording of a triple 0 call and a transcript which accompanies that recording.

COMMISSIONER: All right. The two together will be Exhibit 97.

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ADMITTED AND MARKED "EXHIBIT 97"

COMMISSIONER: I am going to make an order prohibiting publication of the audio recording of the calls. That is, I think, hardly to be called a suppression order, although I did hear some preemptive reporting on the ABC this morning to that effect, because the content of the call may be published, it's simply that the audio is not to be played, except within and for the purposes of these proceedings.

30

MR CALLAGHAN: I ask that they be played.

COMMISSIONER: Sorry?

MR CALLAGHAN: I ask that they be played.

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COMMISSIONER: All right. You don't want to tender both tapes at once?

MR CALLAGHAN: I can tender the second now as well.

COMMISSIONER: It might be more convenient, because I propose to make the same order. So that's the audio of the call and the transcript?

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MR CALLAGHAN: Yes, Commissioner.

ADMITTED AND MARKED "EXHIBIT 98"

COMMISSIONER: Again, I order the audio of the call not be published except within and for the purposes of the proceedings. The transcript of the call is a different matter. 1

MR CALLAGHAN: Thank you.

COMMISSIONER: Do you want those played?

MR CALLAGHAN: Yes. 10

COMMISSIONER: Both, or just the one?

MR CALLAGHAN: They should perhaps both be played now.

COMMISSIONER: Thank you.

EXHIBIT 97 PLAYED 20

EXHIBIT 98 PLAYED

COMMISSIONER: Yes, Mr Callaghan?

MR CALLAGHAN: I call Robin Coleman. 30

ROBIN OSWALD COLEMAN, SWORN AND EXAMINED:

MR CALLAGHAN: Could you tell the Commission your full name, rank and station, please?-- My full name is Robin, R-O-B-I-N, Oswald, O-S-W-A-L-D, Coleman, C-O-L-E-M-A-N. I'm a sergeant of police, attached to the Toowoomba District Communications Centre, Regional Office, Toowoomba. My registration number is 400-2769. 40

Mr Coleman, you were interviewed on the 17th of January 2011, the subject of the interview being the operation of the Communications Centre at Toowoomba on the 10th of January 2011. You are aware of that?-- That's correct.

I tender a copy of that interview. 50

COMMISSIONER: Exhibit 99.

ADMITTED AND MARKED "EXHIBIT 99"

MR CALLAGHAN: It's the case that you were what's known as the CommCo officer, is that right, on that day?-- That's correct, my position is known as the Communications Room Supervisor, which is also known as the definition CommCo

That is to say, you were the main officer who has the authority to prioritise tasks that came in to the centre on that day?-- That's correct, I do that until a senior officer takes over in an incident command or major incident and I'm the directives for the district officer at the Toowoomba District Office in regards to any incidents that occur or any calls for service.

10

And it occurs to me we are calling witnesses in a slightly different order from the one we fully intended, so we haven't actually had explained to us yet what the Toowoomba District Communications Centre entails. Can you just give us a brief overview of the centre and the sorts of calls that come into it?-- Yeah, the centre is situated on the second floor at the district office in Neil Street, it's an area of about half the size of this. It has a - what they call a CommCo desk, work desk. Off to the left you will have two desks that - where communication room operators sit. In front of you, you have got another two that sit at a desk that attend to duties, and to the right you have also got two desks. So, there's six positions there, plus the CommCo, then behind that, you have an MRI room, which is a small room that - where one person can sit. In regards to calls of service or - we use triple 0 lines and normal lines and we have divert lines. Divert lines are lines that come in from outlying stations where police officers are not there to answer the calls and they divert through to Toowoomba Communications Centre situated on each work station is the ICL, which is the triple 0 line that comes up when the triple 0 call comes through. You also have the radio channels which are linked into the Toowoomba police vehicles in the local CBD and also the local town area, and you also have district channels which relate to the police cars from Oakey right through to Laidley and out to Crows Nest and down to Cambooya. We take a number of calls in regards to client service. If there's a tasking to be put on the system, we put it on what they call the Information Management System, which is known as IMS. IMS is what you would call a tasking job list and it's then looked at and prioritised, and we look at the number of jobs that are on, we prioritise those jobs in looking at them to see who jobs need urgent attention or which jobs will require prioritising in regards to getting police officers there either with a code 1, code 2 or a code 3.

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All right. The actual officer in charge is Ms Cooling; is that correct?-- That's correct, Senior Sergeant Cooling has an office which is situated in the coms area.

50

But the person occupying that position, I appreciate it might be different according to - I withdraw that. You work in shifts; that's correct?-- The shifts at the Toowoomba District Communications is a 6 A to 2 P, 2 P to 10 P, and 10 P to 6 A, and those shifts are mainly for the police officers.

But you as the sergeant in that section would be on a rotation with other people?-- That's correct.

It just so happened that you were the one who was on on the afternoon of the 10th of January; is that correct?-- That's correct.

Now, the triple 0 calls that come in to the centre, as I understand it there are something like five lines which are dedicated to triple 0 calls; is that correct?-- That's correct.

10

But then there are another six lines which are described as response lines; is that correct?-- Yes. We have a number of response lines that - I think there are six, yes.

And the room itself operates as something of a switchboard, is that the case inasmuch as it's not just triple 0 calls that come in, but ordinary calls which were made to a listed police number that might be found in a phone book?-- That's correct.

20

If there are more than five triple 0 calls coming in at one time, they then spill over, as it were, to the response lines; is that correct?-- That's correct.

And then if all of the response lines are full as well, then the calls will then be - the triple 0 calls, I am talking about, or perhaps any call, will be diverted to Ipswich; is that correct?-- Yes, the overload will either go to Ipswich Coms. Ipswich Coms, if they cannot answer them, will then go the Brisbane Coms.

30

If it goes to Ipswich or Brisbane, what happens to the message then?-- Well, it will be taken by those persons down there and recorded and sent back to us or contact us by phone or by e-mail or fax through the job to us.

All right. If it's sent back to you by phone, of course there's the risk that it's going to be - they are going to run into the same difficulties which sent the call to Ipswich in the first place; is that correct?-- That's correct.

40

So, is there a system in place for picking up faxes or e-mails in that sort of situation?-- Yes, you have a person, if possible, who monitors that and nominate them to be the person that will receive those e-mails or those faxes and check the fax machine.

Did that happen on the 10th of January?-- I believe it did, yes.

50

Well, if it did, were you the one who made it happen?-- I would have made a decision, yes, I would have said to someone, "Please cover the faxes and check any e-mails that are coming in to CommCo.

I appreciate, sergeant, it was a time of absolute chaos and so

you may not have a specific recollection of absolutely everything that you did in the course of the afternoon?-- It was - that is very true, what you're saying. 1

Yea, and I'm not interested in criticising you for anything that was or wasn't done, but it's important that we know, in fact, what did happen so that we can make recommendations for the future, and on that basis I am asking you do you know whether you actually nominated someone to collect faxes or e-mails, or are you just thinking that that was something which must have been done in the hurly-burly?-- At the time that I - this incident occurred, I can't recall exactly what's done, it's only afterwards when I have read data that was produced and given to me that I recall that there may be a couple of persons that were allocated those jobs. 10

Yes. Okay. To make things clear, there were other senior officers present. I think Inspector McDonald happened to be there; is that correct?-- Yeah, acting Inspector Jim McDonald was my liaison with the District Disaster Group. 20

So, what I'm getting at is to the extent that someone might have given a direction to someone else to cope with an emerging situation, he might have done something?-- He may have, I cannot recollect.

Yes. Okay. All right. Well, getting back to what happens when a triple 0 call comes in, you mentioned the IMS. What does that actually stand for?-- Information Management System. 30

What is it?-- It is a computer system that you have your computer in front of you, the IMS system is set up to take all the details of the person whose rung the call in, how it's received by triple 0, normal phone call, by radio. You put the details in as to who the informant is, the incident address where the matter is occurring, it may be different to the triple 0 line, the person that rings, so you make sure that that incident address is correct, and then in the precis of the IMS you put in the details of what has occurred and then that's saved. 40

When you say it may be different from the person who rings, that information comes up automatically or at least some of that information comes up automatically, doesn't it, the number?-- If it comes in on a triple 0, if comes up besides you on an ICL screen beside the computer.

Okay. So, there's two screens in front of every operator, are there?-- You have got your computer, your personal computer that you are linked - linked on to. 50

Yes?-- Then beside it you will have a screen, which is the ICL screen, and that ICL screen is also a switch on the bottom that you switch to City Safe or you switch it back to triple 0 ICL.

All right. When you say, "Switch to City Safe", is that to

the camera?-- That's the City Safe, which is run by the Toowoomba Regional City Council.

1

All right. Well, can we turn, then, to the manner in which calls are prioritised? Assuming that an operator is sitting there taking the calls, what do they actually do and how is it determined whether one call is more urgent than another if more than one comes in at a time?-- If there's an urgent call and it indicates that there's persons likely to be injured, I think they get my attention or the CommCo's attention by yelling out or putting their hand up saying, "We have an urgent situation.", and then I would be given that information and then I would prioritise it as a matter of whether police go code 1 or 2 to that job.

10

It's as simple as them putting their hand up or physically attracting your attention somehow?-- That's correct.

If they don't do that, then I take it it just goes on to the screen?-- Goes on to the IMS system and it's logged into a - given a number and it logs - it stays there until I can get a look at it to see what jobs are available and what crews are available to send to.

20

All right. Who does that? Is that what you do? Do you review every entry that goes on the screen, or does the individual operator have to come back and do that? I am asking about the calls where they don't grab your attention, where you don't prioritise it, what happens to the rest?-- The job sits on the system. If I'm not busy, I will be looking at the job and working out, "Yes, we will get a car crew to as soon as we can." If I feel that that job is urgent, I will detail a car off another job that's low priority and send it to the job.

30

All right. But what I'm getting at is that comes down to you?-- Me, yes.

Ultimately it's your responsibility?-- CommCo in liaison with what other staff I have there, if staff said, "Look, we have a car crew spare, can we send it to that job?"

40

Yes. Okay. But I guess what I'm getting at is what is the system to ensure that one never falls through the cracks, that if one's not actioned immediately, how is it that someone comes back to it, to-----?-- That's my responsibility as CommCo. I look at them.

Thank you. All right. But, in any event, there's a discretion or a judgment call, I should say, by the person who actually answers the phone in the first place-----?-- That's correct.

50

-----as to whether they wave their arm or call out for you?-- That's correct.

All right. And, again, just from a general proposition, having those calls going to switch and/or Brisbane or on that

topic, would you agree that there are obvious advantages to a call of this nature being taken by someone with local knowledge?-- Yes.

1

Which brings us to Mr Wheeler. He's someone that you described in your interview as having very good local knowledge?-- That's correct.

And you have relied on his local knowledge in the past?-- Yes.

10

And on the 10th of January, you were both working that afternoon?-- That's correct.

You were, in fact, rostered to commence work at 2 p.m. but got there a bit early?-- That's right.

Is that quite a common thing for you to get there a bit early for the purposes of the handover?-- That's correct, you would normally come in probably half an hour early to get a handover or if you're late, well, then, you wait till you get the handover, but it's normally half an hour, 15 minutes early to get that handover from the previous CommCo and talk about what jobs are on the system.

20

Am I right that on the 10th of January you got there about 1.40, 1.45 p.m.?-- About 1.40, 1.45, yep.

1.40. At that stage, was it already the case that there were numerous calls coming in to the triple 0 lines?-- That's correct.

30

And there were numerous calls, but at that point, not exceptional?-- No, not exceptional at that point.

But within, I think you have said, 15 or 20 minutes after that you had more than you could handle?-- That's correct.

All right. Can I ask you about the concept of Police Link? What is that?-- Police Link is the new system that's been placed into our system in Brisbane where people can ring a number for minor matters and report that direct to them. Police Link then put it on to a system where it's called go BOODL and BOODL is checked by a nominated person within the room to ensure that any jobs that come there are looked at and placed on the IMS system.

40

What was the relevance of Police Link this afternoon? I understand at some stage that part of the switchboard capability was switched over to Police Link; is that correct?-- I have no idea of that, I'm sorry.

50

You don't know what I'm talking about? Okay. Getting back, I suppose, to what we were talking about with the discretion involved in prioritising triple 0 calls, what is the priority policing model?-- Priority policing model is a - you look at the job itself, the facts that you have put into the job and if there's a likelihood of injury or self-harm or any person



that's being threatened by any weapon or any incident where it may cause serious risk to their life. That's - priority policing is you look at the facts that are in the precis, you say to yourself, "Well, that's only a code 3.", which is - we will get there as - when we can get there, and then you have got a code 4 which is a negotiated response, but 1 and 2 are your most important ones in regards to anything that's happening that's serious.

1

Is there a default setting? Is it the case-----?-- Yeah, up on your right-hand of the IMS there are categories that should be changed to 1, 2, 3 or 4.

10

Does that represent the priority?-- That would - reflects what action's been taken by the CommCo and the staff to get someone there urgently.

Is that the same as the model we are talking about, though, or is that just a coincidence?-- No, that's the same as the model.

20

You on this afternoon actually managed to get a number of extra staff on board fairly quickly, it seems; is that right?-- Some of the staff were already in place before I walked in and others that - they turned up on their own time.

You ended up with more than you'd normally have on a normal afternoon?-- Yes.

Do you know how many?-- Probably an extra four.

30

And what I'm interested in is whether they were all able to be useful; that is to say, were there enough phones for them to answer?-- They took up the work stations that I have nominated and assisted in taking the calls of service and taking to radio frequencies.

So, there was enough equipment there for them to use is my question? I realise the equipment wasn't coping perhaps with the volume of calls. We're interested in improving things?-- Yes. Well, I would like to have another - a number of work stations but unfortunately we can't in that confined area.

40

No, okay?-- I would like to have a number of staff, but due to what we experienced on that afternoon, I don't think the amount of staff or amount of persons could have assisted us in regards to the amount of calls that were coming through.

No. All right. Those who were there were all doing something useful in terms of processing messages, though; is that right?-- They were assisting in a professional and great manner to assist me in giving out client service to everyone and get cars and people to places and assist people that were in trouble. All I can say is that on that day the communication staff that were present did the best they could and they were brilliant in what we had to deal with.

50

All right. I understand the situation broke very quickly.

Was there any chance for any general sort of instruction to be given as to the way in which things were meant to be handled, or was it just a case of doing it on the run?-- Leading up to what was happening in the Toowoomba CBD, it was just as we were going and keeping up with it and trying to keep with it.

1

Okay?-- And that was in liaison with our acting inspector to assist us with more resources to get on to the road and to assist us with helping people in that area and also liaising with QFRA and QAS and SES.

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I am just wondering whether there was any instruction given then or whether this is a general policy that when things get busy, you just get the bare basics on the basis that the longer you spend on any one call, you will miss more calls, or whether there's no such instruction given and it's just a take each call as it comes?-- On that day in question, if it had been just a normal day, you would have answered the phones and taken all the details, but on that day we could not keep up with the demand on the triple 0 lines. In regards to - the ICL completely kept rolling over with the amount of calls that were coming through and people wanting assistance.

20

I understand that was the situation. My question is whether any direction was given as to the manner in which that situation had to be dealt with or whether it was just so obvious to everyone or whether it was just left to individuals' discretion, or what was the story?-- The normal - normal thing would be that people would take the calls and just do the best they could.

30

Exercise their own discretion as best they could?-- That's correct, as best as they could at that time.

Fair enough. All right. There are a number of other questions to ask Sergeant Cooling when she comes. Can I just show you this document, the document headed, "Finalised Details."? Do you recognise that?-- That's the job 1605 on the IMS system. It relates to a Donna Wright taken by Senior Constable Wheeler.

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Just excuse me. What is this document called?-- This is what they call the IMS system, Information Management System. That is a finalised job that has been put on the - that computer system.

1

Now, there are some fields at the top which relate to name and location and so on. There's then a band - the copy we have got is missing a bit on the side but it would appear to be "units"?-- That's correct.

10

Can you just explain that information to us?-- On the units?

Yes?-- That is the - when police are detailed to the job, the police car crew, the detailed job. The car crew, it could be 263, it could be 210, are put in there into that job and you got have the status that they acknowledge that - the time that the job was given to them and then you have a status when they're at the scene and a status when it's resumed.

The times there are all 23:52; is that correct?-- That's correct.

20

So what does that time represent?-- That's the time it looks like it's been written off by the duty sergeant down the bottom with the number, because this job related to a couple of other jobs that were on the system later on.

If we look down, there's a precis of incident and action taken?-- That's correct.

30

The first couple of lines there read: "Information from Right, Donna, of James Street, Toowoomba: Incident at James Street, Rangeville;"?-- That's correct.

Who would have entered that information?-- That would have been done by the call taker, Senior Constable Wheeler.

Then the next line is - there is a typo there but it is: "Stuck in flood water at intersection of James and Kitchener. Mercedes Benz"?-- That's correct.

40

Again, it would seem likely that's entered by Mr Wheeler; is that right?-- I presume so, yes.

Well, I guess that's what I'm getting at. Is if he didn't enter any of the following information, who would have and under what circumstances?-- Well, if he's the call taker, he should have entered those details himself, but there is no indications other than what's on the IMS job that those details have been put on by him and I presume he has put those on straightaway when he's taken the call.

50

I'd agree with that as regards, for example, the first line. But what about when we look down the last line, "D/S/Con Hutton confirmed no job"?-- Yeah, I can't answer that, I'm sorry. That looks like he has confirmed the number of the job.

Number job?-- Yes, that should be by the looks of that.

1

You can't give us any clue as to how that might have got there if it wasn't Mr Wheeler who entered it?-- No, I can't.

Is he the only person who would ordinarily enter information into this document?-- No, this job would have been sitting on the IMS system and then details - if someone has taken something else and put on - they can put it on that job or it can relate to another job later on, the details that have been put into that job. And I can't understand the bottom bit in regards "Hutton confirmed no job".

10

And is there any way of telling now who might have made or altered the document if it wasn't Mr Wheeler?-- No, I can't answer that, I'm sorry.

Just as a query, you see down the bottom it has, "Reporting Hutton." Does that mean anything?-- Yeah, this could relate across to the next couple of jobs that come in regards to what happened to Donna Rice and that looks like that he is investigating what occurred there in regards to those persons.

20

This is later in the day?-- That's later in the - yes.

Okay. I tender that document.

COMMISSIONER: Exhibit 100.

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ADMITTED AND MARKED "EXHIBIT 1"

MR CALLAGHAN: Just finally, I understand that there is a process of auditing calls that are received by the Toowoomba Communications Centre or at least triple-0 calls; is that correct?-- That's correct.

A certain number, perhaps 10, are taken every month?-- Yeah, I believe the OIC to the Toowoomba communication does the audit.

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Are you any part of that process?-- No.

Thank you. That's all I have.

COMMISSIONER: I might ask Ms McLeod first, if you have any questions?

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MS McLEOD: Can I just reserve my position? I don't imagine anything arises but we don't have Mr Coleman's statement. So there is nothing arising from his evidence but it is just if something arises from his written statement.

COMMISSIONER: All right. Thank you, Mr Gibson?

MR GIBSON: No, thank you, Madam Commissioner.

COMMISSIONER: Then we will come to you Mr MacSporran.

MR MacSPORRAN: Thank you, Commissioner. Sergeant, you have a vast experience in policing, don't you?-- Thirty years - thirty-seven years of experience in the Queensland Police Service.

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That service has extended across a number of aspects of policing in various localities all around Queensland?-- That's correct.

For the last four and a half years or thereabouts you have been stationed in the communications room here in Toowoomba?-- That's correct.

So you have a very good local working knowledge?-- Yes.

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And a very good knowledge of how the communications system in Toowoomba in particular works?-- I have.

Now, when a triple-0 call comes in to Toowoomba but is not answered and it is not taken up by one of the other lines available, it diverts to either Brisbane or Ipswich; is that so?-- That's correct.

If it is not answered there, does it come back-----?-- It can be duplicated and comes back, that's correct, yeah, it comes back through our lines.

30

One of the difficulties occasioned by that process is that if Toowoomba is literally overwhelmed with triple-0 calls, some of those that are diverted because they're not answered, if they're not answered in the diverted locality they come straight back to Toowoomba, making the list of calls to be answered even longer?-- That's correct.

And that can just create a vicious cycle, can't it?-- That's correct.

40

You never seem to get to the calls to have them dealt with?-- That's right.

From the appearance of things as you witnessed it and were involved in it, that's exactly what seemed to have happened on the 10th of January, isn't it?-- That's right.

When you got to work, as you've told us, there were a number of calls coming in but they were being managed by the staff then on duty?-- That's correct.

50

But very quickly, the situation got completely out of control?-- That's right.

Out of control, I'm not being critical, out of control in the sense that staff - you were fully is staffed, operationally

staffed, but you didn't have enough people or enough lines to handle the traffic?-- That's correct.

1

And is one of the difficulties with triple-0 calls that, regrettably, some people, often a high percentage of people use the triple-0 line for personal convenience rather than true emergencies?-- Yes.

So that can obviously exacerbate the number of calls that are coming in. You don't know which are the genuine ones and which aren't. You try to answer every call?-- That's correct, we try and work out if it is an emergency and what is the emergency.

10

Now, our particular focus in this Commission at the moment is in respect of the tragic events that occurred in respect of Donna Rice and her son?-- Right.

That occurred at the intersection of Kitchener and James Streets?-- That's correct.

20

Firstly, that is a major intersection?-- That's correct.

James Street is in fact the main highway that passes through Toowoomba?-- That's correct.

And links other important localities?-- Yes, it is an arterial road, yes.

That intersection has a history, does it not, of what could be legitimately described as minor flooding?-- That's correct.

30

It on occasions floods but only to the extent where you might have some water over the road?-- That's correct. It's subject to the East Creek, which rises up.

Has it been the experience of those with local knowledge that what can and often does happen in respect of that intersection is that the water comes over the road but reasonably quickly dissipates?-- That's correct.

40

And even the water, if it does come over the road, is at a level that is certainly not life threatening and, indeed, often, most often, is not even dangerous to traffic?-- It's not life threatening. It's an area that persons shouldn't drive into but.

Yes. Is the history of that intersection so far as the police, particularly those in the communications room are aware of that people will often ring triple-0 and report, as though it's an emergency, flooding at that intersection?-- Yes.

50

The police take it at face value, as they're obliged to do, and detail police cars and other assistance to go to the intersection to help?-- To check it, yes, make sure it's right.

Check it out. But by the time the police or other services have arrived, often the people who've made the call have self-extracted?-- That's correct.

1

Because it hasn't been, in reality, a serious situation?-- That's correct.

Now, it's true, isn't it, that the events, the flooding that occurred at Kitchener and James Street on the 10th of January was unprecedented?-- That's correct.

10

It was completely out of character to the way the flood waters behaved in that locality in the past?-- Yes.

And something that, frankly, shocked you when you understood the number of calls that were coming in reporting fast flowing, deep water across that intersection?-- Yes, it - there was an absolute shock in regards to the amount of water that was pouring through the CBD area and through that area.

20

It was something that was completely unexpected to be happening at that intersection?-- Yes, and that amount of water.

Now, one of the requirements of a communications officer is to make an assessment, is it not, of the nature, if any, of the danger reported by a caller on triple-0?-- That's correct.

And then to prioritise the response from the service or other emergency services appropriately?-- That's correct.

30

Part of that process involves judgment about whether the person ringing is in distress or in danger as reported, or by tone of voice even?-- That's correct.

Now, have you heard the triple-0 tape of the report by Mrs Rice?-- The first one?

Yes, the first one?-- Yes.

40

That came to Sergeant Wheeler?-- Yes.

I take it you didn't know Mrs Rice?-- No.

Hearing that report, did it appear to you that she was in distress?-- No.

Hearing the report that she was in a car that had stalled or stopped running at the lights at James and Kitchener Street, how would you, as an experienced communications officer, have prioritised that call?-- That call in regards to that, what was put into the information from the call would have been down low. It would have been only category 3 at that stage.

50

Now, when we say that you prioritise that as a 3, that means that you enter it on the IMS sheet to be dealt with or followed up when time permits after you've dealt with more urgent matters?-- That's correct.

That appears to be, at least on the face of it, what Sergeant Wheeler did in respect of that first call at 13.49?-- Yes.

We know now, looking back on it, that the situation deteriorated fairly rapidly from there?-- That's correct.

And that the water came across that intersection with increasing depth and, more concerningly, increased velocity shortly after?-- That's correct.

10

To the point where a report came in that there were people on the roofs of cars and cars were moving with the force of the water coming through the intersection?-- Yes, there was a report and persons were hanging on to a signpost.

Can I ask you again, if you wouldn't mind, just to have a look at that exhibit which now is Exhibit 100, the IMS report. The system, as I understand it, and you can correct me if I'm wrong, is that it has the time of about 13.49. That's the time the call was taken by Sergeant Wheeler?-- Yes.

20

If we go down a little we will see what he has recorded. Now, it is his job in taking the call to actually record the details of the report, isn't it?-- That's correct.

And it talks there about the car being stuck in the intersection. It nominates it as being a Mercedes Benz?-- That's right.

30

Now, that sheet then is - is that filed in the room or how is that dealt with? Is it on the system?-- It stays on the computer system once you save it. It stays on all the workstation computers that are linked into IMS.

For instance, what is the position if he receives another call relating to that same intersection? If someone else calls in and gives a report about the situation deteriorating and he takes that call, just by coincidence, would he be able to access that report again, that IMS report, and update it by making a further entry?-- Yes, you can do that or you can put another IMS job on and refer it back to this IMS job number.

40

So you can either create another IMS or, perhaps more efficiently, update the entry on the same IMS report you made earlier?-- Yes.

If you remembered you've made it?-- That's correct.

50

So we're going to hear from Sergeant Wheeler, but he may well have made an updated entry from a call he received after 13.49?-- Yes, yep.

And there is nothing wrong with that procedurally?-- No.

Now, if it is a situation that he updates and shows there is some increased urgency about the response necessary, he should



then notify you as the senior officer in the room?-- Yes.

1

And then you would task a vehicle to go to that scene?--  
That's correct.

Now, you've told us how hectic things were in the room that day. Do you recall whether Sergeant Wheeler did bring to your attention a worsening situation in respect of that intersection?-- I can't remember and I can't recall.

10

You do seem to have dispatched a vehicle on the report of another police officer in the room - I'm not sure what his rank was - Lois?-- Sergeant Lois.

Sergeant Lois. Do you remember that or are you able to confirm that by having made the entry to dispatch the vehicle and put your initials beside the entry?-- After reading the IMS job, yes, I can recall that.

But is it the case that Sergeant Wheeler may have brought to your attention earlier than that the worsening situation of that intersection which resulted, together with Lois' report, in the response to send the vehicles to the scene?-- He may have. I cannot recall. It was absolutely hectic and what was being dealt with on that day was beyond our capabilities in a lot of ways and we were dealing with the best of what we could. If he has made a comment, I might have heard it; I might not. I cannot recall exactly. And I cannot exactly what was being done.

20

Certainly?-- Because it was just a - from the time that these numerous triple-0 calls took over, we were moving as quick as we can in regards to trying to get people to urgent places.

30

You were scrambling to try and keep up with the flow of calls?-- Well, that's right. We were dealing with emergencies throughout the area and we were dealing with people that were being washed away in houses and that at the same time.

Just to expand upon that slightly, it wasn't just, as you say, the Kitchener and James Street intersection. You had reports of landslides in a different locality?-- We had landslides on the up section and down section of the Range that closed it. We had the New England Highway at Mt Kynoch completely closed. We had houses being washed away at Postmans Ridge and also down at Murphys Creek with people in them. We were dealing with also the CBD. City Safe was my eyes in regards to what was happening in the CBD at the same time and we were trying to deal with amount of water that was pouring through West Creek and through different streets in the CBD area.

40

50

All of those incidents were generating, understandably, a significant volume of triple-0 calls?-- Yes.

And you had to, in that environment, try and prioritise the available resources you had to send cars out to each of those areas?-- That's correct. And also try and get more staff and resources in so that we could do those jobs and get - try and

save people.

1

And that was an enormously difficult task?-- It was.

Now, you knew Sergeant Wheeler?-- Yes.

You had worked with him in the communications room before this day?-- Yes.

Did you have an understanding of the local knowledge he possessed?-- Yes.

10

Was he an effective officer in the communications room?-- Yes.

Did you have any issues with the way he performed his role prior to this particular day, the 10th of January?-- No.

Can I ask you to look at some photos if you wouldn't mind. Your Honour, I understand these may be on the system that were provided as part of the Galaxy material that was given to the Commission. I'll give the witness a hard copy and perhaps your associate to see whether -if we need to turn them up on the system. I don't know that you would have seen these before, sergeant?-- No, I haven't.

20

Do you recognise generally that they depict or apparently depict the intersection of James and Kitchener streets?-- I think it is, yes.

Now, you will see that on each of the hard copy pictures there's a time placed?-- Yes.

30

Commissioner, can I indicate there is a statement in the Galaxy material from a lay witness called Kleidon. That is K-L-E-I-D-O-N. The Commission doesn't yet have that because it is part of the Galaxy material, only part of it which has been released by the Coroner to the Commission. I understand and our submission will be it is a relevant statement because Mr Kleidon in fact took these photos on his mobile phone from a vantage point to witness the entire event involving Mrs Rice's car and the events that unfolded.

40

COMMISSIONER: We tend to be somewhat at the mercy of Crown Law in relation to how fast material gets across. I don't know if we have this or not. Can you assist, Mr Callaghan?

MR MacSPORRAN: I don't think, your Honour - the Commission doesn't have it. We have been in touch with the Coroner. He is happy if we assess, and we do assess, it as being relevant but we require a notice from the Commission to formally release it to the Commission.

50

COMMISSIONER: I should have thought all the Operation Galaxy material had been sought but, again, can you help me with this, Mr Callaghan?

MR CALLAGHAN: No, we'll have to get Madam Commissioner to

issue a direction apparently.

1

COMMISSIONER: All right.

MR MacSPORRAN: It is statement number 106, apparently, taken on the 26th of January this year. Mr Anthony Kleidon, K-L-E-I-D-O-N. For some reason the photos have been released as part of the material but not the statement. I don't know why that is.

10

COMMISSIONER: No, I don't know either.

MR MacSPORRAN: In any event, we can tidy that up once the Coroner releases it with the notice. But can I indicate this to you, sergeant, that the timeline that's placed in the bottom right-hand corner has been taken from Mr Kleidon's mobile phone information?-- Right.

So if we take it that Mrs Rice made her call at 1.49, the call occurs between the first and second - I have got two spare copies of the hard copies for the Commissioners. I don't have three, I'm sorry. I don't think those copies have the time marking on them. Sergeant, if you look at the - the first one is 1.46. So that's prior to the call?-- Yes.

20

Does it seem to be the case that the water at that intersection seems to be lapping at the headlights of that vehicle?-- That's correct.

We think that may well be Mrs Rice's vehicle. And the water as it flows up or where the car is situated at the lights, the level of water is below about half of the hub caps. Is that about right?-- That's correct.

30

So it is quite low at that point?-- Yes.

The second one at 1.52 is a little bit hard to put in context as to where that's depicting. It might be a different direction on the same direction. But the third one is 1.56, which shows a comparable position for that same vehicle at that intersection, does it not?-- That's correct.

40

Do we see there, and that's seven minutes after the first call, the water has risen appreciably to cover the front wheel and looks to be creeping up the bonnet?-- Yes.

The last in the series is at 2.02 where the water has again risen appreciably?-- Yes, and become more volatile looking at that in regards to the torrents that are gushing through there.

50

Looking at the first two captions combined with the rest of them as they depict the water rising, it seems that at about the time Mrs Rice may have made the first call it was possible to walk out of the area through that water perhaps, given the depth of it as depicted in the photographs?-- Yes, looking at the photos.

COMMISSIONER: Can I just ask a question there. Wouldn't it be worth asking her that on a telephone call, "Can you get out of your car? Can you get out of the area"-- I assume, yes, Commissioner.

1

Would you have asked some other questions, Mr Coleman, if you had been taking this call?-- In the circumstances, I would have asked can she get out of the car and get to higher ground, probably I would have said that and then kept rolling with the next triple-0 calls that were coming through, and ask her to move out of the car.

10

You'd want to know how high the water was presumably?-- Well, that's a question that you would ask, "How high is the water?"

You might want to know too if she had children with her, if he had anyone with her, whether she could move alright?-- Yes.

Thank you.

20

MR MacSPORRAN: Sergeant, I think you've told us this already but when you were making those assessments as to how much - you have to assess how much time you'll spend with each call because you've got a board full of them coming in; is that so?-- That's correct.

So you need to make a judgment as to how serious a particular situation is?-- That's correct.

Which dictates in turn how much time you spend and what you do with it?-- That's right.

30

Now, does the demeanour of the caller play a large factor or large part in that assessment?-- No. You - oh, the caller?

Yes?-- Yes, yes.

In other words, if the caller is clearly hysterical, you might assume without asking that they are in grave personal danger?-- There is - there is a major incident or major problem, yes.

40

If they're unduly calm you might, as it turned out wrongly, but you might make the judgment that they're not in danger?-- That's correct.

They're the sort of things that confront a person in a communications room every time these battery of calls comes in?-- That's correct.

50

COMMISSIONER: The can I ask you this too. If you were answering that call, would you spend three questions inquiring why she drove into the flood water?-- Commissioner, leading up to this day, we have had a large amount of calls for service in regards to persons that were driving into flooded areas and flooded creeks and flooded crossings and it got to the stage that we asked questions, "Why did you drive into the water?" A lot of responses was that they wanted to get home or get to

where they had to go and, also, they didn't realise how deep it was.

1

But in taking an emergency call, how does it help to ask three times why somebody drove in?-- I can't answer that. I'm sorry.

All right. Thank you.

MR MacSPORRAN: Sergeant, you've told us something about the background leading up to this. This event in January wasn't the only flood event that had occurred to that point, was it?-- No.

10

I mean, the whole state had been inundated in one form or another and there had been a constant message portrayed to the public that you should not risk driving into flooded waters?-- That's correct.

Was it the case that every single day, despite those public, frequent warnings, people apparently, for reasons that weren't clear, seemed to continually ignore those messages?-- A lot of people ignored the warnings and ignored the situations regarding driving into flooded creeks or flooded streets or roads.

20

Now, did, rightly or wrongly - we don't need to go into the issue here in that sense but, rightly or wrongly, did that tend to generate at least a level of frustration in the police service about the public not heeding those warnings?-- Yes, it did.

30

Thank you. Your Honour, if I could tender that series of photographs.

COMMISSIONER: Yes. They'll be Exhibit 101.

ADMITTED AND MARKED "EXHIBIT 101"

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MR MacSPORRAN: That's all I have, thank you.

COMMISSIONER: Thank you. Mr Burns.

MS McLEOD: Can I indicate before Mr Burns commences that I have no questions for the witness.

50

COMMISSIONER: Thank you. Mr Burns.

MR BURNS: Sergeant, you have given evidence that you turn up for this shift at about quarter to 2?-- Yeah, about that time, around 1.40, quarter to 2.

And at that time there were quite number of calls but nowhere near the number that were shortly to become?-- That's correct.

1

Or come in. No?-- That's correct.

So there's a - you've got a recollection of certainly being very, very busy but then becoming completely out of control. Is that a fair way of putting it?-- Yes.

All right?-- It become a major disaster that we were trying to respond to as quickly as we could with the resources that we had available.

10

And we know from other evidence that is to come that quite a number of emergency calls bounced from the centre and went to other places?-- That's correct.

You're aware of that?-- That's correct.

And the position is that at least at some point you had at least six operators, maybe seven or eight?-- Yes.

20

So three double consoles and then another room with perhaps another two operators?-- One in the other room because there's only the one workstation that can be used.

So seven operators and CommCo, which is you?-- That's correct.

Did you answer triple-0 calls as well?-- Yes.

30

So all-up, eight people attempting to deal with these calls as they were coming in?-- That's correct.

And it rapidly became obvious that there was a major incident?-- Certainly.

And then it became a position where you just couldn't handle the volume of calls?-- Within our - the communications, no, we can't handle them.

40

Now, in front of each operator there are a number of commuter monitors?-- That's correct.

Have I got this right, four or five?-- At the workstation in front of each individual you'll have a screen this size, which is the computer that they link into, and then to the left of them or to the right of them you have the ICL screen, which also can be a City Safe screen. You will also have another screen which is the Zetron screen which indicates the - all the different channels in the districts and radio frequencies and also it will deal with all the calls of service that comes in on the triple-0 lines and the recorded lines that are all underneath it. And then you've got different lines that you contact QFRA, QRAS, main roads and SES through and also the Toowoomba Hospital.

50

Now, adjacent to each desk is the radio, the radio unit?--  
The radio units are inside a closed off area which you put  
your ears on, you plug into a lead that connects you and you  
push a button to all the radio frequencies, you have got the  
district channel and you have got your local channel.

1

But each operator has a headset with one earpiece?-- That's  
correct.

And is hearing the triple 0 calls through the one earpiece, is  
that correct, if they're taking a triple 0 call?-- A triple 0  
call has got a distinct ring when it comes in. You will hear  
it straight away and you will answer it.

10

All right?-- A different ring to the normal phone calls.

And then the other ear is free, as it were, to listen to  
directions and what else is happening in the room, including  
radio chatter?-- That's correct.

20

All right. So, at the point when you realise you have a  
crisis on your hands, you had quite a number of operators, I  
assume, putting their hands up to you?-- Yes.

Because there were calls coming in that were genuinely  
code 1s or code 2s?-- Yes.

All right. And a number of operators shouting, "Bob."?--  
That's correct.

30

All right. And your capacity to deal with those requests for  
attention, obviously there's a limit to that?-- And to the  
resources that I had available on the road, yes.

Right. The ICL screen that you have mentioned provides  
automatically generated data with respect to the triple 0  
calls?-- It will bring up an ICL number and the name of the  
person and the phone number that is making the call, but that  
has to be checked because sometimes the ICL is different to  
the person that's actually calling.

40

All right. But it's a scrolling screen, isn't it?-- It  
scrolls, that's correct.

So, it has four entries per screen?-- Yeah, limit of four,  
yes.

Limit of four. If you get more than four calls it will drop  
down one?-- That's correct.

50

So, when you have got many, many triple 0 calls coming in, the  
entry for that particular call may not, in fact, be on the  
screen when you look?-- That's right.

Now, in terms of prioritising tasks or jobs, and we have seen  
on Exhibit 100 that this is a priority 3, am I right in  
assuming that code 1 is for very urgent matters or priority 1  
is very urgent matter when danger to human life is imminent?--

That's correct. Code 1 and 2 are sort of in the same category but code 1 is very urgent in regards to a person's life is in danger with someone stabbing a person or shooting the person.

1

And it's unfortunately the fact, isn't it, as you answered in questions asked of you by Mr MacSporran, that the vast majority of calls using the triple 0 number are for calls that do not relate to life threatening incidents?-- Yes.

They are, in fact, not properly a code 1 or code 2?-- That's correct.

10

And was that a source of frustration for operators in the days leading up to the 10th of January?-- We had a lot of phone calls in regards to road conditions that weren't - shouldn't be on triple 0, and those sort of - you know, just want to know what the road was like between here and Moree or between here and Rockhampton, and those persons said that - we had given them the number for 13 - 1490, I think it is, for the road closures, to ring them and talk to those persons, but they couldn't get through so they rang us constantly.

20

In the period leading up to the 10th of January and, to be specific, the two week period leading up to the 10th of January, there had been a lot of rainfall in the area covered by the Communications Centre?-- Very much so, a lot of heavy flooding.

And the staff, that is all of the operators had worked long hours?-- That's correct.

30

And had been burdened by quite a number of triple 0 calls that were not truly emergency calls?-- That's correct.

And that, in fact, constituted a source of some frustration to the operators?-- I think to everyone.

But you have been in that position yourself, haven't you?-- Yes.

40

You have questioned callers who have rung up and said they have been stuck in flood waters, you have personally questioned them as to why, in fact, they drove into the water in the first place?-- That's right.

In an assessment of the priority that's to be allocated to a job, if a person is stuck in flood water, do you have regard to the locality? You obviously would, wouldn't you?-- That's correct.

50

James and Kitchener, of course, is a major intersection in the City?-- That's right.

Would you have regard to the feature that it's in the daytime?-- Yes.

All right. And that there's likely to be a lot of other traffic?-- Lot of other traffic.



And persons in the vicinity?-- That's correct.

Now, if you're requested, as an operator, to call a tow-truck because you are stuck in flood waters, I think we have established that that's not a true priority 1 or 2?-- That's correct.

Is it the practice of the communications operators to call a tow-truck?-- No.

10

All right. Is there any reason for that?-- Well, there is an obligation on us to be not involved in tow-truck operators because one tow-truck will find out that we made a certain phone call to other tow-trucks and they will argue that we're favouring certain tow-truck companies, so we don't do it.

All right. You yourself have been personally affected by this, haven't you?-- Yes.

20

And, in fact, your memory, you have gaps in your memory of this shift?-- That's correct.

Because of what you went through?-- Yes, I have seen a psychiatrist and - unfortunately people have died, but I have seen a psychiatrist and I have got reactive stress, which the body and the mind has dumped everything-----

All right?-- -----and I cannot remember.

30

Sergeant, on your review of what you can remember and on your review of what material there is that exists with respect to this shift, is there anything that you think could have been done differently that might have changed the response times to any persons in distress?-- None whatsoever.

Excuse me, Commissioner. Can I ask you this finally: in the first of those calls that you have been taken to that found their way, I think, on the first line of Exhibit 100, "Stuck in flood water at intersection of James and Kitchener, Mercedes Benz.", see that there?-- Yes.

40

If you had been told on the that job card that the water's just about ready to come up to the door, how would you - would you have changed the priority?-- If it was coming up to the door and they're in the water and they are going to be washed away, I would have changed the priority, yes.

Just up to the door?-- Up to the door?

50

Yes?-- Yes and no. I probably would have changed it to get a car crew as quick as possible just to check on the person.

All right. Okay. Thank you, sergeant.

COMMISSIONER: Can I just ask you, generally speaking, I think you were saying before that there were limitations on your resources. This was an extraordinary event, but do you in

other circumstances have enough staff and resources?--  
Depending on the rostering and staff available, Commissioner,  
we do have enough staff, but we could do with a lot more in  
the communications system, but we just haven't got the work  
stations to take those.

1

So you need both?-- Extra staff. We need - we need that, we  
need to upgrade to CAD, which is a Computer Aided Dispatch  
system like Brisbane Coms have got. The IMS system is a  
system that take time to fill out, whereas in CAD you can  
transfer the triple 0 calls from the ICL across to CAD  
straight away with the details in it.

10

Is there any prospect of that?-- I can't answer that, I'm  
sorry.

Not that you know of at any rate?-- No.

Thanks. Is there anything arising out of that, Mr MacSporran?

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MR MacSPORRAN: No, thank you, Commissioner.

COMMISSIONER: Or Mr Burns?

MR BURNS: No, your Honour.

COMMISSIONER: I don't imagine anybody else has got an issue.  
Mr Callaghan?

MR CALLAGHAN: No, no re-examination. May the witness be  
excused?

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COMMISSIONER: Thank you, Sergeant Coleman. You are excused.

WITNESS EXCUSED

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MR CALLAGHAN: I call Jason Wheeler.

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JASON ALAN WHEELER, SWORN AND EXAMINED:

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MR CALLAGHAN: Could you tell the Commission yourself full name, rank and station, please?-- My name is Senior Constable Jason Alan Wheeler, registration number 9349, currently attached Toowoomba Police Station.

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And, Mr Wheeler, as you are aware, we are concerned with events on the 10th of January this year?-- Yes.

Can you tell us the nature of your duties on that date?-- On that day, I was performing duties in the radio room, Communications Centre at Toowoomba.

All right. How do you describe that position that you were occupying on that day?-- Call taker, radio operator.

20

All right. Had you previously qualified to do that sort of work?-- I received no official training as a call taker.

Right. You have been in the force for some time, some 19 years or so; is that correct?-- Yeah, nearly 19 years.

You have performed that sort of duty previously; is that right?-- Not that specific duty. I have relieved at higher duties.

30

All right. I mean as a call taker, someone who receives triple 0 calls specifically?-- Maybe a couple of days here and there.

Right. As at the 10th of January, you'd be doing that for some time?-- Three weeks prior.

Three weeks?-- For three weeks.

All right. What training, if any, did you have for that sort of duty?-- In taking phone calls?

40

Yes?-- Just probably experience as a police officer.

Well, I might try to help you out a bit. First of all, you have been interviewed twice about the events of this date; is that correct?-- Yes.

Once on the 17th of January and once on the 1st of February?-- Yes.

50

I tender a transcript of the interviews on each of those days.

COMMISSIONER: They will be Exhibit 102 and 103 in order of date.

MR CALLAGHAN: Mr Wheeler, if you can take it from me, in the course of those transcripts, I think you talk at some stage about a two day course that you did?-- That is correct.

What was involved in that?-- That was a course, locally run course for a CommCo position, which is basically a person who will be in charge of the radio room and responsible for the district and allocation of resources for jobs in the course of that duty as a CommCo.

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So, it was directed towards the job that you were actually doing or-----?-- No, it was directed to the job that Sergeant Coleman would have been doing that day.

I see. So, it was a course undertaken with a view to applying for that job or equipping you to do that job?-- That is correct.

20

I see. So, that was the only training that you'd had specifically relating to what I will call triple 0 duties; is that correct?-- I don't think in that course there was any specific training in relation to the entry of triple 0 phone calls.

Can you just tell us briefly what was involved in that course?-- There was topics like priority policing, duties of urgent duty driving.

30

Sorry, what?-- Urgent duty driving.

Right?-- And there was - in the course there was mainly the use of the equipment we had up there and the radio facilities.

Okay. The actual-----?-- Yep.

-----computers and telephones and that sort of thing?-- That's correct.

40

I see. Right. So, certainly nothing like training in dealing with a disaster-like scenario?-- No.

No. All right. Thank you. Now, we understand that the call centre at Toowoomba is something of a switchboard; that is to say, it receives the triple 0 calls and general calls as well, that's correct?-- That is correct, along with operating as a switch there as well, where you get phone calls who may be requiring people to speak to other police officers, other sections.

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Yes. Any sort of general call that might come in to a police station that's not urgent?-- Any call that goes to the police station gets directed from there.

And calls are diverted from other stations which may not be

24 hour stations; is that right?-- That is correct, or those stations are unmanned at the time.

1

Now, we understand that when a call comes in which might have some degree of urgency, accepting that all triple 0 calls potentially have some degree of urgency, but there is a discretion with individual police as to what they do with it to the extent that if you think that something is particularly urgent, you raise your hand or somehow attract the attention of whoever's doing Sergeant Coleman's job; is that correct?-- That is correct.

10

And you would have done that on occasion?-- That would have been done many times on that day in question and has been done previously, yes.

All right. You spoke about the priority policing model. What do you understand that to involve?-- It's the flexible allocation of resources where the job is - primarily, say, a general duties job and the matter is urgent and we have, say, a traffic branch crew available to us, its the ability to reallocate resources to priority jobs.

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Have you had training directed towards expertise in that?-- I believe in the manual received in the CommCo training course that priority policing was discussed.

That's the two day course you told us about a moment ago?-- That is correct.

30

But did you do that course voluntarily because you were looking at that sort of a job in the future or is that something that you were required to do or what was the story?-- I had performed some duties prior to that as a CommCo within the Toowoomba district, and I was desirous to perform further duties as CommCo for Toowoomba district when relieving opportunities became available and it's a course that I made application to go to.

Nobody made you do it, it was just something that you decided you wanted to do?-- That's correct.

40

Okay. We know that the 10th of January turned out to be a long day for everyone involved, but is it the case that you started work at about 1 p.m. that day?-- Probably would have been about quarter past 1, 10 past 1 I would have arrived at work that day.

Because the shift was meant to start at 2; is that correct?-- That's correct.

50

But you in the nature of things get there a bit early?-- On that - when we - it's generally like a 15 minute changeover between shifts, so we can brief other operators what's been happening. On the day in question, I arrived early that day because I ride a motorbike, I saw it was raining, I saw that now's probably the most appropriate time to get to work to minimise my discomfort through the rain and wet weather.

So, you just happened to be there a bit early?-- Yeah.

All right. As I say, we know the situation became very busy very quickly, and I don't want to oversimplify things, but I don't want to spend too long on this either. In the transcript of the interview, the 29 page interview, which was the interview of the 1st of February 2011, could the witness - can we have that either put in front of him in as a hard copy or on the screen? Can I take you to page 12? I don't want to take it out of context so just take your time and familiarise yourself with that part of the interview. All right. On that page, you attempt to convey, I'd suggest, that the general approach to your task that day was to try to get as much information from as many sources as you can to have an appreciation of what was happening around town; is that right?-- That is correct, yes.

10

I am more or less using the words that you used there. What I'm asking is whether that was an instruction that you received from someone or was that just a decision that you made as to the way that you were going to approach each call that you took?-- That would have been a decision that I made.

20

All right. Indeed, was there any instruction - was there time for any instruction-----?-- There wasn't time for anything that day.

-----from anyone as to the general approach you should take to things or was it basically everyone just left to their own direction?-- It was mayhem in there.

30

Yes. Well, I appreciate that, as I say, it was a long day, but as at the time you took the call with which we're concerned, can you recall whether you'd taken any other calls about vehicles which were stuck in flooded waters?-- There would have been a lot of phone calls in relation to vehicles maybe getting stuck or moved. My recollection of events on that day is - it's shot, it's gone very blurry.

40

I understand. And please don't guess?-- No.

Because, I mean, the records, I daresay, will speak for themselves, but I am just interested in whether you can remember whether you'd had any calls before the call from Donna Rice relating to cars stuck in flood waters. It may be you can't because of the events which happened afterwards?-- I can't - I can't recall taking many phone calls that day at all.

50

You speak in the other interview of the 17th of January at page 26, I think, as to having a sense of frustration about what had happened in the weeks before with vehicles being stuck in flood waters; is that correct?-- That is correct.

And was it the case that you were aware of any specific warnings which had been given by police in the lead-up to this event as to the dangers of driving into flood waters?-- I

believe there may have been some media coverage in the local newspapers, I'm not sure.

1

I don't want you to guess anything?-- I don't know.

All right. And it might follow from what you have said two questions back, but can you recall any of the sorts of calls you'd had prior to the call from Donna Rice?-- Only from reviewing the job logs that I logged on the system. Do I recall taking those phone calls? I can't recall taking those phone calls. By reviewing the job logs that occurred, there was phone calls taken beforehand.

10

All right. Have you gone back and familiarised yourself with those, have you?-- I have - perused through them.

What sorts of calls were they? What sorts of jobs had you been concerned with prior to that call?-- I think there was a break and enter, there was a car down at Holberton Street where a person had driven in flood waters there. That's all I can recall offhand.

20

All right. Thank you. There was a subsequent call which you took relating to the situation at the intersection of James and Kitchener; is that correct?-- That is correct.

And this was the subject of the second interview that you had on the 1st of February this year?-- Yes.

Or at least it was referred to in that interview. Can I show you a transcript? It's only brief. Are you familiar with that?-- Yes.

30

That's a call that you took - I am not sure that the document reveals the time, but that's a call you took that afternoon; that's correct?-- That's correct.

Yes. I tender that.

COMMISSIONER: That will be Exhibit 104.

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ADMITTED AND MARKED "EXHIBIT 104"

MR CALLAGHAN: And can we have Exhibit 100 up on the screen? Just scroll down a little, please. First of all - sorry, when I say "scroll down", can we go back to the top so Mr Wheeler can see it? Can you see the document there, Mr Wheeler?-- Yes, I can.

50

This is, it would seem, the document which you created which documented the call that you received from Donna Wright; is that right?-- Donna Rice, that's correct.

It's mistyped on the document as "Donna Wright"; is that

correct?-- That's correct.

1

And if we can now scroll down, you see the information that's recorded there, "Precis of Incident and Action Taken.", and, again, you have misheard the name, it would suggest, as "Wright" when it should read "Rice", but there's some details pertaining to her and then what should read, "Stuck in flood water at intersection of James and Kitchener, Mercedes Benz." You would have entered that information?-- Yes.

10

And that was obviously on the basis of the call that you received from her?-- That is correct.

You can see the second line there, "People on top of their cars and now cars are starting to move."?-- Yes, I do.

That does seem to echo the language of the lady who made the second phone call?-- That's correct.

Do you recall entering that information on the document on the screen?-- I don't recall putting the information on the screen, but from the language that was from the conversation on a triple 0 phone call.

20

Yes?-- It would be, yes - I probably would have put that on the screen.

All right. That would suggest, if that was the case, that when you received this other call, that perhaps the mention of James and Kitchener, or whatever, took your mind back to the earlier call that you received, such that you entered this information on that record; would that be right?-- Yes.

30

Okay. Whilst you entered the information on that record, nothing was done to upgrade the priority which had been accorded to that job; is that right?-- The priority code gets changed by the CommCo at the time.

All right. And this is the situation where you have to attract the CommCo's attention?-- That's correct.

40

To give effect to that, to upgrade the priority of the job?-- Yes.

All right. Okay. And the two entries below that on the document on the screen in front of you, we have no reason to suggest that you entered those, but do you know how they came to be there", persons believed deceased. Senior Constable Hutton confirmed.", either, "No job.", or, "Number job."?-- I don't know how that got there. I may have put them there. I don't know.

50

You don't know?-- I can't recall.

Thank you. In the interviews that you have been involved in, you've referred to the tone of voice used by Donna Rice?-- Yes.



And suggested that was one of the reasons why perhaps you didn't accord it any greater - any higher priority than you did; is that right?-- Along with the information she gave me.

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One of the reasons?-- Yes.

That's right. You'd accept, of course, that triple 0 calls do sometimes involve false alarms?-- Yes.

And you'd accept that people can appear to panic over things which turn out not to be emergencies?-- Yes.

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If I suggested to you that tone of voice was not one of the best methods of determining an emergency, would you agree with that?-- You look at clusters of information

Yes?-- Just going on tone of voice alone, no.

The better basis is the information that you receive?-- Along with the voice as well.

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All right. But, of course, to get that information you have to - or to act on that information you have to get it in in the first place?-- Sorry?

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To act on that information or to act on information, you have to get it in the first place and I am going to suggest to you that to get information of relevance you have to ask relevant questions. Do you agree with that?-- Yes.

You did not ask Donna Rice, did you, how far the water had come up along the side of her car?-- No.

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You did not ask her how close it was to the door?-- No.

You did not ask her how long she had been there?-- No.

You did not ask if anyone else was in the car?-- No.

You did not ask if she could get out?-- No.

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You didn't ask if there was anyone else around?-- No.

Indeed, at one stage it may be that she suggested that others were stuck as well. You didn't make any inquiry about that?-- I don't recall hearing that part of the conversation when-----

No. Well, to be fair to you, maybe the transcript is not the best basis for that part. I'll let that go. You did of course tell her to call a towtruck, didn't you?-- Yes.

30

She responded by saying she had no credit?-- That's correct.

It was clear that she wasn't familiar with the phone she was using?-- It was clear that she didn't know her phone number.

And the response would have suggested she didn't have the credit to make a call?-- That's correct.

You didn't check to see how she could possibly have called a towtruck?-- No.

40

As you said in the interview, I think at page 18 of the interview of the 17th of January, there was no difficulty in you calling a towtruck for her if you'd wanted to?-- That there would be difficulty calling a towtruck?

No, you said at the top of page 19, "No dramas. I can call you a towtruck. That's not a problem"?-- I believe if you go to conversations before that, that relates to we're busy answering emergency phone calls at this stage as opposed to ringing up towtrucks for someone.

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I accept that. You say that it was too busy for you to make that call?-- That's correct.

I'm just suggesting to you as a matter of principle there is nothing - you've said that there was nothing to stop you from calling a towtruck if, to your perception, the circumstances

allowed for it; is that right?-- It would have to be a towtruck of her choice. 1

Yes?-- Or towing company.

You didn't give her the opportunity to ask for that though?-- No.

Of course, given the situation that was developing, even finding a towtruck might have been difficult to do?-- You have to ask towtrucks, I don't - I don't know. 10

Well, your point being I think, and again I don't want to oversimplify it, but the short point that you seem to make is that the phone call is the way it was because you just didn't have a second to spare; is that right?-- The first phone call?

Yes. Well, the phone call from Donna Rice?-- We were having phone calls coming through but I couldn't spare the time to make a phone call for a towtruck. 20

Yes, time was of the essence?-- That's correct.

To your way of thinking?-- Yes.

In which case, I have just one last question and that is: why did you ask her the make of her vehicle?-- It's probably an automatic response you ask someone, "What sort of car are you in?", when you take phone calls from people. It becomes like an automated response after you do jobs for a certain period, you know, name of person, place, date of birth when you interview people. 30

It couldn't possibly be relevant to whether you answered the call though?-- If someone says there's a gold Mercedes Benz, or whatever colour Mercedes Benz it was, sorry, at an intersection, it could identify that car.

Well, did you ask the colour?-- No. 40

Well, that's not why you asked then, was it?-- Well, make and model - I asked the make of car, "What sort of car have you got?", "Mercedes Benz."

Yes, but you didn't ask for colour, model, any other details?-- No.

No. All right. I have nothing further. 50

COMMISSIONER: Ms McLeod.

MS McLEOD: No questions, thank you.

COMMISSIONER: Mr Gibson.

MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

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MR MacSPORRAN: Thank you. Mr Wheeler, you had good local knowledge that day?-- Yes.

In particular, you were aware of that intersection of James and Kitchener Streets?-- Yes, I was.

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Did you know that it from time to time flooded?-- Water does go over the road there on occasions.

Yes. However, when we say the water would go over the road there on occasions, it was nothing even remotely similar to what happened on the 10th of January, was it?-- I've never seen anything like the 10th of January.

In fact, your knowledge on the day was that what often would happen with that intersection is that water would come over, you'd have a rash of triple-0 calls; by the time the police arrived, the people had self-extracted?-- On past experiences that has occurred in the past, yes, it has.

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Did that have a bearing on the way you assessed the priority you should give to Mrs Rice's call?-- Yes, it did.

I take it from your response you had no appreciation at all that she was in any danger when she first rang?-- No.

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Part of that was your local knowledge of the intersection?-- Yes.

Secondly, your assessment of her demeanour and her tone of voice?-- Yes.

Did you assess that there didn't seem to you to be any panic or distress in her voice?-- There was no panic or distress in her voice, no.

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I take it you didn't know her-----?-- No.

You'd never met her?-- No.

But you are required when you're performing these roles to assess by a person's tone of voice and demeanour whether there is a truly urgent situation?-- Yeah, that's correct.

So that's a factor you took into account?-- Yes.

50

And did the fact that Mrs Rice was, during the conversation, asking to call a towtruck, did that play a factor?-- Yes, it did.

I mean, if someone is requesting a towtruck, it impliedly suggests, does it not, that they're prepared to stay with the vehicle for it to be towed away out of the water?-- That would be correct.

It doesn't suggest that they're in imminent danger of being washed off the intersection?-- No.

Now, you would accept I take it, as I think you did in the interview, that you did express some frustration with her during the course of that first call?-- Yes, I did.

In fact, when you reflected on your manner towards her, did you, as it were, self-report your concerns about your behaviour?-- Yes, it did.

10

Who did you report that to?-- There was - I reported to a welfare officer a day or two after.

Did you report it on the basis that you thought you should have controlled your response to her in that first call and not expressed any frustration?-- You self-evaluate how can I do the jobs better, any job you go to and, yeah.

20

Now, in an ideal world, you're expected as a police officer taking such calls to remain completely professional at all times, aren't you?-- In an ideal world, yes.

But that's not how things happen, is it?-- No.

But you do, nevertheless, deeply regret being short with her?-- Yeah.

Now, the other complication with the towtruck is that you can't select a towtruck company as a police officer to give it the business to go to that intersection, can you?-- No.

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Just to state the obvious, just tell us briefly why that is?-- Sometimes in the past, in years gone by before they have a towtruck policy I believe that may have been in place, allegations may be made we preferred one towtruck company to another towtruck company for business. So we cannot be seen as a service to give preferential treatment to any business or organisation.

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So if you have to rely upon the caller, in this case Mrs Rice, to nominate the towtruck company, you then have to take whatever time is necessary to ascertain the contact details and then make the call?-- Yeah, I don't have a list of towtruck companies available to me. I'd have to go and look those towtruck companies up on the White Pages or on the Internet.

Now, is that something that was in any way something you could have achieved in the circumstances you were in, in the emergency in taking these calls?-- I believe no.

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To do that, you would have to have placed on hold your full board of incoming of triple-0 calls?-- I'd have to then, answering triple-0 phone calls, make a call for a towtruck.

Mr Callaghan took you to a passage in your second interview

which was on the 1st of February this year?-- Yep.

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That interview took place because after there had been a check made of all of the triple-0 calls that had been taken it was discovered that you had taken a second call not from Mrs Rice, from some other woman who is reporting a dangerous situation at Kitchener and James Street s?-- I - a day or two after the initial interview I reviewed the job log and I pointed to the boss and said, "There has got to be another phone call, there has to be another phone call."

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So you looked at the Exhibit 100, the IMS of 10 January at 13.49 and you saw there were other entries below the one you'd made?-- Yes.

And you said, "There must be another call that I took or someone took in relation to that intersection"?-- There must have been another phone call because that line there that said, "Vehicle's now moving", there had to be another phone call for that information to be placed on there.

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Yes. And it turned out you were right, there was another call?-- Yes.

And that was, I think, at 14.06?-- Yeah, around that time, yeah.

So it was, what's that, seven minutes after Mrs Rice had called?-- No, I think she called-----

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I'm sorry, it's longer. It was 13.49?-- Yep.

So it's 14.06. So it is 17 minutes after?-- 17 minutes after.

You were able to ascertain that you had taken that call?-- From listening to the triple-0 recordings, yes, I took that phone call.

You identified your voice?-- Sorry?

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You identified your voice on the call? You identified your voice-----?-- Yes, yes, yes, that's my voice on the phone call.

Does it seem that what you did was you took that call and you then updated your original IMS you'd created on taking Mrs Rice's call?-- That's correct.

Was that the first occasion, that is at 14.06, on receipt of that call was that the first occasion you appreciated the dangerous situation that there was at James and Kitchener Streets?-- That is correct.

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Whilst you can't remember the call or what you did, given the entry that you have made on the IMS sheet, does it seem that you would have brought to Sergeant Coleman's attention that emerging urgent situation?-- That is correct.

And you would do that, as you've told us I think, by calling out to him or raising your arm. You're nodding. I think you need to-----?-- Yes. Yes, that's correct.

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Thank you. And so you would then - that call would then be actioned for Coleman to send a unit or other resources to the intersection?-- Yes.

That was his job?-- Yes.

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If you had ever believed that Mrs Rice was in danger when she made the call to you at 13.49, would you have brought that to Sergeant Coleman's attention then?-- Most definitely.

That's all I have, thank you, your Honour.

COMMISSIONER: Thank you. Mr Burns?

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MR BURNS: Thank you, Commissioner. Senior, I won't be long. We've heard the call played, the first of the calls you had, and there's a long lead in. We hear the telephone ring for some time. What does that indicate?-- My understanding is it's - the system we use records all the phone calls and that would have been duration of the time she's - from the time she's connected to the triple-0 until the time we picked it up.

When it's picked up the ringing stops obviously?-- That's correct.

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The way that's done is you click on a computer screen?-- Yes.

You can see in front of you the emergency calls on a Zetron screen, can't you?-- That's correct.

Up to a limited number of them. There's a number of boxes?-- Yes, yes.

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For emergency calls?-- Yes.

And you click on a box-----?-- The next - the next available call you click on, yes.

The next call. So while you're on a call you can see other triple-0 calls coming in on the screen visually?-- And auditory. There's a ring - a chime that's goes for triple-0 phone call as well.

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You also have the radio adjacent to you?-- Yes.

And you can hear radio chatter at the same time?-- Yes.

And you also have, of course, a number of other operators around you?-- Yes.

And exchanges between those operators and CommCo?-- There was

a lot of raised voices that day which made a stressful and difficult situation to hear and deal with things. 1

In terms of that first call, we hear a couple of places what I imagine are pauses. Can you say what you were doing when there's no conversation?-- We then - when someone rings through, we enter the job on a - a thing called an IMS system, instant management system-----

We've heard about that. And you enter that as you receive the call?-- Yes. 10

And as you're talking to the person?-- Yes.

And there are a number of fields for information?-- That's correct.

Up to 10, approximately?-- Possibly more.

With dropdown menus?-- No, dropdown, no - oh, yeah, menus, not dropdown menus. 20

And then there's spaces for you to type in information-----?-- Free text and precis.

And so during those pauses, is it reasonable to assume you're actually entering data?-- I asked her for her phone number and then after that there's - there's a pause. From that point I would have been looking at the triple-0 logger screen to see if I can identify the phone number or the call that come from. The screen was scrolling. I couldn't find that. 30

This is the ICL, have I got that?-- That's the ICL, that's correct, which displays triple-0 phone calls information. I couldn't find the details on there so I'm trying to read through the screen there as I'm entering the data entering the job card.

Once the call is finished you just click on another box and-----?-- Just use the mouse, click on the box, take the next phone call. 40

The very next. And on this day they were all triple-0 calls?-- They were - the phone systems, everything was lit up. With local standard operating procedures you answer triple-0 phone calls first and, basically, that's all we answered that I da. That's all we could answer.

What did you know about the crews available, police crews to attend to emergencies?-- I was aware that we had one crew on air which I believe to be 210. 50

Right?-- It was a crew of Jarrod Bruce and a first year, I don't know her name. And I was aware they were off job at down near Grand Central.

Any other crews?-- I was not aware of other crews at the time.



To attend - to be tasked to look after emergencies?-- No, I was not aware of any other crews.

How do you know where a crew is from time to time?-- You don't. You get on the radio and you ask where they are.

So that's your source of information?-- Not unless they're booked off on a job. We can see - just to look at a job. If they're not on a job, we've got no idea where they are.

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In your interview, I believe - first interview at page 10, you were asked a question as to why - or you were asked whether you'd inquired of Ms Rice how far up the door the water had come and you said, "At that stage." You then asked what you assumed at that point in time and you gave this answer: "I was - what's happened there in the past and particularly the last couple of weeks, people have been driving through flood waters. I'm aware of that intersection. People have self-helped themselves to get out of the place. If we're talking about water up to the door, you're only thinking about 30 centimetres, you know, something like that, you know." Is that your recollection of what you assumed?-- Yes.

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All right. So that didn't cause you to flag Mr Coleman?-- No.

All right. You thought that this caller was stuck at a major intersection in town?-- Yeah, and she requested a towtruck.

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Yes. Thank you, Commissioner.

COMMISSIONER: Thank you. Any re-examination, Mr Callaghan?

MR CALLAGHAN: I have just got one question which we will address with Sergeant Cooling, but were you conscious of a number of triple-0 calls coming into the centre which couldn't be answered, that dropped out in other words before someone answered?-- I know the triple-0 phone screen was booked up, was fully loaded. I think we've only got four or five lines. The volume of - and the non-stop, constant as soon as one phone is down another triple-0 line is there, yeah, we would have lost heaps.

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It has been the subject of discussion since then, hasn't it?-- I - I don't know.

No, I have nothing further. May Mr Wheeler be excused?

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COMMISSIONER: Thank you, Constable Wheeler, you're excused?-- Thank you.

WITNESS EXCUSED

MR CALLAGHAN: I call John Tyson. Madam Commissioner, Mr Tyson's appearance will be part in the way of impact statement and part evidence. It might be just as simple if he is sworn for all purposes.

COMMISSIONER: All right.

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JOHN ROBERT TYSON, SWORN AND EXAMINED:

MR CALLAGHAN: Can you tell the Court your full name, please?-- John Robert Tyson.

Mr Tyson, Donna Rice, your wife?-- Yes.

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Blake and Jordan, your children?-- Yes.

And you've been in Court this afternoon while the evidence relating to the 10th of January has been given?-- Yes.

Now, first of all, there's something that you've written relating to your wife and son Jordan?-- Yes, that's correct.

I understand you'd like to read that to the Commission; is that correct?-- Yeah, that's correct.

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Yes?-- I understood I was allowed to read a victim impact statement.

Please go ahead?-- My wife was a guardian angel to many. Children of the neighbourhood, Donna's family and friends contributed to the hundreds and hundreds of letters I received about how she will be missed for her love, compassion and contribution to the community. Sometimes she gave much of her time to the people that needed it and her children that I took a back seat. I was always find for that to happen because I never chose her for her superficial reasons but rather the fact that she was one of the most beautiful, maternal natured people on the planet. Jordan. His voice was just starting to break. He was still a child with boyish looks but had the depth of something special in his gaze. A compassionate heart and it wasn't uncommon for him to have girls as best friends. He hugged his mum and dad in public. His love for his family unconditional. I can only ponder on what a man he was to become. He may not have been a leader of this country but I'm sure he would have made his mark somewhere with or for somebody. All I have left of these two selfless people is a bit of paper and a few memories. Do you know what it's like to walk the same hallway they once trod? The impact their death has had on my life? Trying to do everything my wife did, being a mother, a brother, trying to be a sister, a sister-in-law, a daughter, a friend to many. It's the end. They're gone physically. They're never coming back. How do I

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replace that? I don't. I just have to learn to live with it and it is a pain that will never fade. It is my cross to carry for the rest of my life, my crown of thorns regardless of what happens. I've met so many good people through my personal tragedy, some in the profession of helping people as well as some of the most wonderful run of the mill Australians. To protect and to serve is the motto by which most rescue personnel apply themselves to their job and on this day and after the fact, many went above and beyond their call of duty. However, I was assured by the Deputy Commissioner of Police that my wife was under no distress at the time of making the triple-0 calls and he also advised me that I had no right to comment on them. I cannot believe that someone would let me believe this right from the 10/1st up until the 11th of April. I fail to see what part of any of the triple-0 calls resemble calm and composure. What gave anybody the right to decide that I had to bury half my family twice? Nobody will ever understand the severity of those comments that were made to me. I'm of the understanding that a triple-0 call is for emergency response and should be dealt with in this manner. I can't help but ask the question if my wife and son had have connected with a different operator, would the outcome have been the same? Care and compassion. I can receive it after the fact. My tears can be dried if I have an emotional outburst in the strangest of places, but who is there in the most sullen moment? The people that usually are have been taken from me under the most gut wrenching of tragic circumstances. I have lost my wife and son. It makes me feel alone to feel the pain, the sorrow, the grief the anxiety, all alone to weep on my morning paper. I spray my wife's deodorant and pretend she's still there. Unless you can walk a mile in my shoes, there is no way anyone can ever understand how empty and shattered I feel. Just on that, I would just like to add there's countless family members down there that really wanted to tender witness impact statements but I had to suck it up and be the strong one for the day and do it for them all. I can't physically get up and do it or emotionally.

The result of that is the document that you're now holding which you're happy to have tendered to the Commission; is that correct?-- Yeah.

Yes, I tender that, Madam Commissioner.

COMMISSIONER: That will be Exhibit 105.

ADMITTED AND MARKED "EXHIBIT 105"

MR CALLAGHAN: Now, in that, Mr Tyson, you made reference to certain things under the heading of "To Protect and To Serve" and you spoke about the manner in which you were informed about the triple-0 calls; is that correct?-- Yeah, that's correct.

And subsequent to preparing that, you've actually prepared something in the nature of a formal witness statement; is that correct?-- Yes, that's correct.

All right. Can I show you a copy of that. It's been sworn under the Oaths Act; is that correct?-- Yes. Yes, that's correct.

Yes, all right. I tender that statement.

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COMMISSIONER: That will be Exhibit 106.

ADMITTED AND MARKED "EXHIBIT 106"

MR CALLAGHAN: Just by way of summary, Mr Tyson, in that statement you say that you were advised by Assistant Commissioner Gollschewski in relation to the triple-0 calls and the media?-- Yes, that's correct.

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And, in essence, you say he told you that you had no right to comment to the media in relation to the triple-0 calls?-- Yes, that's correct.

And you believe that that conversation - and other things which are recorded in paragraph 4; is that correct?-- Yep.

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And you believe that comment or that conversation related to comments which had been printed in the Toowoomba Chronicle; is that right?-- Yes, that's correct.

You were also told various things about the triple-0 calls themselves?-- Yes.

You recall being told about more than one call?-- The term given was "calls".

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In fact, the calls themselves weren't played to you until the 13th of April; is that correct?-- Yes, that's correct.

As detailed in the statement?-- Yes.

Was there anything else as to this incident that is not recorded in the statement that you've-----?-- There's probably a lot that - there's a brief overview of it because at the time we'd only just buried my wife and son, I can't recall every single detail or every word. But that's a brief overview it.

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That's the effect of it?-- Yeah.

The details might be-----?-- Yep.

-----a bit - or might have gone a bit astray because of the

condition you were in; is that right?-- I probably left a fair bit of it out. The detail is reasonably correct for sure.

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All right. Okay?-- Thank you.

COMMISSIONER: Ms McLeod.

MS McLEOD: No questions.

COMMISSIONER: Mr Gibson.

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MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: Mr Tyson, you only met - you called him the Deputy Commissioner, the Assistant Commissioner Gollschewski once?-- Yes.

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That was, I suggest to you, on the 7th of January this year?-- That must be correct I'd say if you've got the detail there.

As you've said in your statement, he came out with two other people. One was a detective from the child-----?-- Protection unit.

Protection unit. And the other was the police chaplain?-- Yes.

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Did he indicate why he was bringing the police chaplain with him?-- That some of the detail, I can't remember. Look right up to that point I'd really had enough of counselling to tell you the truth.

Did the context suggest that he was bringing the chaplain in case you needed further support?-- Yes.

During that conversation?-- Yep, that's correct.

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And it was clear that the purpose of the visit was to, from someone at that level in the police force, a very senior police officer, give you an update on what was happening?-- Didn't seem like it.

Well, do you remember him telling you that the whole issue of your wife's and son's deaths was being investigated by the Coroner?-- Yes.

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And that he couldn't go into much detail or couldn't comment in much detail for that reason?-- His exact words were that he was privy to information and I wasn't.

But in the context of telling you that the matter was being fully investigated by the Coroner, in the hands of the Coroner, something like that?-- I don't think you're right.

Maybe the other policemen that were present could enlighten you on that one.

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He went on to say, I suggest, in the same context that one thing he could assure you of was that your wife appeared calm or was calm?-- Mate, when I listened to the tape she was all but calm, trust me.

Yes?-- She had two kids in the car and she had their best interests at heart straight off the cuff. Now, if you call that calm, God help you if you ever make a triple-0 call, trust me.

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I understand that, Mr Tyson, but what I'm suggesting to you is that he said to you, that's Mr Gollschewski said to you one thing he could assure you of - he was trying to put you at rest-----?-- You reckon?

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What he could assure you of was that she appeared calm in this triple 0 call, first triple 0 call?-- "I can assure you your wife was calm." There you go. That's exactly in the context it was said.

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Okay. And you were upset because-----?-- I'm not upset, not one bit. All I'm upset about is that I got - the tapes weren't played to me straight off the cuff. I had to bury my family twice. Why was it left till how many days ago to play those tapes? Why wasn't I told straight away?

Well, tell me this: when you listened to the tape, you appreciated your wife wasn't calm?-- Oh, far from it. I think that goes without saying. You can hear the kids in the background, can't you?

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You had known your wife for a total of about 31 years at that stage?-- Yeah, roughly, 28 to 31, something like that.

Can I just take you to it? "I could tell Donna was maintaining a level just below panicking, trying to put a calming influence over the boys."?-- Yep.

So, as you listened to it with the knowledge of her personality and the way she behaved, you could tell that she was trying to keep a lid on it to keep the boys calm?-- Exactly right.

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You can tell with your knowledge of her, that she was, in fact, in distress?-- Let me ask you something? Did you listen to that tape before?

Well-----

COMMISSIONER: Mr Tyson-----?-- Sorry.

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-----I appreciate how you feel?-- Yeah.

But don't ask Mr MacSporrán questions, it won't help?-- No, okay. Well, what I could hear was my children in the background, first and foremost, so I guess that could probably conclude - anyone to the conclusion that it was all but calm.

MR MacSPORRAN: Okay. In any event, did you get the impression that Assistant Commissioner Gollschewski was trying to put your mind at rest about the circumstances of your wife's death?-- I felt very uneasy after his visit, to tell you the truth.

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Okay?-- And I didn't know why.

Okay. Now, that intersection of Kitchener and James Street, did you know that intersection well?-- Yeah. Played in that

creek as a kid.

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Were you shocked to hear that her car had been washed away from that intersection?-- I think that's normal human reaction. I think the whole of Toowoomba was shocked.

But by that, I mean that you never appreciated before that day that flood water could reach that depth and intensity across that intersection? It was unheard of before that day, wasn't it?-- Of course, mate.

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That intersection did flood, but in the sense that there would be water over the road, cars routinely drove through water at that intersection, didn't they?-- Well, I wasn't there, mate. I can't comment on that.

No, before that day, cars would routinely drive across that intersection with water across it, because it wasn't deep or fast flowing?-- Well, mate, like I say, I'm not privy to that, I wasn't there, I haven't driven through it myself.

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All right?-- Trust me, if there was water across the road, I wouldn't drive there.

All right. Anyway, you know how long the police chaplain and Assistant Commissioner Gollschewski spent with you that day?-- No, nope, no idea.

Right. Thank you. Thank you.

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COMMISSIONER: Mr Burns?

MR BURNS: No questions.

COMMISSIONER: Mr Callaghan?

MR CALLAGHAN: No, I have nothing in re-examination. May Mr Tyson be excused?

COMMISSIONER: Thanks, Mr Tyson?-- Sorry about that.

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I am sure it's fine.

WITNESS EXCUSED

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MR MacSPORRAN: Commissioner, just in light of the evidence today, I might say I am not being critical, we had no knowledge of that until today. We have taken the step of having Assistant Commissioner Gollschewski come across to Court. He's outside Court and it is appropriate, in our submission, that he be given a chance to speak to this one point that's been raised today. He's coming back next week.



COMMISSIONER: He is giving evidence later.

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MR MacSPORRAN: Yes.

COMMISSIONER: Mr Callaghan, what do you say about that?

MR CALLAGHAN: Well, he is giving evidence again.

COMMISSIONER: Do you have anybody else lined up for now?

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MR CALLAGHAN: We do, but no-one that we could finish, I don't think.

COMMISSIONER: All right. Why don't we do that, if he's going to be quick, if you want to call him now?

MR CALLAGHAN: If it is just on that issue, we will call Stephen Gollschewski.

COMMISSIONER: You were hoping to call Sergeant Cooling?

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MR CALLAGHAN: Yes. She will be a while, though, I think.

COMMISSIONER: How long do you think, more than half an hour, say?

MR CALLAGHAN: I will be probably 15 or 20 minutes, I would have thought.

COMMISSIONER: We might manage her, but if Sergeant Gollschewski is here we will go ahead with him.

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STEPHAN WILLIAM GOLLSCHESKI, SWORN AND EXAMINED:

MR CALLAGHAN: Can you tell the Commission your full name, rank and station, please?-- Stephan William Gollschewski. I'm the Assistant Commissioner of Southern Regional Queensland Police Service based in Toowoomba.

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Mr Gollschewski, you are aware of the specific issue in which you are giving evidence this afternoon?-- I am.

And have you had the opportunity to read the typed statement - well, both statements of Mr Tyson?-- I have seen them, yes.

You have had the opportunity to read them, though?-- Yes.

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All right. You are aware that he speaks about a visit to his house?-- That's correct.

You did, in fact, pay a visit to his house?-- Yes, I did.

What date do you say that was on?-- 27th of January this year.

And who else was with you?-- Detective Sergeant Andrew Lowe and I think his name was John Case, the police chaplain that we had in from Charleville.

What was the purpose of the visit?-- The purpose of the visit was to meet with Mr Dyson and discuss with him some aspects of the investigation that was ongoing by the police. This had been a matter that I'd discussed with the Commissioner and it was felt by the Commissioner and I that I should go around and speak to Mr Dyson in view of the tragedy that had befallen him and what was happening as a result of that.

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You are aware it's Mr Tyson?-- Sorry, Mr Tyson, sorry.

What preparation did you undertake prior to the visit?-- I spoke with the Taskforce Galaxy people that were dealing with the investigation. In fact, Andrew Lowe was there because he was the liaison officer for that, and also obviously I was familiar with what were - the background was to the events and also the investigation that was going on both in terms of the Coronial and the internal investigation into Senior Constable Wheeler.

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Specifically in relation to triple 0 calls, what did you do?-- Triple 0 calls, I have listened to the triple 0 call in relation to the one made by Donna Rice in this instance - that relates to this.

All right. Well, how many calls did you listen to?-- I listened to one. I am aware there was a second one, but I'm not certain that I actually listened to that one.

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How did you become aware there was a second one?-- That was brought to my attention by my staff officer and it was a matter that I then briefed up on because it was already under investigation.

Sorry, I missed that last bit. It was a matter that you were briefed up?-- I briefed up on it. Once it was brought to my attention, I briefed up on it to the Deputy Commissioner so that Ethical Standards Command could become aware that there was a further call that they had not considered.

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Right. And when did you do that?-- Oh, I can't recall off the top of my head, whatever date it was that I was advised of it.

It was before or after your visit to Mr Tyson?-- I'm not certain.

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Right. Well, you are aware that Mr Tyson says that during the conversation that you had with him you told him that he had no right to comment in the media in relation to the triple 0 calls?-- That's incorrect.

And that just simply wasn't said?-- That wasn't said. I know it wasn't said.

That you told him that he didn't know what was said in the triple 0 calls and that you did?-- I beg your pardon?

Well, the suggestion is that you told Mr Tyson that he didn't know - he was not privy to what was said in the triple 0 calls, but that you were, you did know?-- I said that I had listened to the call, that's the original call-----

Yes?-- -----I was referring to.

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Yes?-- And that I knew what was in them, but I actually said that I couldn't comment on it too much because the matter was subject to an investigation being controlled by the Coroner.

Right. You had, in fact, listened to at least one call?-- Yes.

Is that right? So, where did you do that?-- In my office in the Southern Region.

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So, you had a desk or something?-- It was - one of those wave files that was on a computer.

All right. Well, the question has to be asked: why was that not played to Mr Tyson?-- Because my advice was that it was a matter subject to a Coronial investigation, it would be inappropriate for me to do that.

Who gave you that advice?-- That was advice from the - in my discussions with the Commissioner and the members conducting Taskforce Galaxy.

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Well, the Commissioner and who else?-- Through the hierarchy of Taskforce Galaxy, the investigation.

Names?-- I can't give you specific names, but I can tell you that as I sit at the top of that investigation in an oversight role with Assistant Commissioner Mike Condon from State Crime, and also that I speak on a daily basis at that time with the commanders in the actual taskforce, which there are two, Detective Inspector Dave Issuewood and Detective Acting Inspector from State Crime, the name escapes me at the moment.

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That's all interesting. I am just asking who the advice came from that you couldn't play the recording to Mr Tyson and you have told us the Commissioner. I am just wondering whether anyone else?-- Well, that's my understanding anyway, my understanding is that a matter that's under investigation at the behest of the Coroner sits within his - he is the one that determines whether things can be released or not, certainly not I.

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Well, it didn't have to be released, you had a copy of it?-- But by playing it to someone else, I am releasing it.

Well, you could have kept custody of the-----?-- No, I am releasing the information by playing it surely.

Anyway, that was your understanding-----?-- Yes.

-----in any event?-- Yes.

That you couldn't do that even if you wanted to?-- No, that was my understanding, that I don't control that investigation, I don't have authority to release that information.

Did you take any advice from the Coroner's office on that?-- I didn't need to take advice from the Coroner's office.

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Hang on. I thought you just said that they're in charge-----?-- Yes.

-----of the investigation?-- Yes.

And that it was a matter for them whether something could be released or not?-- That's correct, but I had - I answered to the Commissioner of Police and I had a conversation with him about it.

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And the consensus is that you can't do anything while it's with the Coroner?-- My understanding is that an investigation conducted - Taskforce Galaxy in this instance - is done on behalf of the Coroner.

Yes?-- And, therefore, he has legal ownership, if you like-----

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Sure?-- -----of all the material, and it's not my place to release it without authority, and I - in this instance, I did not seek authority because I didn't think it was appropriate.

Why was it not appropriate to ask the Coroner whether you can play the tape?-- The matter was still under investigation on several fronts.

Was this because there's potential for a disciplinary investigation?-- Well, there is a disciplinary investigation, as well as the Coronial investigation.

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All right. But how could the playing of the tape to Mr Tyson prejudice the investigation?-- Well, that was the view that we took, that at that time it was not appropriate to play any tapes.

I don't want to go around in circles and all I'm interested in is whether it was considered appropriate to ask the Coroner or whether somebody decided not to, or it just didn't cross anyone's mind, or what was the story?-- Can I say it was a very dynamic period at that time and my memory is not complete on those exact conversations.

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Sure?-- I know there was a fair bit of discussion about what was appropriate and in determining what was appropriate, we - our decision was that that was not an appropriate thing to do at that time.

Okay?-- And, indeed, in my conversation, which I might add was recorded with Mr Tyson, it's quite clear that I tell him that there's an investigation and that later on we will be able to talk further about it.

Okay. That's the first time that we've heard that the conversation was recorded, so do you still have the recording?-- I do. I have transcripts with me.

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You have a transcript?-- Yes, I do.

Okay.

COMMISSIONER: It might have been easier if we hadn't called Mr Gollschewski this afternoon, from the sound of things.

MR CALLAGHAN: I think we'd better leave it there. I could be asking questions which are totally misplaced, if it's all-----?-- In my view, you are, yes.

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COMMISSIONER: All right. Well, I think, Mr MacSporran, we will adjourn Mr Gollschewski's evidence till next week so that everybody has a chance to look at these transcripts.

MR MacSPORRAN: Yes. Would it be appropriate to preserve the tape and transcript at this stage? They can be tendered and-----

COMMISSIONER: That's a good idea.

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MR MacSPORRAN: Yes.

COMMISSIONER: Thank you. Who's got physical possession of both those things?

MR MacSPORRAN: I have got a copy of the transcript now, but I think-----

WITNESS: I have a copy of the - I brought a copy of the recording with me in case it was required.

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COMMISSIONER: All right. Well, the transcript and the tape can be one exhibit, Exhibit 107.

ADMITTED AND MARKED "EXHIBIT 107"

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COMMISSIONER: Assistant Commissioner Gollschewski, you are excused until next week. I am not sure which day?-- Thank you, your Honour.

WITNESS STOOD DOWN

MR CALLAGHAN: Would that be a convenient time? Did you want to - we have got-----

COMMISSIONER: Mr MacSporran, I didn't ask you how long you thought you would be with - is it Sergeant Cooling?

MR MacSPORRAN: Your Honour, I think probably 15, 20 minutes. 10

COMMISSIONER: I see. That might be getting a bit long for everyone.

MR CALLAGHAN: I'm sorry, Madam Commissioner, I missed that exchange.

COMMISSIONER: Mr MacSporran think he will be 15 or 20 minutes with Sergeant Cooling, so that might be getting----- 20

MR CALLAGHAN: I will be 15 or 20 and there's another witness - we won't finalise the evidence on this issue anyway, there's at least one more witness on top of Sergeant Cooling.

COMMISSIONER: All right.

MR CALLAGHAN: It may be, given that we're now moving to systemic issues, that this issue is one which could be finalised in evidence in Brisbane if we don't have time to conclude it in Toowoomba next week. I mean, the more personal issues referable to Mr Tyson, I think, have been canvassed in evidence this afternoon, and the wider issues of triple 0 calls generally are ones which will be addressed by other evidence in other parts of Queensland and so on. I think we can usefully deal with that elsewhere. 30

COMMISSIONER: All right. I am concerned about the reporters who have to provide a transcript for the next day, so it gets a little difficult. 40

MR MacSPORRAN: The only concern I have with that - I understand the rationale behind it - but this evidence has been live streamed and the reporting is being done on an hourly basis almost, and, in our submission, it's important that both sides of the story be told reasonably approximate to each other, otherwise the reporting necessarily is skewed. That's undesirable for the wider public perspective and this is good example of it. There have been real allegations made against the Assistant Commission. He has got a taped record of the actual conversation. 50

COMMISSIONER: He's had the opportunity to answer them. Presumably the tape also support what he says, but he's certainly been given the chance to say something this afternoon. I don't think he's too badly off.

MR MacSPORRAN: But the tape itself has not been. The triple 0 call's been publicly played but his tape,

Mr Gollschewski's tape, has not. Ideally, the reporters should access the tape on the website and look for themselves but that's unlikely to happen unfortunately. It is just an important issue that needs to be ventilated approximate to the other evidence.

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COMMISSIONER: Yes, but what he said about it is already on the record. The reporters know that.

All right. Well, I think we will adjourn at that point to Dalby at 10 o'clock.

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THE COMMISSION ADJOURNED AT 4.33 P.M. TILL 10.00 A.M. THE FOLLOWING DAY AT DALBY

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