

# Transcript of Proceedings

Issued subject to correction upon revision.

THE HONOURABLE JUSTICE C HOLMES, Commissioner

MR JAMES O'SULLIVAN AC, Deputy Commissioner

MR PHILLIP CUMMINS, Deputy Commissioner

MR P CALLAGHAN SC, Counsel Assisting

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IN THE MATTER OF THE COMMISSIONS OF INQUIRY ACT 1950

COMMISSIONS OF INQUIRY ORDER (No. 1) 2011

QUEENSLAND FLOODS COMMISSION OF INQUIRY

TOOOWOOMBA

..DATE 29/04/2011

..DAY 12

THE COMMISSION RESUMED AT 9.15 P.M.

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ROBERT FREDERICK BUNDY, CONTINUING:

MR CALLAGHAN: Mr Bundy, I just want to start with some general questions about the SES in particular, which is part of EMQ's portfolio. How is the SES deployed, first of all, in a normal situation? Just leave aside considerations of disasters. Just isolated incidents, how is it deployed?-- It can be deployed in a number of ways: activation by another authority such as police or the fire or ambulance if they need assistance; if it's a general thing like storm damage, the local controller has the authority to deploy the SES or their own SES on request from general public if we get a request either through the 132500 number, or a direct request from a number of the public for assistance.

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Is there any protocol that governs the situation when it's deployed at the request of another authority? Is it just an ad hoc sort of thing?-- The authority would contact the local controller - the relevant local controller, or we have a - EMQ has a regional duty officer on call 24/7. If the SES is activated in this region, they also then call that regional duty officer to inform them that they have been activated as well.

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Well, what about then the situation during a disaster such as the kind that we've had; how is the SES activated?-- Again when they receive requests for assistance, they would activate to undertake those requests.

But where would the requests - is there a protocol as to where the requests have to come from?-- There isn't a protocol where they come from. It could be from the general public or, as I said, from requests that come through the 132500 number.

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Well, what about when a Local Disaster Management Group is activated?-- Generally - they can, of course, activate them. Local government can activate them. But generally the SES in most situations has probably been active before an LDMG is actually activated. But when they are in stand-up mode or standby mode, they will have the SES activated and out doing functions already.

I suppose that's what I'm interested in, is how does the transition work, if at all, from the SES acting in response to specific requests to being part of a coordinated approach?-- If the job numbers reach a certain level, then the Local Area Disaster Management Group and the Local Disaster Coordination Centre need to be set up - to be established, then the monitors - they would have an SES liaison officer in that local coordination centre and jobs would be filtered through that coordination centre rather than directly to the SES.

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What happens then to the requests that would no doubt still be coming in from individuals or-----?-- Generally they come through the - we get a lot through the 132500. If it gets to a certain number, 132500 puts them through what we call a kit referral. So they are put into a sort of paper format and emailed to us. We had staff in the recent operation that they were emailed to our office and then we forward them on to the relevant local controller, depending on which specific area they were involved with.

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Let's focus on this for the Lockyer Valley. We know that the SES was active?-- Yes.

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And we know that people were calling the SES-----?-- Yes.

-----for assistance. And we know that the Local Disaster Management Group was active as well-----?-- Yes.

-----soon after the event took place. How were those individual requests specifically in the Lockyer, do you know, being prioritised or communicated to the LDMG?-- The coordination centre down there - once it got to a certain point in Lockyer Valley, the council established a call centre number and council staff manned that call centre number. So a number of calls or requests from the public came through that, whether it was for SES or other services, came to that number, and that would have been prioritised with the liaison officers in the coordination centre.

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What happened to the people who were still calling the - was it 132500?-- Yes. Those numbers, if they came to us, they were going directly to the local controller or to the - the SES actually establishes their own incident control point as well. So you have an overseeing one, so they report to the Local Disaster Management Group or the local coordination centre, but they also have their own control centre set up at their headquarters. So calls would be coming from both the council direction and also from the 132500 number directly to the SES unit.

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So a 132500 call at that time would have been answered at Kedron; is that right?-- In Brisbane, yes.

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Referred then to Toowoomba?-- Referred to our office once it reached a certain number and it came up as a kit referral, it's put into a documented form and they come up to us, and then we forward them to the relevant local controller, whether it was Lockyer Valley, Toowoomba, Warwick, et cetera.

So it went from Kedron to Toowoomba to the local controller in the Lockyer Valley?-- Yes.

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Then who, presumably, communicated it to the chairman or to the LDMG, whoever was-----?-- The SES could prioritise the jobs that they received, but they had to report to the local coordination centre on the amount jobs they have and where specific needs were.

Where would it be prioritised? Who would make the decision?--  
The local controller can make decisions on that.

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He's got a discretion in that regard?-- Yes.

Thank you. And the role of EMQ in all of that is essentially  
just getting the phone call from-----?-- Yes.

-----Toowoomba to the Lockyer Valley; is that right?-- And we  
liaise with the local controller to see if they need extra  
assistance, if they need extra SES from other areas.

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That's part of EMQ's function is to-----?-- Yes, if it gets  
beyond their capability, we look for with the region and then  
and also from outside the region for local SES to assist.

Is swift water rescue function part of any SES training, do  
you know?-- No.

We read a lot in the materials about the concept of resupply.  
It's a shorthand term with which you are no doubt highly  
familiar, but for the rest of us can you just explain what is  
meant to be conveyed when the term "resupply" is used?--  
Resupply covers three areas: there is resupply to isolated  
properties. So if we have a farm or a property that's away  
from a township that runs out of food or medication or  
essential supplies, then they can be resupplied there. There  
is resupply to communities such as some townships and that to  
make sure that the essential food services get through to  
those. So there's a couple of different levels of resupply.

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That's two. I thought - did you say there were three?-- There  
is isolated properties, isolated communities, and that's  
generally it that we get involved with.

And just in broad terms, how is that achieved?-- The requests  
would come into the local coordination centre from the public  
or the property that needs it. The are then prioritised. We  
have guidelines - we have a resupply guideline that we follow  
it through. The EMQ's role is to basically see that the items  
that are being requested are essential items. We can't have  
things like soft drinks and cigarettes and alcohol. It's  
essential items such as food and medication. So they see that  
the requests - or the material they are requesting is -  
conforms with the guidelines. Generally then the local  
government, if it needs to be done - if it's delivered by  
truck, the SES can do that or local government staff can  
undertake that. If needs to be supplied by other means such  
as air transport, helicopters, light planes, it goes through  
an approval process with the district disaster coordinator.  
But generally the local government undertakes that role.

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What does the approval process involve?-- The approval process  
just gives us - it's a counterbalance, I suppose if you look  
at it that way. There needs to be checks and balances in all  
this process to see they are not just - we don't have  
helicopters or planes flying left, right and centre. So the  
local coordination centre would submit a request to the DDC,

who would then give approval for resupply to be undertaken. The local government would - it it needed chartering a plane or a helicopter or something like that, if that's the only way of getting these supplies out, they would undertake that through their normal procurement processes, and they would task and deploy that helicopter.

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I was going to ask about that in the context of what happened in Dalby. Because the concern has been expressed that there was the need to hire a light plane for the purposes of resupply and the LDCC was required to obtain three quotes, but there weren't that many companies to obtain quotes from?-- That's fine. That happens in a lot of places. It is in the guidelines the three quotes, but in these places there isn't three operators. If we can get two quotes and two potential options - or other options on the type of aircraft, the type of helicopter, for example, that's all that needs to be put into the brief, that that's the only supplies that are available, and the decision would be made from there.

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Just while we're talking about Dalby, there was also the concern expressed that a resupply of milk was organised that sat on the tarmac for eight hours. Are you aware of that complaint?-- I've heard of the complaint, but I couldn't - I have no knowledge of how that - if or when that did occur.

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How would we investigate what occurred there? Who would be the best person to speak to? Would that be Mr Fraser?-- No, it would go through - it would have been done through the local coordination centre there, so it would be the Dalby Regional Council.

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Yes, but it was a resupply?-- It's all done through the local coordination centre. EMQ have staff there that were assisting with us, but the resupply to isolated properties, all that - if it was for a community, then it would have been up through probably the District Disaster Management Group.

Did EMQ have any role in that process at all?-- I think his role in resupply is to check that it conforms with the guidelines, so as I said, the supplies that have been requested meet the requirements and that there is a process, they have done a check and balance. And also to check we're not flying - if we're flying a helicopter to a specific area, the local government generally contacts other properties if they can in that area to make sure we're not flying backwards and forwards. If they can do a run for a particular area, they will do a number of properties in that area. It's just ensuring the efficient use of the resources that are available.

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While we're on regional issues, Chinchilla is one of those places where I think the concern has been expressed - I might summarise this by referring back to what we were discussing yesterday about the difficulties in keeping volunteers in the SES?-- Yes.

Is that your impression of the situation in Chinchilla?-- They

have a small number of - probably around 20 mark, I think it is. But in most of our small towns we only have a small number of volunteers in the SES.

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In Condamine, I think it was, there was the concern that a number of care packs were delivered which was in excess of the population of the town. Are you aware of that?-- No, we had no role with care packs.

Whose responsibility is that?-- I couldn't advise you on that one.

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Another concern from Condamine, I think, is the concept of communication to the SES when, for example, in that situation a flood was on the way. The concern's been expressed that the SES weren't kept fully informed or that looming issue wasn't communicated to them effectively. Whose responsibility would it be to communicate to the SES that a disaster was on its way?-- We would have spoken to the local controller. We did have a lot of trouble getting in contact with the local controller in Condamine. But generally if the - there is a flood happening, they have the local knowledge. They are the people that live in the area, and certainly the local controller out there has been in Condamine for many, many years. Quite often in previous events we get reports of major flooding expected in the Condamine area, and I will actually ring him specifically and find out is it a concern and what precautions do we need to take with the flood levels at particular heights.

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So you'd do that yourself?-- Our office, yes

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Is that part of your responsibility or is that just something you take it upon yourself to do?-- No, we receive warnings from the Bureau on the whole range of flood levels throughout the area, and I'm not an expert on a flood height in a particular area.

No?-- Because three metres in Dalby means nothing in Condamine, but 10 metres in Condamine is - does mean something. So I have to rely on the local controllers who have the local knowledge and the expertise to advise me on is it an issue that we really need to be concerned about urgently. So we rely on that local - that local knowledge.

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I understand that. But in terms of the information which you receive - as you say, you received the warnings and so on - is there an obligation on you to pass that on to the local SES or is that just something you do?-- It's - we do it just to make them aware of it if they have-----

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I know why you do it?-- It is not an obligation. I guess it is just something we do. We pass the information on.

All right. Still on the regional issues, turning to St George and Goondiwindi, that's still part of your area?-- Yes.

We have the statement from Mr Stiles, the District Disaster Coordinator for the Roma district, who has expressed some concerns about EMQ's performance in that area. Are you familiar with those concerns?-- I haven't seen those concerns, no.

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No-one has taken you to Mr Stiles' statement?-- No.

All right. Well, to start with, he suggests that there was the deployment of a helicopter on the 17th of January from Townsville to St George and, as I read his statement, he suggests that there was really no operational need for such an aircraft. Are you aware of that deployment? It was an EMQ helicopter?-- I am aware of that deployment, yes.

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Well, why was that helicopter sent from Townsville to St George?-- I am not aware of the reason either. I actually contacted our headquarters to ask the same question.

What did they tell you?-- It was just there as a standby measure in case the flood levels rose any further.

They didn't tell you on the basis of what information that was a concern?-- No.

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No-one had asked them to do it?-- No, it wasn't requested, no.

No. And it returned to Townsville on the 18th I understand?-- I should clarify, it wasn't requested at the local level. It was a decision made in Brisbane.

The decision made in Brisbane to send a helicopter from Townsville to St George?-- I was unaware it came from Townsville. I knew there was an EMQ helicopter deployed.

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Mr Stiles has also expressed the concern that the EMQ area director had to be reminded of his responsibilities to the DDMG, reminded to attend meetings and to be more robust in his duties particularly with respect to resupply. Are you aware of those concerns?-- I have had discussions with Mr Stiles on previous operations and he has expressed those concerns before.

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So the concerns there are really referable to the specific area director or is there a-----?-- No, they'd be directed to me, I think, he has me instead of the area director.

Sorry, what I'm trying to find out is whether this is just a problem with that person or whether it's a resources issue, because I imagine that person's duties spread fairly - over a fairly difficult territory?-- Yeah. No, look, we had some issues between - regarding resupply with Mr Stiles. It was actually - the process was being held up. This is going back to the 2010 floods.

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Yes?-- It was held up because he wanted to put authorisation of every resupply that flew out of St George to isolated properties and that was just holding up the system because he couldn't be contacted. Now, the-----

Sorry, sorry, who couldn't be contacted?-- The DDC, Mr Stiles.

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Mr Stiles couldn't be contacted?-- On some occasions.

Right?-- It was taking a period of time to contact him on some occasions so he couldn't be contacted, but it was delaying the resupply process. We tried to bring him to a more efficient manner of doing it. As I said, local government can - they employ the helicopter or employ the company to fly the helicopters, so they actually pay for it and then they claim the money back later on. So it was sort of duplicating the process that every resupply had to go up to the DDC.

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Well, as you say, the relationship seems to go back at least to March of 2010-----?-- Yes.

-----flood events there and he expresses the view that there is a marked difference in the level of support, provisions of advice and activity by EMQ between then and the most recent flood event. Do you have any comment on that?-- Look, we never had - we didn't have these difficulties in any other disaster district. So, we've managed to work with the DDC. It was - whether it was a personality clash, whatever-----

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Well, I was just about to ask. Do I detect this is perhaps in the nature of a personality clash or is it a resources issue?-- It wasn't a resource issue, no.



Because he specifically identified, I think, the proposition that there were fewer resources available this time such as satellite phones, fewer resources available in January than there were in March of last year?-- No, that's - well, certainly not from our perspective, no.

Have you had reports from the area director about the difficulties or Mr Stiles' perception of difficulties during this event?-- During this event, yes, and I was actually in St George for part of the event and the difficulty did arise and I thought this was a revision of - of 2010. So I actually rang my boss in Brisbane to clarify the procedures exactly for resupply and it was local government that hires the helicopter, the local government tasks them and that was the advice that was given and that was the process that we used. So there was no issue of resupplies for St George during this operation.

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Mr Stiles also talks about difficulties at Dirranbandi where the shopkeeper had to be negotiated with by EMQ to manage resupply out there. Are you familiar with those issues?-- Yes.

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Does this illustrate one of the problems that arises when - or in the process of resupplying areas such as this?-- No, we have a lot of - the difficulty with the shopkeeper in Dirranbandi is a lot of the local community don't use that shopkeeper on a regular basis. They tend to travel to St George, which obviously they can't during flood periods. The problem we had in 2010 was that particular shopkeeper - we were doing a resupply to Dirranbandi which was organised through the state, but the shopkeeper then put in, basically, their three-month order and there was this huge amount of supply, such as things as frozen pizzas and cans of soft drink and watermelons and things that don't meet the guidelines, and it wasn't - a resupply is not to restock the store. It is to provide essential items until such time as road transport can get there to restock the store.

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So was that EMQ intervening to prevent that?-- We were - we were negotiating with the store keeper, so - and we're still negotiating, where they need to - especially when we know floods - the advantage of St George, that we have a lengthy lead-in time with floods arriving in that area and down into Dirranbandi, even longer. So we need to - we have been working with the store keeper to make sure they're a little bit more proactive in getting their supplies in for a wet season, sufficient supplies in. The other problem, as I said, occurs that suddenly when the locals can't travel to their normal suppliers, they tend to overrun the small store in Dirranbandi.

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So that's an issue that you're now aware of and being proactive?-- Yeah, we are working with the - and the local government is working with the store keeper to put some processes in place.

Generally then, has there been any review of the performance of the area director out there in the light of Mr Stiles' concerns, any specific review or is it just-----?-- As I said, there's no problem with the area director. He is a longstanding member, very well respected in the whole area. I think the issue was - I would put it down as a personality issue between - for whatever reason between myself and Mr Stiles, certainly not the area director.

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I understand that and I'm not necessarily challenging what you say, but in the light of concerns expressed by someone of Mr Stiles' rank, has there been any formal process of review of that individual's performance?-- The area director did an outstanding job in both the 2010 floods and these other floods so I have no concerns with his performance whatsoever.

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Yes, but there has been no formal review-----?-- No.

-----of his performance?-- No, sorry. No.

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It is just that we're looking at systemic issues and we need to know whether it is a personality clash or whether there is a genuine problem with the system?-- Well, I'm unaware of any problems that Mr Stiles had with the area director specifically.

Which of itself might be a concern that that hadn't been drawn to your attention. Can we talk now about helicopters. What's the role and capacity of EMQ as regards helicopters?-- Look, I - I don't have anything to do with helicopters. It is part of EMQ but they are sort of a separate part of EMQ and we have very little to actually - we work with them as requested but I couldn't advise you on capacity and-----

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All right?-- -----tasking.

We can look at that elsewhere, but how do you as regional director go about getting a helicopter into the air if one is needed?-- If I - if I needed a helicopter, I contact my head office and request it through them.

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So all of that's done through Brisbane?-- Brisbane, Kedron, yes.

And if we had concerns about the proposition that certain helicopters might have been available on the 10th or the 11th that weren't used, we should direct those questions-----?-- Yes.

-----to your-----?-- To the SDCC - our request would have gone to the SDCC.

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Your request would have gone to the SDCC not to your superior in Brisbane?-- It would have gone to both actually. We would have put a request - if a helicopter was needed, a request would have gone to the SDCC. To try and bring the event forward, I would have contacted my superiors in Brisbane.

Specifically, who would you have spoken to?-- At the time it would have been Warren Bridson. He was the acting deputy director I think it is.

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On a more permanent basis, it would have been to the deputy director, would it?-- Yes, he is the director of operations.

Well, as at January, I think you were a member of five District Disaster Management Groups?-- Yes.

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Is that right? Mr Fraser, how many Local Disaster Management Groups does he belong to?-- Three: Lockyer Valley, Toowoomba and Southern Downs.

Did that stretch you all a bit thinly in January?-- It did. We - we were stretched but we did make sure that we had - we brought staff in from other regions to make sure that we were covered in all areas. If we couldn't attend certain meetings, we certainly did it by teleconference.

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Have you got your statement there?-- Yes.

I might start taking you to some specific parts of that. At paragraph 18 you speak to, "Ensuring that EMQ staff deployed into the region have sufficient training and experience to provide advice and assistance". Now, we know, for example, in the Lockyer Valley that Mr Fraser was clearly unable to attend the Local Disaster Management Group meetings between the 11th and the 14th of January?-- Yes.

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They seem to have been attended by a Michelle French and a Libby Davis; is that right?-- Correct.

What is their training and experience?-- Michelle and Libby Davis were both disaster management officers so their role is to do disaster management training and disaster management planning within the organisation. So I ensured that they are - I have ensured, particularly, Michelle - Libby was from Townsville, from northern region, and she's had several years experience. Michelle has been with us for about three years and had done a number of operations. So I'm confident in her ability to supply the necessary information.

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When you say that Libby is from Townsville, was she seconded or was she - had she moved here permanently?-- No, no, she was brought down for that operation.

Can I take you to page 4 of your statement and I just want to take you through each bullet point on that page, just because I'm sure you know what you were talking about-----?-- Yep.

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-----but so that we can get an understanding of what you actually did. The first point, you speak to, "Streamlining the process for resupply". What does that actually mean? What does the process of streamline-----?-- Streamline is a process as I said earlier - all the requests for resupplies of isolated properties were going off to the relevant DDCs for signature and, as you can appreciate, the DDCs are extremely

busy with a number of issues during these events. What we then - we discussed with the relevant DDCs and they agreed that the resupplies were - were necessary and they were authorised but instead of having to have each one go up for signature, we would undertake the resupplies and put in a briefing at the end of the day or during the day on the number of resupplies and where they were done. So it just shortened the process rather than having to wait for the signature.

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So was that a suspension of the usual requirements just to meet the circumstances that were-----?-- Again, once - it is not a usual requirement the DDC has to sign off every resupply. It's - it was just a - I suppose something they would cover. I guess it needs to have checks and balances but they were more than happy that we were doing the checks and balances and reporting to them at the end of the day on what operations were undertaken so they were fully briefed of activities that were occurring.

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So from a systemic point of view, it is not necessary to do away with the requirement for them to sign off on any particular item as long as it can be-----?-- It needs to be justified. So we had EMQ staff there checking that it met the guidelines. There is no need to have - particularly for isolated properties - isolated communities is a different matter because that then goes through the DDC to the state group. But for isolated properties, it is just a, I suppose, administrative burden that slows down the process.

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The second point, you speak to the coordination of additional staff for the Lockyer Valley and we understand that those who did come in from Charleville were extremely helpful. Did you organise that?-- I discussed that with Gerry, I keep-----

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Franzmann?-- Sorry, yes, Franzmann. We - we knew from the exercise and from work we've done in the last 12 months with Lockyer Valley, as I said yesterday, they were very proactive in looking at disaster management issues but relatively green-----

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I'll just interrupt you because we understand the benefit of it. I'm just trying to work out how it happened?-- Well, they were - they were overwhelmed by the situation as you can appreciate and I said - I discussed with Gerry in Lockyer - in Gatton at the time and I said, "We can bring assistance in." I suggested Neil Polglase, who is the Disaster Management Coordinator in Murweh Shire in Charleville. He is a very experienced operator because they have been through a number of floods out there and-----

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Yes, again, I'm sorry to interrupt you?-- Sorry.

But does it amount to you suggesting to Gerry that these are the people who were required or did you actually call Murweh Shire-----?-- No, I suggested to Gerry.

You suggested to him?-- And the local - sorry, Lockyer Valley made the call to Murweh Shire.

Thank you. "Proactively identifying and responding to operational needs in Murphys Creek and Laidley". Can you tell us what was involved in proactively identifying and responding to operational needs?-- Murphys Creek, I actually personally went down there two or three days after the 10th and - because I heard there were some issues there. I spoke to the gentleman who was organising it, he was a member of the public, and they were doing an outstanding job. It was generally members of the public that were doing it and it needed some coordination. So I then discussed some of their needs with them and I went to have a meeting with the council in Lockyer Valley and said, "We need to get a proper response set up in the Murphys Creek area", in particular.

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When did you do that?-- It was about - I couldn't give you the exact date. It was a number of days after the 10th of January.

Well-----?-- Because I heard there were issues that had arisen in Murphys Creek.

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I would be interested to know how many days?-- Sorry, I - I don't have the actual date.

So what that boils down to is that you went to Murphys Creek, saw there was a problem and told the council there was a problem-----?-- Yes.

-----that needed-----?-- Yes, went to try and address the council and the council then undertook to establish a presence in Murphys Creek and a coordination ability in Murphys Creek.

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When you say "the council", who are you talking about, Mr Jones or-----?-- I spoke to Mr Jones and the - the CEO down there and the local - sorry, the disaster coordinator for Lockyer Valley.

The next point is, "In Laidley and Forest Hill, EMQ staff and SES volunteers managed the response operations on behalf of the local government"?-- Initially they did, yes. I had a staff member that lives in Forest Hill who was unable to come up to the - to Toowoomba, obviously, to work so we sent him to Laidley, and they were in the old council building there which was also operating as an evacuation centre. So he operated out of there with some SES personnel and some council staff that were there and they coordinated the activities for the Laidley and Forest Hill areas.

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Whose activities?-- The general cleanup. So they were - they weren't - they were coordinating. There was rural fires involved, there was council workers involved, there was members of the public being involved in the cleanup and the tidy up after the flood had hit the Forest Hill and Laidley areas.

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They were doing the sort of thing that maybe a Local Disaster Management Group do on a small scale?-- They were reporting

back to the group in Gatton but they were sort of undertaking on their behalf, yes.

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Yes. The next bullet point is, "Deployment of local SES groups". What did you do that involved the deployment of local SES groups?-- We - we spoke to the local controller. There was concern that areas such as Withcott and other areas hadn't been attended to. So I spoke to the local controller down there and said we needed to get some people out to check that everyone was okay in Withcott, particularly. We also had some task forces that were working. That we had - we had two task forces from South Australia and one from North Queensland that we deployed into the Lockyer Valley and one of those groups we actually sent into the Withcott area. And we also had another task force that came up from the south-east district which we deployed into Murphys Creek to assist the community there.

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So this was a question of local controllers speaking with you?-- I - we had some complaints that these places hadn't seen SES.

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Yes?-- I said there were a small number in there but they had - I checked with them to see that they had been looking after all areas affected.

You checked with the SES?-- Local controllers, yes.

So this was a case of you directly deploying SES people where they were needed?-- Where - on his advice, yes.

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Yes?-- Yes.

How was that communicated back to the Local Disaster Management Group, if at all?-- It would have - it should have gone back through the - as I said, I had staff who were involved who were present in the local coordination centre. A report would have gone back from the local controller as well to the coordination centre. So via two methods: one from the local controller to the coordination group and I kept my staff informed that were present in that coordination centre.

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When you said would have, should have, do you know that that actually-----?-- Would have.

Would have?-- Yes. I certainly informed my staff and they would have been able to inform the local coordination centre.

They would have been able to?-- Yes. Well, they would have.

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I think you've addressed the next point about the deployment of SES task forces from elsewhere already?-- Yes.

"Ensuring adequate staff at the regional office", did that just mean making sure you had enough people-----?-- Yes, we actually had - we even had volunteers from the public working in the office to make sure the number of phone calls that we received from the public and the referrals that I mentioned

earlier that were processed in a timely manner.

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Finally, on that page you speak to, "Ensuring that all SES task forces were supported" in the ways you identify there. Can you just elaborate on that?-- It's - I put some of my other staff members on. So we have training officers and we also have two radio technicians that work for EMQ in the region and they were tasked as liaison officers to make sure that the - the visiting task forces we had from interstate and other regions had all the equipment that they needed and that they were looked after as regards to accommodation, food and supplies.

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Who were they liaising between?-- They were liaising between myself and the relevant task forces to make sure they had accommodation, to make sure they had meals, water and the tools to undertake whatever jobs they needed.

Did you, EMQ, actually provide those things?-- To the task forces we did, yes.

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Can I take you, in conclusion, to paragraph 46 of your statement. Perhaps I should ask: did you have some assistance in the drafting of this statement?-- Yes, we did.

Some legal advice?-- Yes.

Was it on the basis of that advice that paragraph 46 was included?-- At the time that was included, yes.

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Yes. Do you still feel constrained about making any comment about policy or strategy or-----?-- No, we've - we've been told directly from the Premier that that's certainly not the case.

So with that restraint removed, we would be interested to know - as you're aware, the Commission is concerned with how things can be improved?-- Yes.

So we would appreciate your comments on what might be done better as a result - or what we've learned as to that that might be done better as a result of this experience?-- We had a couple of things. The first thing I'd like to say, we had a - bit of a plug, I suppose. Queensland has a tried and proven disaster management system which if it is allowed to work, it does work and works very well. This was an extraordinary event and it was certainly - all agencies were stretched to the limit. It - it does rely on the - as per the legislation, it is based at local government level and I believe that's where it needs to stay. The district and other - and the state are there to support local government and the resources and whatever they need to do it. But one of the things that does happen in all operations, we get a lot of decisions made in Brisbane or in elsewhere that really don't understand the local difficulties or the local circumstances that exist at the time. So you rely on the local knowledge to get the information out, to know exactly what to do. And a good example I'll give for that was in Condamine, I was asked

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to send in a task force of 60 SES, a request that came from Brisbane. Now, there was a whole range of issues that prevented that. There was no water supplies in Condamine; there was still sewerage because the septic tanks had been flooded out; there was no food supplies; there was no accommodation in the area; there was limited access. It is a small community of 30 to 40 houses at best. The local SES followed by the SES from surrounding area, Miles, had done an amazing job. Rural fires assisted in cleaning up. The local residents certainly helped. And they also had a nearby - the gas companies had mining workers, so they had probably 20 or so mining workers. So to put an extra 60 SES persons, one, there was a whole range of health and safety issues but the locals also, they're pretty proud people and they don't like to see an invasion if you want to call it that. They like to get in and do it themselves. We did send in 25 New Zealand task force who did an outstanding job and the locals certainly appreciated that, but there's a whole range of local issues that need to be taken into consideration before a decision like that can be undertaken. So as much as we're there to support, if they needed it we would have sent in 60 people but if it wasn't, it needs to be a decision made locally and that's one of the problems we have I guess with any operations.

Just on that one, did you have 60 people to send in?-- We had task forces.

You had enough-----?-- Available, yes.

With the support you had from elsewhere?-- Yes. We had task forces from every state of Australia. As I said, we had South Australia, New Zealand, other regions. So, we could have got them without any problem.

Okay?-- The New Zealanders that we had there did two or three days in Condamine and then they actually moved to Chinchilla and other places to assist, so they were outstanding. One of the roles of the district level and it does seem to get tied up, as I said, the focus needs to remain on local government because we rely on - particularly in floods. I have been in this region for six years now but I'm still learning that some of the - some of the creeks when I look when I first got up here were a little crack in the thing and when they say, "It floods from here to there", it is just impossible to imagine. So, you still learn. Even from this operation, I now know what - a 10.1 is the critical level in Condamine, for example. St George, we know what the levels are there. And so it takes a lot. You rely on the local knowledge to give you the advice. The local government is the best placed level of government to make those decisions. So I think the system really needs to stay at that. And the district and state are there to support the local government as I said. It needs coordination though. We had - one of the concerns I had with Toowoomba and the Lockyer Valley is at district level agencies bring - no one agency can do the job. We need all the agencies involved which we do get - that's government and non-government agencies and local groups. They all bring



their own expertise, their resources, their skills and their knowledge to the table but it does need coordination. It is not about command and control; it is about coordination of the resources, otherwise we get a duplication of activities and this happens quite often.

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There needs to be checks and balances in place, and that's why we need processes and why EMQ's role, I guess, is to ensure - our job is to advise and assist, but also we're there to look after, I guess, the public purse in certain circumstances and see there's not duplication of processes. The other big one that I do have a concern of, and it's been an issue that is the command and role of the SES is an issue that's been around for many years now. I'm not going to say whether it's good or bad, but I think we need to look at possibly the New South Wales and Victorian type structures, where they have a different setup and where they are the lead agency for floods and storms.

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Can you tell us about that? How are they set up there?-- It's set up as it's a State government entity as such, and the SES is run as a State entity, and they are the lead agency, so they actually run the process for floods and storms, and everyone then knows that it's an SES role. And the task forces that we had came up were very impressive and very professional in their activities, so - very well structured. So we have a situation where some local governments think the SES is theirs, and some say it's a State's problem, and it just can create some difficulties. So I think it needs to be looked at.

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I think we discussed yesterday the issues with volunteers and so on. Is there scope for something short of the New South Wales model, which seems to be a permanent government arrangement, is the - would the possibility of further financial incentive for volunteers be something that should be explored?-- Look, the volunteers do an outstanding job. It's difficult when you get - and you use Dalby. We struggle to get a decent number of volunteers in Dalby. Of a town of 12,000 people, we're struggling to get - if we can get 15 to 20 members, we're extremely lucky. I think the community expectations - and I did a number of radio interviews with the ABC, because a lot of people complained that the SES weren't there. I said the SES are volunteers. Most of them were personally affected during this operation, yet they were still out there doing tremendous hours and doing it all for free.

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COMMISSIONER: How are they to be the lead agency in a flood situation in a local district if you just haven't got enough of them?-- That is an issue. Whether payment - I can't say whether we could afford to pay them. But they are volunteers in New South Wales as well. They have paid staff as the SES, but they - similar to an EMQ structure. But the volunteers are still - the majority of the members of the SES in New South Wales have still volunteers, so I'm not sure-----

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Are they paid for training or anything? Is there something you could do to make it more palatable without moving to actual paid positions?-- Yes. Look, it is an issue we've looked at over the years. We've looked at things like tax incentives. So they do buy a lot of their own personal gear. They will buy some of the things - their belts and some of the things they used to buy themselves only just - and some volunteers have expressed they would like to be able to write

off some of that equipment they buy to do the job. Whether that can be done it's beyond my ability to say so. I'm sure there would be - there needs to be some incentives, but some of volunteers are very proud and they would actually - we don't do it for money. We do it to help the community, and this is why we're there. So you'll get some happily do it for nothing.

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But not enough of them?-- I guess the current generation - we got a lot of phone calls saying, "How much does it pay?" And when we say "Nothing", there's a click at the end of the phone. So it's an issue with - a lot of our members are older members, and I don't know if the community experience is there now these days. It's an issue that we struggle to find. If you look at places like Toowoomba though, we have an extra, I think, 40 members that have - these events do bring out more people to volunteer, so we've got an extra 40 members that have joined up, so a very strong group here. And it also depends on the leadership. In some places we struggle, we go up and down. You get a change of leadership and some enthusiasm in there, and that seems to spark up the unit. Inglewood, I'll give you an example, was a prime example. We were lucking to get four or five members there two years ago. We had a change. The local controller decided to retire, and we had a new person step in who is extremely dynamic, and they have got 30 almost 30 members now. In a small community like Inglewood, it's quite exceptional, and very keen and very proactive. So changes happen, good or bad, so I don't have an answer for you, sorry, Commissioner.

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MR CALLAGHAN: Were there any other general sort of policy suggestions-----?-- No, I think that's probably what I had.

I did actually skip over two substantive issues that I was going to ask you about. The first was on the topic of message alerts - SMS alerts. How does that system currently work?-- The local government can request an emergency alert system. It goes up through the DDC. They then pass it straight to the SDCC, and they can put out a message in a relatively short time these days. But there's a process - a pro forma that needs to be filled out, and it goes - a request goes through the DDC, then passes on to the SDCC for actioning.

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Specifically in the Lockyer we have the complaint from Inspector Marcus, I think, about his desire to put out a severe storm warning - this is after the flooding events and during the recovery phase - wanted to put out a severe storm warning for a specific community, the Grantham community, which had already been - had already been affected by the disaster. Could that have been done?-- I would believe so, yes, through the Local Disaster Coordination Centre, yes.

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There wouldn't have been any problem with processing that, as far as you're concerned?-- No.

And the final thing, I think, was this question: does EMQ have its own cache of disaster stores such as sandbags, generators, ladders?-- Yes.

Those sorts of things?-- We do have a store in - we have a small one in Roma, and we have a larger store here in Toowoomba, and also have three shipping containers on the other side of town here that are ready to go with tarps, sandbags, black plastic, ropes, et cetera. So the idea of the containers is that we can put them on to a flatbed truck and move them around quickly to an area where they are needed.

And the positioning of them in Toowoomba and Roma is so that-----?-- That's right, I have two offices. There's an office in Roma and we have an office in Toowoomba, and that's why - they are here. But they are available to be deployed from here, yes.

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In the region. Thank you.

COMMISSIONER: Ms McLeod.

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MS McLEOD: Mr Bundy, I appear for the Commonwealth in this matter. Some questions have arisen this week about the engagement of the Commonwealth - of Commonwealth resources, including defence, and I noticed in your statement you say that you don't generally have contact with Commonwealth agencies. So is it appropriate to direct my questions about the engagement of Commonwealth resources to you?-- I can certainly try to.

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The position is, as we've heard some of the police officers earlier this week mention, that Commonwealth resources are sought and are available when States and Territories have exhausted their capacity to respond using local resources?-- Correct, yes.

That's State, community, commercial resources?-- Yes.

And that is because, would you agree, States and Territories have the primary responsibility for planning and responding to emergencies and disasters within their jurisdictions?-- The system that works is that local government does the planning and that initially, and once they have used up all the resources, or they don't have a particular item or a piece of equipment or human resources they need, they then go to the district level, who uses the various State government agencies at district level. Then it steps up beyond that. It goes to the State to provide resources, and then again it will go to the Commonwealth if they need additional beyond that.

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So it's a stepping-up approach?-- Process, yes.

And as between the Commonwealth or the States and the Territories, the states and Territories have the primary responsibility to respond to disasters within their jurisdictions?-- Yes.

The Commonwealth is engaged nationally, are you aware, in planning and preparation for disasters and emergencies on a national basis?-- Yes.

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Have you or has EMQ participated in Queensland preseason briefings hosted by the EMA, the Emergency Management of Australia, or the Attorney-General's Department?-- Yes, our head office personnel would have.

Are you aware of the briefings that were conducted for Queensland agencies in November last year?-- Yes, I attended one myself in - this would have been November in Brisbane.

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And the bureau and defence and other agencies participate in those briefings, and they give you a broad situational awareness of what's expected for the year ahead?-- Yes.

And do they give you also a broad situational awareness of what sort of resources the Commonwealth can provide?-- Broad, yes.

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Now, a request for Commonwealth assistance can be a direct request or it can be a request through it the Attorney-General's department, the EMA, can't it?-- Yes.

And just to explore that a little so it's understood, under the Defence Aid to the Civil Community Arrangement, various approaches can be made depending on the urgency of the situation?-- Yes.

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Is that your understanding?-- Yes.

So for example, in an emergency interim situation where there's an immediate threat to life, it can be directed do a local base commander?-- Base commander, that's correct.

Or there can be the activation of the Commonwealth Disaster Response Plan, known as COMDISPLAN, through a direct request to the Attorney-General's Department, EMA?-- Yes. We would pass that through our State Disaster Coordination Centre, and they make the appropriate arrangements then.

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So where does EMQ come in once that direct request has been made under COMDISPLAN? Can you then make a direct request to EMA, or does that have to go through the State disaster-----?-- Goes through State group, yes.

The initial request for Commonwealth assistance in Queensland relating to these floods through EMA related to the emergency evacuation and provision of food and medical transport around Theodore on 28 December last year; are you aware of that?-- Yes.

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And then for help around Rockhampton, Emerald, and later we've heard Condamine and Dalby?-- Yes.

On 1 January are you aware that a joint task force was to created to manage ADF support to EMQ?-- No, I wasn't aware of

that.

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That task force was put in place - tell me if you know this or not - to coordinate further defence assistance?-- State headquarters would have done all that. But they had organised in Brisbane, yes.

Did I hear you say that you were aware that there was a colocation of the Joint Task Force with EMQ within EMQ?-- I wasn't aware of that, no.

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Perhaps I'll skip those questions, then, about the direct liaison between Joint Task Force and EMQ if you're not aware of those particular arrangements. But by the time of the flash flooding near Toowoomba and the Lockyer Valley, there certainly was a Joint Task Force already in place between defence and?-- Yes, there was certainly defence deployed to Lockyer Valley very early in the piece.

In relation to the flash flooding, are you aware that on 10 January an aviation liaison officer was deployed to the incident response room in Toowoomba?-- No, I was not aware of that.

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And as the situation deteriorated on 11 January, support was provided for activities in the Lockyer Valley, including the searching of creeks and riverbeds we've heard about, but also the provision of aviation fuel from the RAAF base at Amberley to civilian helicopters; were you aware of that?-- Yes, there was very large personnel - deployment down in the Lockyer Valley.

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Particularly doing searches and evacuations that we've heard about. It's clearly understood, is it not, that defence assets are principally required for defence activities - that's military operations - and while defence does, and did in the case of the floods in Queensland - provide support for the response efforts, it's well recognised that those assets may not always be available because of other demands-----?-- Yes, I agree with that-----

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-----[overlapping speakers] other operational tasks, maintenance or personnel unavailability?-- Yes.

And it's not always appropriate for particular assets to be asked for, is it?-- We don't ask for particular assets.

Yes?-- My understanding is that you ask for - a request for assistance goes in, and whether it's defence or the Commonwealth determines the best way of providing what resources are needed to fulfil that request.

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Right. So you don't always ask for three Blackhawks, for example. You might ask for assistance with air evacuations?-- Exactly. You would ask for - the Condamine example would be that we need to evacuate 100 people from Condamine and we'd ask - the request for assistance would be to assist in that evacuation. How it's achieved, it then goes over to the

defence or whoever for their expertise in carrying out that operation.

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And defence considers what assets they have available and how they can best meet the effect or the outcome it is that's sought?-- Yes, they have the expertise, and they will use that expertise to determine the best way to do it.

In terms of an issue that counsel assisting explored a little with the police about prepositioning, even if for events that can be predicted with some reasonable certainty - I'm not including these flash floods - but where a disaster can be seen ahead of time, for example, the first resort is always to use State resources?-- Correct.

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And local resources, obviously. And the ADF response not pre-emptive, is it?-- We don't rely on the ADF response. We always look at it doing it, as I said, locally or at the district level. And that's sort of - not as a last resort, but we obviously have to use up our resources that are available first.

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Otherwise you are tying up defence resources that are needed for other purposes if you haven't exhausted the State's capacity, and those resources may not be appropriate?-- That's correct.

In any case. Are you aware about the role of the liaison officers who are posted at local and State disaster groups?-- Yes.

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Once the Joint Task Force was established on 1 January this year, there were liaison officers posted at various levels, were there not, and they assist with communications and the processing of requests, and they also assist, do they not, with the framing of requests to help the local groups get what it is they want?-- Yes, that's correct.

Did the process, in your view, of engagement and liaison with Commonwealth - the Commonwealth support well with these floods?-- I was particularly involved with them in - as I said, in the Lockyer Valley area, and the resources and the personnel that were deployed down there was an outstanding level.

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Are you familiar with the National Disaster Resilience Program?-- Yes.

That program is essentially federal funding allocated to each of the States and Territories, who then distribute funding to local projects for disaster mitigation?-- Correct.

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And that can also include volunteer training and support?-- Yes.

Rather than pursue these questions, Madam Commissioner, through Mr Bundy, it might be more appropriate to provide a bundle of documents that relate to these programs.

COMMISSIONER: A précis might be helpful too, from the sound of it.

MS McLEOD: Yes, certainly.

COMMISSIONER: Thanks. That would be helpful.

MS McLEOD: Thank you, Mr Bundy.

COMMISSIONER: Mr Gibson?

MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: Mr Bundy, you told us about Operation Orko, which took place in December last year?-- Yes.

That, as I understand your evidence, was a usual, planned exercise in the normal run of things?-- It was - we could do exercises. This was a large scale exercise. I wasn't say it was a usual one. This was a particularly large scale exercise that was run, and we received funding from our State headquarters to run an exercise of this magnitude.

And as it turns out, and perhaps fortunately, the scenario the subject of exercise was flooding?-- Yes, it wasn't pre-emptive or anything. We used that scenario because - we were doing it to involve the five local governments in this area in particular and the three disaster districts. We wanted a scenario that was realistic and that would create enough, I suppose, challenges and problems for them to solve. So we looked at the hazards that are particularly - that are relative to this area. We have bushfires, floods, and storms, so that's why we used a flood/storm scenario for it.

And was there a particular scenario chosen that would involve all of the local councils in the area?-- We attended - last year we attended a QTCCC workshop in Bundaberg, and the bureau did a scenario there of a cyclone that came down, tracked along the coast - and this is realistic scenario - and crossed the coast at a certain point. We often don't think of cyclones as being relevant to this area, but they certainly turn into tropical lows and bring quite a considerable amount of damage with them if they do. So it's a realistic scenario that can happen. We had the assistance of the bureau in plotting actual scenario, and they give us the information requirements and all the flood hydrology levels and all that sort of thing that would be involved. So we wanted to have a realistic to make it factual and use the information that we had.



This wasn't, as I understand it, simply a get-together in a conference around a table. It was a full on duplication of management of such an event?-- It was to actually - to test each local government's coordination centres. We actually wanted to physically - it was a field exercise as such that we wanted to physically get the coordination centres up and running. We developed something like 200 individual serials that we then fed into those coordination centres as per a normal event, whether it be calls from the public, or calls for assistance. So that was fed in so they could run through the process of actually in a realistic timeframe. There was a lot of lead-up time to the exercise. The bureau was exceptional in their help in giving us - they were sending out storm warnings and flood warnings, et cetera, for about a week prior to the exercise to build up the scenario, and they provided us all the relevant information on the day. So we actually ran a full day's exercise with all the coordination centres running, and the next day was a recovery exercise. We'd then stepped a 24-hour period and gone into recovery mode and look at recovery issues.

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Having been part of that exercise and having gone through the events of the December-January flood events, are you able to say the usefulness of the Exercise Orko in last December?-- It was an extremely outstanding result for us. We highlighted a number of issues with the various - and the local governments themselves, that was the thing, was to present them with a situation so they could assess their own capabilities and their capabilities. It wasn't just us telling them there are shortfalls here. They were able to identify that themselves. So I think they have been very positive in their feedback of the exercise. They have recognised a lot of shortfalls or things they needed to address. Probably because it was run in early November, we didn't have a lot of time to get some of those things in place prior to those events happening in January and December.

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Can I take you to a different issue. Do you know a woman by the name of Kylie Kilroy?-- Yes.

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Do you know her to be a property and business owner on the Balonne at St George?-- Yes.

We understand there was a belief that the irrigation channel was in danger of being inundated by floodwaters in early January this year. For that reason, a meeting of the LDMG was held at St George on 3 January. In attendance at the meeting, apparently, there was the St George Regional Council, SunWater, and representatives from emergency services. Apparently, Ms Kilroy has a complaint that she was not made aware of the fact of the meeting takes place, and believed that she, as a local business and property owner, should have been consulted and been part of that process. And she rang you, apparently, to complaint about not being told about it. You sympathised with her, she says, and acknowledged that she should have been part of the consultation process. Was that a factual account of what took place?-- No, not at all.

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Can you just tell us briefly, if you would, what the circumstances were?-- My understanding is there was a number of temporary levies and banks that were constructed in the St George area prior to - in preparation for the oncoming floods that were predicted and one of these floods, according to - this lady said that it then caused the flooding to occur on her property. I know she is from St George. I was in St George at the time when she came into the council and was extremely abusive. She actually had to be taken away by police to the CEO down there. She did ring me on the date she said and asked for my comment, and I knew who she was straight away, and I said this was not an EMQ matter. This was totally a local government and a Local Disaster Management Group decision, and that's where I left it. So, you know, it was a decision made by the - you can't have every person attending the LDMG meetings that occur. So I wasn't privy to why this bank was - where this bank was built or where exactly her property is, but I knew the lady prior to the phone call, and I knew it was a matter that didn't concern us. She was trying to come at it from a different angle.

Do I understand from what you say about it that you endorsed the view that it was an LDMG matter?-- Yes, it was a decision made with LDMG, and they would have done it with consultation with their Shire engineers and everyone else, so-----

All right. Can I take you to this issue. We've heard some evidence here from at least one person that - making a complaint, if you like, about the red tape involved in having - in training volunteers and numbers are dwindling because of that requirement. I think you've said in your statement, and perhaps in oral evidence here, in this day and age because of liability issues, you need to train volunteers appropriately?-- Yes. Look, it's an issue that we're aware of. We try and make it as easy as possible. We do recognise - there are processes in place for recognising prior skills and life skills, and it is true that a lot of our people who live in the rural areas do have a lot of skills that they actually bring to the organisation, and we recognise those. We do have an obligations from workplace health and safety just a duty of care to our members that we simply can't put them on a roof these days or in a flood boat, in a dangerous situation, if they haven't got the appropriate skills to do it. I use the scenario that I have to ride - I followed rules and regulations to drive the car to this meeting here today, so it's a similar thing for volunteers.

COMMISSIONER: Could you localise your training more?-- We do try and send out training - we actually have a skills weekend that's happening looking at basic training this weekend actually at Millmerran. We have probably about 150 volunteers throughout the region who are attending that. So it's also a good - while it's a skills weekend and they are giving up another weekend, it's a social weekend where they get to meet the members from all the other groups. We have run them in the past and they have been very successful.

If you were on the Darling Downs as a SES volunteer - or

wanting to be an SES volunteer, could you qualify without leaving the Darling Downs, say, if you were a Dalby person?-- Yes.

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Thank you?-- We have areas in Dalby where - we lack instructors too, which is another problem. So I have three instructors in the region that work permanently who are employed by EMQ, and it's difficult for them to get out to every region. But we certainly run courses - we try and deliver the courses into the areas so the volunteers don't have to travel lengthy distances to get them. So don't run every course here in Toowoomba or anywhere else. We try to take the training out to various locations to make it as less burden on them as possible.

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Thank you.

MR MacSPORRAN: It's obviously desirable to have the facilities available locally to facilitate those training programs?-- Yeah. We have to deliver - a flood-based course we ran recently in Goondiwindi, and people did travel some distances to get that. But again we're restricted where we've got to find places where you can run a proper course that will challenge them and have the things there. So we've got 150 people this weekend. We run courses across - you know, spread out to - we identify the needs where there's greater needs, for example, Dalby, and we try and deliver the specific training that they need to undertake the roles in their area, and we try and deliver that out as much as possible. It's not always to everyone's satisfaction, but we certainly try and deliver that.

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One. The reasons for training is to ensure the safety of the volunteers themselves. That's one of the priorities, isn't it?-- Yes.

If you have a volunteer who is, for whatever reason, not up to the job and is out in a flood boat which capsizes, that person's safety and the persons perhaps he or she is trying to rescue are put at risk?-- Exactly.

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Secondly, you have to deploy other valuable resources to effect the rescue of that crew?-- Yes.

Which is just a waste, isn't it?-- That's correct.

Now, do I understand correctly that you see a real need to emphasise the use of the knowledge in the local area?-- Exactly. Yes.

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And you acknowledge an example where perhaps the local knowledge wasn't best used where a helicopter had been deployed from Townsville to St George?-- Yes. I was aware - I didn't know it came from Townsville, as I said earlier, but I knew we had an EMQ helicopter deployed to St George, and I don't know the reason for it.

And you seem to be saying that you see a need for head office,

as it were, to take better regard of local knowledge and decision-making capacity to properly inform those sorts of decisions?-- Generally - I can give another example. There was Hercules planes flown into Charleville with resupply of goods where we had our area director out there, and the local community, the local shopkeepers even, and the local government, have been working on - because the transport routes from the east were all blocked with the floodwaters, they actually worked on a process of bringing supplies to the communities right through to Miles coming up through South Australia and coming in through the back way. So on the ground we had processes in place that were going to ensure the resupply for those communities, yet decisions were made elsewhere to supply things via a Hercules, which was really a duplication.

Yes. So it's really a matter of effective communication?-- Yes.

And the fact that that was a waste of resources in some ways was widely known and understood at the local level?-- The local level was certainly aware of the situation and they were looking at - they had been working extremely hard on trying to find an alternative to their issues. So general issues can be sorted at the local level because they have the experience and knowledge.

The other aspect you spoke of is the need to coordinate the activity of all the different agencies on the ground?-- Yes.

You're aware of Mr Souter's role at Murphys Creek?-- Yes.

Is that the sort of coordination role you see as being important?-- He did an outstanding job down there as a member of the community who stood up and did the thing. But it needed - as I said, it was a huge event for the Lockyer Valley, for a small local government, and they were stretched beyond their capacity with the magnitude of this event. But we need to look - our job is to try and, I guess - we provide the advice and assistance, but we're aware of smaller communities such as Murphys Creek, for example, in all areas, that you can't just look at the main places. You have to look at the outlying communities too, so we're aware of that in these situations, and we need to get some process out there to assist that community.

There's been some evidence here about, perhaps as a suggestion, having a group of experts who could be deployed to perform those roles in local communities as required, to coordinate activities from various agencies?-- Yeah, I personally can't see the advantage of that. I think the expertise, we need to keep it at the local government level but support them in whatever need they - whatever way we can so that they can make the decisions and ensure that their community is assisted comprehensively.

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So you need someone who has the expertise to be able to support them appropriately?-- Yep. Yes.

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And you think that can be achieved reasonably locally?-- Generally, yes.

COMMISSIONER: But you got the Charleville people in, didn't you?-- That was just a - they were overwhelmed in Lockyer Valley. And we know the Charleville people, we've worked with them on a number of operations, very experienced operators and know the processes-----

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Yes, I understand why you got them but is there some merit in having senior experienced people identified around the state for this kind of thing so that they can be drawn on quickly?-- Certainly, Madam Commissioner. And the LGAQ has certainly come forward in the last few events and they have processes of other local governments supporting just with staff to undertake normal council functions. So having the appropriate person identified would be a very good process, yes.

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Thank you.

MR MacSPORRAN: You'd expect, following these events, there'll be a number of people now where relevant experience can be called upon next time when it happens?-- Yes.

So it is a matter of how you develop that knowledge base?-- Yes, it is.

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Identify it and have those people available, known to be available to come in and assist?-- And the thing with - with what - Murweh Shire, because we know we have a number of people around the region. St George's local government too has some very good operators but they were under the threat of a flood. They had one - they had time going but we knew at this stage of the operation that Murweh was pretty safe, there was no threat involved out there. So we were able to bring them in. So it is a matter of being - in this area because we had such a wide area affected, it was a matter of knowing what area was going to be safe that we could draw people out of because the last thing you want to do is bring people out and leave an area vulnerable.

50

Yes. Now, you took up the offer of council assisting to express your views on any need for improvement in particular areas. Do I understand you've exhausted that opportunity, there is nothing else you want to say about how to improve

things? Or if there is something else, by all means say it, please?-- Look, we've - we've had - we've been talking with a number of the agencies. The disaster management system too relies on, I suppose, the relationships we develop. I have very good relationships with the other agencies such as Communities and QBuild, Public Works, et cetera, Queensland Health, so I know the contacts there or my staff know the contacts. So we know we can actually make a phone call just like that, talk to the relevant person. Because they know - we know them and they know us and have an excellent working relationship, we can get a lot of things done quickly. A lot of the agencies now have recognised that while they're supposed to be based at district level, they really think they need to be focussing down at local government level as well. Now, you do have to then question is the district level needed, but in some regards we do need that check and balance. We can't just have - there needs to be checks and balances in any process so there is not duplications, there is not just wasted use of resources, et cetera. So there are - there can be improvements made but we need to get the people down. Now, having said that, at Dalby the district level works extremely well. We had two meetings a day and the information that we could get out of there regarding our larger area was invaluable. So it ran very well. They worked extremely well with the local government in Dalby. I did have concerns in Toowoomba that the district level, we didn't meet till three days after the 10th which was a real concern, and the second meeting two days after that. So there was - it was run as a police MIR not as a coordination of resources for local government. So that was a concern but we'll rectify that for the future.

Yes. Do you think that there may have been circumstances in some ways dictating that happening that way?-- Oh, certainly.

Because of the suddenness of the event and the need for an immediate police response as opposed to any planning being involved?-- Oh, certainly in this case. And the fact that there was deaths involved, which was - you know, it was a tragic incident so that certainly necessitated in this regard, yes.

Just finally, could I just take you to your suggestion of the question of how you manage the SES and you see some advantage in looking at the New South Wales and Victorian models. What is the critical difference in the way that that - those models work as opposed to how it works here?-- Here it's a - it's a collaboration between, as I said, local government and the State Government. It is still - local government is still involved in New South Wales, my understanding of the system, but it is a State Government entity I guess, the SES and those. It just - it cuts out a lot of the command and control issues.

It is more of an efficient-----?-- Yes.

-----use of resources, is it?-- From what I've seen - my experience I've seen over the years, it just seems to be a

more efficient method.

1

You saw that from the task forces from interstate who came up and manage these events?-- Mmm, they were very - very professional, yes.

But they're still volunteers, are they, in those services?-- Yes. The task force leaders were paid staff that came up but the - most of - the majority of the members were - or the members that came with them were the volunteers, yes.

10

So you have a structure which is under the State Government control and you have paid employees managing that?-- Yes.

And they manage the volunteers in turn?-- Yes.

So it's perhaps a more efficient structure you think?-- It's - it's a similar structure between EMQ and that except that we - it just defines who. They're actually part of the SES and it is a state entity not - so some local governments will say, "Well, it is our SES", because they fund them significantly and we can't deny that. So I guess it's an issue that comes down to dollars.

20

Thank you, Commissioner.

COMMISSIONER: Thanks. Mr Bundy, if you think of other matters, other things that could assist the Commission, more constructive suggestions, you will feel free to advise them in writing?-- Yes, certainly, Madam Commissioner, yes.

30

Mr Callaghan?

MR CALLAGHAN: No, that was the only matter that I was going to raise too, thank you, Madam Commissioner. May Mr Bundy be excused for the time being?

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

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WITNESS EXCUSED

MS WILSON: I call Mrs Ruby Jensen.

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RUBY MAY JENSEN, SWORN AND EXAMINED:

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MS WILSON: Is your full name Ruby May Jensen?-- Yes.

Do you reside on Murphys Creek Road at Postmans Ridge?-- Yes.

And did you make a statement for the Queensland Flood Commission of Inquiry in relation to the flooding events of January 2011?-- Yes.

10

Can you have a look at this document for me. Is that your statement?-- Yes.

Attached to that statement there is some photographs?-- Yes.

They're some photographs that you took of the flooding event near your house?-- Yes.

20

On January 10, 2011?-- Yes.

Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 178.

ADMITTED AND MARKED "EXHIBIT 178"

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MS WILSON: Now, you have been residing in the same house on Murphys Creek Road at Postmans Ridge since 1969?-- Yes.

It's a lowset brick house?-- Yes.

And at the bottom of the property, that's where Rocky Creek runs?-- That's right.

40

How far away, Mrs Jensen, would your house be from Rocky Creek?-- Probably two metres from the top of the bank.

Sorry, how many metres was that?-- My house is on top of the high bank of Rocky Creek.

Okay?-- It's two to three metres from the drop of the bank.

So if I left your house and walked to Rocky Creek, how far - how many metres would that be?-- Walking from my front door.

50

Yes?-- It would only be two and a half metres to the top of the bank and then you would have to go down about four, five metres.

Now, Rocky Creek, have you seen that flood before?-- I have seen floods but nothing like this one.



When you say you've seen floods, how far does Rocky Creek rise at the most extreme before January 2011?-- Approximately three to four feet above the bridge.

1

Now, in terms of your property though, how far would it flood in relation to your property?-- Estimated the water was about eight metres.

In January 2011?-- Yes.

10

Now, let's go to January 10 then. You were at home that day?-- Yes.

And you say at about 2 p.m. you were on the veranda of your house?-- Yes.

And you saw a large quantity of water running down the road?-- It was going straight down Murphys Creek Road instead of going round the bend of the creek at my house.

20

So the water diverted away from the creek and went straight down Murphys Creek Road?-- Yes, but it was - would have only been one to two metres higher than the bridge at that time.

Now, which bridge are you referring to?-- The Rocky Creek bridge.

Is that - that's near your house?-- Yes.

At the highest peak, what was the water in relation to that bridge?-- It's estimated over eight metres.

30

Over the bridge?-- Well, to the - the height of the water. I'm not sure on - above the bridge.

Now, you also - you're an active member of the community and one of your roles that you perform in the community is that you're the secretary of the Postmans Ridge Memorial Hall?-- Yes.

40

Because of that role, you hold one of the keys so that you can access the building?-- That's correct.

Now could I take you to January 11, the next day. Now, you were aware that the rural fire service, the local rural fire service, were wanting access to that building?-- I wasn't at the time. I went to have a cup of tea with neighbours who had gas, because we'd lost our electricity. When I came home my neighbour was very upset because they thought I'd had an accident. They had seen me at the house earlier and then they couldn't find me and they thought I may have slipped into the creek. And then I found out that the rural brigade had wanted access to the hall and they had cut the lock.

50

So you went down there that day and you found that they had cut the lock?-- Yes.

Why did they want access to that hall?-- To take our

neighbours who had lost their houses.

1

Can we show you some of these photographs. They'll just come up on your screen, Mrs Jensen. Is this the hall that we're talking about?-- Yes.

Now, this hall became an evacuation centre?-- Well, we just set up there. Neighbours brought bedding, brought food. The fire brigade brought us a generator. We had power and we have septic toilets.

10

Okay. Well, we have a couple more photos. That's-----?-- That's into the toilets.

And how many toilets are there?-- There's two in the ladies' and one in the gents' and a urinal.

I'll just show you another photo. That's-----?-- The stage area.

20

Okay?-- And the kitchen and dining room.

And that's just a photo of the hall?-- Yes.

Now, on the day of the 11th, were people coming to this hall?-- Yes, they were.

And on the night of the 11th people slept at the hall?-- Yes. I slept there too. I didn't have to but because my neighbours had lost their homes, I felt that I could maybe help them if I stayed there.

30

How many people slept there that night?-- There was five - there was six, I'm sorry, the first night, yes.

Were you aware about the Gatton evacuation centre?-- Not at that time. We didn't know anything very much at all at that time. All we knew was that our neighbours were safe, they had somewhere to sleep, we had food, we had power, they could charge their telephones because we'd lost everything like that.

40

Now, you talked about some people slept the night of the 11th. That was the only night people slept there?-- I beg your pardon?

That was the only night people slept there?-- No, Tuesday, Wednesday - and Wednesday nights.

And still about six people?-- Yes.

50

How many other people were using this hall for the facilities that you were offering?-- There were other people who slept in their cars because they had pets. There were other people who came there to have breakfast and then they'd go home and do their - tried to clean up some of the mess. And then some would come back for dinner at night.

You were offering food?-- Yes.

1

And where were you getting those resources from, the food from?-- Well, people whose - who had no power brought us food from their refrigerators and freezers. We had two fridges there. One had a small freezer in it. And one of the neighbours who had flood damage and stayed there at the hall at night, he would put the barbecue on of a morning and cook a barbecue breakfast.

10

Now, did you make any contact with any government agency to let you know you were there and safe and sound?-- No, because we didn't know who to contact. I did not try to contact the mayor because I knew he would be flat out.

Did you have any contact with the police or SES?-- The fire brigade were very good. There were people coming and going all the time who did not introduce themselves. Just came in to see if everything was all right and went again.

20

Okay. When you're talking about those people, do you know where those people were from? Are they members of the community or were they someone else?-- Some were community, but in time there were police come. They'd come in and say, "Are you okay?" and go. There was a lot of reporters would come for cups of tea and so on.

Were you yourself running a list about who was there?-- No, I didn't.

30

Now, you say on the 13th you saw a person from the Lockyer Valley Regional Council?-- Well, he said he was and he took one couple who were ill to take them to the Gatton Hospital. They had - were staying with one of the other couples who had lost their home and so he was taking them to the Gatton Hospital.

And after the 13th, you ceased to operate the hall as an evacuation centre?-- We were told that we were to close down but I don't know who said it because my - the neighbour of the hall also had a key to the hall and when I wasn't there, she could open the hall for anybody who wanted it to come in.

40

So after the 13th people still came just to-----?-- They still came for cups of tea and they did set up a - Energex I think it was, or one of those, set up a camp outside on the - the next day and they did put on a meal at night. I did not go to that. But my neighbour was very good and she would let anyone into the hall who wanted to use it.

50

So after the 13th, anyone who needed accommodation to sleep, they went to Gatton; is that the case?-- On that - yes, yes.

Thank you, Mrs Jensen, I have no further questions.

MS McLEOD: No questions, thank you.

COMMISSIONER: Thank you.

MR GIBSON: No questions, thank you, Madam Commissioner.

MR MacSPORRAN: I have nothing, thank you.

COMMISSIONER: Thanks very much, Mrs Jensen, you're excused?--  
Thank you.

WITNESS EXCUSED

MS WILSON: I call Mr Daniel Watkins.

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DANIEL BRIAN WATKINS, SWORN AND EXAMINED:

1

MS WILSON: Is your full name Daniel Brian Watkins?-- Yes.

On the 10th of January 2011 were you residing at Harris Street in Grantham?-- Yes.

Have you been residing there since about June 2005?-- Yes.

10

And you live there with your wife and your teenage daughter?-- That's correct.

Now, you provided a statement to the police about the flooding events of December 2010 and January 2011?-- Yes.

Could you have a look at this statement, please. Is that the statement that you provided?-- That would be it, yes.

20

And that's the statement that you signed on the 30th of January 2011?-- Yes.

Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 179.

ADMITTED AND MARKED "EXHIBIT 179"

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MS WILSON: Now, you said that you had been residing in Harris Street Grantham since June 2005. Is that when you moved to Grantham?-- Yes.

So since you've been living in Grantham, had you seen any flooding? Can you take it before December 2010. So since you've been there, since you've been living in Grantham until December 2010 had you seen any flooding?-- I don't recall any.

40

Now, your property backs on to Sandy Creek?-- Yes.

And what about the water flow through Sandy Creek behind your house up to December 2010?-- December we saw a couple of little minor floods come through but nothing dramatic. We had a little one on Boxing Day. About a foot of water came through the house, through the property.

50

And is Sandy Creek, it's usually - it's quite a dry gully?-- Until the end of last year it was just a dry gully since we've been living there.

Now, you-----

COMMISSIONER: Can I just ask you about that foot of water. What, it was just in your yard?-- Our house is actually -

underneath our house is approximately four inches lower than the surrounding yard.

1

Mmm-hmm?-- So as the water gets to four metres on Sandy Creek according to the BOM website, water then comes in. And so it is a little bit deeper under the house than what it is in the actual yard, so I estimate about a foot of water on Boxing Day under the house.

Are you on stumps or?-- We're approximately six foot high.

10

So it was-----?-- A highset Queenslander house.

It would have been an inconvenience but it wasn't coming into your house or anything like that?-- That's a correct, half a day cleaning up but no damage, no lost property or anything of that kind.

Thanks, Mr Watkins.

20

MS WILSON: When this water does come on to your property from Sandy Creek, what about on the Gatton-Helidon Road, do you see that it breaks its banks at Gatton-Helidon Road?-- Very much so. It will come down Gatton-Helidon Road and our yard will still be dry.

What direction does the water flow when it comes down Gatton-Helidon Road?-- West to east heading towards - back towards Gatton, towards the pub and the service station.

30

And that's the pub in Grantham you're talking about?-- That's correct, yes.

So the water is flowing from Sandy Creek towards the pub?-- It seems to flow east up the road from my recollection, yes.

Now, you often check the Bureau of Meteorology website?-- Very much so, yes.

Why do you do that?-- I spent a lot of years farming and I've always been interested in watching water levels and stuff like that and I find it a very good website to keep myself informed on what might be happening.

40

Okay. You said before in response to questions from the Commissioner that when you look at the BOM site and Sandy Creek is at four metres, then that's when the water is coming over your property?-- It seems to be the closest I can gather. When it says Sandy Creek is at four metres, that's when the water starts coming into our yard via Sandy Creek and by that stage it's starting to come down Harris Street and up through the drains on Harris Street.

50

Now, what about the height that your house is-----?-- Yes.

-----from Sandy Creek?-- How far off the creek are we?

Yes?-- Our whole house block is 56 metres long on one side,

so I estimate probably 20, 25 metres from the Creek. 1

So your house is 20 to 25 metres from the creek?-- Yes.

What about the distance up? What about the height?-- Okay, I can walk under the house without hitting my head.

Yes, okay?-- As I said earlier, it is approximately four inches lower than the surrounding land in my yard. So----- 10

As you walk-----?-- Five, five and a half foot high maybe.

As you walk down to the creek do you have to walk down to it or is it flat?-- Okay, our back fence - our yard is pretty well flat. Our boundary fence and then there is a section that is - I believe it is council owned land and that is when the creek bank starts to step down. We have - we used to have two fences. One was our actual boundary fence and the next one is a fence approximately two metres lower down the creek and that marks the edge of the creek and it is a strip of land between those two fences. 20

So when you say you're stepping down from your back fence down to the creek, could you tell me that in metres if there is that type of difference in height?

COMMISSIONER: Do you mean creek bank or?

MS WILSON: Creek bank, from the creek bank down to the creek?-- Probably two metres. 30

Now, on the 10th of January 2011 you were checking the Bureau of Meteorology website?-- Yes, I was.

And it showed the water level at Helidon at 12.68 metres?-- Okay. Previous to that I was down on the corner of Harris Street and Gatton-Helidon Road watching the flood waters with a few local neighbours. I can't recall who but someone had said it had gone through Helidon pub and with that we didn't run home but we kind of moved off to our premises. I returned home, got on the BOM website, which stated it was 12.68 metres at Lockyer Creek at Helidon. I thought it was playing up so I shut it down, I went back on it and that's when I knew we were in for something big. In saying that, I reckon there was 10 to 15 minutes from that moment to coming inside our house. 40

And is that coming over the floorboards?-- Inside upstairs, yes. Approximately two inches into the back of our house upstairs. 50

You rang SES did you?-- I couldn't get through to SES. I tried to ring SES. I couldn't get through. I rang triple 0 and got Toowoomba police.

And what were you informed by Toowoomba police?-- They were aware of the situation. We were told to get up on the roof, take something - a torch and something with us to signal

helicopters and that there were more important - there were people in more desperate need than us, which we accepted quite well.

1

Now, early on in the floods when the flood water was rising, as a precaution your wife and daughter went into the ceiling cavity?-- Yes, by this stage the water was - it was extremely quick coming in. When I'd seen the website, I got my wife and daughter to pack a couple of sets of clothes, grab insurance papers, wallet, ID and as a precaution we started getting up into the ceiling void, yes.

10

But you stayed down below in the house?-- Yes, I did.

But after you spoke to the police, then did you - you, yourself, also went up into the ceiling?-- From then I went up into the ceiling void, punched out the front of the house and went out onto the roof.

And you punched a hole in the roof itself to get out onto the roof?-- In that front gable section there's some fibro. From that I punched it apart and we probably squeezed through a hole maybe a foot and a half wide.

20

So at the time you - do you know what time you got onto the roof?-- No. It was all just so quick and rather stressful.

How high was the water when you got onto the roof?-- I think it had started to drop by then but once again, I'd like to say the water did enter our house and our house is approximately six foot high.

30

Okay. When you say enter your house, what was - you returned later to your house and there was mud throughout your house?-- I have provided photographs to the police. You will see there's mud where she's come into the back of the house probably about two inches. It was like a wave came through the back of the house where at the front of the house the water came up through the floorboards rather than entering through the back door.

40

So from looking at the debris and the watermark in your house can you give us any idea how high the water did come into your house?-- As a guess, I would say two inches into the house because I was literally - my wife and daughter and dog were up in the ceiling void whilst I was in the house watching the water coming in. There are still marks on the back of the house. Probably up to two foot high against the weatherboards from the waves of the water that were coming through.

50



Now, you're on the roof with your wife and daughter?-- Yes.

Until about seven o'clock?-- I don't know why I remember the time, but 7.04 we went back down into the house. It was starting to lightly rain, it was getting dark, and the helicopters had stopped.

Did you see the helicopters come?-- Yes, we did. And we could see there was a lot more activity over towards Railway Street in behind the shops and down that sort of area.

10

So a couple of fellows were walking down Harris Street with a canoe?-- Yes.

One of them said, "Listen my house across the road is about 1 metre higher. Go over there"?-- Yes, that's correct.

And you did?-- That's right.

20

And how many people were in that house when you went over there?-- We were a couple of the first to get there. But when we were evacuated, there was approximately 20 people within that house.

And that was ranging from babies to elderly?-- Oh, from newborn babies, two, three months old, to elderly people in their seventies and eighties, yes.

And how long, do you think, that you were at that house for before you ultimately left?-- It would have to be three hours, if not a bit more.

30

At some stage some swift water rescue personnel came?-- That's correct, yes.

And what did they tell you?-- They told us to stay put, as by this stage it was dark. There was nothing much they could do to get us out, because there was a lot of debris everywhere. They tied up their boat, they walked down, shall we say - what would it be? South along Harris Street to check on elderly or injured people, and that's the last I saw of them.

40

Now, eventually a front-end loader came to Harris Street?-- That's correct. We could hear machinery in the background. A front-end loader came down the street. We went outside, and they were local people from Helidon.

And the front end-loader took people out of Harris Street?-- They started on the house that we were moved into. My wife, daughter and I and an elderly couple were the first to get out of that house in the front-end loader bucket, yes.

50

You were just sitting in the bucket?-- Basically standing in the bucket with - I don't know if it was a police diver or whoever was with us in there making sure we were hanging on properly, helping us in and out of the bucket. Because it was muddy, it was slippery, it was wet. They took us over

Sandy Creek bridge on the western side of town where we met with detectives and police, and I think there was some SES there. Channel 9 was also there with cameras in our faces. And from there they took our details, and we were transported to Helidon Community Centre.

1

When you say took your details, is that your name?-- Name, address, date of birth. And when we got to Helidon hall, they did the same again to confirm.

10

Now, you went to the Helidon evacuation centre?-- Yes.

How long did you stay there for?-- Approximately twelve days we slept there.

And when did you go back to your house?-- We're still not in our house. Our house is unlivable. We are now in a rental. We spent approximately 12 days at Helidon hall. We then spent another ten or twelve days in a motel room at Helidon, and we are now in a rental still with no answers on our property.

20

Thank you, Mr Watkins, they are all the questions I have for you.

MS McLEOD: No questions, thank you.

COMMISSIONER: Mr McLeod? Mr Gibson.

MR GIBSON: No, thank you.

30

MR MacSPORRAN: I have nothing, thank you.

COMMISSIONER: Thanks very much, Mr Watkins, you're excused.

WITNESS EXCUSED

MS WILSON: I call Mr Mark Kempton.

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MARK MCKNIGHT KEMPTON, SWORN AND EXAMINED:

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MS WILSON: Is your full name Mark Mcknight Kempton?-- Yes, it is.

Are you employed by Emergency Management Queensland Helicopter Rescue?-- Yes, I am.

10

That's known as EMQHR?-- That's correct.

You hold the position of senior helicopter captain?-- Yes.

That is, you're a pilot?-- Yes.

And you have worked at the EMQHR Archerfield Base for eleven years?-- That's correct.

And you've been a qualified pilot for 25 years?-- Yes.

20

You made a statement to police on 17 February 2011 in relation to the flights that you performed on 10 and 11 January 2011 to the Lockyer Valley area?-- Yes.

Could you have a look at this document, please?-- That's the document.

Is that the statement that you made?-- Yes, it is.

30

In the statement you also refer to video footage taken by a member of your crew of the rescues that you and your crew performed on 10 January 2011 at Grantham?-- Yes.

Madam Commissioner, there will be some footage tendered in relation to that. It is on the hard drive, which we will particularise the exhibits to be used from that hard drive at a later date. Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 180.

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ADMITTED AND MARKED "EXHIBIT 180"

MS WILSON: Now, if I can just ask you about your role as a senior pilot. That also encompasses the management of the Brisbane Base Air Unit located at the Archerfield Airport?-- That's correct.

50

You're also involved with the facilitation of training crews for operational taskings?-- Yes.

The aircraft that EMQHR uses is the AgustaWestland 139 helicopter?-- That's correct.

Is that the only helicopters that are used by EMQHR?-- No, that's the primary aircraft. They were bought to replace the aging Bell 412 fleet, but we still have two Bell 412s helicopters that we use as well.

1

Can you tell me how many helicopters are in the EMQHR fleet?-- There's five aircraft at the present time; three AW 139s and two Bell 412 helicopters.

And where are these five helicopters stationed?-- The one AW 139 is located in Cairns; one is located in Townsville; and one is located in Brisbane. At the current time one is in maintenance in Brisbane, and the Bell 412 is being utilised in Townsville to replace the ones in maintenance, and there's another Bell 412 that's also in maintenance in Brisbane as well.

10

How many could have been operational on the night of the 10th to be able to go to Lockyer Valley?-- On the night of the 10?

20

Yes?-- There would have been two AW 139s.

That was from Archerfield Airbase?-- That's correct, yes.

At any one time from Archerfield how many operational aircraft are there?-- Normally there's one. In this particular instance the Cairns based AW 139 had been moved south to do some flood work up in the Gladstone area. It was then pre-positioned back to Brisbane to start the night vision goggle training program for the Brisbane Air Unit.

30

So effectively it was by luck that that aircraft was in Archerfield that day?-- Well, it wasn't by luck. It was actually planned to move it from Gladstone to Brisbane to have an extra aircraft there if anything developed from the floods, but it was also primarily there to do the training.

On 10 January 2007 you were working the day shift as the operational duty pilot in Rescue 500?-- That's correct.

40

Today we'll be talking about two helicopters; one of them is Rescue 500, and the other one is Rescue 510?-- That's correct.

On this day, though, you were the pilot of Rescue 500?-- Yes. Rescue 500 is the normal Brisbane based helicopter and it goes under that call sign; 510 is the Cairns based machine.

At about four o'clock you returned from Kilroy [sic] from doing a task?-- Yes, we returned from Kilcoy. We had been up there doing a medical task. We retrieved two patients that came through QCC. The medical patients needed extraction because the township was cut off by water, and we previously declined a couple of other tasks that day. Due to really bad weather in the area, we couldn't fly and we couldn't get into those areas to do the job.

50

Now may be a convenient time to ask about the tasks and how you are tasked. Who makes the decisions to task you?--

Basically, we can be tasked by a number of different agencies: if it's a search and rescue task, we might get tasked by the Australian Search and Rescue Centre in Canberra; if it's a counter disaster and rescue task, we might get tasked by the State Disaster Coordination Centre; we can be tasked by the Queensland Police Service; the QFRS; the Clinical Coordination Centre in Brisbane for any medical service. So there's a wide range of tasking agencies that could ring us and request we perform a particular mission.

1

How would one tasking agency know whether another tasking agency has already directed you to perform an operation?-- Generally when a call comes in - if, for example, an Australian Search and Rescue, an Aust SAR, task comes in, we would inform QCC, who in normal days would be our major tasking agency, that we're going on this particular task. if we leave on a task, we divert the aircraft - or divert the base phone to the aircraft phone, and if anyone rings the base looking for the aircraft to task them, it will divert to the aircraft, and the crew can immediately tell them that we are on a particular task if they didn't already know.

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20

You say in the normal days it's the OCC. Is that because the day-in, day-out work is usually doing medical evacuations?-- A lot of the primary role of our - the primary amount of work that seems to come in at the moment is through QCC, the Clinical Coordination Centre, and it's to do with medical work. It might be medical inter-hospital transfers or retrievals, it may be primary tasking to motor vehicle accidents, or someone injured on a farm, or a drowning, or any number of situations where someone requires urgent medical attention.

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We'll come back to the role of OCC later on, but just if we can stay on this day. On this occasion you received a call from the Police Communications Centre?-- That's correct.

And they asked for urgent assistance in the Grantham area?-- Yes. In actual fact, we were coming back from Kilcoy, and the phone rang and they asked us to go to Toowoomba. The initial call was can we go up to Toowoomba because there's a major flood situation occurring up there. My crewman Darren answered the phone. I told Darren that we could look at that when we got back to base after we deposited our patients at the hospital, but we - I said to them at that point in time that with the weather in the current - the current weather process that was happening, it was very unlikely that we would get up to Toowoomba because of the cloud base being lower than the actual rain, so we couldn't physically fly up into that area to get to the city here.

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Is there any equipment that can allow a helicopter to fly in such weather?-- The helicopter can fly under two different regimes: it can fly under VFR, which is visual flight rules; or IFR, which is instrument flight rules. The AW 139s from EMQ are all fully IFR equipped, but the instrument flight rules would rely on us being able to go to a navigation aid to land the aircraft and then get visual and then commence the

particular task in an area. Now, with Toowoomba, they have a number of different instrument approaches: an RNAV approach, which relies on the global navigation satellite system; we also have an ADF, an automatic direction finder, which uses a nondirectional beacon on the ground at Toowoomba to allow us to descend from a point in space to a point above the ground where we can be completely in cloud during that whole time so we can't see anything - we're just in a white cocoon, if you like - flying solely on the instruments in front of us, needles pointing to different beacons on the ground, and then we would do a let-down, and we would either become visual or we wouldn't. If we don't become visual, we would have to go around and then come back to an alternate aerodrome or an alternate landing site. If we can become visual, we will then either land there and complete the task, or then hopefully be able to move to another area and do whatever it might be. It might be winching people out of floodwater, et cetera. The problem with the weather on the day was the fact there was a cloud base right down to ground level virtually. Each of the aerodromes that we would have needed to fly from and to had a lot of holding fuel on the area forecast. It's quite complex, but basically at Toowoomba there was 60 minutes holding fuel on the area forecast and on the terminal forecast for the low-level cloud and rain, which meant that we would not be able to get visual, or we would have to carry extra fuel in order to try and get visual. Once we were visual at the airport, we would then probably find that it was - it would be most unlikely that we would be actually able to transit across from the airport to even the township, given that there's aerials, buildings, et cetera, to then conduct any winch work in Toowoomba when the flood was happening up here.

When you talk about holding 60 minutes, is it the case that they are estimating that you will have to be in a holding pattern for 60 minutes?-- That's correct. There's two different requirements in the aviation sector for holding: one is intermittent deteriorations in the weather, which are down to a length of time of 30 minutes; and the other one is a temporary deterioration in the weather, which can be 60 minutes. So that means we have to be able to stay in the air for that period of time and/or conduct instrument approaches during that process while the weather is below those particular minimums for us then to try and land. So it's problematic in a helicopter in that you can only carry so much fuel. For example, a jet can fly from Melbourne to Sydney. If they don't get visual, they can carry Adelaide as the alternate because they have hours and hours worth of fuel; whereas we would have a maximum, with all our crew on board and all the equipment we need to carry, around 2.5 hours of fuel in total that we can use.

So you can be in the air for 2.5 hours as a maximum?-- Well, we could be in the air for over three hours if we took men and/or equipment off the aircraft and filled the aircraft up with extra fuel. So it's a trade-off, because each aircraft has a maximum takeoff and landing weight, and we either fill it up with personnel and equipment, or fuel. And generally it's a trade-off between the two things, because you need the

personnel and equipment to do the job, but you also need the fuel to get from A to B as well, depending on the weather requirements.

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Whilst we're discussing the fuel loading on the helicopters, you say at paragraph 69 of your statement that you could have remained overhead longer with more fuel if the aircraft was given the 6800 kilogram upgrade rather than the standard 6400 kilogram airframe?-- Yes.

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Was that - do you know whether that's even contemplated, the upgrade?-- It's being looked into at the current time as far as I'm aware. It was raised as a debrief point post the flooding disasters, and our management team at EMQHR is sending that through - in the process of sending that through to the various people that would approve such a thing, like the Director General and Minister. I have to say, just to clarify that point, when the aircraft was originally built - because it's a fairly new aircraft and we've had it for a couple of years - it came out at 6400 kilogram. That was the greatest weight you could have when you first purchased the aircraft, and over a period of time they have developed a process where they can actually prove and see they can increase the weight of the aircraft. To do that would cost around \$200,000 per aircraft in our fleet, so we're looking around \$600,000 to upgrade it. There are some maintenance penalties and problems once you've done the upgrade, but it's a trade-off between carrying the extra fuel or personnel and/or not having that option.

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With the personnel on the aircraft and the equipment that you carried that day, with the upgrade of 6800 how much longer could you have been in the air?-- What we were faced with, I think we could have probably carried another 60 minutes' worth of fuel.

So another hour in the air over Grantham?-- Yes.

COMMISSIONER: What's the upgrade actually mean? Rebuilding the tanks, or what is it?-- It's changes to some of the landing gear, the landing structure, because the actual weight of the aircraft is based on the strength of the landing gear on the aircraft. There's some modifications to the road ahead and then there's software that actually drives all the actual programming for the instruments, which is all computer driven, if you like, needs to be upgraded as well, and it's - there's only - AgustaWestland is the company that can do that, so it's quite expensive to do it.

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They can charge you what they like really?-- Pretty much, I think.

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MS WILSON: On day of the 10th when you took off for Grantham, it's about a 20-minutes flying time from your base at Archerfield to Grantham?-- Yes, that's correct.

You took off about four o'clock, so you were over Grantham about 4.30, thereabouts?-- That's correct, yes.

Now, when you arrived at Grantham, what did you see?-- Well, there was just a massive amount of water flowing into and around what was left of the town. There was debris in that water. There was structures being destroyed. There was just movement everywhere. Cars, boats, you know, everything was moving around that was not tied down. And on the structures that were remaining, there was just people dotted all over the place. And at first glance there was probably at least - I saw 60 or 70 people that were stuck on rooftops at that time totally surrounded and cut off by this brown torrent that was flooding through the town.

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When you arrived at Grantham, you had to develop a strategy about how you're going to get the people that you could see winched up to your helicopter. What was the strategy that you devised?-- We had a discussion with the crew while we orbited the town. The first pro forma was - and the police had asked us to look for people trapped in a fire truck at a particular point and when we arrived there, we couldn't see any roads or there was - you know, there was no obvious place where we could see a fire truck and anyone trapped in it. We also, as we orbited, looked to see if anyone was actually in the water at that time, because they would be the people we would have to get to first because they were in the most grave and imminent danger. We couldn't see any of that, and I said to the crew, "Look, the wind is blowing from the east," and the rotor system of the aircraft and the helicopter is most efficient when it's actually pointing into wind to hover and take off and land and to conduct winching exercises. So based on the fact that the wind was blowing from the east, we went to the most western part of the township and started trying to work our way logically between each of the buildings and houses where the people were trapped, because we were very conscious of the fact that we didn't want to miss anyone. And while we were doing that, while we were in the hover, I was continually scanning, as was the paramedic and the other crewmen on board, for anyone else that was trapped in the water on a tree - or in trees, or on vehicles, et cetera, that were poking out of the water. And we just worked our way from that point to sweep through the town to get as many people as we could.

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And it was often the case, wasn't it, that people on the roofs would point out to people that were in the water or in the trees?-- Yes. That was extraordinary, because these people were trapped entirely up on the roof. I get a little emotional about this, even after this point in time - excuse me for doing so - but it was just a very difficult scenario to come up against, to see these people that were trapped, that were smashed, that had their properties destroyed, and still, you know, being thoughtful and kind and human enough to say, "No, don't get me. Get those people out of the trees." Excuse me.

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Now, the winching operation worked as this; that you hovered over people that needed rescuing, you winched them up to your helicopter. That involves a member of your crew going down on



the winch to assist a person to be strapped in, and then for that person to be winched up to the helicopter?-- That's correct. It's a teamwork process.

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And we've got some footage, which we'll show you in just a moment, and you can talk us through that process. You continued to do that until the helicopter was full, and how many people could you take at any one time when the helicopter was full?-- With the seating requirements we had in the back - and we had stripped the aircraft out so we were as light as possible to put as much fuel on, as I mentioned earlier on. We had about four or five people strewn across the floor of the aircraft. We'd set the aircraft up for winching. We had a wet floor system put in. And by the time we got the first four or five people in, it was clearly obvious to me and to Darren, our winch operator, that we needed to be able to get people in and out fairly quickly to - so we could have the maximum capacity of people in there at any one time. So at that point in time for the first winching we had the doctor and paramedic on board as well as the crew. So there was five crew on board and then, I think, four or five of the survivors that we got in the first instance. At that point I said that we'll need to find an area to land to our guys, and I orbited back towards the higher ground and saw a property that we attempted to land in. When we were on approach for that property, a number of horses and cattle started moving around, and I was quite distressed that we were going to put some horses through fences and things and do even more damage than what had already happened there. So I went back around and saw a farmer driving a tractor across the ground. It looked fairly clear, and I went and landed in that particular paddock. And then the farmer came over and rendered assistance, and we offloaded the first group of survivors and left our doctor there to give us a bit more capacity to put more survivors on board the aircraft and for him to treat anyone else that we could bring in that might have been injured or - I mean, they were all in shock. They were all scratched, cut, bruised, soaking wet, and totally distressed. So we made that decision.

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And after a couple more sorties over Grantham you then dropped off the paramedic as well?-- That's correct, yes. And he was able to help the growing number of people that were there and help the doctor to sort out survivors and their medical requirements.

How long did the winching operation take over Grantham that day?-- It was approximately two hours. So we had to transit out and transit back in between, you know, the start and finish of it, and there was around about two hours worth of winching over that period.

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This whole operation was recorded on a camera?-- That's correct.

That was worn by Air Crew Officer Drew Parsons?-- Darren Parsons, yes.

Darren Parsons, I apologise. If we could just play some Footage, and if you could just assist us.

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VIDEO PLAYED

MS WILSON: Just pause it. That's - who is going down there on the winch?-- That's Mark Turner, who is our rescue crewman. He's our trained rescue crewman being winched by Darren Parsons. We're hovering over - I think that looks like the Mahon's place, I'm not 100 per cent sure, where we retrieved Kathy Mahon, her two daughters and her two - her two daughters' kids. And her husband John was hanging - you can't see him, but I think he's hanging off the guttering down in the left-hand corner of the screen hidden behind the skid. He couldn't get up on the roof.

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If we can continue. Just as a commentary on this, he's carrying a strap, is he?-- He's carrying a strop - what's called a rescue strop, which is the yellow loop you can see in front of him, not the lifejacket over his head. We've positioned the aircraft over the building. Darren's talking to me through the intercommunications system telling me to move forward, left, up, right, et cetera, don't move back, there's trees, there's wires, and just generally keeping a verbal - or painting a verbal picture for me hovering in the aircraft. Mark is on the roof talking to the survivors, telling them what's going to happen. He's putting the rescue strop over the survivor, and we're now winching them back up to the aircraft while we maintain the hover. That's Kathy Mahon, one of the survivors from Grantham, that we're winching. We had already got the two kids, and the two daughters were to go, and we had to come back and get John, the husband, because we didn't actually even see him at that point of time in the water.

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Thank you. The flying conditions at the time?-- The flying conditions going out to Grantham and prior to that point were horrendous. They were really terrible conditions that precluded us from going on a couple of the early jobs to Mt Kilcoy and Cedar Creek. The job up to Kilcoy, we only just got in below the low cloud, the heavy rain, and the storm cells that were around. It was really terrible flying conditions, and I said to the QPS on both occasions for the Toowoomba tasking and the Grantham tasking that there's no guarantee we're going to get out there because the cloud was so low. With Grantham itself being in the valley, even though it was obviously disastrous from the flood perspective, from the aviation perspective it meant it was lower ground and we more of a separation between the cloud base and the ground, and we were able to get out there. And I informed the police via my crewmen that we may not get to Grantham, but we could in the end because the weather had lifted slightly and the small - the patches of low cloud and rain that were still there we were able to manoeuvre around flying out there and

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stay over Grantham for that period of time.

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Rescue 510, could that have gone - could that helicopter have gone to Grantham at the time that you went to Grantham?-- It potentially could have, but there was no crew available at that time. The crew was rostered on for nightshift. So our shift rosters start - the day shift runs from 8 o'clock in the morning until 6 o'clock at night, and the night shift were due to come on at 6 o'clock. And in order for them to be ready to fly and available to fly, they have to comply with our fatigue management system, which means they have to try and get some sleep in the afternoon because potentially they are going to be working all night. So they weren't at the base, and the tasking that we were given was to go out and help people in the floods, and I guess that we had no idea just how bad it was until we actually got there.

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When you got there, did you have the capacity to call in more helicopters to assist you when you realised the task that was ahead of you?-- Eventually, that's exactly what we did. The problem was we couldn't - with the frantic nature of the winching - I mean, I'm flying the whole time. We're taking off and landing, we're trying to get people in and out as quickly as we could. And being the only aircraft there at that time, we were just so focused on trying to get as many people as we could prior to our time with fuel and stuff running out.

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While we were doing that, the media machines were flying around and out of the corner of our eye every now and then you'd see a media aircraft. And I saw one of the aircraft up there and I knew it was a Channel 10 machine and I knew the pilot, Alex Wilson, who we've come into contact with with training and various jobs over the years. And I said on my - through my radio frequency, "Alex, could you please do me a favour?" and he said, "Yep, anything to help." You know, he actually said he was very frustrated because he couldn't do anything other than sit there and watch us do what we were doing. But he - I just basically said to him, "Alex, can you ring the base. Here is the number", and, "Get the second machine, see if they can get the second machine out here because we're going to run out of time. There's still more and more people", you know, "Can you organise that?" and he said he did, and he did ring the base apparently. And as I understand it, the Queensland Police Service was also trying to get in touch with us and they rang the base and got on to the fact that there was another aircraft there and they then mobilised Rescue 510 to come out and help.

Your radio that you've got in your helicopter, can you communicate with your base via your radio?-- No, not normally. The radios that we carry allow us to pretty much communicate with anyone on most channels except there are some exceptions to that. The - for us to have a base radio, we'd have to have a line of sight between us and the base and when you're operating at very low level you don't have that line of sight so you can't communicate. The area frequency that we were operating on over the Grantham area was a Brisbane centre frequency 121.2 and because, once again, we were very low level, I couldn't get radio communication with the person sitting in air traffic control in Brisbane. And that frequency is fairly busy with jets and things going over the top so it is not really an appropriate frequency to try and pass that type of message on. The frequencies we have in our C-5000 Wulfsberg radio allows us to communicate with certain groups of people like the ambulance and the SES. Some police frequencies are in there but, generally, we don't have any of the digital police frequencies to communicate with them in the aircraft either. So that meant that any communication was going to be fairly limited based on what we were doing and where we were located at that time.

To your knowledge is there a better communication system that's available that could allow you to have a better communication with base and other agencies?-- In that particular situation, no, not to my knowledge.

And why is that?-- I don't - I think, as I said, the radio system is based on a line of sight and, simply, you'd have to have, you know, base stations dotted all over the place for one link to go to another to another. The only probably radio we could have used out there in retrospect might have been some of the Queensland Ambulance Service frequencies but we just were not in a space to be able to do that given what we were facing.

So the only way that you could communicate with base is by your mobile phone?-- Pretty much, yes, and at times, of course, the signal for the mobile phone is difficult to get at times as well. 1

So when you were asking that Channel 10 helicopter pilot?-- Yes.

Over the radio, you were asking him to call someone on his mobile phone?-- That's correct, or his radio because he's actually sitting up higher than us and he may have some sort of line of sight, or he may have been able to get up high enough in like a patch or a sort of a hole in the clouds, if you like, to get high enough to communicate back to Brisbane centre or another aircraft to relay that message. And as far as I'm aware, he had good communication through his telephone system and that's what he did. He rang that - rang the - rang our base for the second aircraft as far as I'm aware. 10

Now, I would like to talk about media helicopters. You obviously were aware that there was one media helicopter there. Were you aware of any other media helicopters?-- Yes, I believe Channel 9 was also out filming as well and I think Channel 7 was in the area at that time as well. 20

Did the presence of other helicopters in the air that day have any effect on the ability to be able to rescue people?-- No, on the initial day, on the Grantham rescue day, the 10th, it didn't have any effect at all. We - inside our aircraft, being the latest generation, we have a special system called a traffic collision avoidance system. That's noted as TCAS. And on the TCAS, any other aircraft that has a transponder in operation will come up on our screen as a little dot, a little blip. If they get within a certain range of us or too close to us, that blip will change from, you know, green to yellow to a specific colour that will then activate a voice warning through the intercommunication system to say, "Traffic, traffic", and it gives us an alert. Now, we generally are monitoring that the whole time and we can see where the other aircraft are in relation to us. The only aspect of that would be the media if they were down low in the area of operation, they may have interfered with us. But on all the media helicopter - sorry, in all the events I've been to and all the missions I've been to where media have been involved from the air, they always sit up a lot higher than us and they never interfere with our operation. They are all - they've been doing it for many years now and understand that they're not going to get in the way. They have powerful cameras and things to capture, you know, what we're doing, for example, and they don't need to be close to us. So on that day we had no issue with the media helicopters at all. There was another aircraft flying around on the second day----- 30 40 50

That's the 11th?-- Yes, that's correct. That I tried calling on a number of frequencies and got no response and that aircraft was a concern because we were - we could have them on TCAS and we sort of knew roughly where they were based on the TCAS, but our TCAS system doesn't provide a resolution

advisory route for us. So in a jet, they have a TCAS. If they've got two jets coming together head to head, it will tell both aircraft what to do and the autopilots and the crew will take care of that. In our aircraft we have to still visually acquire the aircraft and then make a physical adjustment with the controls ourselves to avoid hitting them. So on that second day when this aircraft was flying around this TCAS would go off, "Traffic, traffic", and we would see this helicopter flying around and we try and - I'd try and talk to them on the aircraft control frequency, on the Amberley control's own frequency, on all the frequencies that were available at that time and I got no response. So we'd be manoeuvring, searching for people, trying to get to a particular point around the weather. For example, when we flew the police up to Murphys Creek on the second day, once again, horrendous weather, low cloud, a lot of rain, very hard to see where you were going and you had this other aircraft flying around and that - that was a concern.

Where was that other aircraft from?-- I don't know. It was a red BK 117. I - I don't - I could only guess where it came from. I think it was a New South Wales aircraft that had been brought up here and it had something to do with the fire service but I - that's just my best guess. I don't really know.

On the day at Grantham on the 10th of January, there was your helicopter performing rescues and there were other media helicopters?-- Yes.

In your experience, is there any role or assistance that media helicopters can play in such disasters?-- No. In terms of the actual rescues, there is nothing that a media helicopter can try and do. In terms of communication, they could certainly help with communication when the rescue helicopter is low level and out of communication and quite busy. They may be able to relay information on what they're seeing back to the various agencies that need to be told, you know, the police, the ambulance service, the state disaster centre, et cetera. That could be quite useful for - for people getting a blow by blow description of the picture of what's going on. They could also even download and link back the footage that they're filming through their camera systems back to a control room so people could actually see in real time what was going on. But I think and I know from discussions had with - with Alex Wilson via e-mail and I know of other media pilots that have been very stressed about what happened out there because they're watching people - they're watching people die and they can't do anything about it. So that as a helicopter pilot, knowing how that would feel, is, you know, just a terrible, terrible thing and they are very stressed and very upset about what's happened, the fact that they're there and they can't do anything. And it would only put themselves and their aircraft and their cameramen and their own crew at risk if they tried to do anything to get people off car roofs or out of water moving so fast.

Now-----

COMMISSIONER: Ms Wilson, can I interrupt. Did you want to take a morning break or would you prefer to keep going?

MS WILSON: I'm - perhaps that would be a convenient time.

MR MacSPORRAN: Commissioner, perhaps Mr Kempton should be asked. I understand there is a shortage of standby pilots today and was keen to leave as quick as possible.

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COMMISSIONER: If Mr Kempton needs to get away, we'll keep on going. Is that the case?-- Yes, that's the case.

We will keep on going.

MS WILSON: He was giving me some signal, Madam Commissioner, and I read it the wrong way. Rescue helicopter 510 arrived?-- That's correct, yes.

And that arrived - the helicopter arrived at approximately 6 o'clock?-- Yes.

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Okay. Now, you communicated over your radio?-- Yes.

And told him to follow you and you landed at that farm?-- That's correct.

Now, winching equipment had to be exchanged?-- Yes.

Why is that? Is there only one set of winching equipment available?-- No, what had happened was, and this is something we've reviewed and debriefed on as far as our organisation goes, when the aircraft has relocated from Cairns to do the flood work in the Gladstone area, it had come down with all its equipment. The - when it was being moved back to Brisbane, it had some equipment on it but a lot of the equipment which belonged to the Cairns base went back to the Cairns base with the crew that left and then took some of that equipment back with them. Now, because the main focus was the NVG training, at that point in time the crews involved didn't think that the aircraft would require further equipment or the normal equipment that it carries around because it was going to be primarily focused on the training side of things. So when we departed to respond to the Grantham task, we actually took our equipment and we took some extra equipment as well, not knowing what we were going to be faced with. So there was a couple of things that the aircraft went out without, as in Rescue 510. That would be like some winch strops and some winch harnesses because we had extra - we had taken the extra gear that was at the base which normally would have been there that they could have used. So it just meant that when we got our last group of survivors and landed back at the property there and Rescue 510 followed us in, there was a brief exchange of the gear between the off-going crew and Rescue 510. We gave them our extra gear and they continued the winching.

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The equipment that you had, if you had enough fuel could your

helicopter and 510 have done joint rescues over Grantham?--  
Yes, they could have done.

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You had enough equipment for the two helicopters?-- That's correct, yes.

You winched 28 people to safety that day?-- Yes, we did.

And one cat?-- And one cat, yes. A stowaway cat.

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Well, that's an interesting problem in a way, isn't it, because there were many animals on the roofs that people-----?-- Yes.

-----wanted to take with them?-- Yes.

And that can't occur?-- No. We have a strict protocol in EMQ that we can't have any unrestrained animals onboard the aircraft because of the potential for that animal to escape and inflict injury on the crew and cause distraction when you're flying. It was explained to the - our rescue crewman Mark, who went down onto the rooftops, explained to people, "We can't take the animals. We need to get this done quickly", and he had a brief conversation with everyone. I think most people, although it was heartbreaking for them to leave their pets behind because they've lost everything, their houses have been smashed and this is the one symbol of what hope is left, is their animal, their cat, their dog had to be left behind, but they understood when Mark told them, "Look, there's hundreds more people" - I don't think he actually said that. He would have said, "There's dozens of more people on the rooftops that we need to get. We can't take the dogs and the cats unfortunately." So that was the scenario and it was just pure luck that as Mark and the survivor came off the roof this cat jumped onto the survivor and crawled up her leg underneath her dress. So we didn't even really know the cat was there, and I think the footage indicates that, until we're onboard the aircraft and then all of a sudden they're onboard the aircraft and there's the lady with the cat in her lap. So it was pretty extraordinary as far as that goes.

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In terms of the resources that you had and the equipment that you had, we've seen on that footage the use of the winch rescue strop and that's the strop that goes down and is put around a person to be winched up to the helicopter?-- Yes.

At paragraph 71 of your statement you say that, "The winch rescue strop proved to be unsuitable for some survivors due to the body size and range"?-- Yes.

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Is there a better strop that you could be carrying in the future?-- We're currently investigating that now and we're looking towards a newer type of strop that is much more suitable for younger - like children, for example, who have a smaller body size. With the strop that Mark was using, it meant that he could clamp it up to a certain point but it still left quite a bit of gap between the survivor as a child and the strop which meant, potentially, they could fall out of



the strop while they're in the air being winched. So he, to overcome that, would use his handgrip around it and/or hook his arms up under the legs of a survivor so he was virtually cradling the survivor himself. 1

Stop there. So, to some degree it relied on his own strength?-- Yes, it did. Yes, it did in this particular - in this rescue situation. The other style of strop we have is or that we're looking into is a - like a little bag if you like. It encompasses more of the body of the survivor so that, you know, they can come up in much more - in a much more secure fashion. Knowing Mark and knowing the determination of him, no survivor was going to fall out of the strop that we used that day. 10

You say that this is being reviewed?-- Yes.

Is it the case that what may occur is that the rescue helicopters have to carry various types of strops?-- That's correct. Our chief aircrew officer is looking into the purchase of and the obtaining of the various strops that are available to us. We hadn't really come across that sort of situation until this particular rescue. 20

When you left Grantham, why did you - why did you leave at that point in time?-- Well, at that point in time the weather was starting to deteriorate again. I think the Go Pro or the camera footage, you'll see there's moisture on the camera, there's rain starting to happen. The cloud base is descending because as it gets later in the day the cloud just descends because everything is getting cooler again. We were getting low on fuel and our first premise is we can never risk a life to save a life. And we could have, you know, kept going until we had no fuel and land the aircraft on the same spot that we were dropping the survivors off but that wouldn't have done anyone else any good who was in distress. The aircraft would have been trapped out there surrounded by water, no fuel available and couldn't do any work in proceeding days or the future - you know, the next couple of days. So once we got to a certain point, under our aviation regulations, we have to land with fixed reserve in our aircraft under our flight rules. So we have to a minimum amount of fuel always in our tanks so if there is absolutely some unforeseen emergency, you still have got time to get the aircraft into a safe place to land. As it turns out, the - I landed the aircraft back at Archerfield and I had five minutes of fuel remaining in the tanks that I could use before going into my fixed reserve. 30 40

And how much fuel does the reserve allow you to fly?-- Thirty minutes in total with a three-minute variable on top of that. So I landed the aircraft at Archerfield with a total of 38 minutes. 50

Some residents asked you to go back but you couldn't?-- Yes. Mr Keep, who we'd rescued after we got Mrs Keep, was insistent that we go back to their house because their two children were trapped inside. And as it was explained to him, we couldn't get - even if we went back to his house, we couldn't get

inside his house. And, praise the heavens, his kids survived which is just fantastic. But we couldn't physically do anything with his request to go to his house.

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When you got back to base, you wanted to redeploy Rescue 500 back to Grantham?-- Yes, we did.

And there was another aircrew there that could have taken Rescue 500 back?-- That's correct. There was extra people down there for the night vision goggle training. So we had another crew available that we got together with potential to go back in Rescue 500, and these were the night vision goggle instructors we had within our company. So they were prepared to back using night vision goggles to try and attempt to get back to Grantham and continue with those rescues.

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But that couldn't occur that night?-- No. Once again, under those sorts of rules that we needed to fly out for that night to get to Grantham, because there's no instrument approach at Grantham we had to fly visually and using the night vision goggles, they rely on cultural lighting and environmental lighting from the moon and stars if you like. There was a lot of low cloud again, a lot of thunderstorms coming through the area, a lot of lightening and heavy rain and that precluded us again from getting the aircraft back out there.

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Now, we discussed this before about the helicopters that EMQHR has. This is probably an extension of that question, but to your knowledge, how many helicopters are there within range across all agencies that could have been deployed that night? Just the two?-- Well, there was two at EMQ. There was a CareFlight machine up at Toowoomba. There was a CareFlight machine at Gold Coast. There's the Maroochydore AGL helicopter at Maroochydore and there's another AGL helicopter at Bundaberg. I think that's all the community service providers that I know of that may have been available to be deployed out there if they could get there.

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Are all of those helicopters that you just stated, are they within range?-- Effectively. I mean, they're not in - they're in range or they can - to step back, I mean the aircraft can fly for three hours. So if it can fly for three hours it is in range. However, to fly for three hours and then to try and start rescuing after the event has already happened three hours later is probably not a great deal of use if you like. But - so to answer that question, those particular aircraft could potentially get to - or try to get to Grantham. Having said that, I don't know what weather they were facing in their local areas again because the weather we were basing it on was based on terminal area forecasts which are based around the five nautical miles of the aerodrome that we're located at at Archerfield and the area forecast once again. So those aircraft in different environments, like the Toowoomba-based machine up here, I would suspect that it would have been sitting in virtual fog up here and really finding it difficult to move. I don't know what they did that day, whether they could get into the township or what they did but I would suspect that they couldn't have moved either, they

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were trapped.

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Now, you've talked about the possible aircrafts that are within range. Do each of these aircraft rely on their own coordination from their own government - from their own agency?-- The community service providers have agreements with the Queensland government, if you like, and those agreements are to provide a certain amount of hours to conduct work on behalf of the Queensland government or the Department of Community Safety such as the areomedical work which they all get involved in, and I believe they are given some funding in order to do that as well. So their tasking agencies can be exactly the same as ours, as in Emergency Management Queensland. So Aust SAR can ring them, QCC, et cetera, all the agencies, QPS, they can all contact those aircraft and get them moving if they need to.

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If we can now go to the 11th of January, the next day?-- Yes.

You departed on Rescue 500 with a new crew?-- That's correct.

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To pick up police at Gatton?-- Yes.

And then the mission that day was to continue searching for survivors in Grantham area and attempting to get police into Murphys Creek?-- That's correct.

You departed Archerfield at about 5 a.m.?-- Yes.

But, unfortunately, due to weather you were grounded at Gatton until about 7 a.m.?-- Yes, a line of thunderstorms had come through with low cloud, torrential rain, a lot of lightening and thunder going off around us and we were forced down to land on the showgrounds there.

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Now, if I can take you to paragraph 52 of your statement and that's the paragraph where you discuss that there was no workable maps?-- Yes.

Now, in that paragraph you state that you had no workable maps due to water coverage on the ground?-- Yes.

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That sentence is an interrelationship between workable maps and water coverage on the ground. Can you explain that to me?-- Yes. Onboard the aircraft we carry a whole range of maps and charts - world aeronautical charts, visual terminal charts, we have the Refidex, we have the Downs Lockyer Country Roads directory if you like. We have all sorts of charts that we can use. Now, the charts rely on physically trying to work out where you are based on a feature in the chart and being able to see a feature on the ground. We got an address by QPS based out at Helidon I think at the time to go to this particular address in Tenthill to look for a person, an elderly gentleman stuck on his roof and in a bad way. When we tried to look in the Downs Lockyer we couldn't see that particular street address in there and there is - Tenthill is in the Downs Lockyer, edition 6 I think we had onboard the aircraft at that time, but that street wasn't there. And when

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you're trying to orientate where you are over a small town with water covering certain features of roads and intersections and things, it was difficult to know if we were exactly at that point in time, you know, when we were there. If the police had said to us, "You need to go to this latitude and longitude", we would immediately program that into our flight management system and the aircraft would go straight there. We could just go there with, you know, no issue at all. Because we didn't get the latitude and the longitude and we couldn't really work it out off the charts without the actual - seeing physically where the street was. We thought to ourselves, "What are we going to do? We really don't know if we're searching the right area." So that's when our crewman Rod Morgan said, "Well, why don't we have a look at Google Maps on our phone?" I said, "Great idea. Let's do that." So he programmed it up, put the street address in, and we weren't far away from where it was but it told us it was another mile up the road type of thing and we went up there and found the property. Now, as we arrived overhead there was no-one onboard - sorry, on top of the house or seemed to be in distress. The property was completely surrounded by water but we flew around for, you know, a couple of minutes trying to get the attention and no-one came out and there didn't seem to be anyone there.

You said the police gave you the street address and not the coordinates?-- Yes.

Is that the usual way?-- In this particular situation, I guess if they get a phone call from a - from a resident out there, the resident is simply going to say, look, I'm in Smith Street, Tenthill, number 10 and I'm stuck on my roof surrounded by water", and that's the information the police get. Now, whether or not the police could then overlay that on a chart, on a computer system and calculate a lat and long for us, I don't know. That's - I'm not sure what the process is with that.

In any event, at paragraph 70 of your statement you say that you need some form of moving map display?-- Yes. With - with this particular disaster it became very apparent that to offload the amount of work we're doing, because we're obviously trying to - we're flying the aircraft; we're talking on telephones and radios; we're using the navigation system; we're trying to look out and avoid weather and stay out of cloud and rain; we're trying to avoid other aircraft based on the TCAS and what we can see out the window - it is a very, very place our cockpit. There is a lot going on. The crewman in the back is clearing the aircraft when we're tracking from point A to point B. In our AW139s, which is a fantastic helicopter, we have a fifth multifunctional display screen which is like a TV screen sitting in the middle of the instrument panel and on that we can display all sorts of things. Like, we can look at fleur picture camera. We can look at a camera going down the hook on the aircraft. We can see footage going down the winch cable of what the aircraft is actually doing and we have the ability through computer and software systems to upload or setup a moving map display so

that while we're flying, we physically don't have to get out a paper chart and try and hold it. We can just look at that map display and we know, "Oh, we're one kilometre from Tenthill, from Smith Street", because we have that detail from the map loaded into the software and displayed on the computer system. And, effectively, you could have Google Maps being displayed on the aircraft in the cockpit or any mapping range that you wanted to do to offload the amount of work that you have to do so you can focus on flying and looking out and seeing and avoiding other traffic and doing the job you're there to do.

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Is that just a software upgrade that could be undertaken?-- It is a whole process. It is another black box, if you like, that has got to go into the aircraft, at a cost I'm not sure of. It was a suggestion that was debriefed as part of the whole rescue mission that we did out at Grantham/Helidon over those days.

To your knowledge, do you know whether that is being looked at?-- I believe it's been - it's been sent up our chain to be looked at and costed and investigated to work out which - which process would be the best to install in the aircraft.

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Now, on the 11th, you were getting low on fuel and the weather was getting bad again?-- Yes.

You arranged for another crew to relocate from Archerfield to Amberley so that you could change over?-- Yes.

You needed to change pilots and crew as fatigue was starting to set in?-- Yes.

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You were heading to Amberley but because of bad weather you needed to land before you got to Amberley?-- Yes. Once again, the weather that day, having been forced down on the ground in the early part of the day at Gatton and then being able to fly for a period of time and then as luck would have it or the fates would have it, when we were low on the fuel the weather decided to move back in again. We could map the weather on our weather radar to some extent but as we started tracking back towards Amberley, this line of thunderstorms, this weather came through and it was the most horrendous weather I've ever seen in my flying career to be honest. It was just a massive sheet lightening. So you could imagine we're in this little helicopter looking out the window and there's just massive lightening shooting across the sky in front of us, massive bolts of lightening, and I'm talking hundreds and hundreds of bolts of lightening hitting the ground in front of us. And we're sitting there and the first thing I said to the guys was, "Gee, I hope we don't get hit by lightening", and they were in agreeance with that, that they hoped we didn't get hit by lightening as well. We were following or trying to get round a set of hills and valleys to get back towards Amberley and I ended up over the Warrego Highway, and that was a really good reference point to fly along, to track because we couldn't see anymore than probably a thousand metres in front of us as to where we were going and we were relying on a combination of visual flying and instruments to say where we

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were in relation to Amberley. I was talking to Amberley approach at the time and they said the weather was extremely bad there and the approach for the ILS, the instrument landing system, was on de minimis and that two Black Hawks and one Sea King were attempting to get in there as well.

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This was at the same time we were tracking back. As the rain became worse and worse, the lightening was going off. I just said to the guys, "We've got to land here. We've got to land in any paddock that's clear." The problem with that was that every slope and every hill and every gully had water sheeting off it, so I was concerned that I were going to have to land the aircraft somewhere down there, and then the aircraft was going to get washed away, because there was literally nowhere in the vicinity that we could land other than the highway. So I kept tracking along the highway until about the Balonne turnover just past there where the cloud base was down in the trees and I said, "Guys, we're going to land to land on the highway, and I pulled a hover. Dave Turnbull, our crewman, opened the door. I had all the lights on the aircraft because we were coming into the oncoming traffic, and they all moved over to the left-hand lane, and I landed in the right-hand lane facing east on the Warrigo Highway and shut down with my heart in my mouth.

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How did cars know that you were there when they were-----?--  
How did cars know? Sorry?

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Know that you had landed as the cars were progressing along the highway?-- They could see us, so they - there was visibility on the road probably up to a kilometre away. So we were in a very straight stretch of road, no dips, and as the cars came towards us, our rescue crewmen got out of the back of the aircraft and walked a little way up the highway in the left-hand, east-facing lane, and the other cars that were in that lane would just move over and slow down because immediately they saw this massive helicopter sitting in the middle of the highway.

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What was your fuel status once you had landed on the Warrigo Highway?-- At that point we probably had - and I'm going from memory here. I would have to look at a task sheet. But it's probably around 15 minutes of fuel left before we'd go into our fixed reserve. So my fuel status meant that I couldn't fly into the cloud and do an instrument approach because I didn't have enough fuel to do that and carry the holding fuel associated with the aerodrome we would be going into, which is Amberley, and we were at the point where, 4.5 miles from Amberley, we still had enough fuel if we could get airborne to get to Amberley 4.5 miles away from where we landed on the highway.

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You contacted some standby - you tried to make contact with Amberley to be able to get some fuel?-- Yes. Our standby crew had driven our base utility to Amberley and they were at the fuel, and we were in communication with them via a mobile phone again and asked if the tanker from Amberley could come out - given that we were 4.5 miles away from the airfield - could they drive around the road and pull up next to us and give us some fuel. That would then enable us to either do the instrument approach and get in, or track back to Archerfield and do the instrument approach there. The initial response was - and I think I've detailed it there in my statement - was that we had to get approval - or the military would have to

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get approval from Canberra to do that, and that was going to take up to four hours. Then another statement - another communication that came through was that because of the lightening in the area, the tanker driver couldn't refuel us, given the military protocols. And, I mean, that's fair enough, you know. You wouldn't be doing fuel operation out there with the lightening going off.

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You say at paragraph 74, "This proved to be an impossible task due to the inability for anyone in the military to approve such an operation"-- Yes, that was the information we were told by the crew there at the time who were at the Amberley Aerodrome, the relieving pilot and rescue crew. They just said, "It looks like it's going to go to Canberra, and it's just going to be impossible, so don't rely on the military fuel for refuelling."

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And how you solved this problem was that you organised for EMQ engineers to use their own personal vehicles to bring drums of fuel out?-- That's correct. Normally, they would use the base utility, but the standby crew had used that to get out to Amberley. So we contacted the base, and they all agreed to use one of their own utilities. They loaded up four drums of jet A1 and came out and got through the roads that were being cut off as well - which is another issue - to us, pump the fuel on to the helicopter, and by that time we were - I had already attempted to go back to Amberley prior to that as well one more time and been forced back on to the highway because of the cloud, and I had had enough then. I said I'm fatigued, I'm tired. My wife had rung me and said our house was getting flooded as well, and I needed to get the standby crew on to the aircraft.

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How long did the process take for you to actually get more fuel to your helicopter?-- It took a couple hours, yeah.

Okay?-- And as it turned out, once they were refuelled, the helicopter couldn't move for some two to three hours after that. So we were stuck on the highway for about five hours, I believe.

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If I can take you to paragraph 72 of your statement?-- Yes.

In that paragraph you talk about the QCC?-- Yes.

The Queensland Health Clinical Coordination Centre?-- Yes.

And you talk about that there was arguments that were undertaken with the QCC?-- Yes.

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Can you just assist me: Who were the arguments between to your understanding or knowledge?-- The arguments were basically between the other pilot at the base, which is our chief pilot, and the Clinical Coordination Centre, based on the fact that we were given - QPS, the police tasking, had come in, and that was to go and continue the rescue work out at Grantham and Helidon, and get to Murphys Creek and all those areas that were devastated. And the QCC, the clinical coordinator, their



requirement was to get, from memory, a premature baby that was born out at Dalby back to the Royal Brisbane Women's Hospital. So the - as it turned out, we were sort of trying to explain - and I was there. The phone was on speaker phone, so there was a number of people in the room. But Trevor was talking to - the chief pilot, I should say, was talking to the Clinical Coordination Centre just explaining look, this person is in a hospital, versus these people may be still trapped in water, et cetera. We need to work out what the priority is here. And at the end of the day, I think the police and the Clinical Coordination Centre had a conversation, and it was worked out that one aircraft would go to Dalby and the other aircraft would go to Grantham. Now, my particular aircraft was tasked to go to Dalby. And once that task had come in, I looked at the weather again for Dalby and realised that there was no chance that we could fly the aircraft to Dalby and get into Dalby because, once again, there's no instrument approach. We couldn't carry the fuel, and we couldn't fly under the instrument flight rules to get there to do that task. I informed QCC of that and they said, "That's fine, no problem at all. We'll work out some other means of doing that retrieval." And generally that means they would use the RFDS, the aeroplanes, which have a larger capacity to carry fuel and can carry alternates for instrument approaches. We then were retasked back by the Queensland Police tasking out at Grantham, Helidon, Murphys Creek, Tenthill.

COMMISSIONER: Why couldn't the plane have done it all along if there was that alternative?-- With the neonatal transfers, they use a humidicrib, and the medical teams like the point-to-point transfer of having the humidicrib loaded on to the helicopter on the Royal Brisbane Hospital helipad and then straight to Dalby and then back again there straight. Versus they've got to drive the humidicrib in an ambulance out to the airport, load it on to the plane, and then - it makes for double transfers.

I understand. Thanks.

MS WILSON: In paragraph 73 you say, "QCC were informed that whilst the operation was tasked and at the completion of the operation but coordinators were not aware of where exactly the doctor and ICP were left and what they were doing overnight on the first night of Grantham operation"?-- That's correct.

And does that relate to the previous paragraph on paragraph 72 in terms of the argument that occurred?-- No. It has - there's no relationship at all. Simply the fact that the Clinical Coordination Centre - after we had left Grantham on the first day, we left our paramedic and doctor there to look after, as it turned out to be, about 450 people from the townships out there. The QCC had no idea that their doctor and paramedic was out there overnight dealing with all the issues they were dealing with without medical supplies and a number of other issues. So that was debriefed at the Emergency Management Queensland debrief with the helicopter rescue side, with the clinical coordinator that was involved at the time, and they were going to look into that. Because

the helicopter crew, as in my crew, had informed QCC that we've left the doctor and paramedic behind to help all these patients, survivors, and that message wasn't passed on to the actual coordinator. It went to the desk, but the chain broke down there for some reason.

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When you talked about that the tasking was held up, how long was it held up for? I'm talking about paragraph 72 now?-- Yes, I think given I was at - I arrived at the Archerfield base at about 4 a.m. that morning, so by the time we got prepared to go, we prepared the aircraft, and this discussion took place, it would have been probably around 30 minutes, I think, in delay for response.

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With your experience and knowledge of helicopter deployment, can you offer us any assistance in terms of better coordination by the agencies?-- I think that we need someone who has real aviation expertise in amongst the agencies to offer assistance and advice when competing tasks come in. I don't have any medical background, but clearly when there's a medical tasking coming in, you would have to look at issues like is that person already in hospital and is a doctor already treating them; versus is someone in the water that's just come out of a flood situation, or their boat's just sunk off the Coast. Which task do you do? Do you move the patient from hospital A to hospital B, or do you go and get the person out of the water? Well, my commonsense tells me that you go and get the person out of the water, but from a medical background or the clinical coordination, they may have an extreme emergency medical situation going on that needs to be dealt with immediately as well. So this is where the agencies need to be able to communicate together. We've discussed as an organisation many times about a single point of tasking where all the tasks come in so all the agencies, Aust SAR, the police, QCC, Counter Disaster, SDC, they all ring one point and the helicopter is tasked based on the big picture, rather than one argument versus the other and just because you win the argument, doesn't mean you're right. So it's that sort of scenario that we've thought about as helicopter crews and operators over the years.

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So just one coordinator who would task all of the jobs that come through for helicopters?-- Based on the information that is provided to them and a set of guidelines and protocols, et cetera.

Do you have any view on who would be best - which agency would be best to perform that task?-- I couldn't say. I don't know.

If I can take you to paragraph 77. In that paragraph you talk about the Traffic Collision Avoidance Systems, TCAS, which we've already talked about, "was invaluable in helping us locate other aircraft"?-- Yes.

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And you said, "As many helicopters were flying around and not communicating with us and no one seemed to know what they were doing out there and who they worked for"?-- Yes.

"The tasking control seemed to be nonexistent between various organisations"?-- Yes.

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In this paragraph 77 are you referring to the example that you provided earlier in relation to that red helicopter, or is this a bigger broad picture that we're looking at?-- No, I'm referring to that red helicopter that was out there on that particular day. I think - yeah, that's all I can really say about that.

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You've described these two days of flight operations as being the most challenging and difficult for you in all of your 26 years of aviation?-- Yes.

Is there anything that could be done in resourcing that could have made it less challenging for you?-- I think that the points have already been made in my statement there about the upgrade of the aircraft, to have the extra fuel, to have the moving map display, to have a better coordination of helicopter response to the tasking that came in out there. Those points, to me, would help us in Q go a long way to improving what we did on the day. And every aviation operation we undertake, and me personally as a helicopter pilot, you always review it. You always sit back and go: what could we have done better and how could we improve the situation? And those are the immediate things that have been pointed out. There are other issues that have been captured within the debrief, like strops and things when we had our debrief at the end of this; support for crews that have been stressed or de-stressed in relation to these incidents and how that occurs; fatigue management, how we look after our crews after working these long periods doing this sort of work. A number of items have been covered within our own organisation which will go on to improve and hopefully help our response and be in readiness for, God forbid, something like this ever happening again.

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Thank you, Mr Kempton, I have no further questions.

MS McLEOD: No questions, thank you.

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MR GIBSON: No, thank you.

MR MacSPORRAN: Mr Kempton, just a couple of quick things. You told us about the cost of an upgrade of the aircraft itself. The AW 139, what does it cost to buy?-- Approximately \$16 million per aircraft.

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And what does it cost to run?-- We have a couple of different charge-out rates. If we're using cost recovery for - I'll just refer to my notes here. For Aust SAR tasking, it gets charged out at \$7,345 per hour. For Counter Disaster tasks such as the flood tasking we've been involved in or - and disaster and rescue tasks is \$6,677 per hour cost recovery.

And what about the number of hours? Is there a set number of hours that the aircraft can fly before it needs to be maintained, et cetera?-- There is ongoing maintenance every 25, 50, 100 hours, 300 hours. There's a huge program of maintenance that runs across it. The Brisbane base in the last twelve months did around 1300 hours of operational flying, so based on an Aust SAR type costing, it's about \$9 million for the year for our base. To run the other two bases as well with the amount of hours they do, it's costing in the vicinity of around \$25 million for the running of aircraft, let alone all the other bits and pieces that go with it.

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In terms of the actual operation, the rescue operation you performed on those days, is it simply a matter of having more aircraft in the air? Would that solve the problem, or that too simplistic?-- It really is too simplistic to a large extent. Given what happened - and this is an extraordinary event. We - you know, I've thought about this often, if we had more aircraft. I think certainly having one or two more aircraft available would have helped. If we had had a line of 25 helicopters lined up side by side, each with a winch and a rescue crewman on a cable, people still would have died in this disaster. We couldn't get everyone. There was just no way based on what had happened. But certainly to have an extra aircraft available, like Rescue 510 there at the time was an absolute Godsend, and was wonderful that they could get another 15 people out. And I guess in that scenario, in this particular instance, having two helicopters would be great. You could argue that there might be another scenario where you would need three helicopters. So I don't know the ultimate answer to that. It's a very difficult situation. The cost involved is one thing but, you know, one life to me is worth \$30 million we spend a year running our organisation.

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Certainly. Now, as you've told us, you have the capability to fly at night and perform rescues at night because of night vision equipment. But that, in turn, is dependant upon the weather?-- That's correct.

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You couldn't use it here because the weather was too bad?-- Exactly right. You still have to be able to see where you're going. So if you are inside cloud, you're flying on instruments. The only way you can get visual is to do an instrument approach. If you're not in cloud, you have to be able to see where you're going physically to know where you are. And in this particular case that night and the ensuing prior days to that the weather was extreme, as we all know. The cloud base was really low. There was so much holding fuel to be carried, we physically couldn't comply with the rules and fly the aircraft safely, given the weather that was happening over that period.

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Is it the case that all of your rescues were from rooftops?-- No. We got a couple people out of trees that were in close proximity to the roofs or to houses. We got some people off a vehicle that was surrounded by water, and we got a lady, Mrs Keep, in fact, from a very small island, if you like, in

the middle of the torrent that was flooding through.

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In terms of people in the water being swept away - and we've seen footage, including yours, of the speed at which the water was flowing - is that a dangerous exercise, trying to retrieve someone from the actual water from a helicopter?-- It is.

It's an extremely dangerous scenario. Some time ago we had what we would call a swift water winch rescue attempted up near Townsville where a person was trapped in the middle of a raging river hanging on to a tree, and our aircrew, who were using a Bell 412 at the time, winched the crewman down. Now, we debriefed and learned a lot from that. As I said, we review what we do. That person, as in our rescue crewman attached to the wire in that water, was being hit by all the obstacles that were coming down, being continually swept back. They had no training for swift water as such and if the cable had broken, they themselves would have needed rescue. It was very, very difficult to get to the survivor in the tree and then get the strop on the survivor, because half the time the survivors have to let go of what they are hanging on to. The swift water could then take the survivor away. So it's very, very risky from a helicopter point of view. Having said that, as a result of that particular operation, our rescue crewmen have been sent to do some swift water rescue courses with the QFRS and to learn the techniques that are involved with that particular type of rescue. And we as an organisation have really learned so much from that, in that we figure now that if we come across a swift water rescue event, we would be the transportation method to get the swift water rescue teams from A to B in the quickest way possible for them to do what they are trained to do, because it's such an area of expertise.

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It's now a skill that your crews have available to them?-- That's correct. We have some skills and we have some training, but at the end of the day our job is primarily winching, which, like anything, it has its limitations and its end points where you just have to say, "I can't do that particular task."

Thank you. Thank you, Commissioner.

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MS WILSON: No re-examination. May the witness be excused.

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

WITNESS EXCUSED

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COMMISSIONER: Now, how are we going for time with witnesses? Would it be better to forge ahead?

MS WILSON: Perhaps if we could do one more witness before lunch - yes, it would be.

COMMISSIONER: All right, thank you.

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MS WILSON: I call Kathleen Elizabeth Mahon.

KATHLEEN ELIZABETH MAHON, SWORN AND EXAMINED:

MS WILSON: Is your full name Kathleen Elizabeth Mahon?-- Yes.

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Are you presently living in Toowoomba?-- Yes.

And that was following the flooding incidents in Grantham?-- Yes.

At the time of January 10 this year you used to live on the Gatton-Helidon Road in Grantham?-- Yes.

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You'd lived it at this address for 21 years?-- Yes.

You made a statement to the police in relation to the flooding events of January 10 in Grantham?-- Yes.

Can I show you this document, please. Is this the statement that you made?-- Yes.

And it was signed on 8 February 2011?-- Yes.

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I tender that statement.

COMMISSIONER: Exhibit 181.

ADMITTED AND MARKED "EXHIBIT 181"

MS WILSON: Can we talk about the property that you used to live on?-- Um hmm.

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It was about 1.75 acres?-- Yes.

And it was on the Gatton-Helidon Road?-- Yes.

And in paragraph 6 of your statement you say that the house was built a lot higher than the 1974 flood?-- Yes.

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How do you know that?-- Because I've lived in Grantham all my life, and we knew that there was - just a fraction of water covered the ground in the '74 flood. So we built it - like, before we built the house, we put a lot of foundations down. So it was actually up a lot higher, so we knew that, you know, possibly never have any floodwater.

Lockyer Creek is about 2.5 to 3 quarters kilometres to the

south of your property?-- Yes.

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Between your property and Lockyer Creek there's farming areas?-- Yeah.

Now, in the time that you have lived there, have you ever seen water coming from the direction of Lockyer Creek?-- No.

Do you ever suffer from any type of flooding at all on your property?-- No.

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You say in paragraph 7, "I have only ever known that water had only reached below the dairy shed during previous big floods"?-- Yes, that's - my parents used to own that place. I lived there for - from when I was 15 until I was 21, and we had had a couple of floods, you know, it had only ever come below the dairy shed. I had never seen it further than that, except I wasn't home in the '74 flood. But yeah, I was told by the people that owned our property that it was only just a little wave came off the road and it wasn't very deep at all at our place.

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So when you're talking about your parents' property, is that a different property?-- Yes. It's across the road. It's closer to the creek.

So that's where you've seen the water come up to the dairy sheds of your parents' property?-- Yes.

Across the road that's closer to the creek?-- Yes.

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But your property has not had any flooding event since you've been there?-- Yes.

That's your understanding from living in Grantham all your life as well?-- Yes.

In paragraph 8 you talk about what your father told you, that if you saw water breaking from the western side of the farm near the dairy shed, to head to the railway line. Now, just so I understand that, where would water be coming from it it's breaking from the western side of the farm - of the farmhouse?-- From the Lockyer Creek. Their place was closer to the creek than what we are, and he always said - a lot of the old people have told - everyone, you know, like my parents' age, you know, in 1893 there was a big flood like the one we had on 10 January, and they had always said to us, you know, like, head to the railway line if there's ever a big flood because it's the highest spot. Which we tried to do on 10 January.

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Can we go to 10 January now?-- Um hmm.

Can we - you were at your mother's place that day?-- Yes.

And where is that?-- It's about four houses down the road from ours.

And you say your daughter rang you and told you that she had just seen a warning on the TV about a wall of water in Toowoomba?-- Yes.

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She told you to get as high as you could?-- Yeah.

And she told you about the warnings that she had seen on the police website?-- She was actually reading them out to me and - there's warnings on the TV, and they were talking about Toowoomba, you know, like, block the toilets with towels or whatever, you know, boil the town water, not to drink it. And she's reading out all these things, and I kept saying, "Rachelle, we're in Grantham. We don't live in Toowoomba." And she's saying, "Yes, mum, but the warnings are there." And she was on Facebook as well because she was sitting down feeding my granddaughter at the time, and she got on the Facebook, and a friend of hers put on there that her father's house behind Tomatoland at Withcott was flooded. So then she assumed if he's flooded at Withcott, that we're going to get it as well. So she sort of started screaming at me and then, you know, she said, "Mum, you're not listening to me."

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And can you recall when this was - what time that was?-- I don't know. But prior to that when my two daughters and the two grandsons came down and had lunch and that, we looked at the creek downtown. And after her husband rung and had said about lots of rain in Toowoomba, we looked at the creek downtown. And then John said, "I think youse better get back home, because you might get flooded here again like the night before." And then they got as far as the outskirts of Helidon and called us on the UHF, and my daughter - one daughter works at night, and she's remembered looking at her watch and it was about 20 past 2, because she watches the time because she goes to bed by about 3 to get enough sleep. That was prior to going to mum's house.

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When you're at your mother's house, you also got a telephone call from your nephew?-- Yes, that was straight after Rachelle.

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He told you that the bridge at Helidon was - the water was as high as anyone had ever seen?-- Yes.

After you had spoken to your daughter in Toowoomba and your nephew who was ringing from the bridge in Helidon, you went back to your house?-- Yes, the daughter was in Brisbane, actually. And my nephew, yeah, he was at Helidon, and he was talking to a lot of locals there, so that's how he knew it was higher than it had ever been. And he said, "Can you get grandma and get as high as you can. There's a wall of water coming." We tried to get mum to come with us, and she's nearly 83, and she's got two dogs. And she said, "No, I'm not leaving the dogs. I'll be right here." And she's up on six steps, so we thought she might be right. And anyway, we went home and got out of the cars and went inside, locked the garage up. And then Rachelle had said to me, the daughter from Brisbane, she said, "Mum, they are giving warnings. As soon as you get home, unlock your doors so that you've got

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somewhere to get out if you have to." And I thought it was a bit silly, but I thought I'll do what she's telling me to do just in case. So I unlocked two doors.

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Just pause there. You said your daughter was ringing from Brisbane?-- Yes.

She was telling you what to do. Where was she getting that information from; do you know?-- The TV. She saw instant flashes on the TV, plus she was on the police website.

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Now, when you got home, a short time after you got home you saw water coming across the farm towards you?-- Yep. 1

So it was coming, was it, from the direction of Lockyer Creek?-- Yes.

You also say it was coming the other way as well from the western side down the highway?-- Yep.

What water source-----?-- But I didn't really notice that straightaway because we'd gone inside and locked the doors and went into the pool yard and we thought, "Oh, we'll just get the floaties and this inflatable boat for the boys, just in case it did get worse." And then at that stage my youngest daughter and I both had our cameras from being downtown and we both started taking some photos. Then we thought, "Oh, the water is get really deep", so we rushed inside and at the same time my husband was screaming out to come and have a look and at that stage we rushed out the front and saw it coming instantly across the road plus coming down the road. But it was already around the back of the house where my daughter and I were taking photos before it actually got across the front. 10 20

So are we talking water coming from two directions?-- Yes.

We talked about the water coming from the direction of the Lockyer Creek. The other direction it was coming from, can you give me a geographical point from where that was coming from?-- It was coming down the highway, Gatton-Helidon Road, from, well, we call it Dinner Corner, which is probably about a kilo and a half - kilo - metre and a half, two kilometres from our place. It was coming down quite fast and coming in on the western side of us and going straight around - it was coming - following the railway line down and it was flowing really fast. 30

Now, water entered your house?-- Yes.

And at your house that day - well, I should ask you this. Is your house - what type of house do you have? You talked about the foundations being higher than they would have been in the 1974 flood so you were confident water wouldn't come in. What type of house was-----?-- Yeah, my husband kept saying it will be like '74, you know, it won't come inside and then all of a sudden he said - after we went outside and had a look how fast it was coming, he grabbed some towels and put at the front door and he said, "Oh, that'll stop it coming in." And by the time he got back to the kitchen, which isn't very far, probably from me to you, it was up to his ankles and then up to his knees within that distance and then he said, "Well, we can't save the house. We've got to save ourselves." 40 50

And is your house off the ground at all?-- No, it is on ground.

In the house that day was your husband?-- Yes.

Your daughter Jessica?-- Yep.

And her two children?-- No, Andrea.

Andrea?-- The eldest daughter Andrea and her two children.

And Jessica?-- And Jessica.

How old were the children?-- Three and five.

Now, you provided a statement to the police of the water - your description of what occurred that day so I am not going to go into all of that detail but I will just ask you a couple of matters about the water coming into your house. When the water came into your house, you say that it rose very quickly?-- Yes, within a few minutes.

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And it was with such power that it was lifting up the lounge suites that you had?-- Yeah, everything fell over instantly. By the time we had the kids and the grandsons and the two daughters on the kitchen bench and John and I got on the chairs, the fridges had tipped over, the freezers had tipped over, the cupboard in the dining room, all the glass was breaking. The chairs - the lounge chairs were rising up and just swirling. Tables were lifting up and moving, going backwards and forwards. All the chairs had tipped over.

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You put the children on the kitchen bench?-- Yep.

And how high would the kitchen bench be?-- Normal breakfast bar height.

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And then you made a decision that you would try to get to the railway line?-- Yeah, when it - it actually came up to our chest inside and we were looking at the doors, John looked at the doors - sliding doors that go into the pool yard and they were starting to buckle, and it was a lot higher outside than inside so we decided we had to get outside to actually save ourselves and that's - and then we put the grandsons in the boat that we had and John said, "Well, get behind him because it will gush in", which it did. So we all held on to the boat that the little boys were in. And - so we went out and we were deciding, we thought we'd go to the railway line and as we passed the next room, which we call the pool room, that door just burst open. The whole door broke and everything was flowing out from inside plus things were going inside as well. The barbecue and everything went inside the house, different bits of furniture from outside went inside.

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And a decision was made to get onto the roof?-- Yeah. Well, we realised as we were passing that door as it was breaking, we were trying to get to the railway lining but it was just flowing too fast. It was just bouncing back from the railway line. It was-----

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How far away is your house from the railway line?-- I don't know. I'm no good with meterage. Probably-----

How long would it take you to walk there? On a normal day,

how long would it take you to walk there?-- Oh, probably three minutes, four minutes.

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Now, you were able to get yourself on the roof and your daughters were able to get on the roof and your grandchildren were able to get on the roof?-- Yeah, my youngest daughter stood on - because she's six foot, she's taller than the rest of us. And she got on the pool gate and we helped push her up and then she went to the other corner of the patio roof and she pulled the two boys up and then the rest of us couldn't get on but we - there was a squatter's chair floating over the top of the pool fence and I said to John, "How about we straddle that on the fence", because you're floating as well, you know, because the water is so high. Then Andrea said she wouldn't be able to get on but I think the adrenaline kicks in and knowing her two little boys were on the roof and she got up on there and got up, and then I got up and then just John couldn't physically pull himself up, plus the fence had given way at that stage as well.

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And how was he securing himself?-- Well, he clung on to the gutter and there was a table that we have in the pool area. It is a timber table. It was floating as well. So he wedged that against the fence and he stood on that and held on to the gutter.

Helicopters came?-- Yeah, there was - I think there was Channel 9 News had come, three times actually. And then the fourth one was EMQ.

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And you were in this Court this morning and you saw the footage that was played with Mr Kempton?-- No, I didn't see that, sorry, I was outside then.

Okay?-- But I've seen it before, yeah.

And that's you being rescued from your house that day?-- Oh, yeah, I did see that one, yep.

Now, the helicopter was full and then you went to a farm?-- Yep, yep. Went to Fullerton's farm, yep.

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And then you got off the helicopter and then your husband came in a helicopter that came in a couple of helicopter landings later?-- Yeah, I think it was about three loads later, yeah, the kids came after us.

Thank you, Mrs Mahon, that's all the questions.

MS McLEOD: No questions.

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COMMISSIONER: Mr Gibson?

MR GIBSON: No, thank you, Commissioner.

MR MacSPORRAN: I have nothing, thank you.

COMMISSIONER: Thank you.

MS WILSON: May Mrs Mahon be excused?

COMMISSIONER: Mrs Mahon, thank you very much.

WITNESS EXCUSED

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MS WILSON: Madam Commissioner, I call Benjamin Marcus.

BENJAMIN ROLAND DEREK MARCUS, SWORN AND EXAMINED:

MS WILSON: Is your Benjamin Roland Derek Marcus?-- That's correct.

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And are you an inspector of police?-- Yes.

And are you presently stationed in the Southern Region headquarters in Toowoomba?-- That's my substantive position. I've been seconded to Brisbane, but yes.

Is that when in your statement you say that you have been seconded to a project role in Wacol?-- That's correct

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You have made a statement detailing your involvement and observations during the January flood events?-- Yes.

Can you have a look at this document, please. Is this the statement that you've made?-- Yes, it is.

And this is the statement you signed on the 16th of March 2011?-- Yes, it is.

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The statement is true and correct?-- That's correct.

Madam Commissioner, I tender that statement?-- Exhibit 182.

ADMITTED AND MARKED "EXHIBIT 182"

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MS WILSON: Now, in terms about your involvement in the flood events, it was in two parts. The first role that you had was an initial search and rescue role?-- That's correct.

And the second role that you performed was a community liaison role for Grantham?-- That's correct.

Now, on the 11th of January you were at the Queensland Police

Service Academy at Oxley?-- Yes.

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And you were about to - going to travel to Townsville?--  
That's correct.

And you volunteered to join in the response and recovery in  
relation to the events that were happening in Grantham?--  
That's correct.

And the role that you ultimately performed was to take a team  
of 20 QPS officers into the Lockyer Valley?-- That's correct.

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You were going to, on the 11th, take those 20 officers in on  
the afternoon and night of the 11th?-- Yes.

And the way that you could only get into Grantham at that  
point in time was by helicopter?-- That's correct. We were  
able to get some personnel to Ipswich by road but we couldn't  
get into the Lockyer Valley.

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But helicopters were unavailable that night to transport  
you?-- They were - they were tasked to rescues and there was  
also storms as I understand it.

And the next day you flew into Grantham with these 20 police  
officers via the Royal Australian Navy helicopters?-- That's  
correct.

One of the roles that you performed in the initial stages of  
working in the forward control at Grantham was a field liaison  
officer for the ADF?-- Yes, that's correct.

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And at page 4 you say that one of the tasks that the ADF  
assisted with was pumping down a massive destabilised turkey  
nest dam?-- That's correct.

Can you explain what a turkey nest dam is?-- A turkey nest  
dam, that's a colloquial term but it is essentially a dam that  
is proud, it stands both above the natural ground level. So  
they scoop out the bottoms to make the walls. They typically  
will harvest water from a watercourse and store it in what's  
essentially an aboveground storage. This particular dam, as I  
understand it the initial flood event breached the dam, it  
actually went higher than the wall, and when it receded it  
eroded part of the wall. Unfortunately - there were two  
issues with that, the urgency of that dam. One was that had  
it have breached, it would have added to the quantum of water  
already in the watercourse and it was also immediately  
adjacent to one of the deceased that we had located. So we -  
a decision was made to stabilise the dam by pumping it down  
below the breach before we could do the physical recovery.

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This dam was on a farm?-- That's correct.

And how big are we talking in relation to this dam?-- I'm  
not - I'm not sure in megalitres but-----

No, let's talk something we can-----?-- Roughly - roughly a

hundred metres by a hundred metres surface area and potentially 20 metres deep. It is a substantial dam.

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Do you know whether there was any regulations in relation to building this dam?-- I have no idea.

We talked about you performing the role as a community liaison officer for Grantham?-- Yes.

That's occurred after approximately five days, you then you were appointed to this role?-- Yes.

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You worked in conjunction with Inspector Mike Crowley, who performed a similar role at Helidon and Murphys Creek?-- That's correct.

Now, can you explain the role as a community liaison officer?-- At the time that I was appointed there was some general angst amongst the community at Grantham. Essentially, all that was required in the initial stages of the role was to provide information to the community and to meet their immediate needs. A substantial part of the frustration was that they could see the rescue operations and recovery operations but they couldn't participate in it. So my role was to go into there and to meet whatever needs, reasonable needs that the community had and to establish a supply for them in terms of information, provisions and meeting any specific requests that they may have.

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Part of your role at page 8 you say was to coordinate the collection of names of people reported missing or located by Grantham community members to ensure the list maintained by the Victim Identification Liaison Unit were contemporary?-- Yes.

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I'm interested to know how these lists work. Can you explain that to me?-- The - my understanding was Detective Acting Inspector Paul Hart was the central point for that based out of the major incident room in Toowoomba. What we did have was a continual stream of people that would - being in uniform, they would come to you and say, "I can't locate", whoever. I would then get as much detail about that individual as I possibly could and we would cross-reference that back through Inspector Hart so that we could ensure that if that person had been located in another area, another recovery centre, that that name was removed from the list, that person had been located safe and well. We also were able to locate a number of people who were on the missing person register and we were able to remove them from the list.

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So QPS were having one central data point where all of this information was stored?-- Yes, that's correct.

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Now, were other government agencies to your knowledge also doing up lists of missing persons?-- I - not - not to my knowledge. We did have - we had a good working relationship across - there was Commonwealth agencies and obviously state agencies, mainly in the human services arena, and they were

also providing information to us on - they'd receive information that they don't know where person A was and we were able to find that information for them and get it back to them. But in terms of a regulated list, I can't comment.

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Were the QPS providing these updated lists to other government agencies that were interested in that information?-- I can't - couldn't comment.

If I can take you to page 9 of your statement, you talk there that a major aspect of your work was dealing with quite vocal negative opinions regarding the local Lockyer Valley Regional Council and you give an example there: "The community members continually offered the view that if they asked for something from the QPS or other agencies, they either got what they needed, an alternative, or an explanation". Various matters arise from that. What sort of things were community members asking the QPS for?-- There was a wide range - a wide range of requests that they had and some of them were really quite specific. The - the major one that springs to mind was the ability to move between Grantham and Gatton. There were - Grantham had an elevated area that wasn't directly flood affected but not everyone chose to remain there. So we set up - we tried to set up a bus system for them to shuttle them from Gatton and Helidon back to Grantham. Issues specifically for myself were the personal protective equipment to allow people to repatriate into the town, and a couple of other matters that I've mentioned in my statement. The general sense was one of frustration. My belief is that the event was so massive and so protracted that it overtook normal planning and normal logistic capacity of a local government authority.

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When you talked about community members asking something from the QPS or other agencies, what other agencies were you referring to?-- We had human services agencies, I believe the Department of Social Security. We had a Commonwealth department that was providing the funds. Education Queensland were - through the Grantham school were providing food and logistical support, things like - things like that.

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When the requests came from the community to QPS, did these requests come through you?-- Generally, yes. I requested that they did.

Is that because you wanted a central point for this so that you could monitor the requests?-- I wanted to make sure that the requests were met, and if they couldn't be met, an explanation was given.

Did you develop a system for actioning these requests?-- Yes, I did.

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Was that again another database that you just worked through the list?-- It is a notebook that I kept. What we - what we did - I tried not to do anything to direct the community but I worked very closely with some members of the community. Warren Kimlin and Julie Johnson, most notably, and also Marty Warburton. What we did was establish twice-daily community



meetings and at each meeting I would take requests and I would try to have an answer for them by the following meeting.

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You say at page 9 that you were quite frustrated with the Local Disaster Management Group - LDMG - lack of response and instead was forced to implement work arounds to meet deadlines?-- Yes.

What do you mean by "work arounds"?-- The - there were certain things that we needed to do by particular times and that if we - if we couldn't do that - the major focus of the community was getting back in to be able to see their homes. The major one that I guess I could use as an example was the personal protective equipment - boots, asbestos-rated masks, things of that nature, sunscreen, wide brim hats. They were meant to be delivered by a particular time to facilitate the repatriation of the town and they weren't. So we had to, from amongst the military and emergency services, pool what we had to - to work through that. But to fair, there wasn't a lot of personal protective equipment left that you could beg, borrow or steal.

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You also say in page 9 that you recall the local government animal control worked really well with other authorities?-- Yes.

Which local government are referring to you?-- Lockyer Valley council. They looked after domestic animals, farm animals. They also helped - worked very closely with the state catchers and very closely with the University of Queensland Veterinary School at Gatton. I found them to be exceptionally good.

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This was something that the community was concerned about, the welfare of their animals?-- I don't think - they were, they were, but generally, typically during the search and rescue phase, most of the animals that we found had been placed in an elevated position which was safe during the flood event but obviously wasn't sustainable. I think with the benefit of time, the rescuing of the pets and being able to reunite owners with their pets was quite valuable.

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You also say that you "recall two members of the Murweh Council from Charleville, who had extensive flood recovery experience, in providing considerable expertise and support to the LDMG"?-- Yes.

From your own observations, what expertise did these two persons provide?-- They told people what to expect, I guess is the main thing. They were very frank in their discussions with the people of Grantham. They had extensive experience, longitudinal experience in recovering from floods and I think people that are in that situation, particularly with that sense of frustration, knowing what was coming up, was a very good thing.

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So, in essence, the expertise that you're talking about is just providing more communication with the community?-- And - and practical - practical tips and telling them what's coming

up next. A big issue for the people of Grantham was concerns over their insurance and, you know, what was post - post-disaster recovery what were they faced with and the two gentlemen from Murweh were very good at that.

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Another matter that I wish to take to you is the further severe storm warnings at page 9?-- Yes.

You recall monitoring the BOM site yourself to watch for severe storm warnings?-- Yes, part of the - any incident command is knowing the meteorology.

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And you talk about that on at least three occasions you saw severe storms were forecast hours ahead which did impact Grantham?-- Yes.

So there is some warning that can be implemented at this point in time?-- Yes. Yes. The issue that we had was that the town had been repatriated. There were biological hazards, there were chemical hazards, farm chemicals, asbestos, roofing iron. Pretty much everything that was inside a house was now outside a house and would be subject to gale force winds. I had asked if a system could be determined to give people sufficient warning and, ultimately, in consultation with the LDMG we did that ourselves with police cars using loud hailers.

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You say that on each occasion that you requested the LDMG formulate a means of advising Grantham residents in the event of a pending severe storm event?-- That's correct, I did that via telephone through to the Murweh council representative who was on the LDMG.

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So you actioned the LDMG through the Murweh council representatives?-- That's correct.

Were you working very closely with those-----?-- That's correct.

-----two persons? You were told that a test message to warn of these storms couldn't occur?-- That's correct.

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And who told you that?-- The same gentleman. It was a suggestion that had been made by the community to have a text message system put into place. Whether that was practical or not because I can't say because not everybody had a mobile phone and that's pretty much akin to putting all your eggs in one basket if the mobile tower failed.

Were there any other options that you were considering to try to get these warnings to the community?-- Yeah, at the community meetings we told them what was coming and then - what we were trying to do was to be as accurate as we could. We didn't want to pull people out of the - out of their homes yet again unnecessarily but we also had to balance that against the physical dangers of a severe thunderstorm.

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You say at page 9 that you recall being told that a text

message warning system wasn't possible if the storm was less than a category three cyclone and that other options were being considered?-- That's correct.

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What were the other options that were being considered?-- I don't know.

You didn't make those inquiries?-- No, no. That - that was on the first - on the first day. The second day, a similar response; that they were looking at a different - a different means of doing it.

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And finally, can I take you to page 10 of your statement?-- Yes.

Where you say that you "recall overseeing the deployment of the State Emergency Service" - that is SES - "personnel in the search area", you recall "recommending the SES be tasked with less physically demanding tasks commensurate with their general apparent fitness levels"?-- Yes.

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Can you explain what you mean by that?-- The operating environment was as physically demanding as I've ever experienced. Physical exhaustion was inevitable. Injury was inevitable. The troops that we had from the ADF were, as a general rule, very physically fit. We had specialist personnel from the AFP who are the tactical officers who are exceptionally fit. The police officers from the academy, they're quite fit. The SES staffer, however, were typically older and were not as able to wade through knee-deep mud and things like that. They did - they did an excellent job. They certainly located one victim for us, but where possible we sent them to tasks where they were able to physically meet the demands of that task over a protracted period rather than experience exhaustion very, very early on.

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Who was directing the tasks that SES perform?-- The police forward commander was in charge of that. It was just my recommendation that they - they be given tasks that weren't as physically demanding.

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From your observation, did you see any issues in relation to SES training?-- No, not really. Not - not directly, no.

SES resources?-- The only - the only thing I do recall was as a comment from one person from the SES to say that something - they'd come down from Gladstone as I recall, or somewhere central coast, and they had - they were joking about how difficult the operating environment was and said, "They sent all our fit ones to Theodore", and it was just a general comment and I assumed that the people that we had were - were a second wave, a second deployment per se. But they were very keen, they were very motivated. It was just the environment was, as I say, exceptionally physically demanding.

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Thank you, inspector. I have no further questions.

MS McLEOD: No questions.

COMMISSIONER: Mr Gibson.

MR GIBSON: No, thank you.

COMMISSIONER: Mr MacSporran.

MR MacSPORRAN: Inspector, just a couple of matters. One of the major concerns the community seemed to have was the length of time during which they were kept out of their homes?-- Yes.

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They ultimately returned on the 18th of January, I think, they were allowed back in?-- Yes.

One of the initiatives you brought into play was you offered to take photographs of their individual houses to show them the state of them?-- Yes.

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In the intervening period?-- Yes.

Was that offer taken up by the locals?-- It was. I - what we decided to do was akin to a virtual tour that you would get on a real estate site. We did that in consultation with the psychologists that were there and we did it essentially in two ways. One was to give them the ability to inspect, visually inspect their property and get an understanding of the scale of it and the whole idea of that was so that they weren't constantly tempted to - to re-enter until we could make it safe. The second element of that was there were a number of items of specific value, typically medical value, relatives' ashes, things like that, that we were able to go and get for them, photograph it in situ and then bring it back and give it to them. And that - that had a fantastic effect of settling people and calming them down. I have to admit, I was never able to give good news, it was always bad news but at least they knew what they had to deal with when they got there.

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Yes, and that held them in good stead till they physically returned to the properties themselves later?-- That's correct.

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Now, one of the other major concerns, understandably, was the need to be reunited with pets, animals?-- Yes.

And you took that concern of theirs seriously?-- Yes.

And went out of your way to re-facilitate the reunion or retrieval pets where you could?-- Yes.

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Is an example of that that on one occasion you - I don't know if "rescued" is the right, perhaps retrieved four chickens?-- That's correct.

For one of the locals?-- That's correct.

Above and beyond the call?-- It - it was a very humanising

element of our police forward command post that we had four chickens that we constantly had to chase away from our maps because they adopted the command post.

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Thank you. Thank you, Commissioner.

MS WILSON: I have no re-examination, Madam Commissioner, may the inspector be excused?

COMMISSIONER: Thank you, Inspector Marcus, you're excused.

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WITNESS EXCUSED

MR MacSPORRAN: Your Honour, there is just one very quick housekeeping matter. Yesterday you recall the evidence that Mr Jones gave, the mayor of the Lockyer Valley Regional Council, about concerns he'd raised as high as the Premier with the question of debris in the creeks and streams and what could be done about that.

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I didn't have it at the time, but we've retrieved overnight a letter in response from the Premier to Mr Jones. I've shown it to Mr Gibson and Mr Callaghan this morning, and we think that the best thing to do is to tender it and make it an exhibit. I only have an unsigned copy, but there is a signed copy somewhere. We'll aim to produce that at some stage. But for the moment I'll produce the unsigned copy

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COMMISSIONER: All right. That will be Exhibit 183 to be replaced by a signed copy.

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MR MacSPORRAN: I think this is the signed copy, but it doesn't print out as a signed copy.

COMMISSIONER: I'm not sure I understand that, but anyway.

MR MacSPORRAN: It's a letter of March this year.

COMMISSIONER: Exhibit 183.

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ADMITTED AND MARKED "EXHIBIT 183"

MR MacSPORRAN: Thank you.

COMMISSIONER: Now, we are putting a lot of strain on the reporters. Ms Wilson, what time do you want to resume?

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MS WILSON: We could resume at 2.30. We have three witnesses that are planned for today, and I would expect to be able to finish within Court hours today.

COMMISSIONER: Anybody got a different view? 2.30 then, thank you.

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THE COMMISSION ADJOURNED AT 1.02 P.M. UNTIL 2.30 P.M.

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THE COMMISSION RESUMED AT 2.30 P.M.

COMMISSIONER: Now, can I just warn you all that for the next half hour or so, the recording is going to be done remotely from Brisbane because we have done a bit too much for the two reporters with us. All that means is that if you are questioning a witness, you will need to have a microphone to speak into, so that might be a problem for you, Ms McLeod. You will just have to shove Mr MacSporran aside. So if you bear that in mind, otherwise it won't make any difference.

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Yes, thanks, Ms Wilson.

MS WILSON: Thank you, Madam Commissioner. I call Sarah Norman.

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SARAH JANE NORMAN, SWORN AND EXAMINED:

MS WILSON: Is your full name Sarah Jane Norman?-- Yes.

And you live at Spring Bluff?-- Yes.

On the corner - and your house is on the corner of Murphys Creek Road and McCormack Road?-- Yes. I am in town now, though.

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You are in town?-- Yes.

In Toowoomba?-- We have moved from there after the floods.

Okay. On the 10th of January you were living at Spring Bluff?-- Yes.

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Okay. Now, you have made a statement to the police about the flooding event that occurred on January 10, 2011?-- Yes.

And you have also - can I show you that statement, please? Is that the statement that you made to the police?-- Yes.

Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 184.

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ADMITTED AND MARKED "EXHIBIT 184"

MS WILSON: Now, you also made an additional statement to the Queensland Floods Commission of Inquiry?-- Yes.

Is that your statement?-- Yes.

Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 185.

ADMITTED AND MARKED "EXHIBIT 185"

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MS WILSON: Now, if I can take you to the statement that you made to the police - and we will just go to that, and you have done a map at the back of that statement. That map will come up on the screen, but you have also got a hardcopy in front of you. Just wait one moment as it comes up on the screen. Now, this is a map that you did?-- Yes.

20

And we can see on this map there is various places that you have marked. You've marked a cottage. Now, that's where you live with your husband and two children?-- Yes.

That's where you lived with your husband and two children?-- Yep.

And there is a creek there that is between the cottage and a figure marked H which represents "house"?-- Yes.

30

Okay. Now, the house, that's where you used to live with your family?-- With my parents.

With your parents?-- Yes.

And on the 10th of January that's where your parents lived and your brother and your sister?-- Yes, but they were staying temporarily in the shed.

Okay. Now, we have also got some other marks on this - on this map which is McCormack Road?-- Yes.

40

And Murphys Creek Road. And just on the left we see that there is a bridge there as well. Now, the creek that divides between the cottage and the house, that's - you regard that as - that's a spring fed creek and there is another creek that is to the right of that house that goes up to a railway line?-- Yes.

And that railway line is depicted by - at the top of that page there is some tracks depicting a railway line?-- Yeah.

50

Okay. Now, in relation to what occurred that day on the 10th of January, you have made a statement to the police which details what occurred in detail, so I am not going to take you through all the details. On that day, can you tell me about the water of the creek - the creeks that - can you tell me about the water levels of the creek?-- At the water level, it



all merged at mum and dad's house, the water - there was water from the train station that was coming down through mum's property, in front of the house there was water coming down, the creek that was behind their house from the train station, and there was another waterway behind that creek that had made its own path through the land and they all met on to the spring fed creek. And it was coming up at mum and dad's house just below their ceiling, and it had - it covered a lot of land.

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And where your parents' house was, how far was that away from the spring fed creek?-- Usually from the water, then went up the bank about five metres and from the bank I'd say 10 metres to their house.

10

Okay. So up the bank about five metres and then once you are up that bank another 10 metres to the house?-- So, five metres in height, sort of went up maybe two metres from the creek and then about 10 metres to the house.

20

Now, on the 10th of January the water rose very, very quickly?-- Yes.

And in about 20 metres the water rose up to your parents' house - sorry, 20 minutes-----?-- Yes.

-----the water rose up to your parents' house?-- Yes.

And the water rose to the extent of about two foot under the gutter of your parents' house?-- Yep.

30

Now, on that day you took some photographs?-- Yes.

Perhaps if we could have a look at these photographs. They will come up on your screen. The first photograph, that's not a photograph that you took on the day, but that is a photograph that depicts the spring fed creek that we're talking about?-- Yes.

And the person who is in that photograph is your sister?-- Yes.

40

And you think that photograph was taken in about 2006?-- Yes.

And that's the spring fed creek that separates the cottage that you lived in and the house that your parents' lived in?-- Yes.

Okay. Can we have a look at the next photograph, please? Okay, now, this photograph was taken from your house?-- Yes.

50

Okay. Now, the water we're talking about was coming from different directions?-- Yes.

The water you described was rising very quickly in the - in that spring fed creek?-- I didn't see it rise, I only saw it at this level. I received a call from my brother and it was just entering the house and a few minutes later. This is what

I saw.

1

Okay. Which way was-----

COMMISSIONER: Sorry, can I stop you, Ms Norman? I am going to have to get you to move closer to that microphone, because you might have heard me say before they are remotely recording, so apparently there is a bit of a problem with the gap between you and it. Anyway, if you speak up a little and speak close to the microphone, that will be great, thank you.

10

MS WILSON: And which way was the water running, Mrs Norman?-- In this photo?

Well, on the day and as depicted in this photograph?-- In the photo it is from the left running through to the right. Also from up the hill, down, meeting just in this area and again moving sort of to the right and out of the photo.

Okay. Now, when looking at this photo, where is your parents' house in relation to this photo?-- To the trees just on the right, there is a fraction of a roof you can probably see.

20

Uh-huh?-- That's their house.

Perhaps if we can look at the next photo, please? That also was taken from your property?-- Yes.

And you talked about before in the last photo being able to see a fraction of your parents'-----?-- Yes.

30

The house - the roof of your parents' house?-- That's through the trees, yes.

When you are looking through the trees in the middle, you can see a roof and that is-----?-- Yes.

-----your parents' house? And could we have a look at the next photo? Now, this photograph on the - on the other side of the creek was a shed?-- Yes.

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Okay, and that's - we can see that shed there, can we?-- That is - that was a little shelter next to the shed.

And when we're talking about that, where are we talking - what structure, when you are describing that building, are we seeing in this photograph? There is a structure between two trees?-- Yes, yep.

And what structure is that?-- That was a small structure next to the shed which was in front of the house.

50

And can we have a look at the next photograph, please? Now, that was taken after the flooding event?-- Yes, that's that same-----

And what structure are we seeing there?-- The same one as the previous photo which was next to the shed.

And there we can see also the creek?-- Yes.

COMMISSIONER: Did that structure shift or was it there the whole time?-- That one remained. There is a concrete slab just behind that which is where the shed was.

I see?-- Yes.

MS WILSON: And can we have a look at the next photograph, please? Now, on that map you talked about a bridge that was on the left-hand side of that map. Is that the bridge that you were referring to?-- Yes.

10

During the peak of the water when the water rose, did the water cover that bridge?-- Yes.

Okay. Now, sadly that day your parents got washed away from the house, and in your statement that you provided to the Queensland Floods Commission of Inquiry, you have talked about warnings for the future?-- Yes.

20

And you raise the issue that not all phones have access in the area?-- Yes.

And you say the best method of warning is by word of mouth?-- Yes.

And how do you see that could work?-- Before the flood that I took photos of, my brother had contacted me by the home phone, so their phones were still up just prior to the flooding. There is a small amount of mobile phone reception. It is a difficult area to access. There isn't - internet access is slow and television reception is poor, but a phone would be the best connection if it was early enough to give them a warning via telephone.

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And in terms of communications in that area, landlines work very well?-- Yes.

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Internet is sometimes patchy or nonexistent?-- Yes.

Mobile phone?-- Again, some reception depending on where you are on the property, how high you are.

And you talk about, in your statement that you made to the Queensland Flood Commission of Inquiry, being an education system?-- Yes.

What do you mean by that?-- We'd only lived on the property for seven years and in that time we had never heard of the water rising as high as it had, or there being floods in that region or other regions around, nor of in Toowoomba. Just an education based on how far water can rise and how fast it can move, and where to build houses, and so on.

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And you also talk about that you believe it is necessary to have one person in a coordination role?-- If there were,

like, one person who could have contacted the family, or people in that area, the Spring Bluff region or Murphys Creek, yeah, I see there would be use in that.

1

And you think that might be an ability to keep the community informed as to what's going on?-- Yes.

And do you envisage that this person would have the access to computer internet or mobile phone and then could pass that information down the line using a landline?-- Yes.

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Thank you, Mrs Norman. That's all the questions I have for you.

MS McLEOD: No questions, thank you.

COMMISSIONER: You have got no questions, Ms McLeod?

MS McLEOD: No, no questions, thank you.

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COMMISSIONER: Thank you. Mr Gibson?

MR GIBSON: No, thank you, your Honour.

COMMISSIONER: And Mr MacSporran?

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

COMMISSIONER: Thanks very much, Mrs Norman. You are excused.

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WITNESS EXCUSED

MS WILSON: Commissioner, I call David Totenhofer.

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DAVID MARK TOTENHOFER, SWORN AND EXAMINED:

MS WILSON: Is your full name David Mark Totenhofer?-- Yes.

Do you live on a property that's 320 acres located approximately 20 kilometres north of Oakey?-- Yes.

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And at the time of the floods were you employed by the Toowoomba Regional Council as the Community Economic Development Officer for the Oakey District?-- Yes, but in saying that, I am not here representing council; I am here on a private capacity.

Now, there has been various documents that you provided to the Commission, and if I can take you to those documents? You have provided a statement to the Commission that's signed on the 13th of April 2011, also a submission that you provided to the Commission, also two emails that you have sent one to Ian Stevenson, Jason Bradshaw, Norman Fry, dated the 25th of January 2011, and one on the 2nd of February to Ian Stevenson, Jason Bradshaw, CCs to Norman Fry and Elizabeth Jones. Can I hand you those four documents? So the first document you've got there is your statement, is that the case?-- Yes.

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And that's your statement?-- Yes.

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Madam Commissioner, I tender that document.

COMMISSIONER: Exhibit 186.

ADMITTED AND MARKED "EXHIBIT 186"

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MS WILSON: The next document we've got there is a submission?-- Yes.

And that's your submission that you made to the Queensland Floods Commission of Inquiry?-- Yes.

I tender that submission.

COMMISSIONER: 187.

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ADMITTED AND MARKED "EXHIBIT 187"

MS WILSON: And the final two documents that you've got are the two emails that I referred to?-- Yes, the first one being

a report.

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Yes?-- The second one being an email.

Okay. Madam Commissioner, I will tender those two documents.

COMMISSIONER: They will be Exhibit 188.

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ADMITTED AND MARKED "EXHIBIT 188"

MS WILSON: Thank you. As I stated previously, at the time of the floods you were employed by the Toowoomba Regional Council as the Community Economic Development Officer for the Oakey District. Can you explain that role for me?-- Community Economic Development Officer in the Oakey District is a leftover post from the Jondaryan Shire Council, a similar role, where - in a similar role where my role is to liaise with the community, to support community initiatives, to run community events and, yeah, be a connection between the community and council.

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Okay. You have been employed with the - with council for the past ten years. The first seven years of that employment being with the Jondaryan Shire Council?-- Jondaryan Shire Council.

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Jondaryan Shire Council, and the last three years with Toowoomba Regional Council?-- Yes.

Now, at the time of the floods you were on long service leave?-- Yes.

And you were to return mid-April of this year?-- Correct, yeah.

On the 9th of January 2011, you were returning home after a family trip to Pittsworth?-- Yes.

40

And you couldn't get through to your property on the 9th but you had to overnight in Oakey and then got through on the 10th?-- Yes.

Now, on the 12th of January you state that as a result of being aware of the flood events in Oakey, you contacted your work supervisor, Ian Stevenson, who was at that time Acting Oakey District Manager and volunteered to return to work to provide assistance to the Oakey community?-- Yes.

50

And then - so as of 9 a.m. on the 12th of January you did actually return to work?-- Yes.

Now, if I could take you to page 10 of your statement - paragraph 10, I apologise. In that paragraph you state that during your liaison with the affected community, you became

aware of a couple of concerns that were circulating around the community?-- Yes. 1

So the concerns that you express in this statement are concerns that the community has passed on to you?-- Yes.

Now, your concerns are summarised in paragraph 12?-- Yep.

I won't take you to each and every one of those, but in paragraph C in paragraph 12 you say, "The initial emergency response was not coordinated"?-- Yes. 10

What do you mean by that?-- There seemed to be not much communication between the various emergency services; that is the SES, the fire brigade, police and council in that initial response to the event. There was really good cooperation after it and the following days, but as the event was happening there seemed to be little coordination.

Now, is that what people were telling you, or was that from your own observation?-- From people telling me. I wasn't there on the day. 20

Yeah?-- So it is picked up on total evidence.

Now, if we can go to paragraph 17, which is at the end of your statement, you say that, "The Oakey SES displayed a lack of leadership and in my opinion did not contribute as much as they could have." Now, just to clarify matters, is that what people have told you, or it seems to be here that that is your opinion from your observation?-- A bit of both. It was in talking with people on the day of the flood, that was the feedback they gave, and then in the following days when I was involved, then that was my experience. 30

And that you link back to what we talked about before, the lack of coordination between emergency services?-- Partly. It is also the SES - the leader of the local SES, the controller there was not there, on leave. So there was only a small presence of SES personnel. I think there were two or three people there, and, yeah, they lacked that leadership and possibly training, and they weren't getting full information either, so they weren't passing on correct information to people. 40

Thank you, Mr Totenhofer. That's all the questions I have for you.

MS McLEOD: I have no questions, thank you. 50

COMMISSIONER: Yes, Mr MacSporran?

MR MacSPORRAN: I have nothing either, thank you.

COMMISSIONER: Mr Gibson?

MR GIBSON: Thank you, Commissioner.

MR GIBSON: Mr Totenhofer, if I could take you to your report, if you have a copy of it with you? I believe that that's been received as Exhibit 186. Perhaps, Madam Commissioner, could I see exhibits 186 -----

COMMISSIONER: 186 is the statement, 187 we've called the submission, so-----

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MR GIBSON: Yes, I might just need to check the documents I have correspond with the exhibit numbers. Thank you. Now, you telephoned Mr Stevenson offering to return to work to provide your services on the 12th of January, is that correct? Mr Stevenson was the Acting Service Centre Manager at Oakey?-- Yes.

And you had become aware of the flood situation, at least in general terms, at Oakey by the morning of the 12th?-- Yes, we were aware of it on the 11th but couldn't do much about it at that point.

20

Had you become aware that, apart from perhaps any personal observation, from media broadcasts or media releases at the time?-- Probably media and websites, yes.

Which websites were they, Mr Totenhofer?-- The BOM website, or Weatherzone, I think it was.

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Yes?-- Was talking about the weather issues, and probably The Chronicle also.

The which website?-- Toowoomba Chronicle.

COMMISSIONER: Toowoomba chronicle.

MR GIBSON: I see, The Chronicle newspaper. And had you heard news breaks or announcements on the radio or television as well?-- Oh, possibly on the radio, ABC radio on that Tuesday afternoon or Wednesday.

40

Now, then, when you returned to work to commence duties - perhaps I should - you were assigned certain duties by Mr Stevenson?-- Yes.

And those duties comprised primarily working with a Ms Karen King, is that right?-- Not primarily. I worked with Karen initially but worked with various members of staff over the following three weeks.

50

Yes. What was Karen King's position at that time?-- Karen manages the cultural centre there and co-ordinates events within it, so she was involved in evacuation on the Tuesday, and so had some knowledge of that. So, yes, I worked with her on the basis of that knowledge.



When we mentioned that Mr Stevenson is the Acting Service Centre Manager at Oakey, in that capacity you knew that he was responsible for ensuring the provision of a range of local government services to the local community at Oakey?-- Yes.

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And that, in fact, he had many years' experience also in local government, including at one stage being the CEO of Tara Shire Council, is that right?-- Yes.

Yes, all right. Now, is it the case then that he tasked you and Karen King with conducting a house-to-house inspection of flood-affected properties?-- Yes.

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And that you did, in fact, visit flood-affected properties in both the morning and the afternoon of the 12th of January?-- Yes, and in the following days, as we discovered, more houses that we weren't aware of became flooded. In fact, in - sometimes we - you know, myself went to some of those further outer lying properties out near the showgrounds.

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And you became aware also that the QFRS, the fire and rescue service, were also undertaking a similar assessment in a different part of town?-- Yes, we ended up in the same part of town, obviously, where we met, and they were assessing - we were assessing who was affect----- when we were assessing who was affected, they were assessing who needed some response assistance and we realised we could use the same data to help one another.

Is it the case that from the 12th of January, and in the following days, the council assisted the recovery process by offering accommodation and support to Department of Communities staff?-- Yes.

30

And that it acted as a contact centre for residents and volunteers, thereby coordinating recovery efforts at Oakey?-- That's correct.

And that you, because of your position, had a wide range of contacts within the Oakey community. Is that fair to say?-- Yes.

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And that they proved useful, did they not, in effecting recovery exercise on behalf of council?-- Yes.

Is it correct to say that part of your mission was to gain an appreciation of the scale of the disaster affecting local residents and to assess their needs?-- Yes.

And that that information, to your knowledge, which you and she gathered, and no doubt others, perhaps, was collated and used to assist fire and rescue teams and volunteers to help residents clean up their properties and help the various community support organisations to provide assistance?-- Well, the fire and rescue obviously were doing their own assessment, as we discussed, so we combined that information. They continued to provide their services and collate what they

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did, and then later on in the process we put all that information together, the fire and rescue information, our information that we'd gathered, plus information that other departments within council had gathered to make a fairly comprehensive document of who had been affected and in what way.

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All right. Was - to your knowledge did the QFRS take charge of evacuating persons in Oakey in relation to the establishment of the cultural centre as an assembly point and then the subsequent transfer of persons to the Toowoomba Grammar School?-- I am not sure of the actual process. I understand, though, that Jason Bradshaw, who was attached to district services at that point, and on the disaster management team-----

10

Yes?-- -----I think he might have activated the evacuation centre on request from somewhere, possibly at that local coordination centre level. So, yeah, I think council activated the evacuation centre but probably on request of the emergency services.

20

All right. Just excuse me for a moment, Commissioner. Do you have a copy of Exhibit 188 with you? That is, I think, Mr Totenhofer, your email dated the 25th of January 2011?-- Well, that's the report that you are referring to at the moment?

Yes, yes. Some idea of the range of activities that were undertaken by council and other officers can be gained by reference to what I think is page 7 of that document. Would you mind turning to page 7, please? Under the heading "Emergency Response", you go on to describe what occurred on Tuesday the 11th of January. Now, of course, you weren't on duty at that time?-- No, that's actually - that section was prepared by Karen King.

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I see?-- You can see it has got Karen King's name.

So the dot points that follow on page 7 have been prepared by-----?-- Yeah.

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-----Ms-----?-- Karen King up to the point where on Wednesday the 12th, page 9 is Karen King's report incorporated into that.

And from the Wednesday the 12th entry at page 9, are the following entries made by you?-- Yes.

Is it fair to say, without drawing on each of them individually, they appear, with respect, to set out a most extensive and, indeed, comprehensive range of activities undertaken both by Toowoomba Regional Council employees, including yourself, of course, and other community organisations?-- Yes.

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So you have made the point that there was some concerns that

you have about communication as between or among the various agencies, but it does appear that a lot was done in those days following the 12th when you have personal knowledge of what took place?-- Well, yes, most definitely, and I say that elsewhere. The response after the event was excellent and in good coordination and communication. My concerns are - and I suppose in the melee of everything happening on the Monday and Tuesday, that there wasn't that same level of communication and information.

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That's before the Monday - that's before the date when you-----?-- Yes.

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-----returned to duty, is that right?-- I think the issues that the community raise, as I have pointed out there, is there was no warning for them of flooding in Oakey. Various levels of emergency services, including council, made inquiries about Cooby Dam and that information doesn't seem to have come down to those people where they could make an informed response on the basis of that.

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All right. You mentioned Cooby Dam. At page 6 of the document you're looking at, the report, under the heading "Climate Summary", there is an observation that Oakey's flood surge was contributed to by a combination of circumstances and the second of those is said to be significant additional flows in the Oakey creek due to Cooby Dam overflowing on the 9th of January, et cetera?-- Yes.

And you're aware that - or it is the fact, is it not, that you subsequently received an email from a Kevin Flanagan from the Toowoomba Regional Council that dealt with those issues?-- No, no, I haven't received - I have sent this report in and I haven't actually received much feedback from the council about that.

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

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

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COMMISSIONER: Thanks, Mr Totenhofer, you are excused.

WITNESS EXCUSED

MS WILSON: I call Alan Kleinschmidt.

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ALAN CHARLES KLEINSCHMIDT, SWORN AND EXAMINED:

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MS WILSON: Is your full name Alan Charles Kleinschmidt?--  
Yes.

And you are employed by the Toowoomba Regional Council?--  
That's correct.

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And you are presently employed as the Acting Director of Water  
Services?-- That's correct.

And you have been in this role since April the 1st, 2011?--  
Yes.

And you have made a statement for the Queensland Floods  
Commission of Inquiry. Can you have a look at this document,  
please? Is that the statement that you have made?-- Yes.

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Madam Commissioner, I tender that statement.

COMMISSIONER: Exhibit 189.

ADMITTED AND MARKED "EXHIBIT 189"

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MS WILSON: Now, you are presently employed as the Acting  
Director of Water Services?-- I am, yes.

But at the time of the - in 2011, January 2011, you were the  
Manager of the Water Operations?-- I was, that's correct.

And you had been in that role for four years?-- That's  
correct.

Now, can you tell me what the Director of Water Services role  
is?-- The Director of Water Services is responsible for the  
overall management and coordination of all of Toowoomba  
Regional Council's water and wastewater-related activities, so  
that includes operating water and wastewater systems, it  
includes infrastructure management, it includes planning for  
future infrastructure and construction and commissioning of  
new infrastructure.

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And the operation of Cooby Dam would be of interest to you  
when performing that role?-- That's correct.

50

And the role of the Manager of Water Operations, can you tell  
me what - what that role entails?-- That role reports to the  
Director of Water Services and the role is responsible for  
managing the actual operation of all of those water and  
wastewater facilities.

And as the manager of water operations, you played a major

role in the development and implementation of the Toowoomba Regional Council's Dams Emergency Action Plan?-- That's correct. 1

And you were part of the water services department senior management team that oversaw the management of the department's flood event response in accordance with the Toowoomba Regional Council Dams Emergency Action Plan?-- Yes.

And that last water - when I was referring to the water services department senior management team, that was in relation to the flood event that occurred in January 2011?-- That's correct. It is - senior management team is always in place. That team took over all responsibility for managing the flood events. 10

Okay. Now, Toowoomba Regional Council owns and operates Cooby Dam?-- Correct.

Now, you are aware that the Cooby Dam has an emergency action plan?-- I am. 20

And that action plan has various trigger events that once they have been reached, then certain people have to perform certain roles and responsibilities?-- That's correct.

For example, the flood event stage 1 is activated when the storage level is .5 metres above the full supply level and rising to 1.5?-- That's correct, yes. 30

So when the water is at between .5 metres and rising to 1.5 above the full supply level, that's when the flood event stage 1 is activated?-- Yes.

Okay. Now, when this occurs, the manager of the Water Infrastructure Asset Management must advise the Toowoomba Regional Council Disaster Coordination Centre?-- That's right.

To alert downstream residents within five kilometres of the dam wall?-- Correct. 40

Now, who was the manager of the Water Infrastructure Asset Management at the time in January?-- Mr Lawrence Ash.

And who advises the residents five kilometres downstream?-- The - under the Emergency Action Plan, that falls formally to the Local Disaster Coordination Centre. In this case, it was actually carried out by water services department staff (1) because we were aware that the event was developing and (2) because the Local Disaster Coordination Committee had not actually commenced to operate at that time. 50

And you say that at 17:45 instructions were issued by the manager of the water infrastructure asset management to advise the residents downstream?-- That's true.

Now, can I show you this email? Is that an email that's in

front of you or-----?-- I am not sure of the email to which you are referring-----

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Is there an email in front of you that-----?-- Yes, there is now, yes.

From Kevin Flanagan, sent on Friday the 28th of January 2011?-- There is, yes.

Okay. Now, you were CCed into this email?-- That's correct, yes.

10

And this is an email between Kevin Flanagan to Kevin Wruck?-- That's right.

Can you tell me the role that Kevin Wruck performs?-- Kevin Wruck is employed by council as a Manager of Strategic - Strategy and Business Planning. In the case of a disaster event or emergency management event he takes on the role of local disaster coordinator.

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And Kevin Flanagan at this point in time was the Director of Water Services?-- That's right.

And that is the role that you now perform?-- That's correct.

Okay. Now, can I take you down - and this email refers to a report that David Totenhofer did and sent it through to the council?-- Uh-huh.

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And it picks up various issues that were raised in that report and addresses them?-- It does, yes.

Can I take you down to the paragraph which starts with "However"?-- Yes.

And it says, "In the first case, the DCC was not activated when Cooby went to EV stage 1, that is 22:30 on the 9th of the 1st."?-- Yes.

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Do you know why the DCC was not activated?-- The DCC is not automatically activated by activation of the dam's emergency action plan.

Mmm?-- The DCC I can only state wasn't activated at that time. However, certainly Kevin Wruck was present in the dam's event management control room at that time.

It talks about it was not activated until mid the next day?-- That's correct, yes.

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Do you know why it was - it took that long for it to be activated?-- The - I don't have firsthand knowledge of that, other than I can only surmise that it wasn't considered to be a disaster event within the terms of the centre.

But that is not in compliance with the plan?-- The - the dam's emergency action plan does not per se require the Local

Disaster Coordination Centre to be activated.

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It talks about - in that paragraph it says, "Given the enormity of the disaster that hit on 10th of January, the DCC was obviously not in a position to make the notification required under the EAP especially when at that stage there was no threat to Oakey." Do you see that?-- Yes, I do.

Now, what notifications are being referred to there?-- At that time, the EAP, certainly at EV stage 1, does not require notification of downstream residents other than those residents within the first five kilometres. So they were informed that the water was overflowing at the spillway and would have had an opportunity, if they considered it necessary, to activate or to notify those people. But there is, to the best of my recollection - and if you give me a moment I will simply confirm that - there is no requirement at EV1 to notify those people directly.

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You are referring now to the Emergency Action Plan?-- I am, that's correct. Yes, and under - under section 4, page 8 of 39, there is no requirement to alert any residents other than those within the first five kilometres of the dam at EV1.

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Okay. Now, can I take you over the page? There is a heading that says, "There are a number of lessons to be learnt."?-- Uh-huh.

I am interested in this because you are now the Director of Water Services, and I am interested about what has - what lessons have been learned and what actions have been taken in relation to that.

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There's a dot point. The first dot point is that the EAP needs to consider that agencies that are required to carry out actions under the plan and may not be in a position to act as they - as was the case with Toowoomba Regional Council and, indeed, Somerset Regional Council below Crestwood - were experiencing their own emergencies at the time. It goes on to say that these - the three dams can be experiencing events at the same time as flooding occurs in surrounding areas. Has the EAP, emergency action plan, taken that on board and been amended?-- It's in the process of being reviewed and amended. As a standard action after an event of this nature there was a debriefing of the staff involved, and that initiated a review of the action plan which is currently underway.

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What is the solution to that? How do you how is it envisaged that the emergency action plan will be revised?-- Certainly I haven't seen the final version as yet, so I'm not in a position to give you a definitive answer. But we will be looking at - or are looking at how we can ensure that in the situation that we were dealing with with multiple emergencies, if you like, that there is a channel for ensuring communication occurs. I also believe that there will be a strengthening of the requirements to, shall we say, ensure that the other agencies are aware of their roles in the fullest sense under this plan.

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Pause there. When you're referring to other agencies, what are you referring to?-- Well, primarily the agencies involved - the other agencies are the Toowoomba Regional Council Disaster Management staff, whether that's in the form of the LDCC or the local disaster management coordinator.

30

What you are looking at, is it to ensure that the communication lines are maintained and people get information?-- That's right. We're simply learning from our experience in this that there were some difficulties. "Difficulties" is not the right word. But issues arose in practice that hadn't been foreseen in terms of communicating that information.

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You also say in one of those dot points - it also is said in one of those dot points that we need to ensure that the Oakey community, and that is emergency services and Oakey service centre staff, understand we do not have the capacity to predict flood levels at Oakey. So why is this important?-- We received a number of queries on the 10th and the 11th - mainly on the 11th, from my recollection - about the impact of Cooby Dam on flooding in Oakey. That came from officers within the council and also some of the emergency services personnel. And we explained to them at that time that Cooby Dam was not overflowing to an extent that we believed would cause additional problems in Oakey. We also are unable to provide information about events in the Oakey creek catchment downstream of Cooby Dam, because we have no access to gauging information. Our information is limited to what's actually happening at Cooby Dam itself.

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Are you aware whether Toowoomba Regional Council or another agency is exploring to increase the gauges downstream of the Cooby Dam?-- I'm not personally aware of any action. I know it certainly has been discussed.

That would assist in predicting floods for Oakey?-- I believe it would.

Now, I'll take you now to the emergency event report for Crestbrook - oh, Madam Commissioner, I tender that email.

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COMMISSIONER: That will be Exhibit 190.

ADMITTED AND MARKED "EXHIBIT 190"

MS WILSON: Now if I could take you to Exhibit 84. You know what I'm referring to when I refer to the emergency event report?-- I do. I have a copy of the report here.

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Can you tell me the purpose of the emergency event report?-- We - under the dam safety guidelines, we're required to produce and provide a report to the dam safety regulator within a stipulated timeframe after an event of this nature, and that report fulfills that requirement.

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Attached to that report is the minutes of a dam event management review meeting that was held on February 14?-- That's correct.

And Kevin Flanagan, your predecessor, as the director of Water Services, attended?-- That's correct. I believe that was the case. I was not present. I was on leave at the time.

But we might be able to get that on the screen. The purpose of this meeting was to have a debrief; is that the case?-- That's correct.

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The purpose was to work out what didn't work as well as it could have and implement action plans to make it work better for the future?-- That's correct.

There are many items listed in this document?-- That's right.

As the director of Water Services, can you tell me whether these items have been actioned?-- In a number of cases they have. Many of them related to issues regarding communication systems and the lack of effectiveness of mobile phones in the area, and we're in the process of implementing two-way radio communication system to deal with that.

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Just pause there. We can find the document. If we scroll down, we will find the document that I'm referring to. So the document that we're referring to is now in front of you?--

That's correct.

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If we just scroll down that document a little bit more, we can see what we've got. There is an activity, a comment, and an action by officer. For example, if you look at that first one, "Communication problems - nobody seemed to be in charge, not sure who to report to or how often this was required." And the comment was that, "Everyone agreed that there had been no indication that the rainfall storm event which caused the flooding and follow-on events was about to happen. Refer EAP roles. EAP roles to be reviewed." And the action by the officer is "MWIAM", which is the manager of water infrastructure asset manager, Laurie Ash?-- That's correct.

10

As a director of Water Services, can you tell me whether the EAP is being revised to take this into account?-- It is. That's one of the issues being addressed in the current review.

And how is it going to be addressed?-- It will simply do that, clarify roles, and it will focus more responsibility on the manager, water infrastructure asset management, to coordinate activities.

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And how is it envisaged that will assist in this problem that occurred?-- That officer will provide a contact point. When that officer is not on duty, that officer will be nominating the alternative contact point, if you like.

If I can take you to another one of these items that were addressed: Item number 8. See there it's "Problems with communication", which says - the activity is, "Problems with communication leaving the dam operators unsure of whether dam control room had closed down on first night and being unsure of required duties and left with minimal food and lighting." In terms of comment, the last paragraph of that comment states that, "It was also advised that EAP is revised. All control of the EAP will come under water infrastructure services so there will be no overlapping." And why would that assist in relation to this problem?-- As I noted before, it adds a - by coming under the control of water infrastructure services, that means that Lawrence Ash will have primary responsibility for that as the manager of that area.

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Can I take you now to item 12. That is - the activity is referred to as, "Lack of information in appropriate places." The comment refers to the issue about residents who live within a 5-kilometre radius of Cooby Dam. Can you see that?-- Yes, I can.

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Now, it states here that residents who live within a 5-kilometre radius of Cooby who have access to their properties through the area are the only residents the council notify. The disaster control centre are to notify all other areas?-- I would suggest that needs to be taken in the context of the discussion and the officers - and the level of the officers who were present, and I would interpret "council" there as Water Services Department as the dam operators.

What about the disaster control centre are to notify all other areas?-- That's as set out in the EAP. When we go to a higher alert level, the director of Water Services is required to notify the LDCC, Local Disaster Coordination Centre, and/or - I should say, I'm sorry, required to consider notifying them based on the information he has and through discussion then request that they notify residents further downstream and, if necessary, consider evacuation.

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Is the council considering at all changing the EAP to notify residents that live in a radius greater than 5 kilometres from the Cooby Dam of any activity at the Cooby Dam which would affect them; for example, flood event level 1?-- If you are referring to that current criteria of residents within 5 kilometres, no. There's no intention that I'm aware of to change that for direct notification.

Can you tell me why?-- Basically, those are the residents who are going to be affected directly and only by Cooby Dam overflow. The next nearest resident is some 8 kilometres downstream from the dam, and in that area the creek flow is impacted by Meringanden Dam and Gomaren Creeks, which are draining major catchments in addition to Cooby Dam, and the impact of Cooby Dam on those areas is generally quite small compared to the - assuming a widespread storm event, as we had, is quite small. And we certainly have no information about that to be able to make an informed decision or provide informed advice, hence the requirement that we pass it on to the LDCC, who are in a position to coordinate.

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It further states that dam control room should only be feeding information to DERM and the Bureau of Meteorology for them to make predictions. Is that trying to formalise the arrangements of what information is fed to what agencies?-- I take that as a reference - and again there is some conjecture because I wasn't present - but my understanding is that's a reference to Water Services Department belief, and that's been expressed by Kevin Flanagan elsewhere, that certainly Water Services Department, and, to a large extent, council, should not be responsible for making predictions regarding flood heights and the impact of flooding on downstream towns, that being the standard arrangement, as I understand it, throughout the State. So that would be a reference to the position that the - any prediction regarding flood heights in Oakey is outside our capability, our area of expertise, and certainly outside the information we have available as Water Services Department, and that responsibility should be lying in those areas.

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It is also referred in that comment that the EAPs do not currently consider volumes coming in from other waterways. Is it considered that the EAP would be revised to consider volumes coming in from other waterway?-- I can say that the need to consider that will be considered as part of the review. I can't say at this stage whether it will or will not be included.

When we first began discussing this document, I asked you whether - what actions had been taken in relation to these comments. There's a review process currently underway?-- That's correct.

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And when do we expect this review process to be finalised?-- I believe that a draft of the review - of the review document is currently being prepared by Lawrence Ash, and that will then be circulated within the department and other stakeholders, which will include council's disaster management personnel, for further comment.

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So when could it be expected that it can be determined what amendments may be made to the current systems in relation to the lessons to be learned of the flooding of January 2011?-- I would suggest in terms of a final document - I can't put a definite timeframe on it. I would suggest it's likely to be months rather than days or weeks in terms of finalising the document. At the same time, as we noted earlier, some of the recommendations that came out of the debrief are already being implemented, for instance, with regard to communications systems and provisioning of people on-site and preparation for flood events.

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The actions taken in relation to these issues raised in this document will be of interest to the Commission. Could you undertake, as a director of Water Services, to provide the Commission with a document that states what actions have been taken into relation to these issues?-- I can do that, yes.

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Thank you. I have no further questions.

MS McLEOD: I have no questions, thank you.

MR MacSPORRAN: I have nothing either, thank you.

COMMISSIONER: Mr Gibson?

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MR GIBSON: Mr Kleinschmidt, could I clarify some aspects of the operation of the emergency action plan to which you've referred. That document is Exhibit 83, and it may come up in a moment on your screen. You said, I think, that in your capacity you played a role in the development and, indeed, the implementation of this emergency action plan; is that correct?-- That's correct.

Your attention was directed to two flood events referred to in the plan: flood event 1 and flood event 2. If we turn to the table of contents, which is the second sheet in that document, it's apparent, is it not, under the heading "section 4, emergency events and procedures" that there are - is a total of seven relevant stages; two flood alert stages, and five flood event stages?-- That's correct.

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Now, if we could firstly turn to what is described as flood

event stage 1. That appears at section 4, page 7. And it is activated, as we see from the first lines under the heading, when the storage level is .5 of a metre above what is described as full supply level?-- That's correct.

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Is full supply level for this dam RL 478.54?-- That is correct. It's the point where the dam begins to overflow the spillway.

And relevantly, if we turn then to page 8, the manager, water infrastructure assets, is required to, among other things, advise the Toowoomba Regional Council DCC coordinator to alert the downstream residents within 5 kilometres of the dam wall?-- That's correct.

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You've explained why or how that 5-kilometre distance has been determined. Because as I understand it, other properties further downstream are affected by the fact that the Meringanden Creek and the Gomaren Creek intersect with the Oakey Creek?-- That's correct.

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You pointed out in your statement that - for the record, Exhibit 189 - that flood event 1 was activated and the property owners within 5 kilometre distance downstream of the dam were notified in accordance with the emergency action plan during the evening of 9 January?-- That's correct, yes.

Now, the second level or stage of flood event is flood event stage 2, and it appears at section 4, page 10, of the emergency action plan, Exhibit 83. This event is activated when the storage level is 1.5 metres above full supply level?-- That's correct, yes.

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And it requires that Mr Ash, as manager, Water Infrastructure Assets Management - now looking at page 11 of that document - do certain things. By the second dot point he's required to recommend to the director of Water Services to evacuate properties identified within that 5-kilometre distance to which we earlier referred?-- That's correct, yes.

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The director Water Services at that time was Mr Kevin Flanagan; is that correct?-- Yes.

Now, by the last dot point under that heading Mr Ash is also required to advise the District Coordination Centre coordinator, who incidentally was Mr Kevin Wruck; is that correct?-- Yes.

Was obliged to advise him to notify the residents downstream of Cooby Dam of the of the expected flood levels and to prepare to issue evacuation orders?-- That's correct.

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Is that the point which you had in mind and to which you were referring when you provided some answers to counsel assisting to the effect that flood event 2, when it is activated, does not require the evacuation of downstream residents?-- It does not if - the director of Water Services has a role, which appears further to consider whether that's necessary as well.

Now, in your statement you point out at paragraph 22 that on 11 January Cooby Dam water levels did exceed the 1.5 metre trigger for flood event stage 2?-- That's correct, yes, I did.

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And you say that the water level slightly exceeded that trigger during the period of approximately 7.30 a.m. to 9 a.m.?-- That's correct, yes.

Just pausing there. You were also taken by counsel assisting to the emergency event report Exhibit 84?-- Correct.

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And that report includes an attachment which is attachment 1 - unfortunately, not paginated - and attachment 1 is a log of events. If we turn first to the foot of that page, we'll see that it is in chronological order commencing from 28 December 2010. And if we slowly move forward, it spans the period 9 January 2011. And whilst on 9 January 2011, to confirm matters stated in your statement, the sixth dot point from the foot of that list - the sixth-last dot point indicates that at 10.10 p.m. confirmation was received that downstream residents within the 5-kilometre zone of the Cooby Dam were okay and have been notified?-- That's correct, yes.

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If we turn over to 11 January 2011 and we turn to the entry "7.13 a.m.", do you see that?--?-- Yes, I do.

That indicates that at 7.13 a.m. EV 2 was engaged because at that point the water in the dam, the water level, was 1.52 centimetres above the stipulated level of 1.50?-- That's correct. It had reached the point at which EV 2 would activate.

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It was only .02, but nevertheless it was there?-- That's correct.

At 7.43 a.m. water levels peaked in the dam at 1.55?-- That's correct, yes.

And then receded such that at 9.15 a.m. it had fallen below the EV 2 trigger of 1.50 and was 1.40 and receding?-- That's correct.

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The situation then is that for a short period of time, the trigger for activation of flood event stage 2 was exceeded by a maximum of .05 of a metre?-- That's correct, yes.

That is, if I understand it correctly, 5 centimetres?-- That's right.

Or about 2 inches?-- That's correct, yes.

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Now, the downstream residents were not issued with an evacuation order; is that correct?-- That's correct.

Can you tell us of the circumstances - or the circumstances in which there was a failure to give them an evacuation order?-- On the basis of the information that was available to us - and I should explain that in the case of water levels from Cooby

Dam, the dam's event management room had access first of all to regular reports from officers who were on-site and had been on-site on a 24-hour basis since the evening of the 9th who were providing us with visual readings of water levels in the dam. We also had access to telemetry which was giving us realtime readings of water levels within Cooby Dam. So we were able to see that although the dam level had passed the EVT trigger, it was peaking. There was no rainfall expected of any significance in the catchment in the time to follow, and the rate of increase was - had obviously slowed - or had I'm sorry, slowed down to the point where it was clear that it wasn't going to increase further and then very quickly began to fall away. That being the case, we made a decision - when I say we, myself, Kevin Flanagan, Lawrence Ash, who were all present in the control room, discussed the matter and made a decision not to activate EV 2 because in the short time period, there was nothing to be gained by going to that status.

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If confronted with the same circumstance today, what decision would you make with the benefit of hindsight?-- In the same circumstances, the same decision.

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Thank you. Now, you were taken to an email from Mr Flanagan which was received as Exhibit 190. Do you recall that email dated 28 January 2011?-- I do.

That email commences - it's directed to Mr Kevin Wruck and copied, among others, to you?-- That's correct.

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It commences, "Kev: David has done a good job with the report and shows up a couple of areas that need improvement." Do you see that?-- Yes.

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The David there referred to is Mr David Totenhofer, is it not?-- That's correct, yes.

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It is your understanding that this e-mail was in response to a report that was submitted by Mr Totenhofer by way of e-mail on I think the 25th of January 2011, Exhibit 188?-- My understanding, that that was - the report was submitted to Kevin Wruck, who then passed it on to Mr Flanagan for comment and review.

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Yes. In particular, you will see that Flanagan's e-mail extracts a couple of brief passages?-- It does, that's correct.

I'm looking at the paragraph commencing, "He refers to the Cooby Dam EAP", and then there is a brief extract from a document?-- There is, yes.

Then beneath the word "and", a further apparent extract from a document?-- That's my understanding, yes.

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Yes. If we go to Mr Totenhofer's report, one will see those passages appearing in the first case at page 5 of 13 and perhaps that's all I need - under the graph. The second brief passage extracted in Mr Flanagan's e-mail is in fact the last paragraph on that page?-- That's correct.

You've read Mr Flanagan's e-mail?-- I have.

Can I ask you whether you agree with the contents of it or whether you have a different view with respect to some, and if so which, of the issues addressed?-- No, I agree. I was aware of the material or Mr Flanagan's responses before the e-mail was prepared. It was discussed with the senior management team.

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On the second page of Mr Flanagan's e-mail, he discusses the observation if not a criticism with respect to the failure to notify downstream property owners of the triggering of flood event stage 2 and he deals with that in the paragraph commencing, "As for notifying about Event Stage 2"?-- Yes.

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It is in substance in the terms you've described to us a few moments ago?-- That's correct, yes.

Then a little further down that page is a heading "Climate Summary". Do you see that?-- I do, yes.

As it happens, that is extracted from Mr Totenhofer's report at page 6. We needn't turn to it at the moment but are you sufficiently familiar with it to recall that that passage is extracted from Mr Totenhofer's report?-- Yes. Yes, I am.

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The passage in question refers to or includes an assertion that Oakey's flood surge was contributed to by a combination of circumstances, the second one of which is said to be, "Significant additional flows in the Oakey Creek due to Cooby Dam overflowing", et cetera?-- Yes.



He comments, that is Mr Flanagan comments, in response that the "Flows from Cooby were not Significant" - perhaps there is a typographical issue there, "were not Significant additional. They in fact were regulated flows from about one-third of the upstream catchment"?-- Yes.

He goes on to say that, "If Cooby was not there the flood in Oakey would have been worse"?-- Yes, I agree with that.

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Those observations are made further to an observation just above the heading "Climate Summary" where Mr Flanagan says, "David has got the causes of the flood pretty right except for his comment on Cooby"?-- That would be right, yes.

Now, a couple of points. Do you agree that if the Cooby Dam was not there the flood in Oakey would have been worse?-- I do. Under the conditions that we experienced, the inflows from - to the dam would be expected to be in the order of somewhere around 600 cubic metres per second. The maximum outflow from the dam was 258. So it in fact controlled the release of that water which otherwise would have flowed unimpeded down Oakey Creek.

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He also comments in the sentence to which we have referred to the effect that the flows from Cooby were regulated, that is the dam, were regulated flows from about one-third of the upstream catchment?-- Yes.

Now, the catchment of Oakey Creek, particularly at Oakey, is influenced by many streams, watercourses and creeks?-- That's correct, yes.

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The catchments of which flow into Oakey Creek; is that?-- That's correct, yes.

We've referred to Meringanden Creek and Gomaren Creek as two examples?-- Yes.

But, in fact, there are many others, are there not?-- There certainly are others as well.

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In fact, the topography of this catchment, the total catchment of Oakey Creek, is a complex one, is it not?-- I would agree. There's a large number of subcatchments if you like which contribute to that Oakey Creek catchment.

In your statement you comment at paragraph 10 that, "The total area providing runoff to Oakey is 550 square kilometres"?-- That's correct.

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You say that the Cooby Dam catchment is 162 square kilometres and an Oakey Creek catchment of 388 square kilometres lies between Cooby Dam and the town of Oakey?-- That's correct, yes.

So that - you go on to say that the, "Cooby Dam catchment therefore comprises of 29.5 per cent", let's say a little

under 30 per cent, "of the total catchment area?-- That's correct, yes.

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Do you infer that it is those facts which Mr Flanagan had in mind when commenting that the Cooby Creek catchment was about one-third of the total upstream catchment?-- I believe so, yes.

It might be in that context that it is appropriate to briefly turn to Mr Inwood's observations where in his statement, Exhibit 94, he commented to the effect that the flooding on his property was caused by the Cooby Dam overflow?-- Yes.

10

He assisted us by identifying that his property is about halfway between the Cooby Dam and Oakey?-- That would be, yes.

And is downstream of the confluence of Meringanden Creek and Gomaren Creek and Oakey Creek?-- It is, yes.

Would you give us your opinion as to whether the Cooby Dam would have any, and if so what, approximate effect in terms of flood levels on Mr Inwood's property with respect to the event in January 2011?-- Certainly. It is undeniable that Cooby Dam's would have contributed to some extent simply because there was water overflowing the dam and running down Cooby Creek. So it was part of the flow, the total flow that passed Mr Inwood's property. However - and it is not possible to quantitatively determine how much was coming from other sources because there is no gauging station and no information available. However, for the reasons I have mentioned earlier, given that, firstly, Cooby Dam was attenuating flow that was coming into the dam and also because of the much larger catchment area which would have been subject to similar rainfall to the Cooby Dam catchment at the time, that it is - I believe that the majority of that water was in fact coming from those other - other tributaries and from the rest of the catchment. It is also worth pointing out that - well, there is evidence in our photographic data which shows that in fact there is a small stream which doesn't appear to be named which actually enters Oakey Creek through Mr Inwood's property and collects water from a catchment of about 18 square kilometres upstream of his property. So I suggest that there are a number of factors contributing to flooding in that area. Cooby Dam was a part of it but I would not consider it a significant contributor.

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Incidentally, he comments in his statement that - to the effect that in 2006 the council rejected the opportunity to effect a 27 million-dollar upgrade of Cressbrook and Cooby Dams which in his view has, to use his words, "significantly contributed to this flood event". Are you able to comment about that?-- I believe that to be incorrect. Mr Inwood was referring, I believe, to a report in the Toowoomba Chronicle, which was in turn referring to a report which presented to the Toowoomba City Council which advised councillors about an upcoming requirement for us to widen spillways at Toowoomba Regional Council's - or, those days, Toowoomba City Council's dams to comply with the new dam

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safety requirements. There was no funding at risk and there was no intention of raising Cooby Dam.

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Yes. Finally, Madam Commissioner, Mr Kleinschmidt's statement at paragraphs 26 and 27 refers to media releases. For the record, could I indicate that the media release issued on 10 January 2011 referred to at paragraph 26 is part of Exhibit 92, tab 427. That the media release referred to at paragraph 26 as having been issued on the 12th of January 2011 is part of Exhibit 92 at tab 457. And finally, that the media release dated 28 January 2011 referred to at paragraph 27 of the statement is also part of Exhibit 92 and is tab 506.

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COMMISSIONER: Thanks, Mr Gibson.

MR GIBSON: And I have no further questions, thank you.

COMMISSIONER: Thank you. Ms Wilson?

MS WILSON: No re-examination, may the witness be excused.

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COMMISSIONER: Thanks, Mr Kleinschmidt, you are excused.

WITNESS EXCUSED

MS WILSON: Madam Commissioner, they are all the witnesses that were proposed to be called today. I have a list of statements to be tendered without cross-examination. It is a lengthy list and we have got a list to be attached to it. I can read them into the record.

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COMMISSIONER: Do that and I'll give them each an exhibit number. We'll just work through them.

MS WILSON: And then I'll just hand them up in bulk at the end.

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COMMISSIONER: Yes, that's fine.

MS WILSON: A statement by Wayne Peter Waltisbuhl, W-A-L-T-I-S-B-H-U-L.

COMMISSIONER: 191.

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ADMITTED AND MARKED "EXHIBIT 191"

MS WILSON: Two statements by Susan Haughey, H-A-U-G-H-E-Y.

COMMISSIONER: Now, is one to the police and one to the Commission, or-----

MS WILSON: That is the case.

COMMISSIONER: The first will be 192, that's the one to the police, and the one to the Commission will be 193.

ADMITTED AND MARKED "EXHIBITS 192 AND 193"

MS WILSON: A statement by Gerard John Keogh, K-E-O-G-H.

COMMISSIONER: 194.

ADMITTED AND MARKED "EXHIBIT 194"

MS WILSON: A statement by Adrian Stuart Guthrie.

COMMISSIONER: 195.

ADMITTED AND MARKED "EXHIBIT 195"

MS WILSON: A statement by Alistair John Keith Mann.

COMMISSIONER: Mann did you say?

MS WILSON: Mann, M-A-N-N.

COMMISSIONER: Thank you. 196.

ADMITTED AND MARKED "EXHIBIT 196"

MS WILSON: A statement by Julie Marie Johnson.

COMMISSIONER: 197.

ADMITTED AND MARKED "EXHIBIT 197"

MS WILSON: A statement by Christie Maree Minns, M-I-N-N-S.

COMMISSIONER: 198.

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ADMITTED AND MARKED "EXHIBIT 198"

MS WILSON: A statement by Rodney William Minns.

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COMMISSIONER: 199.

ADMITTED AND MARKED "EXHIBIT 199"

MS WILSON: A statement by Maureen Patricia Brennan.

COMMISSIONER: 200.

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ADMITTED AND MARKED "EXHIBIT 200"

MS WILSON: Three statements by Lance William Richardson, two police statements and one QFCI statement.

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COMMISSIONER: What are the dates of the police statements just so we can distinguish them?

MS WILSON: The first police statement is dated the 30th day of January 2011.

COMMISSIONER: That will be 201.

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ADMITTED AND MARKED "EXHIBIT 201"

MS WILSON: The second police statement is dated the 13th of February 2011.

COMMISSIONER: That will be 202.

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ADMITTED AND MARKED "EXHIBIT 202"

COMMISSIONER: And the one to the Commission will be 203.

ADMITTED AND MARKED "EXHIBIT 203"

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MS WILSON: A statement by James John McDonald, and it should be noted that this statement is dated the 14th of March 2011.

COMMISSIONER: That was McDonald you said?

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MS WILSON: Yes, McDonald.

COMMISSIONER: 204.

ADMITTED AND MARKED "EXHIBIT 204"

MS WILSON: It is expected that Mr McDonald may be called in Brisbane hearings in relation to a later statement that he provided. A statement by Bernard John Earsman, E-A-R-S-M-A-N.

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COMMISSIONER: 205.

ADMITTED AND MARKED "EXHIBIT 205"

COMMISSIONER: No, sorry, I just have to get that straightened out. No, it is 205, thank you. Yes, that was?

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MS WILSON: A statement by Gary John Peters.

COMMISSIONER: 206.

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ADMITTED AND MARKED "EXHIBIT 206"

MS WILSON: A statement made by David Andrew Fraser.

COMMISSIONER: 207.

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ADMITTED AND MARKED "EXHIBIT 207"

MS WILSON: A statement made by David Owen Caughley, C-A-U-G-H-L-E-Y.

COMMISSIONER: 208.

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ADMITTED AND MARKED "EXHIBIT 208"

MS WILSON: A statement by Maurice Keith Poiner, P-O-I-N-E-R.

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COMMISSIONER: 209.

ADMITTED AND MARKED "EXHIBIT 209"

MS WILSON: A statement made by David Robert Crighton,  
C-R-I-G-H-T-O-N.

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COMMISSIONER: 210.

ADMITTED AND MARKED "EXHIBIT 210"

MS WILSON: A statement by Ian Peter Stevenson.

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COMMISSIONER: 211.

ADMITTED AND MARKED "EXHIBIT 211"

MS WILSON: A statement by Kevin John Wruck, W-R-U-C-K.

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COMMISSIONER: 212.

ADMITTED AND MARKED "EXHIBIT 212"

MS WILSON: We will also be tendering a submission to the  
Queensland Floods Commission of Inquiry dated the 4th of April  
2011 by Optus.

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MS WILSON: 213.

ADMITTED AND MARKED "EXHIBIT 213"

MS WILSON: Another Optus submission which is undated.

COMMISSIONER: 214.

ADMITTED AND MARKED "EXHIBIT 214"

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MS WILSON: A further supplementary submission made on behalf of Telstra Corporation dated the 8th of April 2011.

COMMISSIONER: 215.

ADMITTED AND MARKED "EXHIBIT 215"

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MS WILSON: And a Technical Report on the Lockyer Valley Floods of 9-11 January 2011 done by BMT WBM.

COMMISSIONER: 216.

ADMITTED AND MARKED "EXHIBIT 216"

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MS WILSON: They are all the documents to be tendered. And a statement by Kevin John Flanagan.

COMMISSIONER: 217.

ADMITTED AND MARKED "EXHIBIT 217"

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MS WILSON: Thank you, Madam Commissioner, I have no further witnesses to call this afternoon.

COMMISSIONER: Thank you. We will adjourn to Goondiwindi at 10.15 on Tuesday.

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THE COMMISSION ADJOURNED AT 4.03 P.M. TILL 10.15 A.M. ON TUESDAY 2 MAY 2011 AT GOONDIWINDI