

QFCI

Date:

7/2/12

jm

Exhibit Number:

1083

Allens Arthur Robinson

5 February 2012

Ms Kyla Hayden
Commission of Inquiry
Queensland Floods Commission of Inquiry
Level 30
400 George Street
Brisbane QLD 4000

ABN 47 702 595 758

Level 31
Riverside Centre
123 Eagle Street
Brisbane QLD 4000
Australia

T +61 7 3334 3000
F +61 7 3334 3444

Correspondence
PO Box 7082
Riverside Centre
Brisbane QLD 4001
Australia
DX 210 Brisbane
www.aar.com.au

Dear Ms Hayden

Seqwater

Requirement to Provide Information to Peter Borrows dated 3 February 2012

We refer to the Commission's requirement to provide information dated 3 February 2012 issued to Peter Borrows which requires the following:

1. a list of any and all meetings, teleconferences and conversations involving employees of Seqwater with:

- (a) Professor Colin Apelt regarding his review of the *January 2011 Flood Event, Report on the operation of Somerset Dam and Wivenhoe Dam*, dated 2 March 2011 (**Flood Report**);
- (b) Mr Greg Roads regarding his review of the Flood Report;
- (c) Mr Leonard McDonald regarding his review of the Flood Report; and
- (d) Mr Brian Shannon regarding his review of the Flood Report,

which includes references to the dates on which the meetings, teleconferences and conversations occurred and the names of people involved in the meetings, teleconferences and conversations; and

2. copies of any and all records of the meetings, teleconferences and conversations referred to on the list

(the **Requirement**).

In this response, we refer to Professor Apelt and Messrs Roads, McDonald and Shannon collectively as the **Peer Reviewers**.

Our Ref MGI:120128021

mwzb A0120054800v1 120128021 5.2.2012

Bangkok
Beijing
Beijing IP
Brisbane
Hanoi
Ho Chi Minh City
Hong Kong
Jakarta
Melbourne
Perth
Port Moresby
Shanghai
Singapore
Sydney

List and records of meetings, teleconferences and conversations

A preliminary list is provided at **Attachment A**.

The list has been compiled from:

- the electronic correspondence between the Peer Reviewers and Seqwater regarding the review of the Flood Report provided to the Commission on 27 January 2012 in response to the information requirement dated 25 January 2012 issued on Peter Borrows (**Borrows Response**); and
- records of meetings contained on the **enclosed** USB which our client has been able to collate since receipt of the Requirement at 7:54 pm on Friday, 3 February 2012.

The list includes references to the Borrows Response and documents contained on the enclosed USB for the Commission's convenience.

In light of the timeframe for the Requirement, difficulties associated with contacting employees (particularly administrative staff) over the weekend and the fact some employees have separate legal representation in relation to the Commission's hearings, our client is not in a position to confirm whether the list captures all meetings, teleconferences or conversations between its employees and the Peer Reviewers.

Furthermore, our client cannot confirm who was involved in the meetings in every instance as records of attendees were not always kept. The names in the list have been drawn from electronic calendar appointments and reception records as contained on the USB.

Other documentation

Our understanding is that John Tibaldi had principal carriage of responding to technical queries from the Peer Reviewers. We note that Mr Tibaldi has been questioned about this (from T5039).

Notwithstanding Mr Tibaldi's testimony, our client intends to continue its efforts to locate any records of the meetings, teleconferences and conversations listed in Attachment A that have not otherwise been included on the enclosed USB.

Given the difficulties in making complete inquiries over the weekend period, Seqwater submits the attached list and USB in partial fulfilment of the Requirement. Further inquiries will be made on Monday, and Seqwater proposes to provide a further update to the Commission, with any supplemental records identified, by **6.00 pm, Monday 6 February 2012**.

To the extent necessary, our client seeks an extension of the time for compliance with the Requirement until 6pm on Monday, 6 February 2012.

Yours faithfully



Michael Illott
Partner

Encl.

Attachment A

Meeting Date & Time	People Involved*	Source in Borrows Response	Source on enclosed USB
20 January 2011 2:00 pm to 3:00 pm	Colin Apelt, Peter Borrows	Calendar appointments by Arnou Pruden on behalf of Peter Borrows sent to Colin Apelt dated 19 January 2012 (2:29 pm, 3:07 pm, 4:55 pm) Email by Colin Apelt to Peter Borrows dated 21 January 2011	Register of Visitors dated 20 January 2011
3 February 2011 10:30 am to 4:30 pm	Jim Pruss, Toni Lake, Mike Foster, Rob Drury, Brooke Foxover, John Tibaldi, Colin Apelt, Robert Arye, Michael Ilott, Bill McCredie, Carrie Mietzel, Sarah Golding	N/A	Calendar appointment by Brooke Foxover Register of Visitors dated 3 February 2011
7 February 2011**	Colin Apelt, John Tibaldi	Email by Colin Apelt to John Tibaldi dated 6 February 2011 Email by John Tibaldi to Colin Apelt dated 6 February 2011	N/A



Meeting Date & Time	People Involved*	Source in Borrows Response	Source on enclosed USB
8 February 2011 1:00 pm to 2:30 pm	Jim Pruss, Toni Lake, Rob Drury, Mike Foster, Fiona Murdoch, Brooke Foxover, John Tibaldi, Terry Malone, Chloe Cross, Barton Maher, Bill McCredie, Michael Ilott, Emma Lawlor, Carrie Mietzel, John Rochester, Colin Apelt, Rob Ayre, John Rufini, Paul Hardman, Ashley Uren	Email by Brooke Foxover to Colin Apelt dated 4 February 2011 Email by Colin Apelt to Brooke Foxover dated 4 February 2011	Calendar appointment by Brooke Foxover Meeting Agenda / Minutes Register of Visitors dated 8 February 2011
9 February 2011 (teleconference) 3:30 pm to 4:30 pm	Colin Apelt, Rory Nathan, Peter Hill, Phil Carter, Brian Cooper, Greg Roads, John Tibaldi, Terry Malone, Jim Pruss, Robert Drury	Email by Brooke Foxover to Colin Apelt dated 7 February 2011 Email by Brooke Foxover to undisclosed recipients dated 8 February 2011 Email by Colin Apelt to Brooke Foxover dated 8 February 2011 Calendar appointment by Brooke Foxover to Greg Roads dated 9 February 2011 Calendar appointment acceptance by Greg Roads to Brooke Foxover dated 9 February 2011	Register of Visitors dated 9 February 2011

Meeting Date & Time	People Involved*	Source in Borrows Response	Source on enclosed USB
18 February 2011 10:00 am to 12:00pm	Jim Pruss, Toni Lake, Rob Drury, Mike Foster, Fiona Murdoch, Brooke Foxover, John Tibaldi, Terry Malone, Chloe Cross, Bill McCredie, Michael Ilott, Emma Lawlor, Carrie Mietzel, John Rochester, Brian Shannon, Rob Ayre, John Rufini, Paul Hardman, Ashley Uren	Email by Brooke Foxover to Colin Apelt dated 11 February 2011 Email by Colin Apelt to Brooke Foxover dated 13 February 2011 Calendar appointment by John Tibaldi on behalf of Jim Pruss to Brian Shannon dated 17 February 2011 Email by John Tibaldi to Brian Shannon dated 17 February 2011	Meeting Agenda / Minutes Register of Visitors dated 18 February 2011 Calendar appointment by Brooke Foxover



Meeting Date & Time	People Involved*	Source in Borrowers Response	Source on enclosed USB
21 February 2011 2:00 pm to 4:00 pm	Jim Pruss, Toni Lake (part of meeting), Rob Drury (part of meeting), Mike Foster, Fiona Murdoch, Brooke Foxover, John Tibaldi, Terry Malone, Bill McCredie, Michael Ilott, Kelly Robinson, Rob Ayre, John Rufini, Paul Hardman, Ashley Uren	N/A	Meeting Agenda / Minutes Register of Visitors dated 21 February 2011 Calendar appointment by Brooke Foxover
23 February 2011 9:30am	John Tibaldi, Colin Apelt, Greg Roads, Brian Shannon	Email by John Tibaldi to Greg Roads, Colin Apelt and Brian Shannon dated 22 February 2011 Email by Colin Apelt to John Tibaldi, Greg Roads, and Brian Shannon dated 22 February 2011 Email by John Tibaldi to Colin Apelt dated 22 February 2011	N/A

(*) – Seqwater cannot confirm who was involved in the respective meetings as records of attendees were not kept. The names listed have been drawn from relevant electronic calendar appointments and reception records.

(**) Unable to confirm whether meeting took place.