

Submission to the Queensland Floods Commission of Inquiry
Her Excellency the Governor
The Honourable Justice Catherine Holmes
Executive Council.

Dear Sirs/Madames,

We are the owners of commercial properties described as

- (1) L2/RP897949:PAR BUNDABERG 12 Toonburra Street Bundaberg.
- (2) L1/RP281,1697/115>:PAR BUNDABERG 10 Toonburra Street Bundaberg.

Please note, that both properties had been filled to acceptable standards as evidenced by testing we had carried out prior to building.

These properties come under the jurisdiction of the Bundaberg Regional Council, and back onto Bundaberg Creek which carries a vast amount of stormwater from within the Bundaberg area.

Over the past 15 years, we, Con & Helen Ragni as owners of said properties have been very concerned by the undermining of a portion of Bundaberg Creek directly behind our Commercial properties.

In 1995, 285mm rain fell between 11th-15th February (BOM figures), causing erosion and undermining on the bank of the creek, and a portion of our land was lost. In April 1995 we took it upon ourselves to rectify the problem by placing rocks along the eroded area, to stabilise it from further erosion. On numerous occasions the Council directed us to discontinue this type of work and work was discontinued.

In August 1996 we sent letters to the appropriate departments as directed by Council, for the necessary permits for the rockfacing of the affected area. In the meantime we engaged an engineer (report included) and based on his recommendations and because of our concern of the coming wet season, commenced work to again try to stabilise the bank. Work was halted by Julie Chappell representing the Department of Environment and Heritage which was then based in Rockhampton (now called DERM), as we didn't have the necessary approvals to carry out this work. She advised verbally that because of the marine vegetation and fish habitat no further work of this nature would be permitted.

In early 2010 we had considerable rains in this area (Feb 1st-9th 256.1mm and March 2nd-8th 230.6mm BOM figures) causing further damage due to the coursing stormwater and because of forecasted rain predictions a letter was sent to Council by us, expressing our concern of slippage and the urgency to act to prevent further erosion. Council representatives visited the site but were not overly concerned, but advised they would investigate and contact the relevant authorities.

During the 2010/2011 floods, a considerable portion of our property including a part of the car parking area subsided and slipped into the creek as was predicted. The area concerned is approx 50 metres in length, and the devastation to Bundaberg Creek needs to be investigated. Council has an easement on part of the property, for a sewerage main, which according to the engineer at VDM, should be of concern to the

Bundaberg Regional Council. I am enclosing his report together with an engineers report from 1995 to verify the gravity of the situation.

At this point we feel that State and local Government have failed in their duty of care to us as property owners, and to the environment by allowing this devastation to happen.

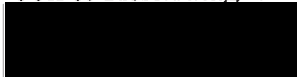
I am including with this submission, supporting correspondence we have had with Council relating to this matter and also engineers reports that verify the gravity of the situation since 1995.

Thanking you for the opportunity to bring this matter to your attention and we eagerly await your response.

Yours faithfully,



Con & Helen Ragni



15th February 2011

OUR REF: 1320
(W5/LTRS/1320-BNK)

Civil, Structural, Hydraulic and
Environmental Engineers
for Land Development, Building
Industries and Municipal

09 August 1996

TO WHOM IT MAY CONCERN

I report that I inspected the west bank of Bundaberg Creek which is adjacent to Lots 1, 2 and 3 on RP 281, Parish of Bundaberg. These lots abut Toonburra Street. The inspection was made on Friday 09 August 1996 in the company of Mr C Ragni.

The bank shows severe erosion in two places, one place is near the boundary of lots 2 and 3 and the worst is mostly behind lot 1. Where the bank has eroded at water level it has undermined it with the upper part of the bank falling in.

During times when there is no significant flood run-off and the creek water movement is tidal the bank is fairly stable. The erosion takes place during high flood run-off. Some parts of the bank are held in place by vegetation but as the erosion occurs it is undermining the vegetation and increasing the eroded area. The erosion is occurring faster than the vegetation, which could stabilise the bank, can establish itself.

Every large flood can be expected to increase the eroded area and extend into the existing and proposed car-parks. This erosion if not stopped may eventually endanger the buildings.

Bank protection should be undertaken before any more large floods occur. Otherwise there is a great risk of severe damage occurring to the improvements on the land. This protection can be tackled as follows.

Loose rock say 300 to 700 diameter can be tipped over the bank and hand or machine placed. A toe of layer rock may be needed at the base to hold the rock in place. Plant and encourage suitable vegetation to grow which will help stabilise the bank and the rock slope.

A layer of geofabric could be laid first before placing the rock. This is probably not necessary in your case.

Another method is the use of gabions. Although these are very good they are also expensive.

Whatever method is used, action should be taken swiftly so as not to lose any more of the bank.

Yours faithfully

Planning Applications - Sub-Division
Plans - Land Rezoning - Reports -
Feasibility Studies - Roads - Water
Supplies - Sewerage - Drainage -
Industrial, Residential, Rural and
Commercial Buildings, Environmental
Impact Statements, Contamination
Reports

[REDACTED]

24th January 2011

[REDACTED]

Con & Helen Ragni

[REDACTED]

Attention:Con

Dear Sir

Re: Flood Damage Investigation: 10-12 Toonburra St, Bundaberg

The above mentioned property was inspected by [REDACTED] on the 11th January 2011 at the request of Con Ragni to investigate the extent of damage and potential methods of rectification of the erosion incurred during the recent flooding event.

The allotments inspected contain commercial premises with rear vehicular access to the businesses via the easement B on Lot 2 RP897949. Since both allotments are owned by the one entity, right of way is by agreement. The area to the rear of the premises is bitumen surfaced to the property boundary to enable turning manoeuvres and to control infiltration, erosion etc. There is a piped stormwater drainage system collecting roof water off the buildings and surface runoff from the asphalt surface being discharged via piped outlets extending to the pre-existing face of the embankment, which is the subject of this inspection.

The surface levels indicated on the historic sewerage infrastructure drawing, provided by C.Ragni (attached), indicate that Lot 2 RP897949 has been filled approximately 2 meters at the rear. Presumably this may have been at the time the abovementioned easement B was handed over to council as part of a Material Change of use for the construction of the currently existing business premises. Visible indication of the allotment fill, would suggest the fill was placed in a controlled environment with due care and diligence, since there are no depressions in the pavement surfaces and the current condition of the buildings.

The gradient of the pre-existing embankment to the east of the property boundary, visible in the photographs provided by C.Ragni taken in 1996 at the time of filling the lots, appears excessive considering the embankment is approximately 8 meters high above the current water level and possibly only consists of marine silts and clay. The photographs show clear indication that there have been several slip failures of this embankment in the past at the rear of No. 10 (Lot 1 RP281), and the planting of the bamboo to the rear of No. 16 (Lot 9 RP56212) being an apparent attempt to prevent further slippages.

[REDACTED]

[REDACTED]

The owner, C.Ragni, attempted to place a boulder retaining wall along the property boundary of Lot 2 RP897949 in 1996, (shown partially constructed in photographs) only to be stopped by council enquiries regarding compliance with state and local governance regulations. The photographs of the partially constructed wall, suggest the rock that was placed did not have a stable platform due to the visible crack visible in the photographs, and the fact that those rocks do not appear to still be in place. This may suggest that the creek has a steep face well below the water level and the entire embankment is unstable requiring further investigation.

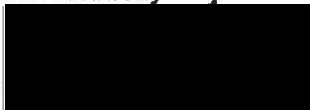
The longitudinal cracks appearing in the asphalt surface along the top of the wall indicate that there is additional slope instability, which should be monitored and will require replacement as part of remedial works.

The current depth and location of the 450mm Dia, Trunk Sewer main and manhole at the rear of No. 10, being only approximately 5 meters deep. This infrastructure may be affected by further slippages of this embankment during annual localised high rainfall events or Burnett River flooding event and therefore should be considered as a priority to council to have this embankment stabilized.

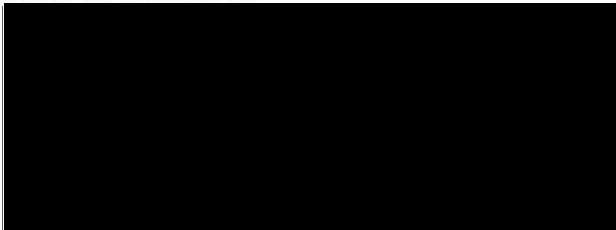
Due to the unknown depth of the embankment instability along this section of Bundaberg Creek, the most successful method of rectification would be achieved through Pre-cast concrete revetment walls, driven into the marine silts at depth. The face protection of this retaining structure would address the hydraulic force created by the water as it rounds the bend in the creek. Leeching of the soil from behind the structure would need further consideration. Find attached brochures of a regional contractor capable of providing these services.

If you have any further questions regarding this report, contact our Bundaberg office.

Yours faithfully



ROB MARSHMAN



Encl.

cc

Bundaberg Electorate Office

From: [REDACTED]
Sent: Thursday, 6 January 2011 11:45 AM
To: Bundaberg Electorate Office
Subject: FW: Re 12 Toonburra Street, Bundaberg
Follow Up Flag: Follow up
Flag Status: Purple
Attention: [REDACTED]

[REDACTED]
[REDACTED]
A member of my staff ([REDACTED]) rang CEO [REDACTED] this morning but he was in a meeting with his senior officers. One of the senior officers that we tried to contact yesterday, [REDACTED] called [REDACTED] back following the meeting with the CEO. [REDACTED] passed on the same advice that I provided to your office yesterday and emphasised that the legislation provides for emergency works to be undertaken to protect buildings in this sort of circumstance and that it is appropriate and permissible that the council get on with it as soon as it is able, with a safety plan in place and, if possible, with the advice of an engineer to make sure that the works are sound. We can sort out the development approval process later. [REDACTED] advised that the council will try to assist landowners/shop owners that are affected as they have a sewer main in the area that will need to be considered when works are undertaken in the area.

[REDACTED] also advised [REDACTED] that we would have a quick look at the site after the Disaster Recovery meeting tomorrow. [REDACTED] will also be involved in that meeting and we can discuss the matter further if required.

Good luck with this matter and with the flood in general. If I can be of further service, please let me know.

Randall

Regards

[REDACTED]
South East Region
Department of Environment and Resource Management
[REDACTED]
[REDACTED]

From: Bundaberg Electorate Office [mailto:Bundaberg@parliament.qld.gov.au]
Sent: Wednesday, 5 January 2011 5:01 PM
To: [REDACTED]

7/01/2011

Con & Helen Ragni

North Bundaberg

15 June 2010

Bundaberg Regional Council
Bourbong Street
Bundaberg 4670

15 June 2010

Dear Mr [REDACTED]

We would like to bring to Councils' attention an erosion problem which we feel needs to be addressed. The problem we refer to is a small section of Bundaberg Creek, directly behind our properties at 10 & 12 Toonburra Street.

During heavy rains, quite extensive erosion occurs at this section of the creek. We believe that the damage is directly caused by the extreme volumes of stormwater runoff and not tidal influence. Our greatest fear at the moment is that further damage will occur and cause subsidence to our property unless some form of works are carried out to stabilise this area.

Our tenants have requested that we resurface the car parking area and install security fencing, however until the erosion problem is resolved it would be inadvisable for us to carry out these works.

We understand that there would be environmental implications in stabilising this affected area, and we are now asking for Councils' help in addressing this problem, as we are aware that Council has the resources and the knowledge to carry out this type of work.

Thank you for your attention in this matter and we await your reply so we can move forward in rectifying this situation.

Yours truly

Con & Helen Ragni

PS We will be out of the country until 15th July and therefore will be unable to be contacted. Upon our return we will contact your office for a meeting.

24 June 2010

Con and Helen Ragni
PO Box 7475
NORTH BUNDABERG QLD 4670

Dear Con and Helen

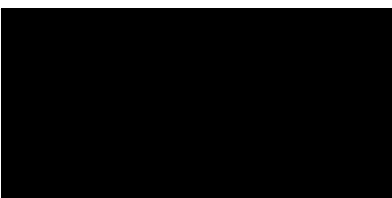
Re: Erosion Problem

I wish to acknowledge receipt of your correspondence dated 15 June 2010 regarding erosion problem in creek behind Toonburra Street.

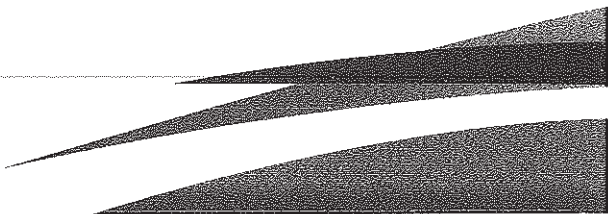
This matter has been brought to the attention of Council's Officers and we will notify you of the outcome pending completion of our investigation.

If you require any further information, please contact Council's Manager Roads and Drainage Services, Mr [REDACTED]

Yours faithfully



Group/Manager Roads & Drainage



7TH MARCH 1995.

C & H RAGNI

BUNDABERG. 4670

The Town Clerk

Bundaberg City Council

Dear Sir,

We wish to bring to your attention an erosion problem in Bundaberg Creek. At present we are the owners of properties situated at 10 and 12 Toonburra Street which back onto Bundaberg Creek.

Directly below said properties the creek has a natural bend. Over the years the shape of the creek, particularly at the bend has changed, mainly due to the undermining of the bank during heavy rains. Tidal movements appear to have no effect.

We are aware that there is a large catchment area within the city of Bundaberg, which is directed into Bundaberg Creek. This is evident during storms and heavy rain when huge volumes of water enter the creek and one can understand the effect these volumes of water are having on this part of the creek. It would also appear that no compensation has been created to avoid the resulting erosion. Tree loss is quite evident, also adding to the problem.

At present 12 Toonburra Street is vacant, however we do intend to build in the near future, hence restricting access to the area where the problem needs to be rectified.

We would appreciate it if council could inspect and evaluate this situation, as we are fearful that in the future this erosion down at water level will undermine the bank further, causing subsidence which would be detrimental to the creek and to our property.

We eagerly await your response and we thank you for your attention in this matter.

Yours faithfully

C & H Ragni



BUNDABERG CITY COUNCIL

All communications to be
addressed to the
Town Clerk/Chief Executive Officer

P.O. BOX 538,
BUNDABERG,
Queensland, 4670

345B:NKL
W-8.3.95

17th March, 1995.

Mr. C. and Mrs. H. Ragni
1 Phillips Street
BUNDABERG QLD 4670

Dear Mr. and Mrs. Ragni,

Re: Request for attention to erosion at your Properties at 10 and 12 Toonburra Street.

I have to advise that your undated Letter, received on 7th March, 1995, reference above, was received by Council at its Meeting of 16th March, 1995, the contents being noted.

As Resolved by Council, I have by direction to advise that it is anticipated the "Drainage Analysis and Catchment Management Plan" for The City of Bundaberg will be received in the near future

- and following receipt of the aforesaid Plan - Council will be looking at areas of priority.

Yours faithfully,

Town Clerk/
Chief Executive Officer.