Name of Witness	Darren William ZANOW
Date of Birth	[redacted]
Address and contact details	[redacted] Fernvale [redacted]
Occupation	Chief Executive Officer
Officer taking statement	Detective Sergeant Stephen Platz
Date taken	04/04/2011

Darren William ZANOW states;

1. I am the Chief Executive Officer for Zanows Sand and Gravel Pty Ltd & Zanows Concrete Pty Ltd. This business is owned by my Father Vivian and his two son's Bradley and Darren ZANOW. The business is a large Sand, Gravel and Concrete operation situated at [redacted] Fernvale. The site is located on the Southern Bank of the Mid Brisbane River approximately 17 kilometres downstream of the Wivenhoe Dam wall and 15 kilometres downstream of the uncontrolled Lockyer Creek intersection with the Brisbane River.

2. As Chief Executive Officer I am responsible for the strategic management of this operation and due to its impact on our operations, I have taken a keen interest in the Geology of the Brisbane and Bremer River environs, its Hydrological processes and in particular water management and flooding. This has extended to the operation of the Wivenhoe and Somerset Dams. I have a good understanding of these processes through my tertiary studies which included water Hydraulics.

3. The Zanows operation was established at this site in 1996 and since then has gained all necessary approvals for all activities carried out on the site. The site had been quarried by previous operators dating back to before the early 1970's. The Zanow family interests also include a large property on the banks of the Bremer River at North Booval in Ipswich. The Zanows also operate another extractive industry on the

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Buaraba Creek at Coominya which feeds specialised sand and gravel to the main quarry operation at Fernvale.

4. Before the January 2011 flood, this operation employed approximately 40 fulltime staff and many other casual and support staff with the majority working from the Fernvale quarry site. By the very nature of this industry, it is essential that the operation be located close to the raw product extracted from the Brisbane River Alluvium, thus the business infrastructure is located within the flood plain on the high bank of the Brisbane River.

Flood History

5. The business has experienced many flooding events since 1996 including larger events in 1999 and 2010. During this time, we have learnt to be very vigilant of the weather, dam operation and storage capacities, Brisbane River and its relationships with the Lockyer creek and Bremer River. Both Vivian and his brother Desmond Zanow talk periodically about the 1974 event and its effect on these tributaries. Both brothers have been associated with these rivers all of their life. Vivian is [redacted] years old, and Desmond [redacted]

6. As part of our development applications at the Fernvale quarry site, two Hydrological studies were undertaken to look at the relationship the quarry has with the riverine environment. These studies also included other parameters including potential flood events. The North Booval site has also had two Hydrological studies conducted to determine building allotment heights, primary flow paths and bank stability issues. The Coominya Site has also had an extensive Hydrological investigation as part of the Development application process and subsequent approval.

7. Past flood events, Geotechnical reports, Hydrological reports, local knowledge, site constraints and economic considerations were taken into account when establishing our extractive industries business at the Fernvale site. This allowed us to establish how flooding would effect our operation in all respects in relation

to Wivenhoe Dam discharge combined with Lockyer Creek discharge, to ascertain flood levels at the quarry site.

8. Whilst the levels a total discharge is kept to relate to many parameters. Traditionally, a level of around 1750 Cubic metres per second seems to have been adopted by SEQ Water as a maximum total discharge past the site in a normal flooding event. When our flood Levy bank is in place in the Western Extraction, water does not enter this extraction, and therefore does not flood the Southern approaches of the Brisbane Valley Highway adjacent to our current workings. Should the levy bank not be in place, both the highway and the extraction would be flooded. The Highway would be flooded to a depth of approximately 350mm and the extraction would be flooded to a depth of around 20 metres. This area of the Brisbane Valley Highway floods before the Tim Fischer Bridge. It is accepted that the deck of the Geoff Fisher Bridge will become inundated at a flow rate of around 2000 Cubic metres per second.

Relationship with SEQ water

9. Whilst various matters have been discussed in the past with SEQ Water, the relationship has at times been strained. In March 2010 a series of communication began, involving letters, e-mail correspondence, a meeting and telephone calls. These requests related to three main areas of concern for our business, these are;

- A direct line of communication regarding water releases.
- Obtaining a copy of release procedures.
- Slower reduction in gate releases to reduce bank slump.

After the October 2010 flood release, my brother Bradley and I spoke at length regarding the flood storage capacity of the dam. Whilst not actually verifying our thoughts through calculation of facts, we formed the opinion there was not sufficient flood storage capacity should predictions of heavy rain occur. At this time we thought it important to request SEQ water to consider reduction of the

FSL of Wivenhoe Dam during high potential rainfall periods to increase the flood storage compartment.

10. The requests made were mostly to no avail. During this time, we had no satisfaction obtaining a copy of flood release procedures and a direct line of communication with Wivenhoe Dam, so information could be shared regarding water releases, allowing us to take appropriate action. This information is vital to ensure our emergency flood action plans could be implemented in a timely manner to limit damage to our business in all respects.

11. After considering our earlier thoughts on dam flood capacity, my brother Bradley and I researched statistics available regarding dam capacity, area of watershed within the catchment including the Lockyer and Brisbane River systems and calculating possible flood peak scenarios, it was decided to pursue this issue as a matter of urgency to gain some communication and better understanding of how flood water is released.

12. On the 7th day of October, 2010, I phoned and asked to speak with Peter Borrows (Chief Executive Officer, SEQ Water). The receptionist and I had a heated conversation after she refused my request to talk to Peter Borrows. The receptionist kept telling me to listen to the media reports. I informed her that the reports were inaccurate. I outlined that the local radio station River 94.9 were broadcasting that the Fernvale Bridge was "going to be cut" which was later proven not to be the case. After much meaningless discussion, the receptionist put me through to "Arnu" and I once again asked to speak to Peter Borrows to which she denied my request. I told her to tell Peter Borrows "I hold him legally responsible should he release water and not tell us". They just continually told me to listen to media reports. A copy of the correspondence with SEQ Water is available upon request. On the same day in a telephone conversation with Mr Rob Drury, (Wivenhoe Dam Manager) he advised that SEQ Water would not take on the role of advice to downstream land owners. I told Rob that "if he floods us out they will be liable for any damages if they do not tell us". Rob stated that he would get someone to ring me back.

13. On the 8th day of October, 2010, I phoned Rob Dury to get an update. Rob had not done anything, and told me to listen to media reports. I told Rob the media is not reliable. Rob said he would get back to me. On this day at 11.55am I also called SEQ Water media on [redacted] seeking information and got a message bank. After venting my frustration to various parties, we accepted an invitation from the Mid Brisbane River Irrigators to attend a meeting with SEQ Water at 9.00am, Friday, the 10th day of December, 2010.

Meeting with SEQ Water on 10th December 2010

14. Within this meeting the three main issues, as mentioned, were discussed. Firstly the communication issue was discussed to which SEQ Water was still not taking any responsibility for informing us. They only wanted to tell council and in turn tell us. We outlined that this was a totally unacceptable situation for many reasons including the main reason of time. An 1800 number for people to ring was proposed. It was evident SEQ Water wanted to do the least work possible in terms of information sharing which is in contradiction to their own release procedures manual, page 16, section 6.3, which states;

'Seqwater is responsible for the issue of information regarding storage conditions and current and proposed releases from the dams to the public and the media'.

15. We then turned our attention to hydraulic drawdown issues and the huge amount of environmental damage flood water volumes had on bank slump when dam gates are reduced quickly. Mr Rob Drury informed us that the reduction in release was determined from their modelling of 5 natural flood events to which they reduce releases to suit.

16. Bradley Zanow (my brother) then asked if SEQ Water had considered reducing the full storage level during the monsoon season to give more flood storage to help reduce the peak flooding. Bradley explained his ideas in detail. He explained that people do not use as much water as they previously did, and we now have a billion dollar water grid which is sitting idle as well as Wyaralong dam which was

near completion. Bradley also explained that the water grid should be used and maintained as it would fall into disrepair if it was mothballed. As part of his explanation he outlined that there is a huge catchment which if it had a lot of rain, the dam would be at 200% in no time. Mr Rob Drury was of the opinion that reducing the FSL to 70 or 80% would not have a marked effect on the flood storage capacity of the Wivenhoe Dam. They also advised that a change of legislation would be required to release the drinking water compartment to a volume less than 100% following a flood event. These comments were disappointing, given we advised our calculations showed a flood event could be mitigated better with more flood storage capacity. I am able to produce the minutes to this meeting.

EXHIBIT: **Minutes to meeting with SEQ water on the 10th December, 2010.**

Marked Exhibit/...DW2-1

17. Bradley Zanow and I had run some simple mathematics after the October 2010 event. We were alarmed with the results. Given there is over 7000 square kilometres of catchment above the dam, should we get a cyclone and it dump 175mm of rain and assuming all of it runs off, even if the Wivenhoe Dam was at 100% to start with, the dam's flood storage would be totally occupied. It was further alarming to us given we had no idea what triggers releases and how much would be released. Furthermore, there was seven cyclones and heavy rain forecast along with a SOI of 20 and a strong la nina weather pattern. Having been associated with the rivers all our life, we were very worried.

18. As a result of the meeting we received limited satisfaction regarding communication. Soon after the meeting, there was an establishment of a data base of e-mail addresses of land owners downstream of the Wivenhoe Dam. The only way I was able to get timely and accurate information was when Mr Graham Keegan (Senior Water Engineer, SEQ Water) began to send out e-mails to the Mid Brisbane River Irrigators, of which we became a member. At this point I

would like to acknowledge the excellent job Graham has done in informing us of the releases and volumes since this communication was established. Should we not have this information; Zanows would be many millions of dollars worse off today. Graham is a shining example of what can be achieved with cooperation. For his efforts during our darkest hours he should be awarded.

19. Since being given timely advice for the December, 2010 event, our flood strategy worked well and we were able to minimise damage to our Fernvale site. This was due to the advice given via e-mail from Graham Keegan.

The January 2011 Flood event

20. On Wednesday, the 5th day of January, 2011, Graham Keegan, had sent the MBRI (Mid Brisbane River Irrigators Association) an email stating "*BoM has released a severe weather warning for rainfall commencing tonight over SE Qld. Significant totals of 100 to 200mm may occur during the next few days. Somerset and Wivenhoe Dams are still above FSL and rising slowly due to continuing base flows from their catchments. As the catchments are still wet (low expected initial losses) it is likely that we will be releasing flood waters in the near future if BoM's forecasts are accurate. Please be prepared. We will keep you up to date with our plans as this event develops*".

21. I responded to Graham thanking him for the advice and asking if he anticipated if there would be a release before the rain event?. Graham responded by saying there is a possibility as Wivenhoe is nearing its "trigger level" so early inflows could force early gate operations.

22. At 12.33pm, Thursday, the 6th day of January, 2011, Graham sent an Update which read; "*We will commence releases via the Wivenhoe Dam gates from 1800hrs (6PM) tonight. At present our plan is to increase the flow to 250cumecs by 2200hrs (10PM) and to keep high level crossings such as Burton's Bridge open for as long as possible. This is dependant upon development of the current rainfall event. Note that BoM forecast is for rain up until Tuesday next week.*

Larger inflows will translate to larger releases. Lockyer Creek is still flowing and rising at various monitoring stations along the creek. We will provide further updates as necessary. Don't forget the websites and 1800 number."

23. This email was updated later that day at 4.39pm to read. "*The flooding situation has deteriorated since my last email. Lockyer Creek is rising at present and estimates indicate a peak of approx 600 to 700cumecs at O'Reilly's Weir late tomorrow. This will close all crossings except Fernvale and Mt Crosby Weir bridges. Burton's Bridge will be submerged again – possibly early Saturday morning. The upper Brisbane River is reaching "moderate" flood levels. Somerset Dam's catchment is receiving rainfall but serious flooding is only occurring in the Kilcoy Creek zone at present. Both Wivenhoe and Somerset Dams are rising. Contrary to the previous email and providing the weather does not change significantly, we do not expect to commence releases from Wivenhoe Dam until the Lockyer Creek peak passes O'Reilly's Weir late tomorrow. Our maximum release rate will again reach similar levels to the last release. Expect crossings to be submerged for a couple of days again. We'll update the situation when we have further information".*

24. At 10.56am, Friday, the 7th day of January, 2011, Graham advised; "*Lockyer Creek is beginning to peak at O'Reilly's Weir. High level crossings (except Fernvale and Mt Crosby Weir bridges) will be submerged later today. As we expect heavy rainfall from Sunday to Tuesday (BoM predictions) we will begin releasing flood water from Wivenhoe Dam at 3PM today. Release rate will initially reach 1200cumecs; but may be increased to 1500cumecs rapidly if conditions deteriorate in the catchments. At present we expect to hold the peak rate for a couple of days and continue releasing until the end of the week. Somerset Dam will also be releasing into Wivenhoe Dam at this time. We'll keep you informed of our plans. Don't forget the websites and 1800 number'.*

25. It was obvious to me at this point in time Flood Operations Centre (FOC) had adopted the same strategy used in all previous flood events. This strategy is to wait until the peak of the Lockyer Creek had passed, and then release to the level

the flood manual strategizes in W1 to W4. In this instance, strategy W1D to W1E of the Release Procedures Manual was initiated. At this time the dam levels were below the trigger of 68.5 which is the next trigger to move to strategy W2.

26. On 10.56am, Friday, the 7th day of January, 2011, the following was received from Graham Keegan; "*Lockyer Creek is beginning to peak at O'Reilly's Weir. High level crossings (except Fernvale and Mt Crosby Weir bridges) will be submerged later today. As we expect heavy rainfall from Sunday to Tuesday (BoM predictions) we will begin releasing flood water from Wivenhoe Dam at 3PM today. Release rate will initially reach 1200cumecs; but may be increased to 1500cumecs rapidly if conditions deteriorate in the catchments. At present we expect to hold the peak rate for a couple of days and continue releasing until the end of the week. Somerset Dam will also be releasing into Wivenhoe Dam at this time. We'll keep you informed of our plans. Don't forget the websites and 1800 number*".

27. At 7.11am, Saturday, the 8th day of January, 2011, the dam level reached 68.5 which triggered W2, the transition Strategy and W3.

28. I received a severe weather alert from EWN at 12.25am, Saturday, the 8th day of January, 2011. The alert said "*QLD Severe Weather; Heavy rain & localised flash flooding. SE Coast & Wide Bay/Burnett at risk from later today, Sunday, Monday and into Tuesday.*

29. At 8.26pm, Saturday, the 8th day of January, 2011, an email from Graham Keegan was received which read; "*Current releases from Wivenhoe Dam are 1250cumecs. Our aim tonight is to keep to a maximum flow of 1600cumecs in the mid-Brisbane River (including Lockyer Creek). Without changes to weather conditions, crossings are expected to be affected until Wednesday 12/01.The current BoM Severe Weather Warning predicts the return of rainfall tonight (radar is indicating rain bands moving onto the northern NSW coast at present). Forecast for the next 4 days is for significant rainfall across SE QLD. Possible scenarios include a reduction in release rate to accommodate potential flooding*

in the Bremer River; however they also include larger releases from Wivenhoe Dam if heavy rainfall strikes our catchments. Releases may then extend to the week-end or later. We'll keep you updated as events develop. Don't forget the websites and 1800 number".

30. I responded from my iphone *"Let's hope not..... It would be a very devastating situation for us!*

31. Graham responded by saying..... *"I was trying not to alarm you, but that is what the word "however" is warning of. If we do keep peak flow rate in the river to 1800cumecs, bridges remain open – Mt Crosby Weir Bridge is submerged at 1900cumecs, while Fernvale Bridge is 2100cumecs. The FOC is concerned about the BoM forecasts; if we actually receive what they predict (or even exceed it) then the situation could be worse. Unfortunately we don't know until the system develops."*

32. It is evident that FOC is watching the event unfold. During Saturday and into Sunday the inflow seemed to equal the outflow. It would have been possible to increase the releases under strategies W2 or W3 whereby the dam could have been released at a level of up to total 3500 cubic metres and 4000 cubic metres per second. The trigger for this strategy had been reached the same morning with rain predicted which eventually began to fall heavily onto the catchment very early Sunday morning. The flood compartment volume at this time was around 200,000 mega litres. Had a higher release rate been adopted at 8.00am on Saturday morning, say increased by 1500 cubic metres per second to 3000 for the period from 8.00am Saturday until midday Sunday, and edged up Sunday morning as the peak of the Lockyer Creek passed the Wivenhoe Dam level at 1.00pm, Sunday would have been around 100%, therefore an empty flood compartment. Instead, the water was edged up only to compensate for the passing of the Lockyer Creek. This strategy would have allowed draining of the flood compartment within 7 days.

33. This I believe was a serious error of judgement by the FOC, given the severity of the warnings and the flood compartment being maintained not drained.

34. On Sunday, the 9th day of January, 2011, there was an extreme rainfall event in the headwaters of the Brisbane River. By 9.30pm on Sunday night there was over 10,000 cubic metres per second of water entering the Wivenhoe and Somerset dams. At lunch time on this day, I received a phone call from friends in the upper Brisbane warning of a huge flood and the need for us to get our equipment high and dry. Stage 2 of our flood strategy was enacted at 7.30pm.

35. At 8.33pm, Sunday, the 9th day of January, 2011, Graham Keegan wrote; "*Current releases from Wivenhoe Dam are 1400cumecs. Our aim is to keep to a maximum flow of 1600cumecs in the mid-Brisbane River for the next 24 hours if possible. We may reduce the release as Lockyer Creek flooding increases. At present, river crossings are expected to be closed until Saturday 15/01 if conditions don't deteriorate further. However, please note that we are experiencing major flooding in our catchments. Inflows are approx 5000cumecs in the upper-Brisbane river and 3000cumecs in the Stanley River system, with rainfall continuing. The current BoM Severe Weather Warning predicts heavy rainfall until Tuesday. If these totals eventuate in the next 12 to 24 hours, higher releases from Wivenhoe Dam will be necessary. Fernvale and Mt Crosby Weir Bridges may be affected as early as Tuesday morning. We'll keep you updated as events develop. Don't forget the websites and 1800 number*". This was alarming and more staff were called in to help with the efforts at the quarry. Four staff were now onsite with one staff member dedicated to reviewing weather data.

36. Graham sent another e-mail at 10.27pm, Sunday, the 9th day of January, 2011. It read; *Darren, Sorry, but this is bad news! The FOC has provided another update at 2100hrs. Rivers are still rising and inflow rates increasing – currently 6700cumecs in upper-Brisbane and 4000cumecs in Stanley River. These rates may increase with further rainfall. Releases from Wivenhoe Dam will increase from midday tomorrow and rise to 2600cumecs during Tuesday morning. Peak release rate will be kept below 3500cumecs, with higher flow rates in the lower*

Brisbane River. The aim now is to drain Wivenhoe Dam, but minimize flood impacts in urban areas.

37. I telephoned our local Energex representitive as the high voltage lines running from the quarry, across the river were close to being inundated. Energex attended the site and disconnected the power across the river.

38. 10700 cubic metres was a huge inflow. I contacted Graham by phone to try and ascertain what the river height would be at the quarry when the target was reached of 2600 cubic metres per second and increased to 3600. We knew we had to immediately equalize the Western Extraction beside the Brisbane Valley Highway. During the past we kept flood events of less than 1800 cubic metres per second out of the Extraction by the construction of a Levy bank within the quarry. This also kept water off the highway on the eastern side of Fernvale adjacent to our Extraction. I let Graham know that by 6.00am the water would cut the highway at this point. Whilst the Fernvale Bridge deck has an immunity of around 2000 cubic metres per second, the eastern approach goes under at around 1750 cubic metres per second. The past events over 1750 cubic metres per second did not close the highway as we kept the water off the road with our Levy bank. Graham was kind enough to have a look at previous events to try and ascertain a height at the quarry.

39. Graham wrote, at 1.11am, Monday, the 10th day of January, 2011; *"Darren, I have looked through the DERM website. Their discharge – height data indicates the following historical flows at Savage's crossing:*

Year	*Height (m)*	*Flow rate (cumecs)*
1974	*23.79*	*7393*
1968	*16.12*	*3363*
1971	*14.68*	*2779*
1996	*12.58*	*2019*
1999	*11.40*	*1639*
1992	*10.00*	*1239*
1982	*9.08*	*1006.*

It looks like the river will reach around the 16.25m mark for a flow of 3500cumecs." I thanked Graham for this data which helped us prioritize our evacuation. At this time I went to the Western Extraction. Water had already begun to breach the Levy, and by 5.30am the Extraction was full.

40. Rob Dury sent a text message to me at 2.11am, Monday, the 10th day of January, 2011; *"Darren, sorry for late text but local flooding is closing Fernvale bridge and releases will need to ramp up considerably from current levels. Unavoidable due to high inflows"*. I replied by saying; *"OK Rob.... The western extraction will now back water up over the highway on the southern side of bv highway. Are your approximate time lines still as per Grahams email earlier?"*. Rob responded by saying; *"Unlikely, inflows are increasing as we speak and we will start increasing releases over night but as usual only in incriments. Really cant give a timeframe at this stage"*.

41. At 3.25am, Monday, the 10th day of January, 2011, Graham wrote; "*We have experienced a rapid increase in river levels and inflow rates in the upper-Brisbane River. As an example the peak flow at Gregor's Creek station (near Toogoolawah) is similar to the 1974 peak flow at Savage's crossing (combination of Brisbane River, Lockyer Creek and Somerset Dam releases at that time). The Stanley River is also experiencing major flooding. Flow rates in both rivers may increase if predicted rainfall occurs.*

At 6.20am, Monday, the 10th day of January, 2011, Graham sent the following e-mail; *"Darren, Good luck with everything. I have just been to the Fernvale Bridge. You were correct about the area at Wivenhoe Pocket Road intersection. Water is deeper there than Shine's Gully – bridge deck is still well clear."*

"The flood water and releases began to affect Fernvale Bridge before mid-night. Mt Crosby Weir Bridge was closed at the same time. Increases in Wivenhoe Dam release rates began at 0200hrs on this morning. The initial target is 2600cumecs,

and potential peak rate is 3500cumecs. The release was now expected to continue until at least Sunday 16/01".

42. By later that morning our Stage 2 evacuation had been completed. At this point we watched as the dam increased by around 5% capacity per hour. Stage 3 of our evacuation began at 4.00pm and lasted until 10.30pm. It was early afternoon we got word of the major flash flooding in Toowoomba and the Lockyer Valley. We knew this water would have to come past at around this time tomorrow afternoon and with capacity quickly running out in the Wivenhoe Dam, a true picture was emerging of what was about to happen if more rain fell into the dam's catchment.

43. At 2.42am, Tuesday, the 11th day of January, 2011, Graham wrote; "*Current release rate is 2730cumecs. River heights at various gauging stations are: Lowood 15.89m, Savage's Crossing 15.77m, Burton's Bridge 12.16m and Mt Crosby Weir 15.68m. FOC and BoM are still investigating the Lockyer Creek flash flood. If necessary (or possible) the release rate will be modified to moderate effects in the mid-Brisbane River zone. At present the peak appears to have passed Glenore Grove around mid-night but no significant rise has occurred at lower Lockyer gauging stations. The overall strategy of maintaining the lower Brisbane River at a peak flow of 4000cumecs has not changed*".

44. Between 5.00am and lunch time on the 11th day of January, 2011, 400mm of rain fell at Fernvale and up into the catchment. At 6.30am I lost all communication, other than my iphone. Whilst most of our critical infrastructure, Workshop, Offices, Concrete Plant, major power installations etc had immunity from flooding to a level of around 3800 cubic metres per second, we knew it was going to exceed that level. We got everything we could out, with only five men. By lunch time the site was inundated and access cut off.

45. I received this email from Graham Keegan at 6.53am, Tuesday, the 11th day of January, 2011. "*The release remains at approx 2750cumecs. Current river levels are: Lowood 16.13m (rising), Savage's Crossing 16.19m (rising), Burton's Bridge 12.94m (rising) and Mt Crosby 16.23 (rising). O'Reilly's Weir was*

levelling off but is beginning to rise again. The creek is still rising at Lyon's Bridge. FOC is attempting to maintain flows in the lower Brisbane River at 4000cumecs. However changes to conditions in the catchments will affect this. The upper-Brisbane River has experienced another major flood. We have reduced the flow from Somerset Dam to reduce inflows into Wivenhoe Dam from that source. While FOC were examining the possibility of reducing the Wivenhoe Dam release to accommodate the Lockyer Creek increase, this is no longer an option. The river will rise along with Lockyer Creek; however we will attempt to maintain the Wivenhoe Dam release until the Lockyer Creek peak passes. If the weather situation deteriorates further we may need to increase releases from the Dam and the new target flow in the lower Brisbane River will rise to 5000cumecs (including all streams). We are entering conditions where Dam Safety overrides other concerns – although minimisation of urban flooding remains very important. Please stay up-to-date with the BoM website, our website and the 1800 number".

46. I knew we could only save as much as we could given the personnel constraints. Whilst moving equipment to higher ground, I received the following email from Graham Keegan; 9.50am, Tuesday, the 11th day of January, 2011.

"*The flood situation has moved into a critical phase as the lake is approaching our next trigger level. We began to increase releases at 8AM and will reach approx 3500cumecs by lunchtime today. Local run-off is exacerbating the situation and O'Reilly's Weir is rising also. Somerset Dam release has ceased. At present communications with the FOC are difficult but it appears that river levels will raise significantly – no projections available yet. Current levels are: Lowood 17.05m (rising), Savage's Crossing 18.33m (rising), Burton's Bridge 14.82m (rising) and Mt Crosby Weir 16.76m (rising). The FOC is constantly reviewing the situation and our operations. We will update ASAP, <u>but in the meantime please check your options for re-location</u>. Also listen to emergency services broadcasts for up-to-date situation reports. A severe weather alert is current for SE Qld and further falls of heavy rainfall appear likely*".

47. At 10.00am on this morning there was still 1.65 metres of freeboard in the Wivenhoe Dam. Somerset Dam had been closed off to hold back the Stanley River. I believe Strategy 4 was enacted. As it was raining heavily and the prediction was for it to continue, the release was increased progressively from 9.00am to a peak around 2.00am the next morning. When the next day came, the outflow was reduced and the dam levels increased.

48. It appeared that FOC made a panic release which combined with the peak from the Lockyer Creek. There was still some freeboard in the dam and there was still the option of releasing the fuse plug. This would have only added another 1800 cubic metres per second to the outflow, which could have been mitigated by closing a gate. The Strategy 4 allows for the initiation of the plugs.

49. At 4.33pm, Tuesday, the 11th day of January, 2011, I received a text message from [redacted] which read.

"Flash Flood Warning – Brisbane River to reach 18 – 19m Wednesday AM. Residents close to River or associated tributries monitor situ overnight & evacuate if required".

I responded to this text and asked.

"What location is it going to be at that height".

I never received an answer to my request.

50. At 5.05am, Wednesday, the 12th day of January, 2011, the following email was received from Graham Keegan; "*The lake level in Wivenhoe Dam is receding very slowly and clearance to the fuse-plug trigger is increasing. We are reducing the release rate slowly – current rate is approx 4300cumecs; peak was approx 7500cumecs.Peak river levels and current levels are:*

	Peak	*Current*
Lowood	*25.09m @ 2346hrs 11/01*	*24.37m (falling)*
Savage's Crossing	*24.13M @ 0132hrs 12/01*	*23.99m (falling)*
Burton's Bridge		*18.4m (rising)*
Mt Crosby Weir	*24.91m @ 0327hrs 12/01*	*24.84m (rising).*

Levels in Lockyer Creek are also dropping – the reduction at Wivenhoe Dam will also permit Lockyer Creek to drain quicker. We'll keep you updated on our operations".

51. The following email was received at 2.48pm, Thursday, the 13th day of January, 2011 from Graham Keegan; "*We have begun to increase the release rate from Wivenhoe Dam. Target flow is a total of 3500cumecs at Moggill (downstream of the Bremer river junction with the Brisbane River). The increase commenced at 1300hrs (1PM) today and will rise to approx 2800cumecs by 6PM tonight. Inflows from Lockyer Creek, Bremer River and other minor streams continue.As the Lockyer Creek peak has already passed Savage's Crossing, river rises will occur. Current river levels are: Lowood 14.65m (falling), Savage's Crossing 14.59m (falling), Burton's Bridge (unreliable data) and Mt Crosby Weir 19.16m (falling). Release will continue for approx 7days. Projections are unavailable for opening crossings*".

Flood Damage

52. The inundation of our properties and infrastructure began during Saturday afternoon the 9th January, 2011 with the main eastern extraction being totally inundated with floodwater. At around 8.30pm on Sunday the 10th day of January, 2011, the flood waters initially entered the fixed sand washing and crushing plants and were continuing to rise. Early Monday morning, 11th January, 2011, It was decided to allow the floods into our western extraction site gradually so as to minimise damage to the infrastructure. By 2.30am Monday 11th January 2011 the Western Extraction began filling and by 5.30am the pit was full.

53. On Tuesday, the 11th day of January, 2011, between 10.00am and midnight was when we received the critical amount of inundation that caused the majority of our flood damage. The flooding peaked at around 0130hrs on Wednesday, the 12th day of January, 2011.

54. The damage that was caused by the floods included - five site offices washed away (total losses); one site office severely damaged; nine items of mobile plant equipment including Excavators, Dragline, Mobile screening and processing equipment (the majority of these items were total loss); fixed equipment such as our concrete plant, sand plant and crushing plant; our workshop complex and general equipment (a wide range of damage including electrical and mechanical). Property damage including roads, bunds, fencing, pumps. Damage to the resource and processed stock on hand including silt contamination. Depreciation of property value. These damages have amounted to an approximate total of $9,000,000.

55. Further to our Fernvale operation we also suffered damage to our properties which included road damage and costs involved in emptying our excavation pits. Another issue is the loss in potential value in property we own at North Booval which was inundated and may now be subject to new flood re-zoning.

56. With regards to our damages we have made claims to our insurance companies Zurich and NTI. NTI has covered us for damages to our mobile plant equipment and their response has been good. Zurich has indicated that they will cover us for the remaining damage but at this stage their response had been slow. We have received approximately $400,000 in response to our claims at this stage.

57. During and after the flood event in January 2011, I took photographs of the inundation and damages to our infrastructure. I am able to produce these photographs.

EXHIBIT: **Series of images depicting damage and inundation to property belonging to Zanows Pty Ltd.**

Marked No/..DW2-2

58. I also prepared and forwarded an extensive submission to the Queensland Floods Commission of Inquiry. This submission covers the same information as provided

in this statement but I also outline various allegations and recommendations concerning the operation of the Wivenhoe and Somerset Dams. I am able to produce this document.

59. Our companies operations' are very closely entwined with SEQ Water. Because of the companies long corporate knowledge and its officers close association with the river and its history of flooding, I am making this statement to assist in the management of future flooding events. I do this despite my concerns that SEQ Water officers, about who's judgements and actions I might seem critical could make future essential cooperation with SEQ Water difficult, to the companies detriment.

EXHIBIT: **Submission to Queensland Floods Commission of inquiry, submitted on the 10th March 2011.**

Marked No/... DWZ-3

[redacted]

D.ZANOW

Justices Act 1886

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

(1) This written statement by me dated 04/04/2011 and contained in the pages numbered 1 to 19. is true to the best of my knowledge and belief; and

(2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that ~~I know~~ is false.

..... [redacted] .....Signature

Signed at ...Brisbane.....this.....8th.....day of.....APRIL.....2011.....

Witness Signature..... Signature of officer [redacted]