

Name of Witness	Edward Robert William SPARK
Date of Birth	[REDACTED]
Address and contact details	[REDACTED]
Occupation	Meatworker, [REDACTED]
Officer taking statement	Det Insp Mark Ainsworth
Date taken	28/3/2011

Edward Robert William SPARK states;

1. I am [REDACTED] years of age and I reside at [REDACTED]
[REDACTED] I am currently employed as a meatworker at
the [REDACTED]
2. I recall Monday 10th January, 2011. On this date in the morning I was at
a friends place, John Wheeler. John lives at [REDACTED]
[REDACTED] At about 10.30am on the same date John and I drove to the
Grand Central Shopping Centre where we arrived around 11am. At this
time I recall it was raining lightly. I do recall that we had a considerable
amount of rain the previous Saturday and Sunday in the Toowoomba
area.
3. On travelling to the Grand Central Shopping Centre situated at the corner
of Dent and Margaret Streets, Toowoomba, John and I went into the food
court area where we had lunch. By this time it would have been around
11.30am. The Grand Central Shopping Centre is located on the western
side of the railway line and the West Creek. It is probably the largest
shopping centre in Toowoomba and is very popular with the local
community.

Witness Signature [REDACTED] Signature of officer [REDACTED]

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4. After finishing lunch, we walked to the front entrance of the shopping centre which is located on Margaret Street. I could see that rain was much heavier than what it was when we arrived at the shopping centre. I looked over in the direction of the McDonalds Restaurant which is located diagonally opposite the Grand Central on Margaret Street and I could see that there was water across the road and some minor flooding had commenced. The rain seemed to get a lot heavier and continued to rain heavily for about the next half an hour.
5. Whilst I was standing at the front door of the Grand Central Shopping Centre I commenced video recording the water coming down Margaret Street and the surrounding area on my mobile phone. By this time it would have been about 12.15pm. I recorded about 2 to 3 minutes of footage. Included in this footage was drain located at the front door of the Grand Central which was bubbling up and spurting out water. Also included is a photograph of water spurting out of a drain located in the middle of the traffic island on Margaret Street. On occasions this water would spurt about 10 foot in height.

I now produce a disc which is a copy of the footage I recorded on my mobile phone depicting various flooding events around the Grand Central Shopping Centre on 10 January, 2011.

6. After a short while, John and I then walked to the Garden Town Shopping which is over the train line from the Grand Central Shopping Centre, a distance of about 300 metres.

Witness Signature  Signature of officer 

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As we walked down Margaret Street, the water was about knee deep and was running quite fast. I would estimate that it was running at a speed of about 20 to 25 kilometres per hour. At this time I estimate that it would have been about 1pm.

7. Once at the Garden Town Shops John and I met up with other friends. We remained at these shops for about half an hour and then left and walked to the bus stop located in Dent Street near the intersection of Margaret Street. This bus shelter adjoins the train line and is directly opposite the Grand Central Shopping Centre on the eastern side of Dent Street. Once at this bus stop my friends and I were standing in about knee deep water which I would estimate was running about 30 kmh. I remained at the bus stop for about 30 minutes.
8. I could see that the water from running along West Creek in a northerly direction. The water was now at about waist height and was running at about 40kmh. At this time I saw several cars and other items flow down Dent Street in a northerly direction towards Margaret Street. One of my friends, Jake yelled out that he thought he could see someone in one of the vehicles being washed down Dent Street. As a result Jake and I walked along Dent Street in the direction of the cars to try and confirm if there was anyone in the vehicle.
9. We managed to walk about 10 metres from the bus stop along Dent Street in a southerly direction where I managed to grab hold of a tree. We could not walk any further due to the rapid flowing water.

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From where I was I could see that there was no one in the vehicle and that we had mistaken the vehicle headrest as a person. At this time the water had risen to about chest height and was running at about 50 to 60kmh. At this time Jake decided to swim back to the bus shelter where he felt he would be in a safer position. As I am not a strong swimmer I decided to remain holding onto the tree. I felt this was a safer option for myself.

10 Whilst holding onto the tree the water increased in speed and was raging past me. I saw cars, tyres, timber and other items floating past me at a fast rate of speed. At this time was very concerned for my safety and I continued to hold on as tight as I could to the tree. After a period of time I saw fire officers from the swift water rescue team (SWRT) on the other side of Dent Street. These officers were trying to throw a rope to me in an attempt to rescue me. Whilst they were doing this I heard a lot of people screaming and yelling for me to look out. As a result I looked up Dent Street and saw a white van floating down the water in my direction.

11. I could see this van had some writing on it which I believe said, 'Patrina Windscreens.' I saw this van hit a tree that was about 5 to 6 metres south of the tree I was holding onto and that it actually knocked the tree over and continued to travel in my direction. I made a decision to continue to hold onto the tree I was holding onto as tight as I could. After a short time the van hit the tree I was holding onto. I felt the tree shake and thought some of the roots of the tree had given way.

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Signature of officer [REDACTED]

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The van then bounced off the tree and continued to float north towards Margaret Street. Once it past me I saw it hit a bus stop sign just behind where I was. At the time when I saw the van travelling in my direction I did not think I would survive.

12. At about this time the SWRT managed to get a rope to me. I tied the rope around my waist. Shortly after a SWRT member came over to where I was and put a life jacket on me. At this time the water flow had slowed a little and they managed to walk me to safety. I estimate that I was holding onto the tree for about 45 minutes prior to being rescued. Once I was rescued I was taken to the Toowoomba Base Hospital where I was examined by a doctor. I was released immediately and returned to my friend John's place.

13. Prior to this incident I have lived in Toowoomba for a period of four years. I have never seen flooding like this in that time in the area. I believe that if it weren't for the SWRT I may not be here today. They put themselves in danger to save myself, dodging floating debris, cars and other items.

14. On 28th March, 2011 I took investigators around the vicinity of locations mentioned in this statement. They took photographs of certain locations that I pointed out to them including drainage pipes, Dent Street where I was hanging onto the tree and photographs of where I indicated high water levels towards the direction of the Garden Town shopping centre.

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Signature of officer [Redacted]

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15. Prior to the 10th January, 2011, I did hear on the radio and television weather reports in relation to rainfall in the Toowoomba area. I consider these reports were accurate.

[Redacted Name]

E.R.W.SPARK

Justices Act 1886

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

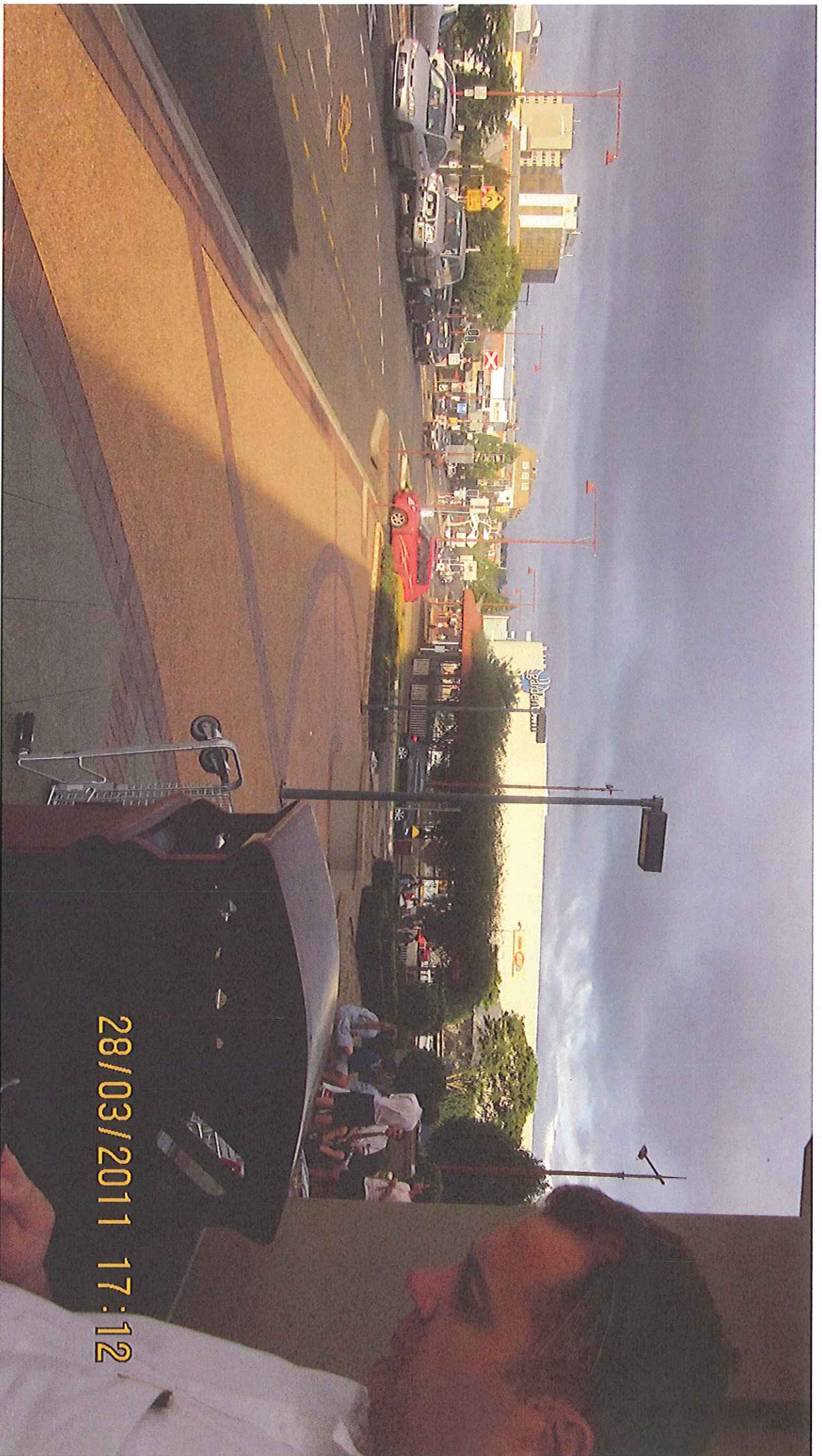
- (1) This written statement by me dated 28/3/11 and contained in the pages numbered 1 to 6, is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

[Redacted Signature]

Signature

Signed at RAMSBORN this 28th day of March 2011

Witness Signature [Redacted] Signature of officer [Redacted]
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VIEW FROM MARKET ST ENTRANCE OF Grand Central Shopping
Centre LOOKING TOWARDS BENT ST.

NO SMOKING
IN THIS AREA



28/03/2011 17:14

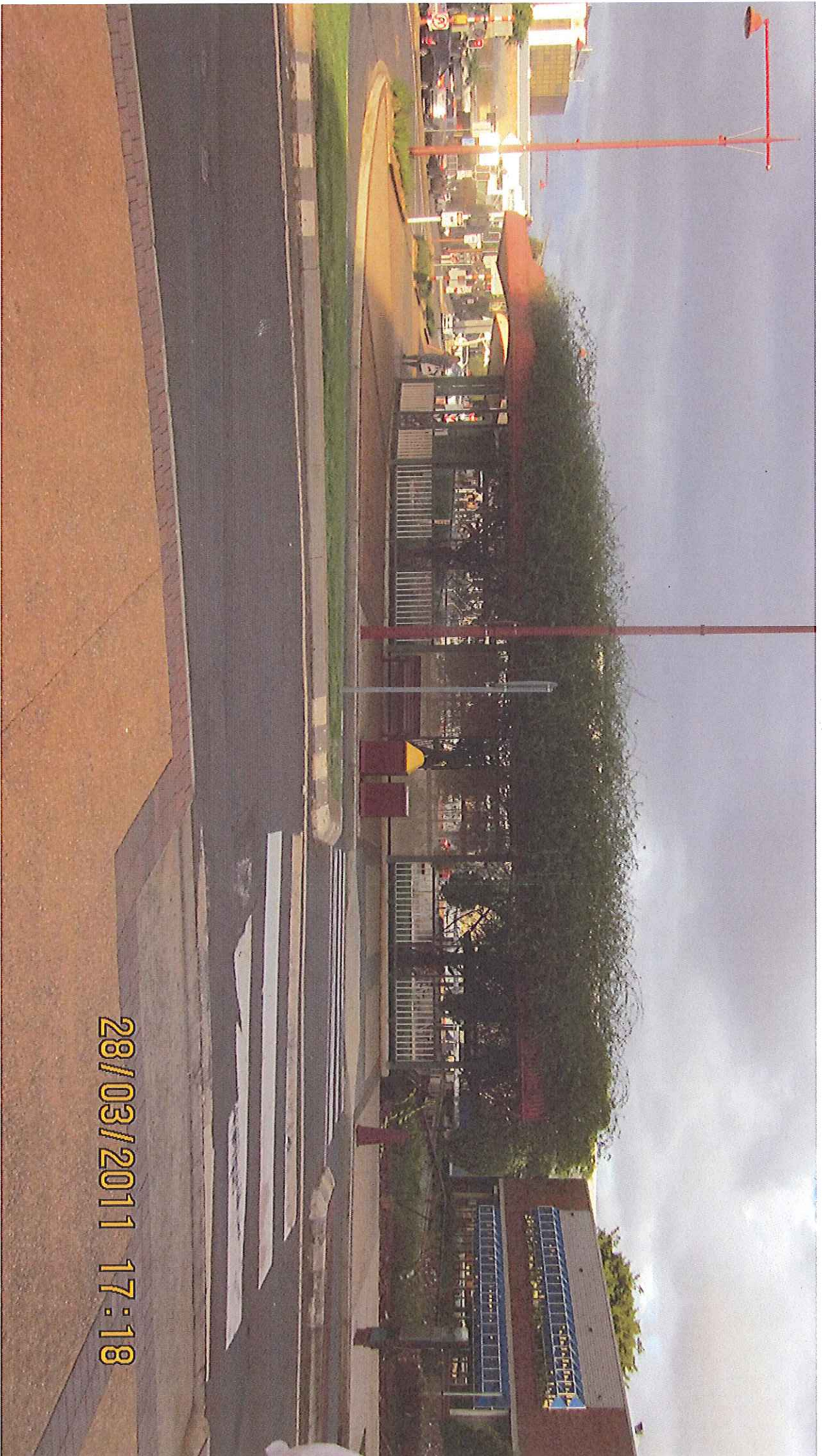
TRAM O'SIDE G.C.S. CENTER AS SHOWN
IN SPACK VIDEO.



S.W. IN SECTION POINT LOCATED ON EASTERN
SIDE OF MARGARET STREET.

28/03/2011 17:15

WATER WAS VIDEOED SPURTING OUT OF
THIS PIPE 0'S 6.C. S. CANOE ON 10/1/11.
LOCATED ON MARGARET STREET.



DENT STREET BUS SHELTER WHERE
SPARK WAS INITIALLY STANDING.

28/03/2011 17:18



where a tree was standing until it was hit by the white van.

TREE IN WALKWAY SPARK WAS HOLDING WHEN IT WAS HIT BY THE WHITE VAN ON DENT STREET.

28/03/2011 17:19

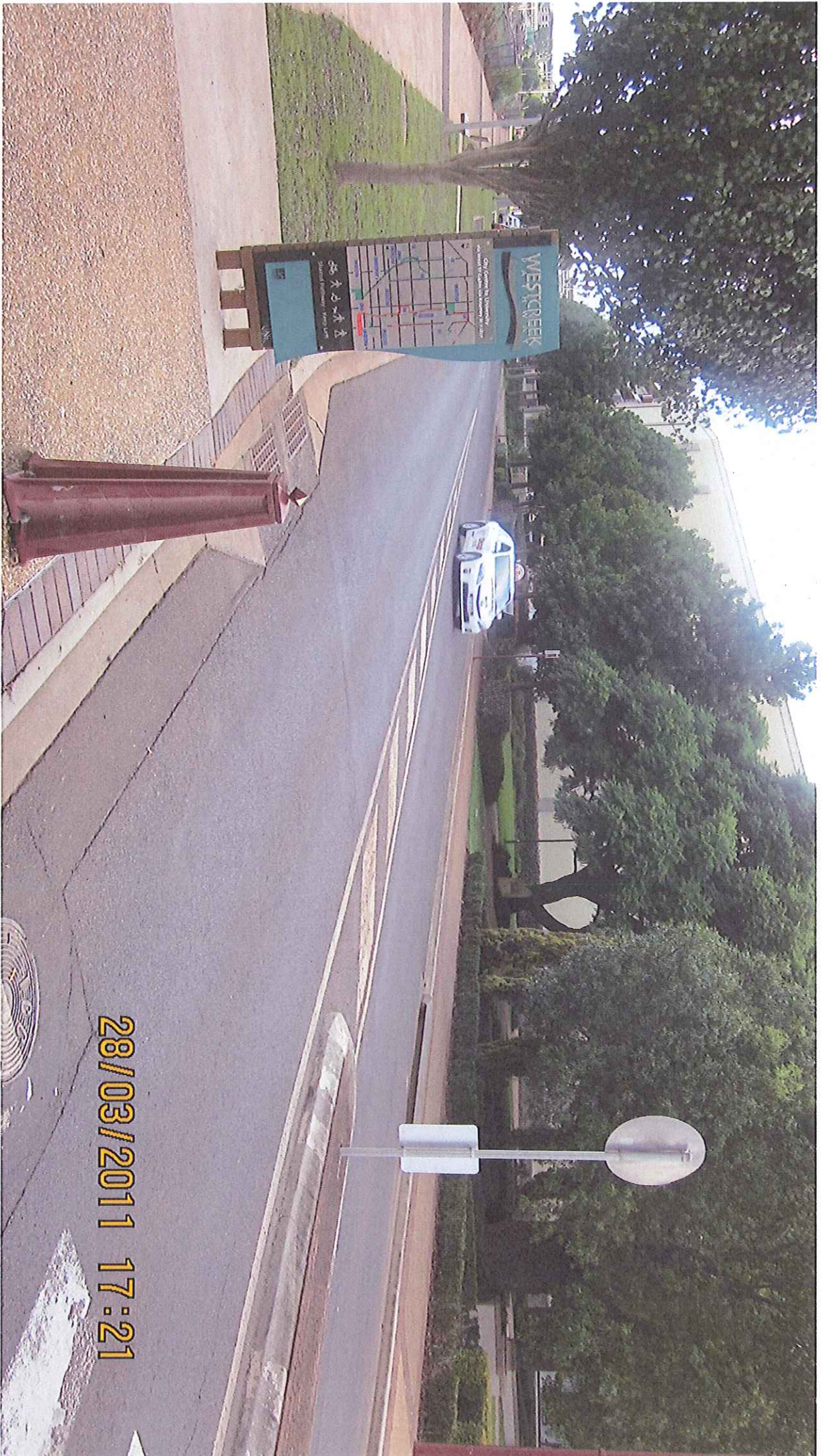


28/03/2011 17:19



LIEBHART ON TREE WHERE VAN HIT.
THIS WAS TREE SPACK MPPS MORNING
ON TD.

28/03/2011 17:20



DENT STREET

28/03/2011 17:21