

<i>Name of Witness</i>	Kylie Vivienne KILROY
<i>Date of Birth</i>	[REDACTED]
<i>Address and contact details</i>	[REDACTED] [REDACTED] [REDACTED]
<i>Occupation</i>	Business Owner
<i>Officer taking statement</i>	Detective Senior Sergeant Mark Reid
<i>Date taken</i>	5 April 2011

Kylie KILROY states:

1. I am a married woman, [REDACTED] years of age and I reside at [REDACTED]
[REDACTED] I currently manage a property of 34 acres where I run sheep and a couple of cattle. Our primary business is a construction company which is situated at our property as well. The property is located on the Balonne River, with our home and yards being within a few hundred metres of the river itself.
2. I have owned the property for the last 6 years and we originally purchased the property in 2005. I am aware that the previous owner had had the property since 1991 and had placed the house in its current position on advice from Ian Hill, who is the owner of the property beside ours. Ian was born on the property next door and is about [REDACTED] years of age.
3. On 5 April 2011 I provided a submission to *The Flood Commission Inquiry*, requesting that an investigation be conducted into the flooding in the St George District during January, 2011.

I am now able to produce a copy of the submission dated 5 April 2011.

TENDERED AND MARKED EXHIBIT NO.....

Witness Signature: [REDACTED]
Page Number 1 of 8

Signature of officer

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4. Whilst I have owned the property we have had significant flooding, but it has never entered our home until this year. The house that I am currently living in is on the highest point of land that I own. My property was the original Sale Yards for the St George District where a cattle plunge dip was also situated. This part of the property had never been under water before, but has recently been inundated 3 times in the last year.

5. In 1990 we received a significant flood in the Balonne River where the height of the flood was measured at the gauging station in St. George. All measurements that I will use in this statement have been received from the gauging station at St. George. The peak of the flood in 1990 was 12.24 metres, which did not cause any inundation to my home or yards. The river level rose onto our property and covered about 5 acres, a fraction of the total property.

6. In 1996 we received another significant flood in the Balonne River where the peak of the flood was recorded as 10.98 metres. This flood did not cover any of our property.

7. Levee banks were built as a result of this flood in 1996 at the adjoining property called Kia Ora. This property is situated on the opposite side of the Balonne River from our property. They were constructed by G and R GRAHAM the previous owners of the property. The levee banks are 7 metres high and approximately 10 kilometres long running from St. George down past our property. Our property is 6 kilometres from St. George. The levees are used as a damming system for the irrigation of cotton on that property. I have attached two photographs depicting the Balonne River with my home and property in the right hand corner, and the Kia Ora Property stretching down the left hand side of the photograph. The levee banks can clearly be seen running parallel to the river. This levee bank seals off Munya Lakes Flood Plains which limits the area that the water can travel across. The limiting of the surface area causes the water to increase in depth. The second aerial photograph shows the inundation of my

property on 8 March 2010. The Balonne Shire hasn't had regulations on levee banks on floodplains for over 20 years.

8. The Balonne River had not had a major peak until March 2010. I had decided to ring Sunwater daily to obtain information about the river heights so that I could gauge whether any action was required by me at the farm in the management of stock and machinery.
9. On Monday 1 March 2010 the prediction for the Balonne River at St. George was 10.98 metres. At this point we had no concern about inundation. Later in the week the prediction for the river was 12.24 metres which I had originally gauged as a safe water mark for me at home. This height allowed us a safe buffer in comparison to previous floods. When I contacted Sunwater on Friday 5 March 2010 the prediction for the river was 14.00 metres. This was concerning as I thought that we would get approximately a metre of water through the house totally inundating us. When the water had started to reach the 11.6 metre mark, our property had started to flood. I was losing height in comparison to the 1990 height of 12.24 metres. At 11.6 metres the flood water had surpassed the previous 12.24 metre height of 1990. At 12.02 metres the property was totally inundated except for the house. I knew at this stage that we were in trouble.
10. On Saturday 6 March 2010 we decided to investigate what was happening with the river heights. We went to the levee bank at Kia Ora across from our property and saw that the wall had been breached in at least one place that we could see. The water was pouring through into the flood plain at a high rate.
11. The final peak of the Balonne River was on Sunday 7 March 2010 at a height of 13.39 metres. This peak in March 2010 was 12mm from inundating my home. By that I mean that the water had risen to within 12mm of reaching the floor boards of my home.
12. The next time the Balonne River peaked was on 9 January 2011. The height of the river was recorded as 13.20 metres, 19 centimetres lower than the March 2010



flood. This flood resulted in the total inundation of my home. The water height had increased by 30 centimetres flooding my home with 7 centimetres of water which covered the floor. As I mentioned earlier, my home is the highest point on our property causing some areas of the property to go under water by 2 metres.

13. This is because the unregulated levee bank blocking the floodplain on the opposite side of the river to my property breached later than it did in March 2010. The levee breached at 3.00am on 8 January 2011, but by this point the water was through the entire house. After the wall had been breached it took about 6 hours before the water went below the height of the floor boards. I have a photograph showing the height of the water dated 8 January 2011. This supports the that the levee banks are diverting water during peak flood conditions. There has never been modeling, or testing done regarding the diversion of water during peak floods.
14. We were evacuated for 13 days in early January 2011 as a result of total isolation due to flood waters. The power had been cut off for safety reasons as well.
15. We came home for the second peak on around 23 January 2011 which reached a height of 12.47 metres. This resulted in the water coming within 1 foot of the floor boards at home. The levee wall at Kia Ora had not been repaired due to the weather conditions. We sat it out at home with water under the house, with wet and mouldy floors wet from 9 January 2011 till the water fully receded on 29 January 2011. The river height at this point was 11.14 metres at 9.00am. This meant that water had totally gone from my block.
16. The second peak of reached 12.47 metres. We are 6 kilokmetres downstream from the gauging station and we measured 13 metres. This is caused by a bottle neck that is just downstream from our property. We are under water, while the natural floodplain known as Munya Lakes sits dry, surrounded by a 7m high levee bank.
17. I think that the peak increase can also be attributed to the construction of yet another levee bank around 3-6 January 2011. The Channel Irrigation was under

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threat of flooding this year, which resulted in a meeting of the Local Disaster Management Group on 3 January 2011 consisting of the St. George Council, Sunwater and the Emergency Services. As an interested party I would have expected to at least be consulted on the process, but I was not advised of the meeting. I have since spoken with the Emergency Management Coordinator, Robert BUNDY for the South West Region and he said that the correct process would have been consultation involving all parties concerned, and he appeared quite surprised that we hadn't been consulted.

18. As a result of the meeting the cotton irrigators were allowed to build a levee 1.2 metres high on the Castlereagh Highway to protect their crops of cotton, at the same time, causing my property to suffer greater flooding. The levee bank is 1.2 metres high and 2 kilometres long and borders the other side of my property. At present the levee banks on both adjoining properties are higher than my home. DERM are very aware of the problem as a result of constant notification by me. The person that I have been dealing with is Jim WELLER.
19. The peak of the 2011 flood reached a height of 13.20 metres, 19cm below the supposed 130yr flood that we had in March 2010.
20. On 5 January 2011 a second meeting was held between the Disaster Management Group, Irrigators and experts from the Cubby Station Cotton Farm to discuss the removal of part of the Kia Ora levee by explosives. Workers could not get machinery into the area due to flooding, and I think that they panicked because the water would have backed up into town flooding a large number of town residents. Last March 2010 a flood map was completed showing the extent of the inundation of St George if the river reached 14 metres. The map showed 80% of the town flooded. I do not have a copy of this map, and I am not sure who it was commissioned by.
21. I rang the Bureau of Meteorology (BOM) last year in April or May 2010 and asked them why their predictions were so far out in the predicted peak heights. I brought to their attention that there were a number of levee banks downstream

from St. George, which they were not aware of. BOM have received a lot criticism over the matter, but they could not give correct readings if they are not aware of construction parallel to the river.

Issues

22. This issue needs to be looked at. We have lost so much, financially, socially and emotionally. For example, a 20yr old Jacaranda tree is now dead from being under water for a month. I cannot replace this, or the livestock that have died. My entire life is now on hold until the levee banks are regulated. This is putting lives at risk.
23. My home was here first. I have to raise my home to avoid further flooding, but we are in no position to do this, financially. My property is worthless while ever it is at risk of flooding from water diverted by levee banks.
24. More levee banks have been built since the March 2010 flood, changing yet again the flood mapping that was carried out. I have brought this to the attention of Federal, State and local Government. For the last 10 months I have written letters, attended Murray Darling Basin Authority (MDBA) meetings, Community Cabinet Meeting in Roma where I spoke to Stephen Robertson, Desley Boyle and Tim Mulherrin. Howard Hobbs (State Member for Maranoa) and Bruce Scott (Federal member for Maranoa) are aware of this problem but refuse to act.
25. The Goondiwindi Shire Council has regulated the construction and destruction of levee banks within their District since approximately 1983. All construction is fully managed. The BOM estimated the river peak height for Goondiwindi to within 20 centimetres of the actual river height of the flood in January 2011.
26. I brought this information along with the need to regulate levee bank construction to a meeting with Balonne Council in 25 June 25th 2010, and was told it would go to Community Consultation over an 18mth period. I wrote to them again in November 2010, and the reply was they had no idea what Consultations I was talking about.

Witness Signature

Page Number 6 of 8

Signature of officer

27. I made application for assistance to the Premiers Disaster Relief Fund on 15 February 2011 due to the inundation of our home and sheds. On 23 March 2011 I was advised that we had been rejected as they had been advised by the Disaster Management Groups Engineer John CARLTON, that our home had not been inundated. I was then required to reapply and fill out a statutory declaration stating my case. This was for the \$2000.00 for home inundation.

28. Over the period of the floods in 2010 and 2011 I took a number of photographs and also had a number of photographs given to me.

I can now produce a series of photographs depicting the floods in 2010 and 2011. These photos depict water heights, our home and yards in inundation and the levee banks associated with Kia Ora and Castereagh Highway.

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29. After a conversation with Detective Senior Sergeant REID on 6 April 2011 I faxed him a copy of 13 pieces of correspondence totaling 20 pages relating to my dealings with members of local and state government on the issue of levee bank construction on the Balonne River at St George. This correspondence has been gathered between 20 August 2010 and 4 January 2011.

I am now able to produce copies of the correspondence relating to my dealings with local and state government between 20 August 2010 and 4 January 2011

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