

Note

This statement has been redacted to remove certain personal information and information that is not relevant to the land planning terms of reference.

STATUTORY DECLARATION

I, Jeanenne Wilkinson of [REDACTED] in the State of Queensland solemnly declare as follows:

General details

1. I am a solicitor of the Supreme Court of Queensland.
2. I am the sister of Michael William Wilkinson, the owner of [REDACTED] 13 Bridge Street, Redbank.
3. My brother is the treasurer of the Body Corporate, and is part of the Body Corporate Committee, which manages the common property and all aspects of the Community Titles Scheme in accordance with its rights and obligations under the *Body Corporate and Community Titles Act 1997 (Qld)* (BCCM Act).
4. I was employed by the legal practice known as Macrossans Lawyers from February 2007 to approximately 14 May 2011.
5. In about January 2011 the Body Corporate for the Jabiru Place Community Title Scheme 19169 retained Macrossans Lawyers as its solicitors, and I acted for the Community Title Scheme 19169 up to the time I ceased employment with Macrossans Lawyers.
6. I am now employed by the Department of Justice & Attorney General and work for the Legal Services Commission.
7. Macrossans Lawyers continues to act in the interests of the Body Corporate.
8. I am authorised by the Chairman and Treasurer of the Committee of the Body Corporate to reference the documents maintained and obtained by the Committee, which relate to the Brisbane Flood Disaster, and planning and environmental matters.

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Jeanenne Wilkinson

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Purpose

9. I have prepared this declaration to highlight significant matters raised in the submissions I settled and submitted to the Commission on 5 April 2011. Those submissions included a number of appendices, which incorporated statements from the owners and residents of Jabiru Place. **ATTACHED** and marked "JW1" is a true copy of the submissions I settled on 4 April 2011 (without attachments).
10. I have no scientific or engineering qualifications and my comments in relation to expert documents are made as a lay person trying to comprehend the effect and content of those documents.
11. I have authorisation from the Committee to make this declaration using the information and knowledge I have developed since my initial meeting with the Committee of Jabiru Place.
12. The information contained in this declaration has been obtained from the records and documents obtained by the Committee or, the Committee members themselves unless otherwise indicated.

Reference and terms

13. For consistency the following terms will be used throughout my declaration:
 - a. **Body Corporate** means the Body Corporate for Jabiru Place Community Title Scheme 19169 located at 13 Bridge Street, Redbank.
 - b. **BCCM Act** means the *Body Corporate and Community Titles Act 1997* (Qld).
 - c. **Brisbane Flood Disaster** or **Disaster** means the flood event that took place on 11 January 2011.
 - d. **Committee** means the Committee of Management of the Body Corporate for Jabiru Place Community Title Scheme 19169 located at 13 Bridge Street, Redbank.
 - e. **Dam** means the Wivenhoe Dam,
 - f. **Development** means the subdivision and construction of Jabiru Place being known as the project "*Abergavenny Unit Development*".
 - g. **Developer** means Abergavenny Investments Pty Ltd.

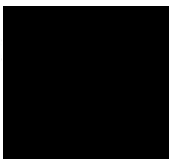
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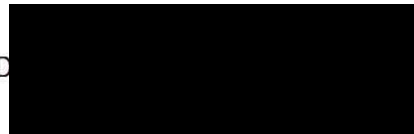
- h. **DTMR** means the Department of Transport and Main Roads.
- i. **DTMR documents** means the documents obtained from the DTMR in response to the Committee's application to access specified classes of documents pursuant to the *Right to Information Act 2009* (Qld).
- j. **Grigg Report** means the report entitled "*A Comprehensive Evaluation of the Proposed Wivenhoe Dam on the Brisbane River*", which reports on a detailed "*examination of the economic, financial, social and environmental effects*" of the construction of the Dam.
- k. **First Grigg Submission** means the submission by Trevor Grigg entitled "*Muddy Waters: The Reality of Brisbane River Flooding*".
- l. **Second Grigg Submission** means the submission by Trevor Grigg entitled "*Defining Socially Unacceptable Exposure to Flood Hazard*".
- m. **Jabiru Place** means the Community Title Scheme 19169 being located at 13 Bridge Street, Redbank.
- n. **Monash Overpass** means the overpass being constructed on land resumed from Jabiru Place by the Department of Transport and Main Roads as part of the Goodna to Dinmore Ipswich Motorway Upgrade. The Overpass exists from the Ipswich Motorway and travels in a northerly direction to join Monash Road at the intersection of Monash Road and Brisbane Terrace, running parallel to McAuliffe Street.
- o. **Owners** means the registered proprietors of the town houses forming the Group Titles in the Community Titles Scheme 19169.
- p. **Origin Alliance** means the legal entity for the Public Private Partnership, which is contracted to project-manage the construction of the upgrade to the Ipswich Motorway.
- q. **Residents** means the occupants of the town houses forming the Group Titles in the Community Title Scheme 19169.
- r. **RTI** means the *Right to Information Act 2009* (Qld).
- s. **RTI application** means an application for access to documents made under the provisions of the *Right to Information Act 2009* (Qld).

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Catherine Wilkinson

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Committee

14. As at 26 December 2010 the Committee at that time was constituted by the following:

- a. Chairman: Matthew Morgan
- b. Treasurer: Michael Wilkinson
- c. Secretary: Anthony (Anton) Rush
- d. Ordinary Member: Jacinta McLaughlin
- e. Ordinary Member: Tania McLaughlin

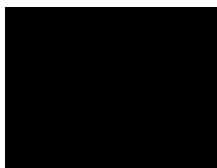
15. Following an Annual General Meeting held on 15 July 2011 the Committee is now constituted by the following:

- a. Chairman: Matthew Morgan
- b. Treasurer: Michael Wilkinson
- c. Secretary: Sharron Campbell
- d. Ordinary Member: Mohammad Sharif
- e. Ordinary Member: Tania McLaughlin
- f. Ordinary Member: Jacinta McLaughlin
- g. Ordinary Member: Shaun Flanagan

Background to involvement

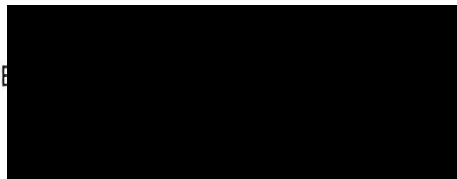
16. In December 2011 Michael Wilkinson informed me the Committee and residents of Jabiru Place were concerned about the impact of construction works on land adjacent to and compulsorily resumed by the DTMR.

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17. There were a number of concerns; but the most pressing concern related to the impact of the construction works for the Monash Overpass on the overland water flows and drainage of Jabiru Place. The construction works, and the construction of the Monash Overpass appeared to be causing flash flooding of the tennis court area.
18. The Committee was concerned about the long-term effect the Monash Overpass would have on overland drainage in Jabiru Place, and wanted to develop a strategy for raising the dispute with Origin Alliance and the DTMR in the context of solving the drainage problems and other issues of concern relating to the construction works, as well as compensation for the nearly 700 square metres of land resumed by the DTMR.
19. At that time I was a fairly new mother and had returned to work part-time for 3-days per week. I worked Tuesday, Wednesday and Thursday, and had some time off work over the Christmas / New Year period because the offices of Macrossans Lawyers was closed.
20. My brother made arrangements for me to meet with the Committee of the Body Corporate for the purpose of developing a strategy for resolving the dispute, and obtaining legal advice in relation to the dispute.
21. I met with the Committee on 26 December 2010. During the course of the meeting I made notes using my brother's computer. The Committee members that were present at the meeting all contributed to the process. **ATTACHED** and marked "JW2" is a true and correct copy of the notes, which I annotated by hand during the meeting and discussion.

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Jeanenne Wilkinson

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Overland water flows

22. After the meeting on 26 December 2010 and, following my advice to document the overland water flow and drainage issues by photographing and obtaining evidence such as rain fall data Jacinta McLaughlin took photographs, which detail the drainage problems on 27 December 2010. **ATTACHED** and marked "JW3" is a true and correct copy of the photographs taken by Jacinta McLaughlin, which were provided to the Committee of Jabiru Place.
23. At the meeting I was informed of various discussions owners and Committee members had engaged in with representatives of Origin Alliance and other organisations in relation to their concerns about the adverse impact of the construction on Jabiru Place. These communications are referred to in detail at paragraph 87.

Brisbane Flood Disaster

24. On 11 January 2011 I was in attendance at my employment, Macrossans Lawyers, Level 23, AMP Place, 10 Eagle Street, Brisbane.
25. Some time in the late morning probably between 11am and 12pm emails were transmitted to all staff that warnings were being given for all employees to make sure they were out of Brisbane City by lunch time because public transport from the City to suburbs was due to cease at lunch-time because more water was being released from Wivenhoe Dam, and it was expected Brisbane City would become flooded.
26. On that day I had driven to Mowbray Park Ferry Commuter carpark and had parked there.
27. I received information that the Brisbane River Cats had already ceased operation, and checked to see what bus I could catch up Shafston Avenue to Mowbray Park. I subsequently queued in Edward Street for a bus along with a large crowd of other people.
28. I was fortunate and it did not take long to get on a bus. I recall the bus driver was very decent and took on as many people as could cram onto the bus. I was

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practically standing in the windscreen of the bus. The radio back to Brisbane Council Bus Headquarters was providing a commentary about the fact that bus services were to cease operation shortly. I had caught the bus at approximately 1pm.

29. It was a pretty slow trip to Mowbray Park across the Storey Bridge and it took approximately half an hour. I walked down to my car and then drove home to Wishart.
30. When I was at my car I telephoned my mother to see if she had heard from my brother (Michael) and sister-in-law (Sarah). Sarah's house was located near Ipswich and I was concerned about how the release of water would impact on her. I was also concerned about my brother's town house at Jabiru Place.
31. I do recall trying to get hold of my brother; but being unable to reach him because he did not answer his mobile telephone, or it may have been out of range or switched off.

Flood Legal Assistance

32. Following the Brisbane Flood Disaster I attended the training session offered by the Queensland Independent Legal Clearing House (QPILCH) in association with Legal Aid Queensland and the Queensland Law Society.
33. I volunteered at the Goodna Recovery Centre; but it became fairly clear that it would take a longer period of time before people were ready to confront legal issues associated with the Brisbane Flood Disaster as they were under enough personal stress simply dealing with the day-to-day practical impact of the flood such as housing, getting to work and maintaining employment as well as cleaning up and trying to recover what possessions they were able to salvage.

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34. At that time there was not an overwhelming demand for legal assistance to assist with matters arising from the Brisbane Flood Disaster. However, I understand from more recent communications with the Caxton Legal Centre that this position has altered.
35. In May 2011 prior to my ceasing employment with Macrossans Lawyers I received email communications from Caxton Legal Centre indicating it was seeking volunteer lawyers to assist with taking statements from affected flood victims for the purpose of obtaining legal advice, [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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- a. Owners had moved all chattels and valuables upstairs in the townhouses believing they would not be affected by the flood waters;
 - b. Absent water reaching and being trapped in the first floor of the townhouses it would not have damaged the internal structures as significantly as they were damaged as the water fermented in the town houses for a period of approximately 48 hours. The plasterboard and fittings sitting in the water for this extended period of time meant it was not salvageable.
39. If the two bodies of water (ie trapped overland waters built up against the Monash Road Overpass) and the flood waters had not met and combined the height of the water at the Jabiru Place townhouses would not have been as great. If the flood waters had been less then less damage would have been caused.
40. It has widely been reported that the flood waters in the Brisbane Flood Disaster failed to reach the height of the flood waters in the 1974 floods. This point is of interest as one of the residential allotments adjacent to Jabiru Place [REDACTED] Bridge Street, Redbank) was inundated almost to the same degree as it was in 1974. Given the flood levels were not as high as 1974 it must mean there was some other factor, which caused the waters in the local area to be higher than in 1974.
41. The owner of [REDACTED] Bridge Street (known as [REDACTED] advised Michael Wilkinson and Matthew Morgan of the impact of the 1974 flood on the dwelling at [REDACTED] Bridge Street when they were assisting him move some outdoor equipment.
42. According to data the flood height for the 1974 flood was recorded as 5.45 metres at the Brisbane City Guage. The flood height for the Brisbane Flood Disaster is reported as being 4.45 metres on the Brisbane City Guage.¹
43. Given the fairly minor development of the land adjacent to the River in the area proximate to Jabiru Place it seems to be a matter of logic that the most obvious factor for the flooding almost as severe as in 1974 is the construction of the Ipswich Motorway Upgrade works particularly, the Monash Overpass.

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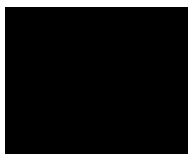
Open Committee Meeting

44. On 29 January 2011 the Committee had an open Committee Meeting and invited all owners and residents to attend to receive information first-hand in relation to post-Brisbane Flood Disaster recovery issues.
45. I was invited to attend the meeting by the Committee, and attended and provided some information to owners and residents about the availability to access Flood Legal Advice at Recovery Centres if they required assistance with insurance claims, or required other advice in relation to issues arising from the Flood.
46. The owners and resident's concerns are documented in the minutes of the meeting. **ATTACHED** and marked "JW4" is a true copy of the minutes.

Meeting with Origin Alliance

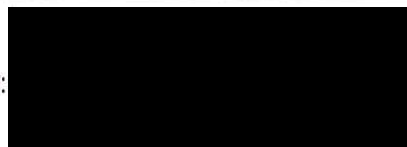
47. Armed with anecdotal evidence about the height of the flood waters being accentuated in the local area by virtue of the construction works I believed it was important to determine what information and evidence might be available to prove this theory.
48. An RTI application was made to the DTMR seeking documents relating to the planning and approval process for the construction works, and seeking initial construction plans, and as constructed plans of the works was made.
49. An RTI application was also made to the Ipswich City Council seeking:
- a. Planning and approval documents for the original development application for construction of the town houses by the Developer;
 - b. Search result information disclosing the likely effect of flooding of the Brisbane River on Jabiru Place.
50. The estimated charges notice issued by the Ipswich City Council indicated there were no documents in existence, which provided search information for all the townhouses in Jabiru Place. The documents maintained by the Council were for each townhouse in Jabiru Place.

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Anne Wilkinson

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51. The cost of obtaining search documents for each 42 town houses was thousands of dollars and well in excess of an amount of justifiable expenditure notwithstanding the search for the truth about the information available to owners prior to the Brisbane Flood Disaster.
52. The RTI application with the Ipswich City Council has recently gone to external review.
53. The application to the DTMR was originally in fairly broad in its terms as the Committee was of the belief a normal sort of construction approval process had been followed (ie the works would require the building approval of the Ipswich City Council). For this reason it was presumed approved drawings, engineering details and hydrological models would exist together with as constructed drawings.
54. As a result of the RTI application representatives of the Committee were invited to a meeting with the project manager for Origin Alliance (Mr [REDACTED]).
55. The purpose of the meeting was to determine if Mr [REDACTED] could provide information to the Committee that would satisfy or assist with narrowing the scope of the RTI request.
56. A comprehensive file note of the meeting was drafted by me. **ATTACHED** and marked "**JW5**" is a true copy of the notes I typed after the meeting.
57. The RTI application to the DTMR was made on 2 February 2011 and was finalised after consultation in about late April 2011.
58. The RTI application to the Ipswich City Council was made on 2 February 2011 and is ongoing, having been sent to an external review.
59. It is difficult to ascertain whether seeming difficulties obtaining documents have been caused because of policy considerations, or greater demand for information resulting from the Brisbane Flood Disaster.

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Grigg Report

60. The Committee has continued to undertake relevant research into planning and policy issues relating to the issue of how such a large town house complex came to be approved for development on such a poorly suited site.
61. The prevailing view of the owners is that at the time of Council's development approval being given the site was always going to be impacted by further development of the Ipswich Motorway, and prone to flood waters from the Brisbane River as well as issues of noise and minor overland water flows from the Railway Workshops (adjacent to the railway track running alongside Jabiru Place).
62. As part of the research the Committee obtained a copy of a report entitled "*A Comprehensive Evaluation of the Proposed Wivenhoe Dam on the Brisbane River*", which reports on a detailed "*examination of the economic, financial, social and environmental effects*" of the construction of the Dam.
63. The Grigg report considers a number of policy and planning issues in relation to the water supply for Brisbane and the surrounding area. It also makes it plain that one of the objectives of the construction of the Dam was for flood mitigation.
64. I have considered the report, and am astonished by the commentary. The report reveals that there was a significant amount of expert information and data available to ably predict the dire effect of ignoring and mishandling management of the Brisbane water supply (including flood mitigation policy).
65. I found most illuminating the following references in the report:
- a. *"The water from the Dam will be needed in 1981/82 and the Dam should meet the demand for water until about 1995. In view of the limited surface water storages available in the Region after Wivenhoe Dam is built, changes in management and water pricing policies to encourage less waste in the use of water will be needed in the future."*²

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- b. *"Flood mitigation in the urbanized areas of the lower Brisbane Valley is another purpose for which the Dam is being built. The equivalent uniform annual flood damage in the flood plain in mid 1974 prices and with mid 1974 stage of development ... has been assessed at \$6.18 million. The flood storage compartment provided in the Dam will significantly reduce this level of damage but this benefit will only persist into the future if encroachment into hazardous areas of the flood plain can be stopped and if the development of less hazardous areas is restricted to flood tolerant uses. The best advantage of the flood mitigating potential of Wivenhoe Dam can only be obtained if complementary flood plain management policies are introduced by the Local Authorities in the urbanised areas of the Brisbane River flood plain."*³
- c. *"Current urban water management and pricing policies are unlikely to be effective in reducing the wasteful use of water. New management and pricing policies will have to be examined in the future with a view to making the best use of the scare surface water resources available in the Region."*⁴

66. There are many more points of interest in the Grigg; but these matters have been addressed by Professor Grigg in his submissions.

Flood modeling for dummies

67. Since the Brisbane Flood Disaster I have drawn on all my previous experience considering hydraulic modeling and overland water issues gathered from my years of reading expert reports in the context of building and construction disputes.
68. I have also sponged up information about flood models. A flood model is supposed to be made as follows:

"The flood model comprises a hydrological model and a hydraulic model. The hydraulic model determines the runoff that occurs following a particular rainfall event. The primary output from the hydraulic model is hydrographs at varying locations along the waterways to describe the quantity, rate and timing of stream flow that results from rainfall events. These hydrographs then become a key input into the hydraulic model. The hydraulic model simulates the movement of flood waters through waterway reaches, storage elements, and hydraulic structures. The hydraulic model calculates flood levels and flow patterns and also models the complex effects of backwater, overtopping of

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Shanne Wilkinson

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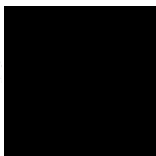
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embankments, waterway confluences, bridge constrictions and other hydraulic structure behaviour.”⁵

Hydraulic modeling and risk assessment

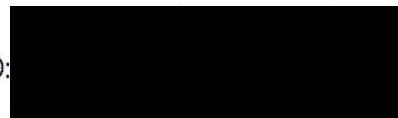
69. The terms “1 in 20” and “1 in 100” have been bandied around since 9 and 10 January 2011, when Campbell Newman was widely reported on television providing general warnings that a flood was going to inundate parts of the Brisbane Flood Plain.
70. Although I regard myself as a reasonably intelligent person (details in this Declaration may indicate otherwise) I had always understood the terms 1 in 20 and 1 in 100 to give a risk rating of flood water damage occurring once in 20 years and once in 100 years depending on where the coloured lines or shaded portions on the map were. I also understood the flood lines drawn on plans to be based on hydraulic modeling that used real raw data of the impact of rainfall, velocity of flows caused by land contours and river flows (including, in Brisbane, the Brisbane River).
71. The Second Grigg Submission provides a clear description of what the terms really mean and I was totally shocked to realise that the pretty coloured lines are just the odds of a flood occurring in every year. The term 1 in 20 actually translates to mean the property has a 5% chance of being flooded every single year (assuming the lines are in the right place).
72. In fact the 1 in 20 year flood has a 50% chance of occurring every 13 years.⁶
73. The information available from the Ipswich City Council's website shortly following the Brisbane Flood Disaster generated a Diagram for 13 Bridge Street Redbank, which depicted Jabiru Place. The diagram indicates the degree of flooding to be expected in a 1 in 100 chance flood occurring. If a 1 in 20 chance flood occurred according to the diagram it would not have had any impact on the town houses, just the swimming pool area. **ATTACHED** and marked “JW6” is a true copy of the diagram.

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Catherine Wilkinson

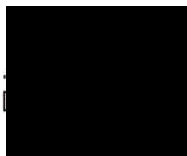
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DTMR documents

74. The Committee obtained 438 pages of documents in response to its application to access documents under the *Right to Information Act 2009* (Qld). That application had focused on obtaining hydraulic modeling reports relating to the Bridge Street area where Jabiru Place is constructed. The application also requested construction drawings and similar documents for the Monash Overpass.
75. The 438 pages of documents are the negotiated response that was received. The reduction of the scope of the application was necessary due to the cost of obtaining the documents. It was thought that a further application could be made once some documents had been reviewed it would become obvious the identity of the other relevant documents. **ATTACHED** and marked "JW7" is a true copy of the DTMR documents.
76. I have now conducted a detailed review of the DTMR documents. It would have been instructive to review the construction plans / drawings for the Monash Overpass to ascertain whether 3 drainage pipes or 5 were included in the drawings and specification. It would also have been useful to consider the notations on the specification or drawings to determine whether the completed Overpass is in strict accordance with the drawings/plans especially those that were provided for public consultation.
77. The Committee negotiated a resolution of the RTI application after protracted correspondence with DTMR to just obtain the documents that it could. For this reason issues regarding the deficiencies with the documents have not yet been ventilated. The Committee has also not until recently been in a position to consult with relevant experts to obtain advice on the further documents that should be obtained.

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78. My examination of the documents provided (as indexed) reveals:

- a. All Origin Alliance hydraulic modeling is based on previous models developed by Maunsell/DHI. They have been taken as being correct, and adopted. Origin Alliance did not undertake any verification of the models developed or, assess the likely accuracy of interpolating such models for use along the Ipswich Motorway Upgrade.
- b. The Final Design Report glibly states that DTMR has previously adopted the models⁷.
- c. The values appear to have been adopted without a great deal of independent thought or inquiry as to the prevailing local conditions including considering the existing approved land development, infrastructure and that anticipated and the interrelationship between the new components for the Ipswich Motorway Upgrade, and the existing overland water flows.
- d. There is also no indication of whether the Maunsell modeling (using MIKE and upgraded MIKE) precisely covered all areas required by the Ipswich Motorway Upgrade works or, alternatively whether to save on additional costs, and for reasons of expediency a risk was taken to use the existing modeling data and simply extrapolate those results to fit the local areas.
- e. My simpleton's view of the DTMR documents is that the construction of culverts in the Redbank area (being that bound by Redbank Plaza Shopping Centre, Origin Alliances temporary site office and Brisbane Road) all tend to direct water ultimately in the direction of the Pan Pacific Peace Park.
- f. The contours of the Redbank Plains area appear such that the lowest part of the land is towards the Peace Park (and in the direction of the Brisbane River). As water does not travel uphill (unless pumped or through some other hydraulic force) the most likely course for untrapped overland water flows is towards the Peace Park.

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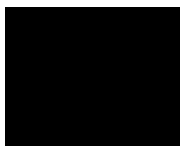
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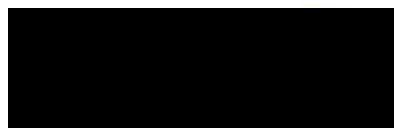
- g. Given these considerations it appears from the report that individual modeling for sectionalized areas (ie each culvert's adjacent catchment area was modeled to within an inch of their lives. However, an overall modeling scenario, which joined all the culverts together as a catchment area does not appear to have been done. This perceived inadequacy could well be the result of limited documents being available to the Body Corporate.
- h. It is also apparent that Origin Alliance failed to notice that the catchment basin depicted on the ICC approved plans for Jabiru Place was not constructed; but operating in an unstructured way in the very area that was being resumed. The way the land operated as a catchment area for the complex does not appear to have been taken into account in the modeling scenarios.
79. It is difficult to see from the DTMR documents whether Origin Alliance went through the exercise of producing rainfall intensity frequency duration data for the localised area of which Jabiru Place formed part. The Bureau of Meterology explains in detail the process for producing the Average Recurrence Interval, and the Average Exceedance Probability.⁸ **ATTACHED** and marked "JW8" is a true copy of the document produced by the Bureau of Meterology.
80. It does not appear that any consideration was given to the impact resumption of nearly 700 square metres of land, and construction of the Overpass on this land would have in terms of water storage capacity, especially when portion of this area had acted as an "informal" detention basin assisting with control of overland flows.
81. From my review of the DTMR documents I observed the following references, which are of relevance to Jabiru Place. Based on the maps at the end of the documents the culvert referred to as C-FS950 is adjacent to Jabiru Place. The page numbers referenced are the RTI page numbers, which commence with the reference "135/00235". In some instances they references appear to be instructive of the approach and level of care and concern devoted to Jabiru Place (42 homes):

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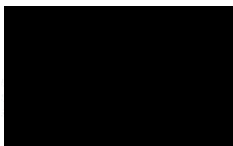
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- a. Page 7: Indicates property adjustment for Bridge Street.
- b. Page 11: Works Notification Flyer indicating WFN undertaking works on Bridge Street to be completed end of November.
- c. Page 33: 3 November 2008 meeting cancelled with Body Corporate and owners; 20 August 2009 Matthew Morgan inquired about resumptions for property and requested a meeting.
- d. Page 35: Works notification Flyer dated 24 May 2010 indicating works to commence on 24 May 2010 for Monash Overpass.
- e. Page 53: *"The Alliance has adopted the previously developed models by Maunsell/DHI as correct (they have been previously adopted by DTMR). Origin Alliance has modified these existing models with the detailed design road alignment, latest survey and bridge design to confirm the impacts previously published are not worsened. No verification of the previous model has been undertaken."*
- f. Page 57: *"The regional flood modeling is required to be undertaken to assess the impacts of the proposed motorway on the Brisbane River floodplain. ... may impact on the flood storage by restricting the back water effects .. or increasing flood levels adjacent to the Brisbane River. Any local / service roads included in the project will be designed for immunity in the 20 year ARI design event ..."*
- g. Page 58: *"The regional MIKE FLOOD model adopted for the assessment of IMU was used as the base model to determine the impact of the proposed Ipswich Motorway Upgrade on the flooding in the Brisbane River. ..."*
- h. Page 65: *"The preliminary flood models presented above indicate that the previously proposed motorway alignment has*

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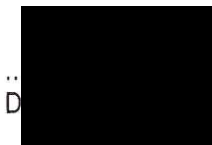
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minimal impact on regional flood levels in the 100 year ARI design scenario. With reference to the 20 year ARI design event, the preliminary models indicate that there are localised areas of increased peak flood levels."

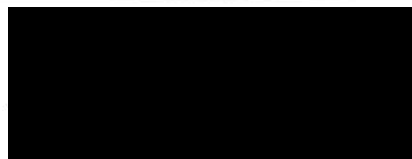
- i. Page 65: *"The regional flood model grid is unsuitable for a detailed assessment of local catchment impacts at Six Mile and Goodna Creek ..."*
- j. Page 65: *"Design methodology ... Assessment of potential mitigation measures (if required) to minimize afflux and ensure no change to the existing flood regime from the preferred alignment for the 20 and 100 yea ARI design events."*
- k. Page 66: *"A new flood model was not developed from raw data and therefore the model data and assumptions used in the previous models are adopted in this regional flood model unless otherwise stated."*
- l. Page 73: *"... The 2006 DHI model (MIKE21) has improved representation of floodplain storage and revised roughness values to more realistic values (lower than MIKE11) resulting in lower water levels when compared to the original MIKE11 model. ..."*
- m. Page 75: *"... No further calibration or verification has been undertaken for the regional flood model as the only changes to the flood modeling are the updated survey for the road corridor and the IMU road alignment. ..."*
- n. Page 67: *"5.2.4 Design for Sale Alteration ... Future quadruplication of Queensland Raid Darra – Ebbw Vale."*
- o. Page 137: *"... DHI have completed a desktop review of the Goodna Bypass floodmodel to assess its applicability for use on this project ... Ken Morris advised that BCC are currently working on the discrepancies but the results would not be ready in time for the IM Dinmore to Goodna project. ..."*

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Andrew stressed that local flooding with no tailwater in the river is the critical event ICC are concerned about ..."

- p. Page 138: *"...Maunsell/DHI will assess Q20 flood immunity for the local road network and advise of any consequences/concerns."*
- q. Page 162: *"Alignment of Monash Road Units ... Design options being considered for the affected tennis court which will either be re-oriented N-S or a retaining wall constructed."*
- r. Page 166: *"Assumptions ... 13 Use existing hydrology from ICC and BCC (..."*
- s. Pages 172 & 186: *"2.1 Construction of Monash Road Potential dam effect between Monash Rd and adjacent housing estate during significant rain event * Damage to property * Drowning Investigate drainage capacity / high flow culverts"*
- t. Page 187: *"Localised flooding at upstream side of key culverts Options for over-sizing key culverts were considered. Where it did not adversely impact on residents downstream, hydraulic regime, or maintenance, over-sizing was adopted. Culverts have been designed with the appropriate level of immunity as specified in the Design Brief. Desktop study undertaken for all the Transverse culverts detailing the expected impact of a full blockage or significant rain event. Safety screens to culvert inlets/outlets have been designed ..."*
- u. Page 249: *"The design brief ... requires that the Ipswich City Council controlled service roads and ramps must be designed so that the lowest point of each carriageway's pavement surface is protected from flooding and is 100 mm above the 20 year Average Recurrence Interval ... The cross drainage structures have therefore been designed to convey the peak flows from the 20 year ARI storm event as a minimum."*

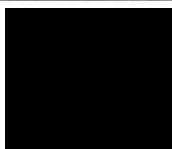
- v. Page 250: *"... The Probably Maximum Flood (PMF) event was modeled at culvert C-FS950 as requested by ICC to ensure that the proposed works do not adversely impact neighbouring residents. Sub-catchment characteristics were assumed to be fully developed. A minimum of 20% and maximum of 50% blockage is included in the analysis, depending on the inlet type. ... The dimensions used for the design, including inlet and outlet levels and downstream channel properties were based on field survey where it was available. The tailwater levels of the culverts were based on the 20 year and 100 year Goodna Creek flood levels ..."*

- w. Page 256: *"A new outlet has been designed upstream of Redbank Plaza ... However, two box culverts are required to pass the design flows across Mine Street in order to provide 20 year ARI immunity."*

- x. Page 265: *"The proposed alignment of the Francis Street upgrade commences at Francis Street/Brisbane Road junction crosses the QR railway line via an overpass and joins the existing Monash Road ... The existing service road (McAuliffe Street), which is providing access to the existing Ipswich ... and Pan Pacific Peace Gardens, ... The geometry of the proposed Francis Street upgrade requires two new culverts (C-FS750 and C-FS950) to drain the upstream catchments from the western side of Francis Street to Goodna Creek. Culverts are required to provide 20 year ARI immunity to Francis Street. At present, the runoff from this catchment drains towards Goodna Creek along the road side drain between the Ipswich Motorway and Bridge Street."*

- y. Page 266: *"...This overland flow has been included in the modeling, but no flows were observed in both 20 and 100 year ARI flow scenarios. ..."*

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z. Page 269:

"Upgrade Culvert C-FS950 A 25 ha catchment contributes flows to the proposed culvert C-FS950. This includes a portion of the QR workshops, Brisbane Terrace, the QR railway corridor and a residential area at the lower end. An existing 1050 diameter RCP conveys flows under Brisbane errace. In addition, 3 x 300 mm diameter RCP stormwater pipes convey runoff from an open area adjacent to Brisbane errace. Flows pass beneath the QR through a single 18m long 1050mm diameter RCP. Additional AR sub-catchments contribute to the flow at the upstream and the downstream side of this culvet. A natural channel then conveys flows to the McAuliffe Street culvet. Runoff from nearby residential areas is discharge via a pipe in the vicinity of the existing culvert inlet. The existing culvert across McAuliffe Street consists of a single 1050mm diameter RCP, approximately 11m long. The existing culvet collects runoff from the entire catchment west of McAuliffe Street and discharges into a pond to the east within the Pan Pacific Peace Gardens. This pond level is controlled via a spillway that discharge flows to Goodna Creek approximately 150m away. ... The Monash Road upgrade, which incorporates an overpass crossing the QR track, will result in a significant road embankment being constructed, a short distance upstream of the retained McAuliffe street roadway. The embankment will remove the existing overland flow path for the catchment. The provision of the upgrade requires a new culvert to be constructed at this location.

aa. Page 270:

"A meeting was held with ICC to discuss the impact of the embankment on local flood risk (Refer IMU Drainage-ICC, meeting minutes dated 21 September 09). The outcome of the meeting was a request from ICC to ... provide a positive overflow, such as a channel, for an emergency bypass should the culvert bcome excessively blocked. ...

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It was found that the provision of a new 'non-structural' flood relief point was not feasible because of the upgrade embankment road levels ... "

bb. Page 271: "Under existing conditions, the total catchment is approximately 25 ha with 58% imperviousness "

cc. Page 275: "The culvert arrangement provides 20 year flood immunity to the upgraded carriageway. An increase of 14mm in flow depths passing over the McAuliffe Street roadway occurs as a result of the change in flow conveyance. This flow depth increase is localised to the road only and does not affect adjacent properties."

dd. Page 276: "The peak 100 year flood and PMF flood levels in Goodna Creek are 10.453m and 10.556m respectively. These floodwaters will act as 'backwater' to McAuliffe Street and inundate the road. The levels in Table 4-24 are based on local flows only and do not include any backwater effect from Goodna Creek. Therefore, the predicted 100 year flood level of McAuliffe Street may be slightly higher (1mm) than the documented flood level, however the road will still be rafficable and the flood depth will be lower than 300mm."

ee. Page 276: "The culvert arrangement provides PMF flood immunity to the upgraded carriageway and results in an increased water level of 473mm upstream of the upgraded road embankment. This raises water levels to 11.604m AHD which will not result in flooding of existing property which has floor levels at 12.20m or higher. The screen loss / blockage is approximately 60mm which is low due to the area of the screen ... "

ff. Page 277: "... The predicted ultimate 100 year flood level is 10.749m at the culvert inlet and provides over 1.45m freeboard to the ground level (lowest level) at the nearest housing area located at 12.20m. The properties adjacent to the culvert

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and the QR culvert will not be affected by the 100 year ARI flood event. The land immediately upstream of the culvert between Monash Road and the Queensland Rail embankment is owned by DTMR. The predicted flood level in the PMF event of 11.604m represents an increase in water level of 473mm. At this level no flooding of the existing property structure floor levels are expected. [NOTE: no consideration for 20 year ARI flood event detailed as I suspect Jabiru Place would have been affected by the flood event.] ..."

gg. Page 293: Figure 6-3 is the culvert C-F950 adjacent to Jabiru Place.

hh. Page 343: Notes by Reviewer state "'Culverts' typically drw 3003326-DD-TD-0056/2 & 62/2 Nov 2008 storms showed that even very large culvert configurations blocked – many cases 50% - approximate blockage factor needs to be applied along with suitable management of overflows" Designer's response "A blockage factor of 50% was adapted to the C-FS950 culvert. Please refer the report for details. During the modeling process, an assessment of the outlet flows was performed and no conditions warranted any risk assessment or additional mitigation measures."

ii. Page 370: "Safety in Design risk schedule – Localised flooding at upstream side of key culverts Options for over-sizing key culverts were considered. Where it did not adversely impact on residents downstream, hydraulic regime, or maintenance, over-sizing was adopted. Culverts have been designed with the appropriate level of immunity as specified in the design Brief. Desktop stdy undertaken for all the Transverse culverts detailing the expected impact of a full blockage or significant rain event. ..."

jj. Page 396: Aerial photograph showing diagram of culverts

- kk. Page 397: Aerial photograph showing diagram of culverts
- ll. Page 403: Aerial photograph showing diagram of culverts
"Francis Street – Ultimate Model".
- mm. Page 413: SWMM Results Culvert C-FS950 1 in 20 year ARI
Base Scenario
- nn. Page 414: SWMM Results Culvert C-FS950 1 in 20 year ARI
Ultimate Scenario

Expert

82. The Committee has retained an expert to obtain some general advice in relation to the drawings approved by the Ipswich City Council for the construction of Jabiru Place, and issues related to the flash flooding caused by the Monash Overpass.
83. In preliminary discussions it was noted that the detention basin required to be constructed as part of the development, which is detailed on the plans was never constructed. If any of the modeling was done, and took into account the detention basin as providing water storage capacity it would have been inaccurate. **ATTACHED** and marked "JW9" is a true copy of the drawing detailing the detention basin that was to be constructed in the area of land resumed by DTMR.
84. The area resumed by the DTMR performed the function of a detention basin notwithstanding its lack of formal construction. However, absent formal construction it would have been less obvious it was a detention basin unless someone had assembled and considered all documents relating to the overland water flows impacting on Jabiru Place, which would surely start with a cursory glance at the approved plans of the complex to ascertain its drainage systems, and how they would integrate with the Monash Overpass.

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85. It is impossible to determine whether the modeling undertaken took into account the fact that construction of the Overpass and resumption of nearly 700 metres square deprived Jabiru Place of a significant volume of water storage capacity, which previously met overland water flows.
86. Origin Alliance's report (extract provided under RTI) refers to Queensland Rail's proposed construction to increase the rail lines from existing 2 to 4. Given the close proximity of the Queensland Rail workshops and the railway lines to Jabiru Place it would be interesting to ascertain whether the reduction in water storage capacity to occur as a result of this development was taken into account during Origin Alliance's planning process.

Body Corporate Records

87. The Committee has the following documents within its records, which contemporaneously document the concerns expressed by the residents of Jabiru Place:
- a. 24/5/2010 Jabiru Place CTS 19160 Committee update.
 - b. 15/06/2010 Client – Jabiru Place Body Corporate CTS 19169.
 - c. 15/06/2010 Jabiru Place CTS 19160 Notice from the Committee of the Body Corporate.
 - d. 15/06/2010 Notice from the Committee of the Body Corporate to all owners of Jabiru Place CTS 19169
 - e. 29/07/2010 Jabiru Place CTS 19169 Notice from the Committee of the Body Corporate.
 - f. 01/11/2010 Notes from Matthew Morgan – various.
 - g. 10/11/2010 Email from Anton Rush to Matthew Morgan and Michael Wilkinson and Jacinta McLaughlin.
 - h. 01/12/2010 Letter from Committee to Origin Alliance.
 - i. 16/12/2010 Email from Anton Rush to Matthew Morgan and Michael Wilkinson and Jacinta McLaughlin.

88. I understand that with the exception of documents referred to at sub-paragraphs g and h above the documents were created by Matthew Morgan, the Chairman of the Committee of Jabiru Place. **ATTACHED** and marked "JW10" is a true copy of the documents.
89. The documents outline the concerns of the Committee and record that from the earliest (May 2010) the Committee had concerns in relation to drainage. In document a (above) it is noted that "A hydrologist will be engaged to design suitable drainage that will flow into the Peace Park. (If they get this wrong we have a potential flooding problem)". The same document notes contact with Origin Alliance's Head Engineer (Danny [REDACTED]) by Matthew Morgan, which resulted in receiving advice that Origin Alliance will install 3 x 2.1 metre storm water pipes that will handle 1 in 100 year flood.
90. The notes referred to in b above indicate the following contact from Matthew Morgan:
- a. On 28 May 2010 inquired what steps would be taken by Origin Alliance to "flood proof the tennis court", and was informed by Origin Alliance that "This is not in the construction brief but if (sic) will not be any worse after job completed. They will have hydrologists look at issue."
 - b. On 27 and 28 May 2010 inquired how Jabiru Place finds out if the drainage under the over pass will be sufficient to prevent flooding to Jabiru Place in the future. The notes indicate that the Project Manager commented he "Does not know". Origin Alliance indicated that the drainage has not been designed yet.
 - c. By 24 June 2010 Danny [REDACTED] of Origin Alliance advised that the drainage had been designed.
 - d. On 3 November 2010 inquired why the drainage pipes have increased from 3 to 5. the Community Relations Officer indicated that the Head Engineer (David [REDACTED]) had told her that the 2 extra pipes were installed to improve flood mitigation for Jabiru Place.

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e. On 1 December 2010 further comments were made by letter to Origin Alliance outlining concerns about the overland water flows and drainage.

91. On 10 November 2010 Anton Rush indicated he had contacted Origin Alliance about the drainage inadequacies, and an on site meeting was to be arranged.

Conclusion

92. My submissions outlined my first-hand observations about the way the owners and residents of Jabiru Place disposed of a significant number of belongings, which could have been salvaged.
93. My observations were that there was a lack of support for salvage operations, and a lack of knowledge of how to clean and salvage household items. Given the insurance companies had a vested interest in minimising claims and maximising salvage value of items I thought it was unbelievable these companies did not have some disaster salvage expert teams available to assist recovery of items to minimise claims.
94. There was considerable lack of knowledge about how to salvage books and paper goods. I sent an email to Channel 10's program "The 7pm Project" asking if they could interview an archivist with specialist knowledge in salvaging books. Unfortunately, I was ignored. However, I recall hearing on ABC Radio a broadcast, which recommended freezing the items. The water was then able to be brushed away as ice and the item treated.
95. The only warning the Jabiru Place residents received was a broadcast text message from their mobile telephone carriers. The Ipswich City Council failed to advise the residents to clear out their valuables and move as many chattels as they could to other accommodation. The residents had a 6-hour time frame to pack their valuables and memorabilia. Unfortunately, the residents did not realize the seriousness of the situation or the likely levels of water the Brisbane Flood Disaster would send through their homes. Instead of packing I am aware the Committee members ordered pizza and actively watched the water rise in the Pan Pacific Peace Park. In retrospect it seems unbelievable.

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96. The only sensible conclusion to be drawn is the construction of the Monash Overpass made the situation at Jabiru Place significantly worse to the effect of at least 1 metre. But for that extra metre of water my brother would not have lost all his valuable books, computers, television sets, new washing machine and practically all his memorabilia. [REDACTED]
- [REDACTED] Absent this the water would have been 1 metre lower and Michael's valuables safe.
97. The Brisbane Flood Disaster clearly establishes that flood modeling undertaken for the DTMR, and used by Origin Alliance is obviously woefully inadequate in the Redbank / Goodna area. The decision to adopt the modeling achieved by MIKE using data created previously by Maunsell was flawed.
98. It would be interesting, of course to know the views of Maunsell on this issue. Based on the documents subsequently available from the Ipswich City Council the flood exceeded the 1 in 20 year event.
99. The Ipswich Motorway Upgrade is designed to tolerances that are more stringent than the 1 in 20 year event. However the Brisbane Flood Disaster established clearly that the design was not effective as the Ipswich Motorway flooded in the area and new bridges on Goodna Creek and in the local area also flooded.
100. I have noted in the DTMR documents that there are references to the "realignment" of the Goodna Creek. Messing with nature's watercourses is always fraught with significant risk and I also cannot help but wonder whether this had an impact on the overland water flows coming from the direction of the Origin Alliance site office.

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101. If local government authorities are going to give development approval for medium density dwelling houses in areas that have a 50% chance every 13 years of being 50% wiped out by a flood surely they have a greater responsibility to warn potential purchasers of the properties. It is ironic the sale of these residential developments are often pitched to the more vulnerable members of the community. It is these very people who are less able to cope with such a disaster when it hits.
102. Property owners need clear information about what the 1 in 20 year and d1 in 100 year flood lines mean in terms of practical information. How flooded will the property become? How frequently (statistically) is it likely a flood will occur? Are they able to take such a risk of ownership of that sort of property?
103. Based on freely available information, and the DTMR documents a person would do better going to Ascot and placing a bet on the nag with the longest odds (let's say 100 to 1) instead of buying a town house at Jabiru Place.
104. The flood information available is basically incomprehensible to the general public. It is meaningless and does not enable a purchaser to properly assess the risk of owning property in an area prone to flood. There is certainly no signage in the Redbank area indicating the previous flood levels so how would anyone know.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Taken and declared before me)
at Brisbane this 15th day of)
September 2011, before me.)

[Redacted Signature]

Kylie Mance Astley
Solicitor

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¹ See Grigg First Submission, page 3, paragraph 1.

² Page x, paragraph 4.

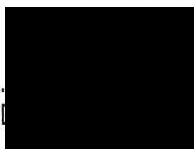
³ Page x, paragraph 5.

⁴ Page xiii, paragraph 4.

⁵ See flood model development and calibration, http://earthsci.org/flood/J_Flood04/flood/J_Flood_2.html.

⁶ See Grigg Second Submission, page 2, paragraph 3 (table).

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⁷ See Origin Alliance Ipswich Motorway Upgrade Dinmore to Goodna Final Design Report Flood Design Report – Regional Flood Model Report No: D2G-BASD-DGFKS100-R-1000, page 5, paragraph 1.2.
⁸ See *A System to Produce Rainfall Intensity Frequency Duration Data (IFD)*,
<http://www.bom.gov.au/hydro/has/cdirswebx/cdirsdoc.shtml>.

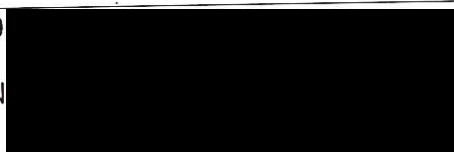
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INDEX TO DOCUMENTS

STATUTORY DECLARATION

JEANENNE WILKINSON

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JW1.		Submissions to Queensland Flood Commission	
JW2.	26.12.2010	Typed notes made by J Wilkinson with handwritten annotations	
JW3.	27.12.2010	Photographs taken by Jacinta McLaughlin depicting drainage issues and concerns in tennis court area	
JW4.	29.01.2011	Minutes of Open Committee Meeting	
JW5.	01.04.2011	Minutes of meeting with Derek Millar	
JW6.	Undated	Property Enquiry 25/13 Bridge Street, Redbank	
JW7.	Various	DTMR Documents (adopted RTI numbering)	
	Undated	Scope of Works and Technical Criteria Appendix 3 Property Adjustments (pages	1 – 10
	Various	Ipswich motorway Upgrade (Dinmore to Goodna) Property Consultation	11 - 47
	23.02.2010	Ipswich Motorway Upgrade Dinmore to Goodna Final Design Report Flood Design Report – Regional Flood Model Report No: D2G-BASD-DGFHKS100-R-1000	48 – 239
	30.09.2010	Ipswich Motorway Upgrade Dinmore to Goodna Final Design Report Transverse Drainage – Zone 2 Other Culverts Report No: D2G-BASD-RERODR206-R-1000	240 - 438
JW8.	14.09.2010	Bureau of Meterology document	
JW9.	24.04.1992	Detention basin drawing – Sinclair Knight	
JW10	Various	Records/documents of Body Corporate Committee	