

<i>Name of Witness</i>	Robert Gordon ANDERSON
<i>Date of Birth</i>	██████████
<i>Address and contact details</i>	██████████ Emerald Ph. ██████████ Fax ██████████ m. ██████████ ██
<i>Occupation</i>	Farmer Cotton Grower
<i>Officer taking statement</i>	Detective Sergeant Stephen PLATZ
<i>Date taken</i>	18 August 2011

Robert Gordon ANDERSON states:

1. I am █████ years old and I currently reside at a property situated at ██████████ Emerald with my wife. My main industry at the property is cotton production and we currently have around 500 acres of land under farming with cotton. I have been farming this property for the last 34 years and we have had the farm since 1977.
2. On 24 May 2011 I supplied a submission to the Queensland Flood Commission of Inquiry regarding the construction of levee banks in the properties adjacent to my land. My property is portion █████ in the Parish of Selma, and the County of Dennison. My property along with others suffered significant damage and inundation due in large to the construction and development of levee banks on portion █████ and █████ (this is the original lot numbers, and has since changed to █████) owned by Trevor █████ and family, and on a farm further north owned by Scott █████ and family.
3. The construction of these levees relates to the limiting of flows and the re-direction of the flood plain for Retreat Creek and Ford Creek (also known as 12 Mile Creek). My submission details the type of levee construction which has taken place in a 5 page document. I am able to produce this submission.

Exhibit: Submission to Queensland Floods Commission of Inquiry
by RG JM BH & RL ANDERSON dated 24th May 2011

Marked Exhibit No/...

Witness Sig ██████████ Signature ██████████
Page Number 1 of 5

4. Within this submission I produce a number of supporting documents that includes maps and photographs.
5. Map 1 is a parish map of the local area and depicts my portion, number [REDACTED] and the portions in question, [REDACTED] I am able to produce this map

Exhibit: Parish of Selma, County of Dennison map displaying affected portions.

Marked Exhibit No/...

6. Map 2 displays the same Parish map but I have identified the areas where Retreat creek spills into Ford Creek as a result of the drain running along the outside of the levee bank created within portion [REDACTED]. This has changed the old flood plain and created a new one that encroaches on other properties. I am able to produce this map.

Exhibit: Parish of Selma, County of Dennison map displaying creeks and change of flood plain

Marked Exhibit No/...

7. Map 3 is the same Parish map as mentioned but I have marked in the levee's and dam constructed on portion's [REDACTED] and [REDACTED] that have created a 200 metre restriction of the flood plain with a neighbouring dam on portion [REDACTED]. I am able to produce this map.

Exhibit: Parish of Selma, County of Dennison map depicting levee and dam constructed on portion's [REDACTED] and 200 metre restriction of the flood plain.

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Witness Sign
Page Number

Signature of officer/.....

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www.floodcommission.qld.gov.au
65 959 415 158

8. Map 4 displays flood plain boundaries within the Emerald region. I am able to produce this map.

Exhibit: Map depicting flood plain boundaries within the Emerald Region.

Marked Exhibit No/...

9. Photograph 1 depicts flood damage caused to the ground at the site of the 200 metre restriction, portion [REDACTED], as indicated in Map 3. I am able to produce this photograph.

Exhibit: Photograph depicting flood damage at site of 200m restriction.

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10. Photograph number 2 displays the Eastern Levee Bank on portion [REDACTED] and Ford creek in the foreground. The 200 metre restriction between the dam on portion [REDACTED] and the levee bank is also visible. I am able to produce this photograph.

Exhibit: Photograph depicting Eastern Levee Bank on portion [REDACTED], Ford Creek and 200m restriction.

Marked Exhibit No/...

11. Photograph 3 is an aerial photograph depicting light floods in September 2010. It displays the levee wall on the western and eastern sides and the dam within portion's [REDACTED]. The levee has forced water onto portion [REDACTED]. I am able to produce this photograph.

Exhibit: Photograph of light flooding in September 2010 depicting levee banks in portion's [REDACTED] causing diversion of the flood plain

Witness Signature

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Signature of [REDACTED]

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12. Photograph number 4 displays flooding during the December 2010 flood within portion's [REDACTED] and surrounding properties. Flood has breached the levee banks and water is escaping into Ford Creek at the south of the dam. I am able to produce this photograph.

Exhibit: **Photograph depicting flooding in portion's [REDACTED] and surrounding properties during December 2010 flood.**

Marked Exhibit No/...

13. Photograph number 5 depicts light flood in September 2010 and displays the natural flood plain prior to the development of levee's (bottom of picture). I am able to produce this photograph.

Exhibit: **Photograph depicting flood during September 2010 displaying natural flood plain and levees in portion [REDACTED] and [REDACTED]**

Marked Exhibit No/...

14. Photograph number 6 depicts the 200 metre restriction at Retreat Creek in the December 2010 floods. It displays the old and new flood plain after the levees had broken. I am able to produce this photograph.

Exhibit: **Photograph depicting Retreat Creek restriction in December 2010 floods.**

Marked Exhibit No/...

Witness Signature of [REDACTED]
Page Number 4 of 5

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15. Photograph number 7 shows the 200 metre opening during the December 2010 floods. I am able to produce this photograph.

Exhibit: **Photograph depicting 200 metre opening during the December 2010 floods.**

Marked Exhibit No/...

R.G.ANDERSON

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 18/08/2011 and contained in the pages numbered 1 to 4 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]

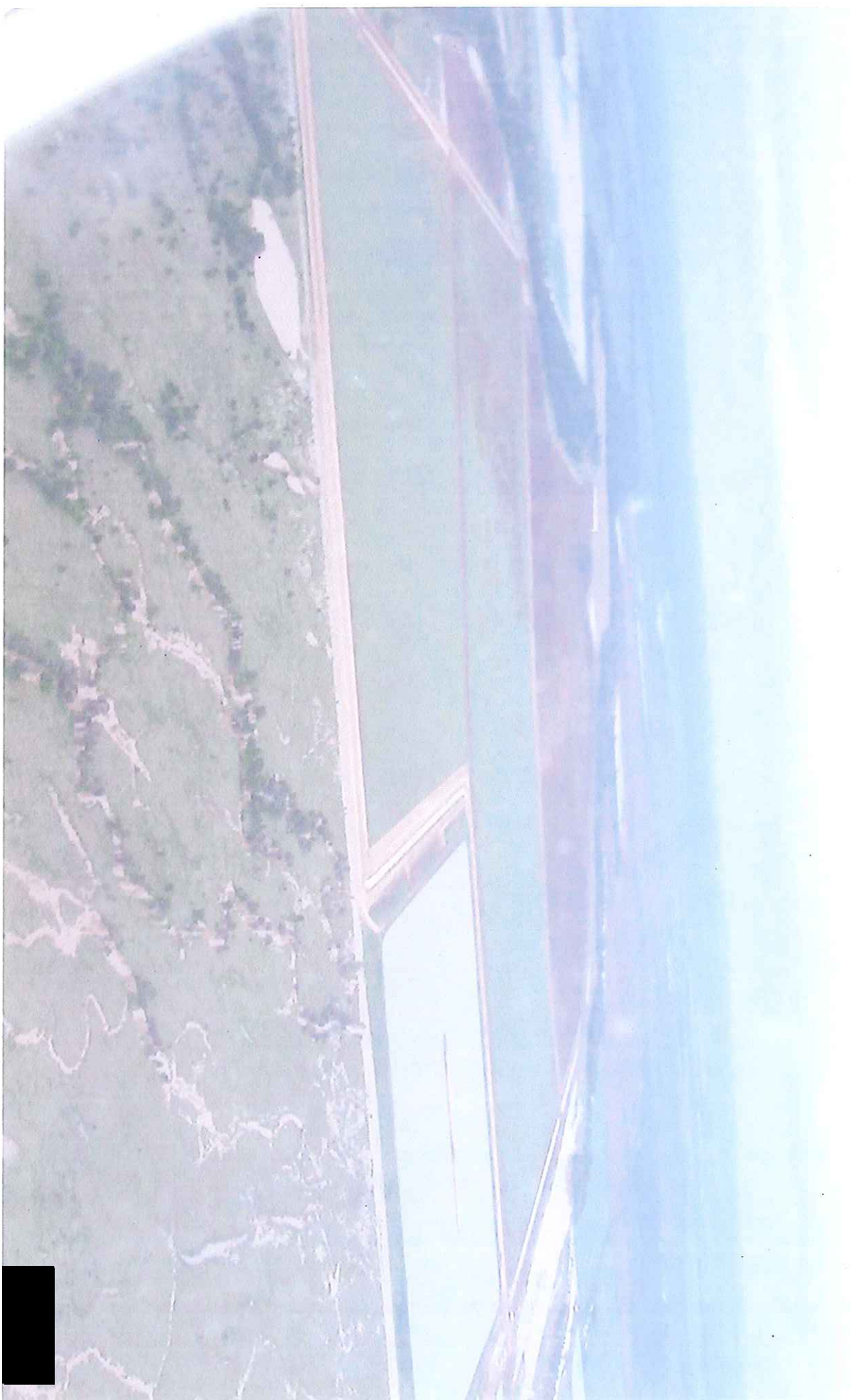
.....Signature

Signed at Brisbane this 18th day of August 2011

Witness Signature of d
Page Number 5 of 5

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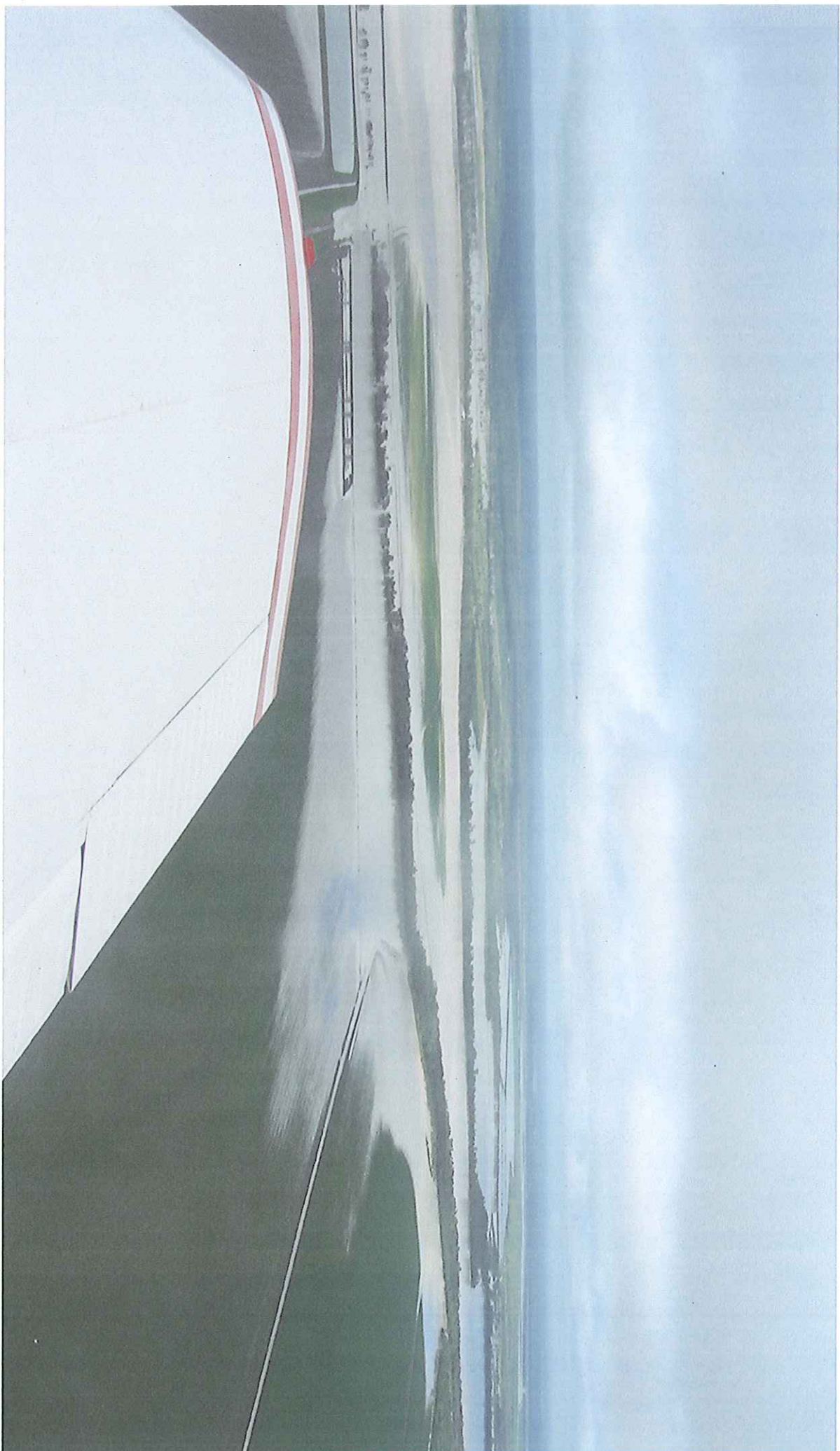
Robert ANDERSON – Photograph No. 5 – Depicts light flood in September 2010. Displays natural flood plain in lower part of the picture and levee bank running through the centre, cutting the natural flood plain.



Robert ANDERSON – Photograph No.6 – Retreat creek restriction in December 2010 depicting the old and new flood plain after the levees had broke (they have since been re-built higher).



Robert ANDERSON – Photograph Number 7 – December 2010 showing 200 metre opening (just above leading edge on wing tip)



Robert AN DERSON - Photograph No. 4 - Depicts same area as mentioned in photograph 3 but during December 2010 flood (opposite side). Also shows current of water escaping from retreat creek into drain and then into Ford creek south of the dam.



Robert AN DERSON - Photograph No. 3 - Depicts light flood in September 2010. Displays 8 m high western levee at top centre with dam to the left. Eastern levee bank (centre) forcing water onto to 157 and keeping flood plain high.



Sept '10



Robert ANDERSON – Photograph No. 2 – Looking across Ford Creek at the road opening and Eastern Levee Bank – across the 200m opening is a small dam on portion 158, on the left and just behind. Road opening has since been closed and filled to higher level of levee



Robert ANDERSON – Photograph No. 1 – *Flood damage from swirling water at 200 metre opening after water had subsided considerably.*



R.G. J.M. B.H. & R.L. ANDERSON

ABN: 81 596 263 351



Telephone: [REDACTED]

Fax: [REDACTED]

[REDACTED]
[REDACTED]
Emerald, QLD 4720

[REDACTED]
Qld. Flood Commission,

GPO Box 1738,

Brisbane, Q 4001

24th May, 2011

RECEIVED

30 MAY 2011

IN DRM

Dear Sir,

Please allow me time to make a submission on the recent floods.

My property which is [REDACTED] Parish of Selma county of Dennison along with four neighbouring properties suffered a lot of damage and inundation. The cause of which is almost totally due to man made structures which are part of the development on [REDACTED] (I think it is the same description as mine i.e. parish of Selma county of Dennison owned by [REDACTED] and family) and on a neighbouring farm to the north of those property own by [REDACTED] and family. (Map 1)

[REDACTED] properties have had a large dam 8 metres high and several kilometers of levee banks constructed across the flood plain and along the side of two creeks. (Retreat and Ford Creek also known as 12 mile creek) In the development a number of smaller streams have been removed and completely diverted so that the flood plain is now high and dry (except in large floods like we have just had) and most water is diverted into neighbouring properties so they have become the flood plain. (Map3)

(2)

The amount of cultivation gained by [REDACTED] on the old flood plain appears to be similar to the amount of cultivation that has suffered loss in the new flood plain but [REDACTED] gain is as a result of our loss.

A drain outside of the levee bank and to the west of the development acts as a diversion for all of the smaller streams. A minimum rise in water level in Retreat Creek will also spill and flow down this drain into Ford Creek (12Mile) and spill out onto the affected properties. (**Map 2**)

This drain was constructed so that a larger volume of water flowed to their pumps allowing them to fill their dams more often.

Approximately 17 people live to the north of Retreat Creek and were regularly flooded in by Retreat Creek prior to the development. They pooled their resources and built a bridge across Retreat Creek. They have found that this bridge is now largely redundant as the flood waters have a much more severe effect on Ford Creek (12 Mile). It floods with minimum rainfall and stays up for much longer periods due to the diversion of waters. One person has lost her job because she was unable to get to work, others have difficulty requiring a boat and 2 cars (one either side)

The old flood plain is guessed by me to be 4-5 kilometres wide. Development has narrowed this to two places of about 200 metre in one and 150 metres in the other. The 200 metre opening is immediately above my property and with the action of levee banks cause severe eddying which have taken a lot of subsoil and crops from portion 157. This water has also eroded the size of the banks of Ford Creek so that Ford Creek flows more easily onto portion 157. (with minimal falls)

(3)

DERM and the Nogoia River Flood Plain Board have been approached for help in this situation.

DERM are well aware of the development- they can't or won't produce any records of these development approvals and can't or won't say if they have been built to what I expect would have been a design before Elsdon may have got approval.

Because the flood plain boundaries cross the development DERM has wiped their hands of it saying it is OUTSIDE OUR JURISTRICTION. **(Map4)**

Likewise the Nogoia River Flood Plain Board is slow in reacting to our claims. The 5 affected farmers have written to the board requesting a change of boundary and some action to fix the situation. No action has been seen yet. Originally when the flood plain boundary was set we were told that it is only a line on a map and if something happens within that line that affects outside the line then they had the power to fix it. Likewise if the reverse happened the same could be done. It appears that this possibility has gone down the river with the flood water.

When the Emerald Irrigation area was developed portion [REDACTED] and the other property to the north were designed out. The affected properties were largely designed in with a limited infringement on to the flood plain. [REDACTED] and [REDACTED] seem to know more than the Designers of the Emerald Irrigation Area.

(4)

When [REDACTED] bought [REDACTED] about 12 years ago (previously owned by [REDACTED] [REDACTED] there was some preliminary planning done with a small development in mind. On purchase the engineer designing the project was sacked and replaced by a new engineer who produced the grandiose scheme we now have. Neither engineer or owner approached neighbours for any approval of development.

A smaller dam was built on [REDACTED] prior to this development. Approval from DERM was subject to permission from the immediate neighbour which is me- I have never been approached.

This small dam forms the other side of the 200 metre opening in the flood plain. I think it is also 8 metres high and helps create the eddying of the flood water.

I have a smaller dam downstream of restriction (with approval) for recycling of irrigation water. This may be creating a small part of the problem: and may need to be included in a total restructure of the flood plain. The affect that this has by itself is very minimal.

DERM recognised about 6 years ago that Ford Creek needed cleaning and maintaining by Sunwater- When approached by DERM Sunwater refused to clean it as [REDACTED] had signed and submitted a letter saying they did not want the creek cleaned. [REDACTED] have since changed their mind but it is too late now the " bull has got out". Any effect now will be minimal because of the development.

Approaches to Vaughan Johnson only resulted in an echo of DERM based inertia.

(5)

The problem caused was easily recognised by Ray Hopper (the shadow minister for Agriculture) and promised to approach DERM and their appropriate minister and ask that the problem be fixed. He subsequently lost his job and I don't know if anything happened.

As you can see action needs to be taken to rectify the situation.

I am currently applying for taxpayers money to repair my damage. I have no doubt that [REDACTED] have done likewise. This is something that will happen again and again and will be a thorn in the side of the taxpayer forever if the situation is not rectified.

Please find enclosed 4 maps and 5 sets of photographs with brief explanation stapled to them.

Yours faithfully,

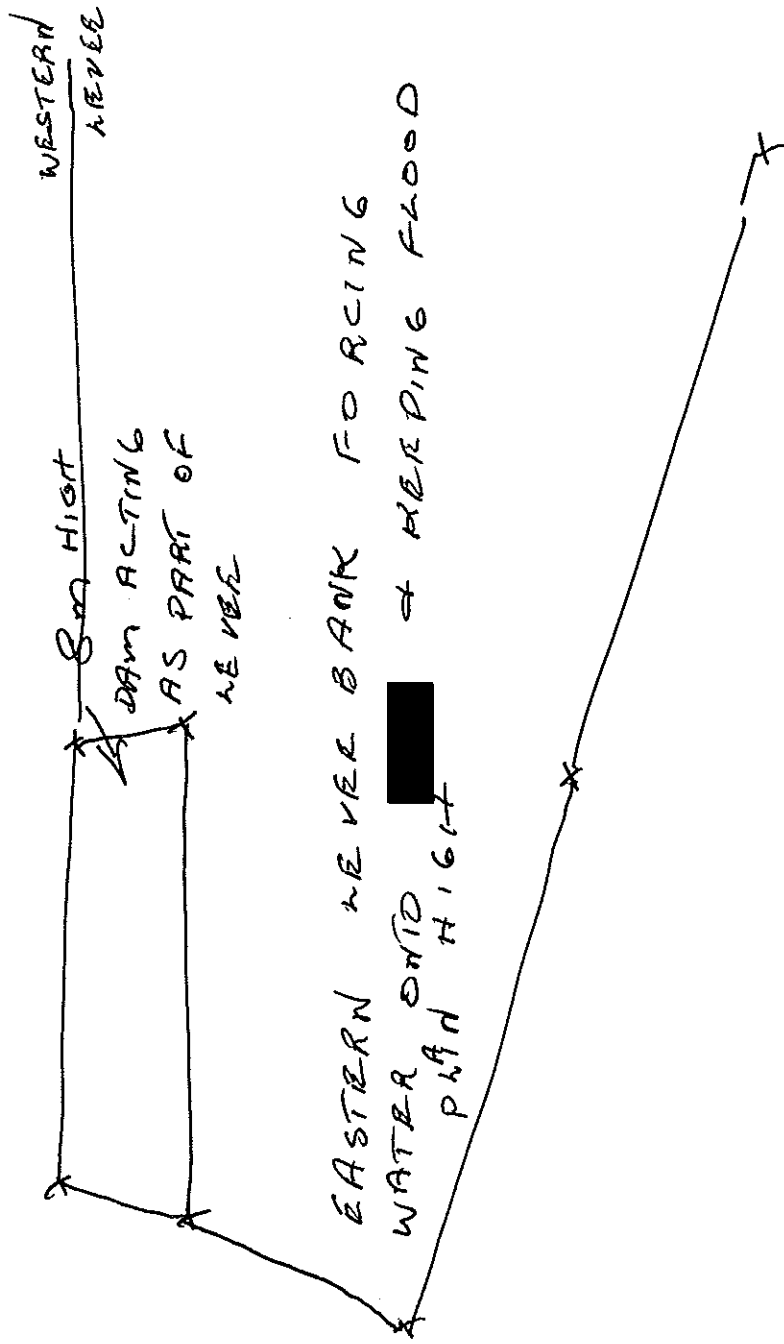
RG JM BH & RL ANDERSON

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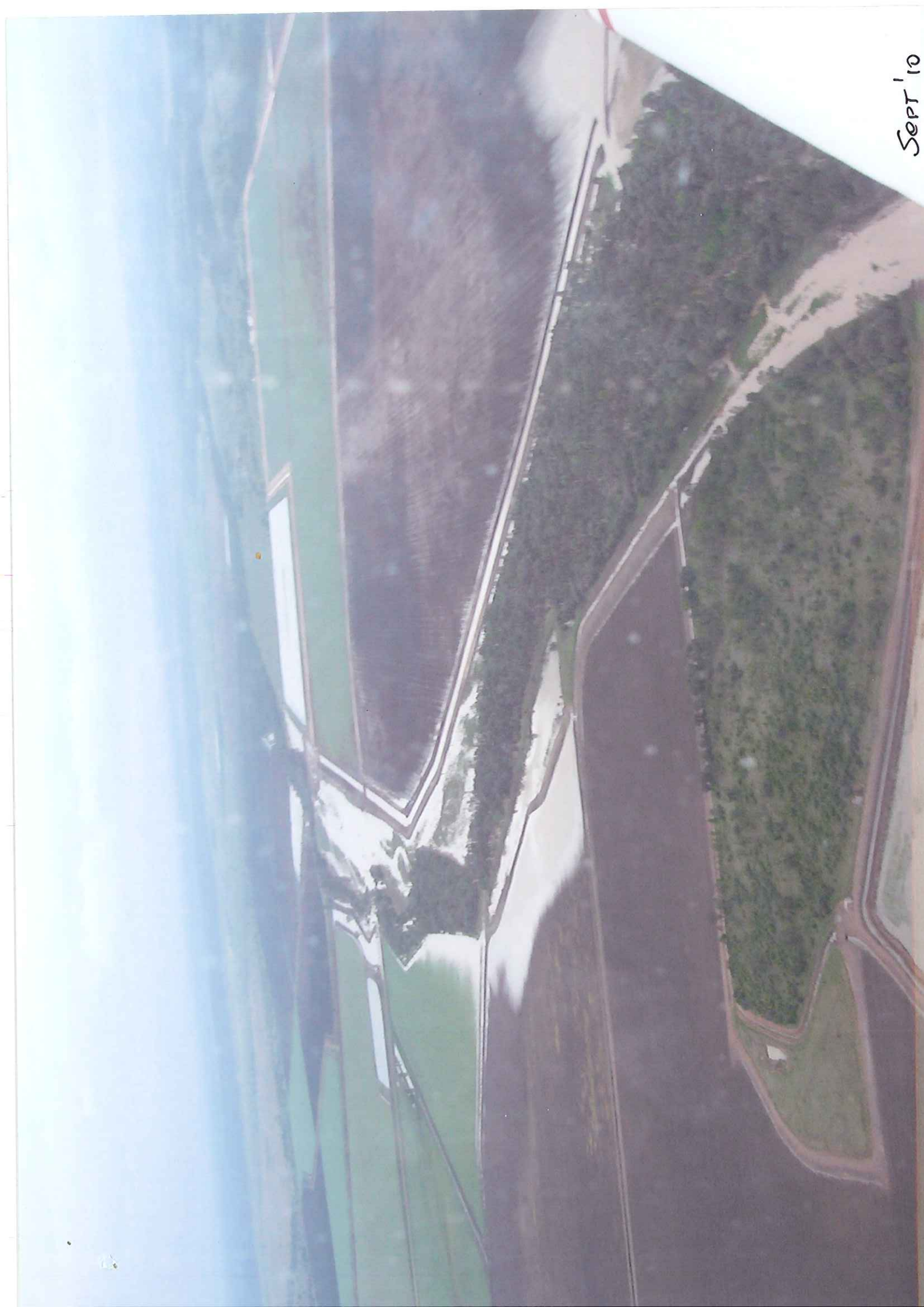
RG ANDERSON

Maps have been removed here

SMALL FLOOD IN SEPT 2010



Sept '10



Dec 2010

x 200 m OPENING x



RETREAT CREEK RESTRICTION IN DEC 2010
SHOWING OLD & NEW FLOOD PLAIN AFTER LEVEES
BROKE THEY HAVE SINCE BEEN REBUILT HIGHER

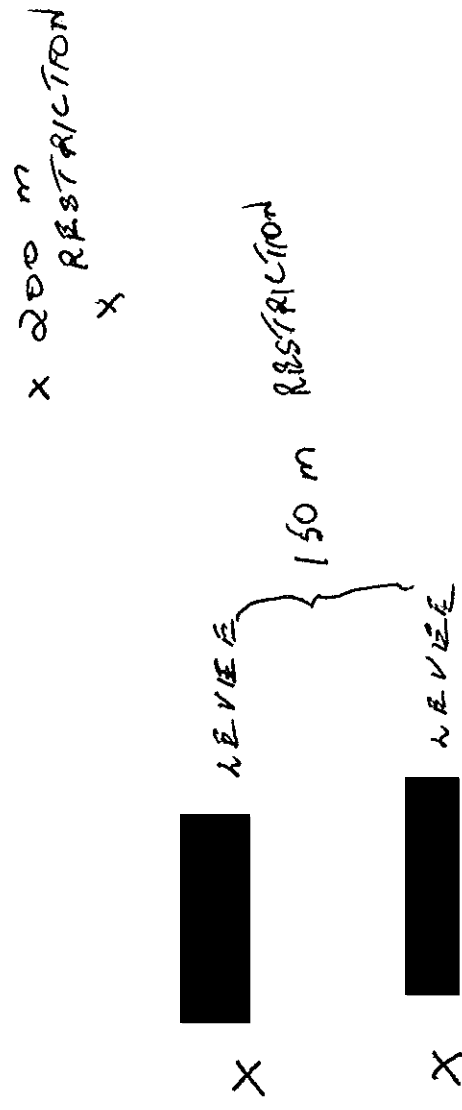




PHOTO 1

FLOOD
AT 200 M OPENING

DAMAGE
AREA

FROM
WATER

SWIRLING WATER
HAD SUBSIDED CONSIDERABLY

1

PHOTO 11

LOOKING ACROSS

FORD CREEK AT

ROAD OPENING

2 EASTERN WEEBIE BANK - ACROSS 200 METRE OPENING
IS TO THE REFT - ROAD OPENING
SMALL DAM ON [REDACTED] AND FILLED TO HIGHER LEVEL
HAS SINCE BEEN CLOSED
OF WEEBIE





PLEASE TRANSFER CODE ON TO PHOTOS

INK WAS RUBBED OFF

1ST PHOTO

LIGHT FLOOD IN SEPT 2010

2ND PHOTO - SAME AREA IN BIGGER FLOOD DEC 2010 - ALSO

SHOWING CURRENT WITH WATER ESCAPING FROM
AREAS AT CREEK INTO DRAIN THEN FORD CREEK ~~(FORD)~~
SOUTH OF THE DAM

LOW FLOOD WATERS
OF SEPT FLOWING
DOWN FORD CREEK
& OPENING ONTO
BROCK 157

NORTH
WEST

NORTH
WEST

X

WESTERN LEVEE X BANK & DRAIN

X

UNDEVELOPED FLOOD PLAIN SHOWING SMALLER CREEKS - STOPPING AT
LEVEE - USED TO CONTINUE RIGHT THROUGH

Sept 20



