

<i>Name of Witness</i>	David Anthony DUNWORTH
<i>Date of Birth</i>	[REDACTED]
<i>Address and contact details</i>	[REDACTED] Q 4573 [REDACTED]
<i>Occupation</i>	Real Estate Agent/ Developer/Investor
<i>Date taken</i>	26/08/2011


David Anthony DUNWORTH states:

1. I am a licensed real estate agent and until recently a registered valuer. I have been involved in real estate investment and development for all my working life. I hold a Bachelor of Economics from the University of Queensland, a Graduate Diploma in Project Management from the Queensland University of Technology and a Diploma of Real Estate Valuation from TAFE. I have a deep knowledge of property development and undertake my own projects. I have previously been a Queensland judge and panel leader of the UDIA Awards for Excellence in Property Development.
2. In early 2007 I first became aware of a multi-storey apartment complex being proposed for Tennyson next to the Brisbane River. At this time my wife and I visited the sales office that advertised the project which was to be developed by MIRVAC, in conjunction with the State Government. The apartments were described as state of the art, large luxury water front apartments with generous public space, walkways, restaurant and offices within the complex. I initially was advised of the development by Chris Freeman who was a Queensland Director of Mirvac.

[REDACTED]
Witness Signature..... Signature of officer
Page Number 1 of 3

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GPO Box 1738 Brisbane
Queensland 4001 Australia
Telephone 1300 309 634
Facsimile +61 7 3405 9750
www.floodcommission.qld.gov.au
ABN 65 959 415 158

3. In November 2009 my wife and I signed a lease for apartment 3101 at Tennyson Reach. We rented these premises after selling our house at Chelmer. It was basically transitional accommodation until the ground floor apartment, which Maris had under contract, was finalised. My wife had signed a contract for apartment 3301 which was due to settle on the 8th of February 2011. This apartment was positioned on the north eastern side of the 'Softstone' building.
4. On the 12th of January 2011 at about 2.30 pm the Tennyson Reach development flooded and the apartment we were renting and the one Maris had under contract were inundated. The floods inundated King Arthur Terrace first and then entered our front doors which face the road side. My family and I moved as much of our property to an upper level apartment but we could not get everything up there in time as the lifts were not working due to the loss of power. The water came to a level of 0.605 metres within our apartments which resulted in the destruction and/or damage of the building, fixtures, furniture and other personal items in our apartment. In addition, a large quantity of personal items and furniture that we had stored in the basement were destroyed as both basements were inundated at the complex some 18 hours before the apartments flooded.
5. The Body Corporate (BC) for the Tennyson Reach development, at the time of the flood, was Cambridge Management Services (CMS). On the 14th of January 2011 the BC sent a letter to residents with regards to the flooding and recovery works. After a meeting with Mirvac and building managers they decided that the building was to be entirely evacuated and access restricted to the complex. I am able to produce a copy of this letter. (Exhibit 1)
6. As a result, my wife and I were required to vacate the apartment for 4 months until repairs had been conducted and the buildings were made habitable again.
7. The water came through the building from the street side through the front entrance, firstly and then came across the balcony from the river.

 Witness Signature..... Signature of officer

8. The access road was cut off long before the units started flooding: my estimate is that it was six hours or more.
9. Essential services were located in the basement and became disabled with the flooding.
10. I produce a series of photographs showing the flood inundation into apartment 3301. (Exhibit 2)
11. I produce a series of photographs showing the flood inundation into the basement. (Exhibit 3)
12. I produce historical photographs taken in the 1974 floods of the area covered by the Tennyson Reach development areas. (Exhibit 4) These photographs were taken from the BOM web site.
13. I produce a photograph depicting the exterior of apartment 3301 with markings intending to give a visual representation of the 1974 flood level, the 2011 flood level and the 8.40 level which was the minimum habitable floor level. (Exhibit 5) JF&P Urban Consultants produced this document. I have also marked with small black markings at about the 13 m height level, the approximate level of the 1893 flood.

D.DUNWORTH

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 26/08/2011 and contained in the pages numbered 1 to 5 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.

.....Signature

Signed atBrisbane.....this.....day of.....September.....2011

Witness Signature..... Signature of officer

Statement of David Dunworth	
	Annexure A – Body Corporate letter to residents at Tennyson Reach
	Annexure B – Photos of damage to apartment
	Annexure C – Photos of damage to basement
	Annexure D – Aerial photo depicting 1974 flood levels at Tennyson Power Station
	Annexure E – Photo depicting 2011 flood levels at Tennyson Reach Unit
PD online printout, with black hand drawn arrow on map showing direction of water flow	



CAMBRIDGE MANAGEMENT SERVICES
STRATA MANAGERS & FACILITIES MANAGERS
ACN 097 303 752 ABN 67 097 303 752

14th January 2011

Tennyson Reach CTS 39925
Circular to All Owners and Residents
UPDATED INFORMATION
FLOODING & ANTICIPATED RECOVERY WORKS

Following a meeting this morning between the Tennyson Reach Body Corporate Committee, Mirvac Pty Ltd (Mircac) and your building managers all buildings within the Tennyson Reach Body Corporate will be entirely evacuated. Within a period of 48 hours the Body Corporate will be introducing measures which will restrict access to the common thoroughfares. Evacuation and restricted access is a result of the condition of the building as a consequence of the recent Brisbane River flooding.


Due to Mirvac's relationship with multiple contractors and suppliers they will assist the Building Manager, Ron Leslie and his team at Tennyson Reach to coordinate rectification of the essential services and restoration of the common property as soon as possible. Early indications have approximated this work to take up to twelve weeks. Please note that all owners will be restricted access to their apartments during this period for, safety reasons.

To alleviate this restriction the Body Corporate will be engaging a safety consultant to provide the necessary safety induction to the management team for safe entry to the apartments. The Building Manager will safely escort owners to and from their apartments for the collection of personal items, by appointment only. Any people that are able to volunteer their help, please contact the Building Manager, Ron Leslie via email [REDACTED] or via mobile on [REDACTED]

The Body Corporate intends to keep you updated on matters as they develop and urge you to regularly check your email or the Body Corporate portal for further information via <http://www.tennysonreachcommunity.com.au/>

On behalf of the Body Corporate we thank you for your cooperation and understanding at this difficult time. Please feel free to contact any of the following people should further information be required.

Ron Leslie	(Building Manager)
Jennifer Lee	(Property Management Officer)
Daig Allman	(Body Corporate Manager)
Steven Bridges	(Body Corporate Chairman)
Andrew Gallagher	(Body Corporate Committee member)
Graham Upton	(Body Corporate Treasurer)



Yours Faithfully,
For and on Behalf of the Body Corporate
Tennyson Reach CTS 39925

[REDACTED]
Daig Allman
Strata Manager
Tennyson@cambridgems.com.au



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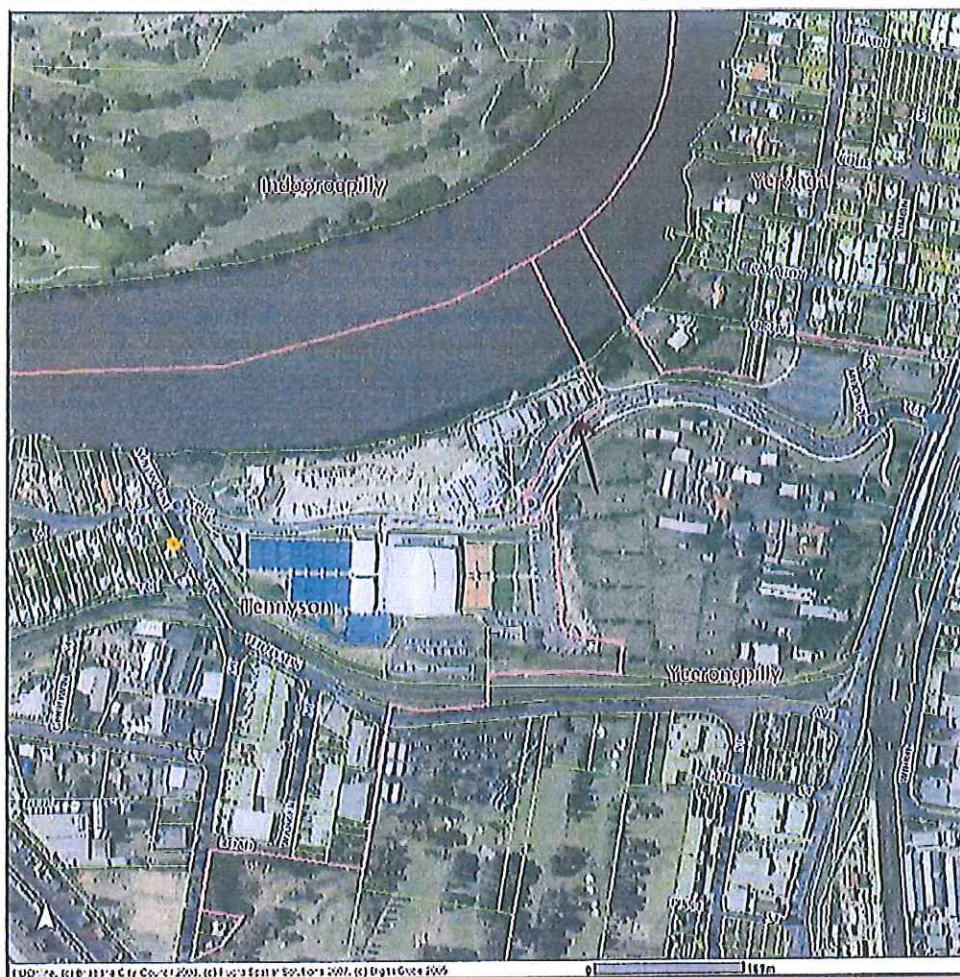








PDOnline

*Dedicated to a
better Brisbane*

- Legend**
- Suburb Boundary
 - Street Name 2500
 - Parcel
 - Aerial Photograph
 - Aerial Photograph

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1893



EASTERN ELEVATION

PROPERTY DESCRIPTION

LOT 3301 ON SP195376
IN "TENNYSON REACH"
COMMUNITY TITLES SCHEME
PARISH OF YEERONGPILLY
COUNTY OF STANLEY
TOTAL AREA 330m² (Deed)

NOTES

(1) This plan was prepared for the purpose and exclusive use of MARIS DUNWORTH and his other professional advisers and is not to be used for any other purpose or by any other person or corporation.
JONES FLINT & PIKE Pty LTD accepts no responsibility for any loss or damage arising to any person or corporation who may use or rely on this plan in contravention of these terms.

(2) These notes form an integral part of this plan. If others use this information, they should be advised of its purpose and limitations.

(3) 1974 Flood Level (RL 10.80m AHD) & 2011 Flood Level (RL 9.05m AHD) are as nominated by Mirvac in correspondence to Tennyson Reach owners dated 20th January 2011.

(4) Flood lines shown are indicative only.

(5) Bureau of Meteorology records indicate that the February 1893 flood was 2.85m above the January 1974 flood at the Port Office Gauge (see graph on sheet 2).

(6) This plan may not be reproduced unless these notes are included.

		BRISBANE - SUNSHINE COAST - CENTRAL QLD BRISBANE - JF&P HOUSE 76 ERNEST STREET, SOUTH BRISBANE, QUEENSLAND, 4101 TEL: (07) 3844 7161 www.jfp.com.au JONES FLINT & PIKE PTY LTD, A.C.N. 050 414 015		PLANNERS URBAN DESIGNERS SURVEYORS ENGINEERS LANDSCAPE ARCHITECTS		NORTH: 		SCALE: SCALE: @ A3 DRAWING IS NOT TO SCALE - (A3 SIZE) DO NOT SCALE FROM THIS DRAWING - USE ONLY DIMENSIONS PROVIDED - IF IN DOUBT PLEASE ENQUIRE		ISSUES: <table border="1"> <tr> <th>SURVEYED</th> <th>TNP</th> <th>CHECKED</th> <th>IAT</th> <th>DATUM</th> </tr> <tr> <td>DRAWN</td> <td>ADW</td> <td>APPROVED</td> <td>IAT</td> <td>ORIGIN (BM)</td> </tr> </table>		SURVEYED	TNP	CHECKED	IAT	DATUM	DRAWN	ADW	APPROVED	IAT	ORIGIN (BM)	TITLE: PLAN OF FLOOD LEVELS MARIS DUNWORTH SOFTSTONE TENNYSON REACH		DETAILS: PROJECT: Z0004 SHEETS: 1 OF 2 FILE: Flood levels.dwg DATE: 1st February, 2011		PLANS: ISSUE: A	
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DRAWN	ADW	APPROVED	IAT	ORIGIN (BM)																							