

<i>Name of Witness</i>	<b>George Vladimir SHUTER</b>
<i>Date of Birth</i>	██████████
<i>Address and contact details</i>	C/- P.O. Box ██████ Bundaberg, 4670
<i>Occupation</i>	Contract Teacher
<i>Officer taking statement</i>	Detective Sergeant Paul Browne
<i>Date taken</i>	01/09/2011

I, George Vladimir SHUTER state:

1. I am ██████ years of age and reside with my wife in the Moore Park area. I work part-time as a Teacher and moved to Queensland from Sydney.
2. Moore Park is a small beachside suburb of Bundaberg and about 20 kilometres from the City Centre. It has a population of around 3000 residents, made of from a mix of farming and residential families. There are some older residential areas as well as a number of new housing estates, including some which are yet to have houses in them. There is a relatively new Primary School which opened in 2004 and a new shopping centre which is under construction. Because of its location the area is mostly built on sand.
3. I have lived in this area since late 2009 and am currently the Secretary of the Moore Park Beach Community Association (Incorporated). I have held this position since arriving in the area in 2009. The Moore Park Beach Community Association (MPBCA) was established in 1994 and was initially set-up to get things started in the area and as a voice for the local residents. One of the first things achieved by the Association was a community hall which was built in Hibiscus Avenue.

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4. The Association has 50 registered members (\$2 joining fee) and at various times we have had up to 80 members. Following the flood we were getting upwards of 140 people turning up at our meetings. The Committee consists of a 4 member executive and has a number of sub committees and other officers. Since being established the Association has continued to operate as a voice for the community and also support local events such as Anzac Day, Australia Day, Remembrance Day, Festival of Arts, Christmas Carols and other community oriented occasions. We are also involved in maintaining parks, beach clean-up programs, involved with Turtle Watch and supporting the Local Lions Club with building a shed to store their trailer and some of our equipment (mower, ride-on used for maintaining the hall).
5. At the time of the flood I helped with getting residents access in and out of isolated areas around Moore Park. This included transporting people in and out. This was mostly co-ordinated locally and on an individual basis with people helping others out who they knew. It also involved the supply and delivery of food and emergency supplies. There was no co-ordination at any organisational level, because we were cut off and isolated from Bundaberg. There were some parts of Moore Park Beach that Police and other emergency services could not get in to or access for three days or longer.
6. Mal CAMPBELL, the Council Disaster Co-ordinator has previously stated that given the situation, Moore Park needs to be self sufficient for a period of 3 days. S.E.S. and RFB are now in the process of co-ordinating a local plan to ensure the community can sustain itself for that period of time in the event of such an incident. Any plan would need to include emergency supplies, temporary accommodation and the establishment of an evacuation centre. It would also need to consider things such as tidal surge and finding a location that is high enough that it would not get wet. The Primary School (which is the highest point), would seem to be the most suitable location for an evacuation centre.

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7. I am involved with a Committee looking into these types of issues and trying to formulate an agenda. That committee is at a point where we are waiting on Mal CAMPBELL to come and meet with us, and to consider some of the recommendations made in the Queensland Flood Commission of Inquiry interim report.
8. I am also a member of the Moore Park Beach Rural Fire Brigade and joined this when I moved to the area. I am currently the Secretary of the RFB and as part of my role with the RFB I helped in the clean-up after the Bundaberg flood. Crews were called on to help and our crew went and helped clean-up streets in North Bundaberg.

**LAND PLANNING AND USE MANAGEMENT:**

9. Through my role with the MPBCA and in the time I have lived in the area, I have become aware of a number of issues related to the lack of drainage in the area. I am able to break those down into a number areas, and have obtained a series of photographs in reference to each location.

**I am able to produce a series of photographs depicting those drainage issues (Attachment 1).**

**Exhibit number .....**

10. **Moore Park Creek (photograph reference 1):** All of the water flow from Lilly Pilly Close to the tidal pipes at Gengers Road, a distance of over 6kms, is expected to flow through three 45cm pipes at Gengers Road and into Moore Park Creek. The limited flow at the pipes and to the creek is having the effect of damming the backwater and with high groundwater levels, flooding has been frequent and prolonged. A weir which was built around 1965 has since been declared abandoned by DERM, as three successive Councils have not maintained the structure.

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11. Peter JENSEN has been a Council Engineer for twenty years, throughout these successive Council administrations. I believe he is aware of the issues with the drainage in Moore Park, but nothing has been done to fix the problem.
12. I believe that conflicting information from Bundaberg Regional Council (BRC), DERM and Bundaberg Sugar as to the procedures and responsibility for this area has led to total inaction from all concerned bodies. Compounding this, I am aware of a quote for \$20'000 to clear the 'silted' area of the channel which I believe would go a long way to fixing the problem, yet BRC have allocated \$80'000 for an investigation of possible options? No monies have been budgeted for capital works prior to this wet season and it is difficult to understand the logic of an \$80'000 investigation that does not involve any actual work to rectify the problem.
13. Recently in the August-September 2011 edition of "Shorelines" (MPBCA Newsletter), Councillor Alan BUSH stated in his column that the BRC had allocated \$500'000 for "drainage design and to commence work at Sandpiper Grove". There was no reference to the Gengers road tidal pipes.
14. **Gengers Road, to Moore Park Creek (photograph reference 2):** Neither high nor low tides alter the water levels at these tidal pipes. The pipes are unaffected by tidal movement and remain 200mm below the waterline at a 3.39 metre High tide and a 0.36 metre low tide. I believe this is because the silt south of the weir is preventing water flow to Moore Park Creek. The area between these two points appears to be silted from the incoming tides and does not allow for water flow to Moore Park Creek, thus causing ground water to remain high for the seven kilometre distance to the northern end of Murdochs Road.
15. Further rainfall has no means to dissipate and instead lies in any low ground area as the groundwater level is at surface level. New pipes are at a half open level. The older pipes are underwater and have been for several years, showing the expanse of water flow. The three pipes at the weir have not been altered.

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16. **Woodland road to Palm View Drive (photograph reference 3):** The lagoon area of this residential estate has regularly flooded and I believe this is as a result of several residents having built artificial dams on their properties for aesthetic reasons. Some fill has been pushed into the channel by adjacent resident(s) so as to gain further land area and artificial dams have been built. Several pipes in this system have been underwater for three years despite BRC having raised the setting of these pipes at a half open level (200mm higher), showing water levels have been substantially higher since.

17. **Palm View Drive (photograph reference 4):** The system is again bottlenecked at this point with substantial water held back and no water flow being evident. This causes flooding of the 20 acres North of Palm View Drive, and it is at this site that at least one resident has extended land area by adding fill to the channel course. I am aware that BRC workers were told not to clear the channel by ex-BRC staff who is a resident of a nearby property.

18. **Sandpiper Grove (photograph reference 5):** Over the past 2 wet seasons, Sandpiper Grove has been flooded to a level that has prohibited vehicular crossing. On occasion BRC has had water trucks pumping up the water and taking it to be dumped near Heron Close. This effectively does nothing as the level of the groundwater is so high. Further the water being dumped in Heron close has nowhere to go as the drainage through that area does not flow.

19. **Lillypilly Place (photograph reference 6):** The water levels from Lillypilly Place to the Moore Park Beach State School have been at a very high level, and consistently extending to within property lines. A lot of homes in this area rely on septic and at the time of the flood some of these were underwater. The water has also been lying stagnant in some places for months. Due to concerns the MPBCA arranged for a water sample to be taken at the lagoon near the school to determine E-coli levels.

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I am able to produce a copy of that water quality report (Attachment 2).

Exhibit number .....

20. The stagnant water in this and other locations has also been of concern due to the increase in Mosquito's. In one instance I wrote to the BRC regarding a concern over mosquito borne disease (Dengue / Ross River fever/s) and the response I received were some pamphlets. The BRC has no 'Vector' control officer although they did advertise for the position but subsequently withdrew that advertisement.

21. **Royal Palms Estate (photograph reference 7):** Residents of Royal Palms Estate were cut off for over three weeks due to unpassable water. Several 4 x 4 owners offered to take residents across and supply essentials to those unable to do so and again BRC applied water trucks to pump water for over 50 hours. This was again taken and dumped around the corner into Heron Close with no effect being noticed to the water levels in Royal Palms Estate. I am aware that the tanker driver commented that the dumped water was flowing straight back to where he was taking it from.

22. **Heron Close (photograph reference 8):** [REDACTED] of [REDACTED] Heron Close had water completely surround his house, causing damage to pumps, pool, fences and lapping at his floor level. I am aware he had many communications with Peter BYRNE (CEO of BRC), Councillor Alan BUSH (the local Council Member) and Rob MESSENGER (State MP). Much pressure was applied to have BRC eventually bring machines in and clear a channel for water egress. There was no apparent red tape with DERM nor National Parks for this action to occur, which is one of the reasons that is given for why other channel maintenance cannot be undertaken. Advice I have is that this channel should have taken water away from the area.

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23. Some of the long term locals have said this channel was blocked sometime around 1970 and was done to prevent incoming tidal salt water from inundating nearby cane fields. Others suggest the blockage was further down closer to the primary School.

24. **Moore Park Beach Caravan Park (photograph reference Y):** Water testing by the MPBCA has indicated that E-coli levels are high in the lagoon area. BRC has stated that these are within guidelines for a bird inhabited lagoon, despite the number of dead fish regularly found at the bank. The MPBCA has concerns of children playing on the banks of the lagoon, attracted by ducks and birds.

**I am able to produce a copy of that water quality report (Attachment 3).**

**Exhibit number .....**

25. **Cleared Channel West of Murdoch's Road(photograph reference Z):** This channel has been regularly cleared and maintained with gates at Moore Park Creek. These gates are effective in holding the tide from cane fields up to Murdochs' Linking Road.

26. Since I became aware of the extent of all of these issues I believe that large parts of Moore Park are inadvertently being turned into wetlands, with lakes or ponds forming across what was once dry land and water permanently sitting stagnant in a lot of areas. This is having a detrimental effect on the community in a number of ways:

- mosquito borne disease and vermin infestation;
- unsafe water conditions in public places;
- house insurance rejection, conditions and premium costs;
- anxiety and depression incidence in residents;
- property value changes;
- agricultural crop losses; ~~2/~~

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- community isolation due to road closures;
- changes to wetlands boundaries by DERM.

27. I am aware of a proposed extension of wetland boundaries and associated trigger areas by DERM, which is scheduled for October 2011. Submissions for that closed on 28<sup>th</sup> April 2011, however consultation is not available until after the proposal has been approved. We are not aware of what these proposed boundaries will be and are concerned what the impact of those changes will be on home insurance and building permits. We are also concerned that any change of status will further restrict the ability of BRC to carry out the necessary works and rectify the drainage in this area. As consultation will not take place until after the changes have been approved I am concerned it will then be too late to do anything about it.

28. I am concerned about the quantity of stagnant water lying around and the water table quality given the close proximity to the Primary School, Caravan Park, residential and other recreational areas. Not only is the water quality affected but also the potential for mosquito borne diseases such as Dengue fever has risen significantly.

29. I am concerned with a proposed 'Bundaberg Sugar' 128 lot residential development in the east corner of Moore Park Road and Murdochs Road. This has been passed by BRC and will be an additional restriction of water flow to Moore Park Creek with increased risk of continued flooding.

30. I am concerned over the BRC investigation of possible options for the drainage of Moore Park Beach, not being cost efficient or effective. Options indicated by Peter BYRNE show three alternatives either alone or in combination.

1. Construct a channel from Ohlaf Street to the beach;
2. Construct a channel from Gengers Road tidal pipes south-west to join Moore Park Creek; and

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3. Construct a channel from Gengers Road south as per previous water flow.

31. I am concerned over claims of acid sulphate soil in channel passage and the safe removal/deposit of that material where it exists.

32. I am fearful of a third heavy wet season in 2011-12, cutting off Moore Park Beach for days or weeks with no action taken by the BRC.

33. As part of my involvement with the MPBCA I have been communicating with Council about the problems in the Moore Park area with a view to having the problems rectified. On several occasions Council officers have come to us and we have held meetings to discuss these issues.

**I am able to produce copies of the minutes from those meetings and some of the associated correspondence (Attachment 4).**

**Exhibit number .....**

34. I have also been involved with a Queensland State Government petition, with over 200 residents demanding BRC address drainage issues in Moore Park Beach.

**I am able to produce a copy of that Petition (Attachment 5).**

**Exhibit number .....**

35. The MPBCA have also sought advice from a Law Firm in Brisbane, with regards to a possible class action on behalf of flood affected residents. A decision on any further action has not been taken at this time.

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**RECOMMENDATION/S:**

36. The MPBCA would like to see affirmative action taken by the BRC to clean or repair the existing drainage channels and restore the system to what it once was, so that it can function correctly and deal with the storm water issues of the area. This would reduce the height of the water table and reduce the quantity of stagnant water accumulating in the Moore Park Beach community.
37. I ask the Queensland Floods Commission of Inquiry to consider the issues which have been identified when making any future recommendations.

  
George Vladimir SHUTER.

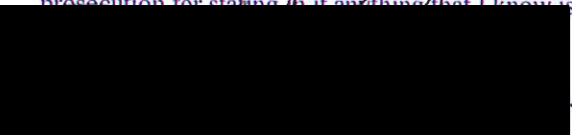
29<sup>th</sup> September 2011.

**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 29<sup>th</sup> September 2011 and contained in the pages numbered 1 to 10 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 to it anything that I know is false.

.....Signature

Signature of  Moore Park Beach.....this....29<sup>th</sup>.....day of.....September.....2011....

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