

Supplementary Evidence

I was advised by phone on Tuesday 13 April, that the claim had been approved by that the inundation was assessed as being only 100mm in the house and shed.

On Wednesday 14 April, I resent the video to AAMI in 3 parts to improve the definition. I also sent through a PowerPoint file containing photos and showing the level of flooding caused by the 2 events to support my claim.

At this stage I was under the impression that the assessment was saying that the storm had only resulted in an inundation of 100mm, and that the remainder was accounted for by the second event that occurred that evening. I was not aware that the assessment of the storm had been broken into two components, Storm and Flood, in fact this thought had never entered my mind.

Summary

The event of the morning 11 January 2011 was a very large storm and that the volumes of rain that fell at the peak had an ARI of greater than 100 years.

That the report from WRM Water & Environment does not provide any evidence that suggests that first event was not **Storm and Rain water runoff**.

That the conclusion states that the "inundation was caused by Storm Water runoff and flood water escaping and overflowing from Ferny Gully and its unnamed tributary" is unsupported by any modelling or assessment.

That the report, whilst mentioning topography, does not investigate any other topography factors other than the 2 "water courses". Elevations, ground saturations, roads, and the Rail Trail were ignored.

That relevant details discussed with Sarah were left out of the report and photos and video were not passed onto AAMI as part of the Water Damage Assessment.

That the "unnamed tributary" is a drain. As understood by the general public (in the absence of a definition within AAMI's PDS).

Dennis Ward

Mobile: [REDACTED]

Appendix A

Telstra Phone account Jan 2011

Item	Service Number	Call / Usage type	Date	Time	Origin	Place	Number	Alias	Rate	Duration (hh:mm:ss)	\$	Caller Group
297fpr74		Calls to 13 Numbers	9-Jan	10:47 PM		One3 - 6 digit	7132244			13:33	0.3	(unallocated)
2944jwQ3		Calls to Non-Telstra Mobiles	14-Dec	10:23 AM					Everyday	0:21	0.63	(unallocated)
2944jws3		Calls to Non-Telstra Mobiles	14-Dec	11:10 AM					Everyday	11:21	4.59	(unallocated)
292jr2j5		Calls to Non-Telstra Mobiles	14-Dec	6:14 PM					Everyday	0:04	0.63	(unallocated)
294Md9c3		Calls to Non-Telstra Mobiles	16-Dec	7:23 AM					Everyday	0:02	0.63	(unallocated)
28w5xb24		Calls to Non-Telstra Mobiles	16-Dec	9:46 AM					Everyday	3:53	1.89	(unallocated)
294zVf63		Calls to Non-Telstra Mobiles	16-Dec	11:12 AM					Everyday	1:44	1.17	(unallocated)
28wslqg4		Calls to Non-Telstra Mobiles	17-Dec	4:01 PM					Everyday	0:03	0.63	(unallocated)
293m4k25		Calls to Non-Telstra Mobiles	17-Dec	5:52 PM					Everyday	0:33	0.81	(unallocated)
28n2Qm6		Calls to Non-Telstra Mobiles	8-Jan	9:33 AM					Everyday	0:24	0.63	(unallocated)
28n2Qn6		Calls to Non-Telstra Mobiles	8-Jan	10:01 AM					Everyday	0:58	0.81	(unallocated)
28w5xb34		Calls to Telstra Mobiles	16-Dec	9:54 AM					Everyday	2:48	1.53	(unallocated)
296Mpds4		Calls to Telstra Mobiles	7-Jan	11:44 AM					Everyday	0:22	0.63	(unallocated)
29f6wI3		Calls to Telstra Mobiles	10-Jan	9:08 PM					Everyday	0:11	0.63	(unallocated)
2944jwq3		Local Calls	14-Dec	10:22 AM	Fernvale	Fernvale				0:01	0.18	(unallocated)
2944jwr3		Local Calls	14-Dec	10:53 AM	Fernvale	Fernvale				0:27	0.18	(unallocated)
294h8bx3		Local Calls	15-Dec	10:43 AM	Fernvale	Brisbane				0:10	0.18	(unallocated)
28dmm3y6		Local Calls	15-Dec	5:30 PM	Fernvale	Borallon				3:32	0.18	(unallocated)
28dmm426		Local Calls	15-Dec	5:47 PM	Fernvale	Fernvale				0:01	0.18	(unallocated)
28dmm436		Local Calls	15-Dec	5:47 PM	Fernvale	Borallon				2:56	0.18	(unallocated)
28dmm446		Local Calls	15-Dec	5:51 PM	Fernvale	Fernvale				1:55	0.18	(unallocated)
28dmm456		Local Calls	15-Dec	5:53 PM	Fernvale	Borallon				27:12	0.18	(unallocated)

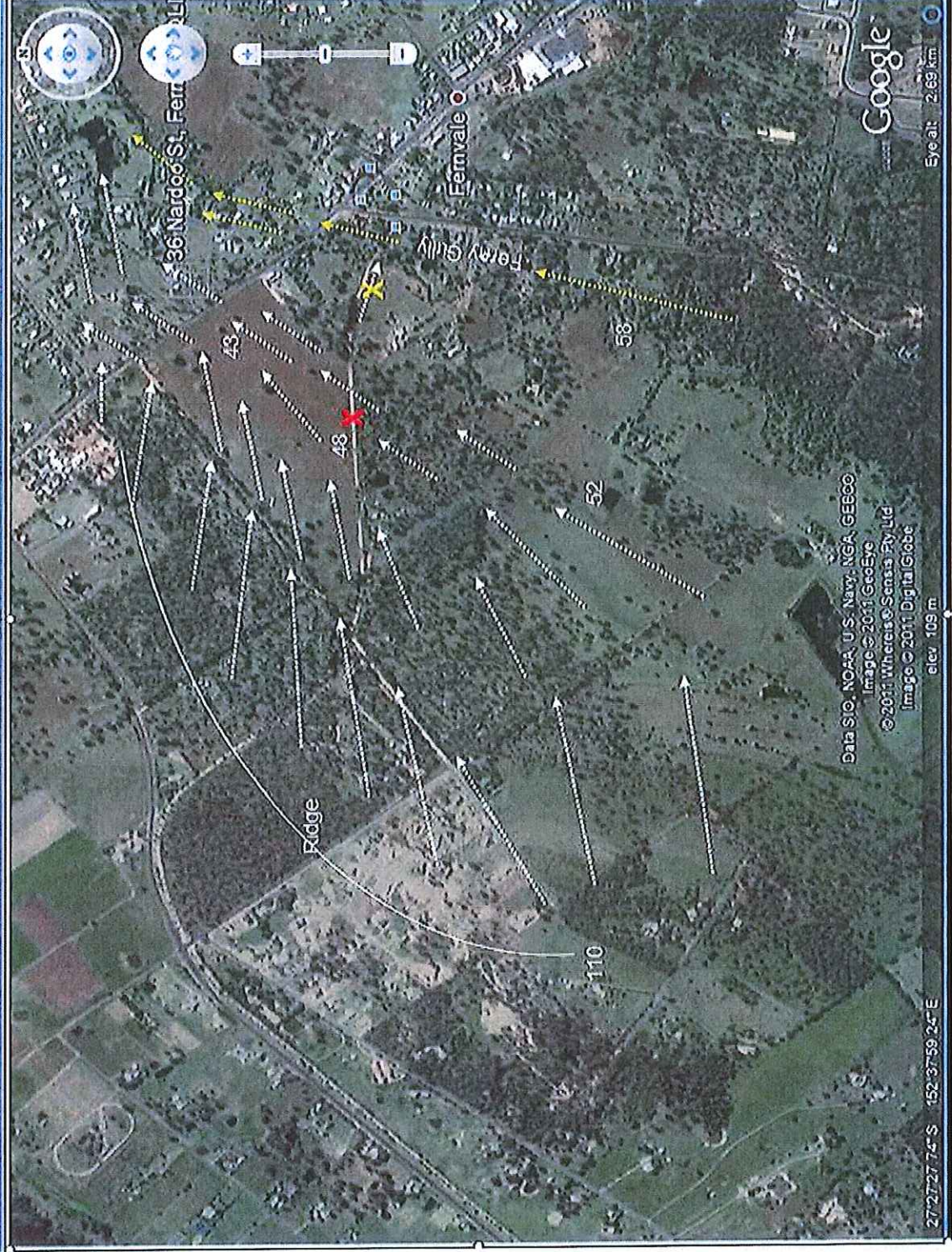
292vfrm5	Local Calls	15-Dec	7:00 PM	Fernvale	Fernvale	0.18	0:11	(unallocated)
294nmhv3	Local Calls	15-Dec	8:26 PM	Fernvale	Fernvale	0.18	0:09	(unallocated)
28wMhbw4	Local Calls	17-Dec	8:43 AM	Fernvale	Fernvale	0.18	3:26	(unallocated)
28wMQy54	Local Calls	17-Dec	9:57 AM	Fernvale	Esk	0.18	2:50	(unallocated)
28wMQy64	Local Calls	17-Dec	10:03 AM	Fernvale	Fernvale	0.18	0:05	(unallocated)
293m4jy5	Local Calls	17-Dec	5:34 PM	Fernvale	Brisbane	0.18	8:10	(unallocated)
2972gQx4	Local Calls	8-Jan	6:39 PM	Fernvale	Fernvale	0.18	8:36	(unallocated)
2972gQy4	Local Calls	8-Jan	6:48 PM	Fernvale	Fernvale	0.18	0:39	(unallocated)
29bxh9m5	Local Calls	9-Jan	4:00 PM	Fernvale	Fernvale	0.18	0:20	(unallocated)
29bxmVj5	Local Calls	9-Jan	4:53 PM	Fernvale	Fernvale	0.18	5:11	(unallocated)
297hx8b4	Local Calls	10-Jan	9:01 AM	Fernvale	Fernvale	0.18	0:39	(unallocated)
297hx8c4	Local Calls	10-Jan	9:12 AM	Fernvale	Fernvale	0.18	0:15	(unallocated)
297hx8d4	Local Calls	10-Jan	9:13 AM	Fernvale	Lowood	0.18	0:33	(unallocated)
28M6s6x6	Local Calls	10-Jan	1:20 PM	Fernvale	Fernvale	0.18	1:56	(unallocated)
29cbksz5	Local Calls	10-Jan	3:00 PM	Fernvale	Fernvale	0.18	0:51	(unallocated)
29cbksv5	Local Calls	10-Jan	3:06 PM	Fernvale	Fernvale	0.18	0:43	(unallocated)
2975wn4	Local Calls	10-Jan	7:45 PM	Fernvale	Brisbane	0.18	25:59	(unallocated)
28w5x9x4	STD Calls	16-Dec	9:44 AM	Fernvale	Dunkeld	0.55	0:15	(unallocated)
28w5x9y4	STD Calls	16-Dec	9:46 AM	Fernvale	Mornington	0.55	0:01	(unallocated)
299M73i5	STD Calls	5-Jan	9:36 AM	Fernvale	Dunkeld	2	8:09	(unallocated)
2969cfx4	STD Calls	6-Jan	10:30 AM	Fernvale	Brisbane	0.75	1:28	(unallocated)
29b7djc5	STD Calls	6-Jan	9:35 PM	Fernvale	Brisbane	0.65	0:49	(unallocated)
28M4tqM6	STD Calls	10-Jan	9:38 AM	Fernvale	Brisbane	0.55	0:18	(unallocated)
28M4tqp6	STD Calls	10-Jan	9:40 AM	Fernvale	Brisbane	1.35	4:11	(unallocated)
297pMmz4	STD Calls	10-Jan	6:59 PM	Fernvale	Brisbane	1.15	3:03	(unallocated)



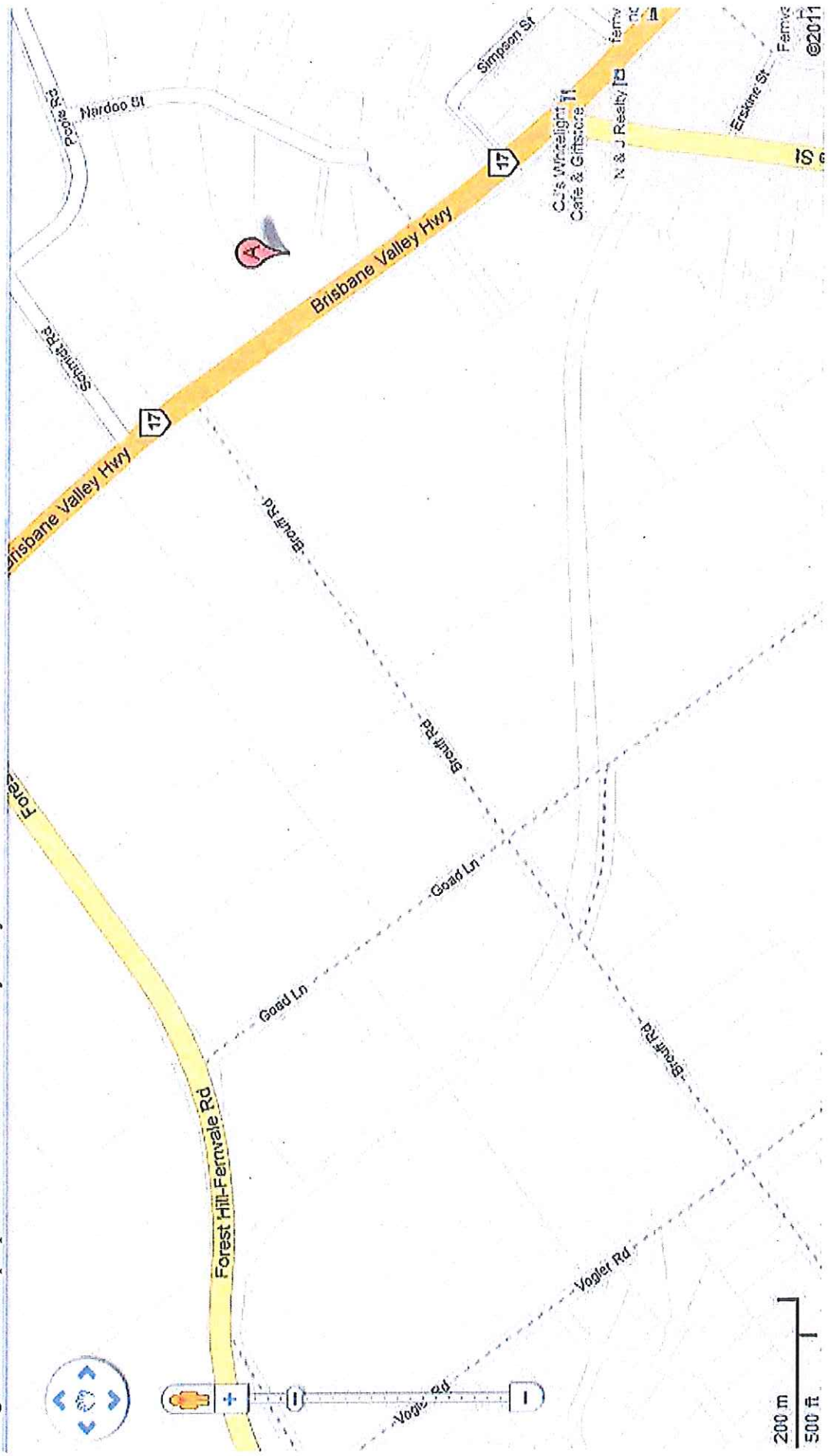
Appendix B
Google Earth – View 1 (Altitude 1.07km) Elevations shown



Google Earth – View 2 (Altitude 2.69km) Elevations shown



Appendix B – View3
Google view show properties and location of Ferny Gully



Appendix C

View of Rail Trail just above Ferny Gully. Significant damage done by water running down beside Trail. Marked on Google Earth View1 with X.



View of Rail Trail damage at location marked on View1 with X.



View of Rail Trail damage at location marked on View1 with **X**. Looking towards our property in the centre of the photo in the distance.



Another angle of damage from View1 point **X**.

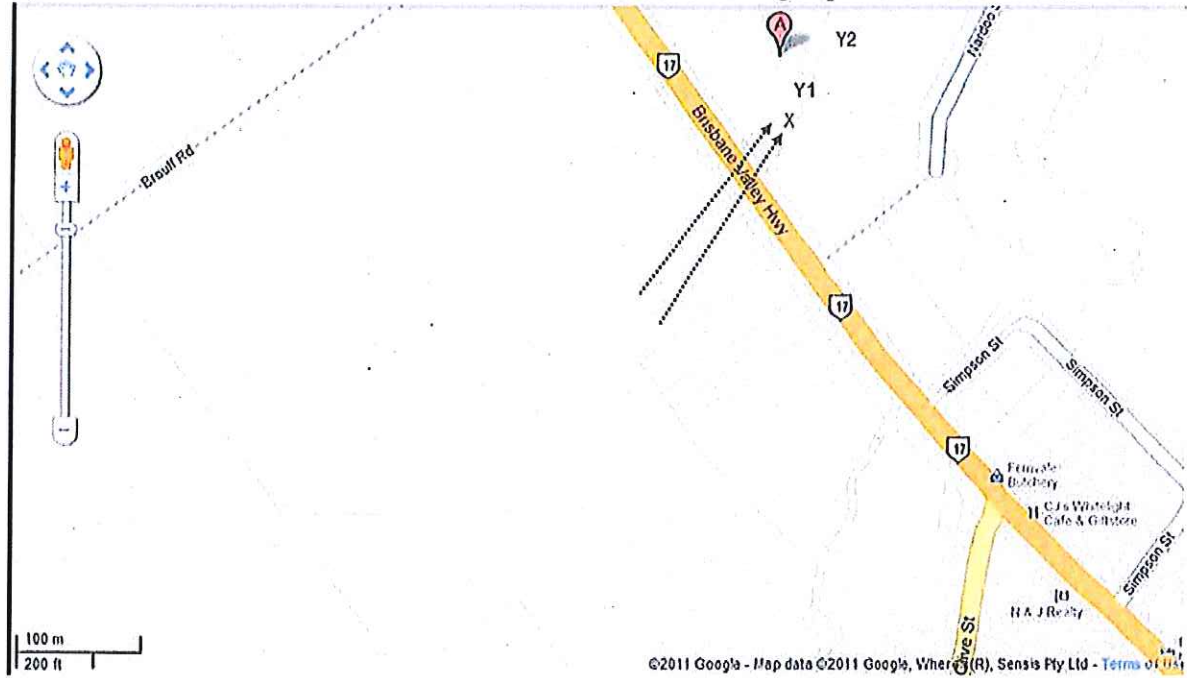


View of damage at other points of Rail Trail



Appendix D

Building materials stored in position "X" were located in position Y1 and Y2. Arrows indicate required direction of Storm Water flow to result in materials being deposited in these locations.



Picture of building materials caught in fence after Storm in position Y1.



CONSUMER APPEALS SERVICE

17 May 2011

Miss Suzanne Jones
Mr Dennis John Ward
[REDACTED]
FERNVALE QLD 4306

Dear Miss Jones & Mr. Ward,

Re: AAMI Claim Number [REDACTED]

Thank you for your patience whilst I have been reviewing your dispute regarding the above claim.

As previously advised it is my role as Dispute Resolution Officer to review your complaint in accordance with AAMI's internal dispute resolution process.

The Policy

The claim has been lodged under AAMI's Home Buildings and Contents Insurance Policies (the policy).

The policy booklets explain (in summary) that you are covered for loss or damage caused by storm and rainwater, but not damage caused by flood.

The Claim

You lodged a claim with AAMI on 12 January 2011 for water entry at your property.

You were subsequently advised AAMI would consider the matter, as whilst damage caused by storm and rainwater was covered by the policy, damage caused by flood was not.

After conducting investigation into the matter, AAMI sent you a letter dated 8 April 2011 stating it considered three separate events occurred at your property over 11 and 12 January 2011. AAMI believed the first of those events constituted stormwater runoff inundation and agreed to cover damage attributed to this, which it accepted was to an internal height of 100mm above floor level. However, AAMI considered the other two events were floodwater inundation and declined to cover any damage attributed to these.

You have made a submission to my office and requested the settlement offer be revised to 370mm above floor level inside your home and to 900mm to the

Consumer Appeals Service

1001 Toowoomba Road, Toowoomba, QLD 4330. AAMI Home Buildings and Contents Insurance
Telephone: 1300 1 85 774. For details please call 1300 1 85 774. Email: consumerappeals@ammi.com.au
or visit our website www.ammi.com.au



shed, based on the evidence you compiled and submitted.

My Decision

Thank you for your patience whilst I have read and considered all of the available material on your file.

The AAMI Home Building and Contents policies provide cover for loss and damage caused by storm and rainwater, but specifically provides that loss or damage caused by flood is not covered. I accept that this is clearly set out in the policy booklet on pages 11 and 19 respectively.

I have reviewed the reports AAMI considered and whilst I understand the basis of its current settlement offer, I believe there are sufficient doubts surrounding the evidence it has relied upon to warrant its revision.

Accordingly, I can advise the settlement offer has now been increased to meet your request damage to a height of 370mm above floor level inside the house and to a height of 900mm for the shed be covered under your claim as being the result of stormwater runoff. However, damage above these heights will not be covered, as I am satisfied the evidence to hand supports that it was attributed to floodwater.

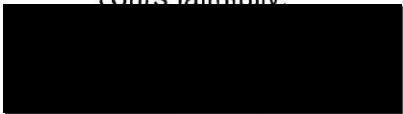
I have now returned your file to AAMI's Claims department so contact can be arranged with a view to progressing the claim to settlement stage.

My decision represents AAMI's final decisions in relation to your complaint. If you wish to pursue the complaint further you are entitled to apply to the Financial Ombudsman Service (the FOS). The FOS is an independent external dispute resolution scheme approved by the Australian Securities and Investments Commission (ASIC). AAMI is a member of this scheme and we agree to be bound by its determination about a dispute. You must make such an application within two years of the date of this letter to:

Financial Ombudsman Service
GPO Box 3
MELBOURNE VIC 3001

Telephone: 1300 780 808
Facsimile: (03) 96136399
Website: www.fos.org.au
Email: info@fos.org.au

Yours faithfully



Amy Cadusch
Dispute Resolution Officer

Questionnaire Insurance:

1. Personal Details

1.	Full Name – Dennis Ward
2.	Current Address – [REDACTED] Fernvale
3.	Date of birth – [REDACTED]
4.	Contact Telephone Numbers – [REDACTED]
5.	Occupation – Manager
6.	Have you made an insurance claim with respect to the 2010/11 floods? If so, with who? What is the status of that claim? Yes, AAMI, settled

2. Insurance Details:

7.	What property was your insurance policy for? ie Home/contents/business, or a combination of any of these. Home
8.	Where is the property located? [REDACTED] Fernvale
9.	Do you have a copy of your Insurance Policy? (Provide the same) Yes, standard AAMI PDS
10.	When did you take that policy out? Approx 18years ago

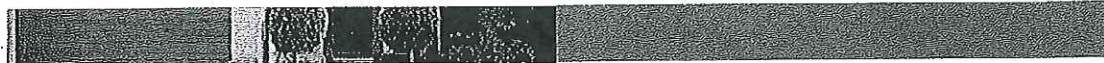
11. Have you at any time before making a claim had a conversation with the insurer or the broker about whether the policy covered flood? If so, please set out the details of this conversation?

I spoke to AAMI on the evening of the 9th of January to discuss flooding scenario and in particular a possible storm scenario that did eventuate on the morning of 11 January. 2 different people assured me I would be covered.

Flooding from the Brisbane river was not discussed as I didn't think this scenario was possible given the role of Wivenhoe Dam was to play in flood mitigation. I was wrong in my assumption.

12. Were you provided with a copy of the policy in writing? When? Were you provided with the policy disclosure documents? (If so please provide a copy) When?

Yes, each year we receive a copy of the PDS.



Yes

Storm and rainwater including stormwater runoff from areas surrounding the site, or water escaping from any water main, drain, pipe, street gutter, guttering or surface.

Storm means violent wind (including a cyclone or tornado), hurricane or a heavy lot of rain, snow or hail.

No

Damage or loss caused by flood. Flood means the inundation or covering of normally dry land by water which:

escapes or overflows from, or correct enter, because it is full or has overflowed, or is prevented from entering, because other water has already escaped or been released from it.

the normal confines of any watercourse or lake, including any that may have been modified by human intervention, or reservoir, canal, dam or stormwater channel.

Flood does not mean stormwater runoff from areas surrounding the site, or water escaping from any water main, drain, pipe, street gutter, guttering or surface.

The cost of cleaning or clearing debris from any pool or spa.

Damage or loss caused by water seeping into or otherwise entering your building also is:

a defect or fault in the design, structure or construction of your building where you could reasonably be expected to be aware of the defect or fault.

building alterations, renovations or additions.

Damage or loss caused by fire where your building has not been otherwise damaged by storm.

Theft - by persons who are not living with you.

Thunderbolt and lightning

3. Insurance Claim/s: This part of the questionnaire is aimed at getting from you an understanding of how your insurance claim was dealt with.

13.	When did you make the insurance claim? (Copy of claim/quotes etc)
	12 January, from friends house where we had evacuated to.
14.	How did you make that claim? (Person/Phone/Internet/Broker)
	By mobile phone when I could eventually get through.
15.	Were you encouraged or discouraged from making the claim?
	neither
16.	What advice were you given by the person you spoke to at the insurance company regarding your claim? Do you have that advice recorded any where?
	That they would get an assessor to us as soon as they could
17.	Did an insurance assessor attend your property? (How long after you lodged your claim did they take to respond)
	Initial assessor visit was 3 weeks after flooding. This was after I had called AAMI on at least 3 occasions to find out when we would see an assessor. We were generally transferred through to another state as the Brisbane office had been flooded and capacity was reduced. The staff said they could not help us, just make notes that we had called. The assessor that did eventually come was not from AAMI and basically added little value to the process.
18.	What method of contact did the insurer use to contact you? Personal/phone etc.
	Phone, but generally me calling them.
19.	Was the claim settled to your satisfaction?
	The claim was not settled until the end of July after a hydrologist assessment, internal review and a lot of delays and weekly calls to AAMI. We got the outcome we wanted, but only after a lot of angst.

4. Performance of Insurer:

20. How would you describe the performance of your insurer?

Pitiful. Not at any stage did they go out of their way to assist us.

21. Did you have any trouble contacting your insurer when inquiring or lodging a claim? If so how long did it take?

At first we would wait for approx an hour to speak to someone. Then I got a direct number and wait times were shorter, although I would keep getting different people.

22. Did your insurer keep you informed as to the progress of your claim? How/Time Frames?

No, we had to keep ringing them and at no stage would they commit to a timeframe. Even when they had the hydrologist report it took over a month for them to advise of a decision, and this was only because I got upset with them when told, "that it was with a manager for decision, and she would have to walk over there to find out what was happening, and the person wasn't even in"
I advised them they called call me on my mobile, which they did that day.

5. General matters:

23. Have you made any complaint against your insurance company in relation to management of a claim arising from the 2010/11 floods? If so, When, Who did you complain to? Nature of the complaint?

Yes, to the financial ombudsman's office. I was surprised and disappointed at the time to find out the insurer then had 28 days to finalise the claim. Even though the claim had been going for 4-5 months at that stage.

24. Has your complaint been finalised at this time? If so what was the outcome of your complaint? If not, at what stage is the matter at?

Complaint was finalised as settlement was achieved through my own efforts.

The Financial Ombudsman did come to Fernvale and meet with individual residents to discuss issues. This was appreciated by the community.

6. Other Matters Insurance:

25. Are there any other matters relating to Insurance you wish to discuss?

I would have expected AAMI to perform much more professionally and I will look to change insurance company asap. Which I can now do as 8 months after the flood, the house is now back to a normal viable state.

The accountability and performance of hydrologists. I have attached my view request which details the issues I had against AAMI and the hydrologist. Insurance companies appeared to be able to get the support they needed from hydrologists and I reviewed a number of hydrologist reports and found that the language used in these reports matched that contained within the insurance companies PDSs.

Hydrologists made assumptions and modelling was not evident. Some insurance companies used the general report commissioned by the Insurance council which clearly stated that in the Fernvale area, individual hydrologist assessments needed to be done as a number of events had occurred and contributed to flooding.

The hydrologist report completed on our property, consisted of a 30 minute interview and a few photographs. The report was 3 pages in total and ignored details I had provided. Evidence such as the video that was viewed in the initial commission hearings was not even mentioned even though a copy had been sent to the hydrologist. The hydrologist had not forwarded this to the insurance company.

I was upset that AAMI had accepted the hydrologist report, and then acted on it. I would expect they would have training to identify a report that was inadequate and as they finally concluded after an extensive review and another months delay "contained an element of doubt".

A larger hydrologist assessment commissioned by the Somerset Regional Council supported the view that I had formed.

26. Is there anything further you wish to add?

27. Is there anything further you believe could be done to enhance the performance of insurers in relation to possible future natural disasters? (eg disclosure documents being made simple)

Insurance documents need to be made simpler and consistent terminology used that is clearly defined.

There should be a code of practice that requires insurance companies to maintain contact with the client on a

regular basis, not the other way around.

The code of practice should include timeframes.

Staff need to have adequate training to determine if supporting evidence (ie hydrologist reports) are adequate and not just take them on face value.

The role of an Assessor needs to be clear and not just a tick and flick process, that proved to be a waste of time.

The National Disaster Insurance Review

The National Disaster Insurance Review (NDIR) has been set up by the Commonwealth Government to look into disaster insurance arrangements. The Commonwealth's review is looking, in particular, at the systemic questions of how disaster insurance should operate generally. Some of the information you give to the Queensland Floods Commission of Inquiry might be relevant to the NDIR. Please indicate if you consent to the Queensland Floods Commission of Inquiry providing your information to the NDIR. If you consent please indicate if you wish the NDIR to treat your information as confidential. (Please note that provision of the information you have provided to the NDIR does not mean that the NDIR will be investigating your individual case. Rather, the information is being provided to the NDIR as being of potential relevance to the general systemic issues they are considering.)

I consent to the Queensland Floods Commission of Inquiry providing my information to the National Disaster Insurance Review.

I want the NDIR to treat my information as confidential.

I do not consent to the Queensland Floods Commission of Inquiry providing my information to the National Disaster Insurance Review

The answers that I have given in response to this Questionnaire are true and correct to the best of my knowledge.

Dennis Ward

.....14/...9.../...2011...
Signature Date

400 George Street Brisbane
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