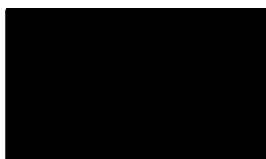


Name of Witness	Lynn De Lange
Date of Birth	[REDACTED]
Address and contact details	[REDACTED] Albert Street, Brisbane (Ph: [REDACTED])
Occupation	Retired
Officer taking statement	Detective Sergeant Stephen Platz
Date taken	13/09/2011

Lynn De Lange states:

1. I am a resident and owner of unit 2008 at Festival Towers located at [REDACTED] Albert Street, Brisbane. I have been a resident here for three years and three months. In March 2010 I became a member of the Body Corporate (BC) committee and was elected treasurer. I performed this role during the January 2011 floods and resigned from this position in April this year.
2. Festival Towers is a 41 storey high rise building built on the site of the old Festival Hall at the corner of Charlotte and Albert Street Brisbane. The building first came on line in July 2006. During the 1974 floods it was well documented that Festival Hall was flooded and I believe this was taken into account when planning this building. This is evident through the placement of all the electrical switch boards and substation above ground level on level one in the building. The building has a four level basement and out of the six lifts only three go into the basement. In addition the lifts can be shut off from entering the basement. This capability, with regards to the lifts, prevents damage to the electrical equipment, elevators and enhances occupant safety, in the advent of a flood. The fourth level basement has pumps to remove water and we were under the belief it was a sealed area.

QFCI
 Date: 3/10/11 JTM
 Exhibit Number: 688



Witness Signature..... Signature of officer

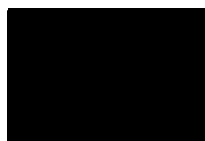


400 George Street Brisbane
 GPO Box 1738 Brisbane
 Queensland 4001 Australia
 Telephone 1300 309 634
 Facsimile +61 7 3405 9750
 www.floodcommission.qld.gov.au
 ABN 65 959 415 158

3. On Wednesday the 12th of January 2011 I was at my home and attending to duties relevant to my position on the BC. At this time there were warnings of flooding in Brisbane and I was liaising with our maintenance manager concerning water entering the basement. At around 9.00am I had a conversation with him where I was told that water was entering via two waterfalls in the B1 area and I could hear this from the ground level. I later found out that the main waterfall was via the conduit in which the Energex underground power cables enter the building and the second waterfall was from where the communications cables enter the building. At this time there was no flooding on Albert Street but the stream of water was steadily increasing. There were no other significant water entry points other than some minimal wall seepage. At this time the pumps were able to cope with the water flowing in.

4. By Wednesday afternoon the back flow in the street drains was now pushing water onto the street. The water was steadily increasing in through the conduit into the basement and the pumps were struggling to keep the water out. We had started instructing residents to remove their cars from the car park on Tuesday the 11th January. We also had the maintenance manager and an electrician prevent the lifts from entering the basements and isolated power to the areas that could become flooded. By 5.00pm we removed all the cars from the basements including three vehicles that we had towed out and a motorbike.

5. At about 4.00am on Thursday the 13th day of January 2011 the back flow of water from the drains on the street increased significantly and flooded the street. The water did not, however, come onto our property except for a small area approximately a quarter meter square on the corner of the property line. The water only came to the edge of our property line and did not reach the entry point to the car park or the main entrance. By this time I physically viewed where the water was entering the basement and observed a waterfall of water coming in where the power cables and communication cables enter. The pumps could no longer handle the incoming water and the bottom two basements were now filling up.



Witness Signature..... Signature of officer.....



6. At its peak the flood totally inundated basement four and up until half way on the lower ramp of basement level three. On the morning of Thursday the 13th of January 2011 the flooding in the street subsided. As we had isolated the power and lifts to the basement we still had power to the rest of the building. On Friday the 14th of January 2011 the building manager, with my approval, made arrangements to obtain pumps to remove the water from the basement and began pumping them out. Once the pumping was completed the BC organised for the lifts shafts to be cleaned and greased. Within ten days after the flood we had the lifts operating to their full capability. I am able to produce photographs of the flooding to Festival Towers.

Exhibit: Series of photographs in relation to flooding at Festival Towers during the 2011 floods

Marked Exhibit No/...

7. The damage caused by the floods included the electrical wiring in the two affected basements, lighting, power boards and exhaust system. The initial clean up cost was in the vicinity of \$164,000 excluding GST. The final cost for repairs was around \$300,000 excluding GST because of additional work required to guarantee the lifts against any damage that may have occurred. I am able to produce a detailed inventory on the cost of repairs to the building.

Exhibit; Inventory of costs in relation to the recovery and repairs to the Festival Towers after the 2011 floods.

Marked Exhibit No/...

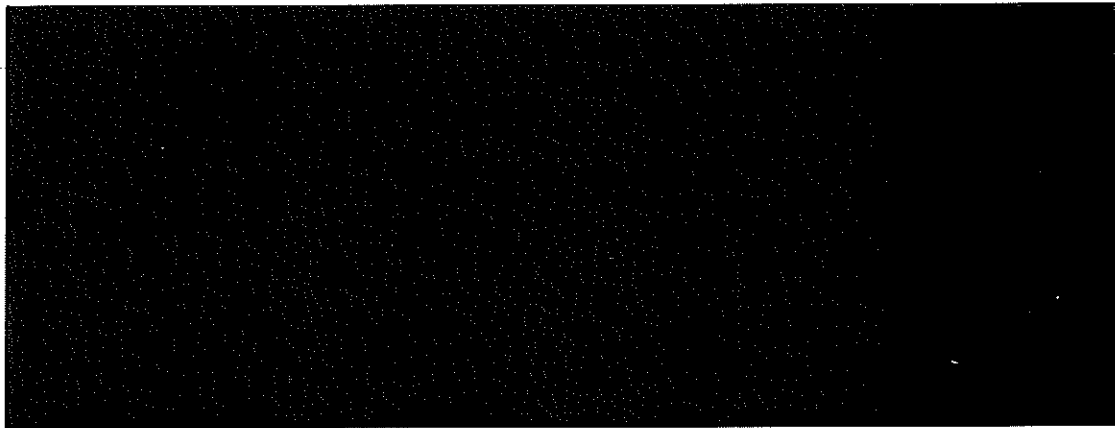


Witness Signature..... Signature of officer.....



**Exhibit; Engineers report on basement inundation at Festival
Towers apartments by Sheehy & Partners Pty Ltd**

Marked Exhibit No/...



10. On the 9th of March 2011 I compiled a letter to the Queensland Floods Commission of Inquiry highlighting the flooding caused by the un-sealed cables leading into the basement. The body corporate also sent a similar letter to Energex. I am able to produce these letters.

**Exhibit; Submission to Queensland Floods Commission of Inquiry
by Lynn de Lange dated 9 March 2011**

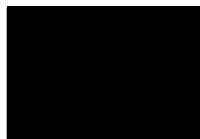
Marked Exhibit No/...

**Exhibit; Letter sent to Energex with regards to flooding at festival
Towers.**

Marked Exhibit No/...

11. On the 21st April 2011 the assessor submitted his report outlining their reasons for the basement inundation. The assessor's report is at odds with the report by the engineer from Sheehy & Partners. It does not mention any flooding through the electrical conduit cables leading into the basement and blames the inundation on

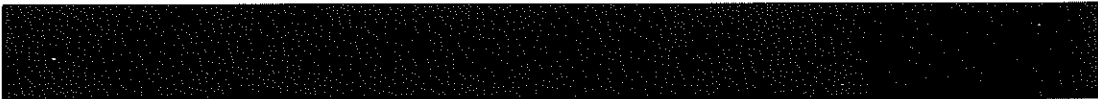
Witness Signature..... Signature of officer



back flow from storm water pipes and cracks in the walls. It does not appear to have taken the first report into consideration and I think it was just a general assessment relating to Riverine flood in the Brisbane area. I am able to produce this report.

**Exhibit; Water damage Assessment by WRM Water &
Environment Pty Ltd on behalf of CHUBB Insurance for Festival Towers**

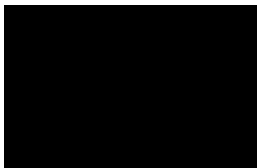
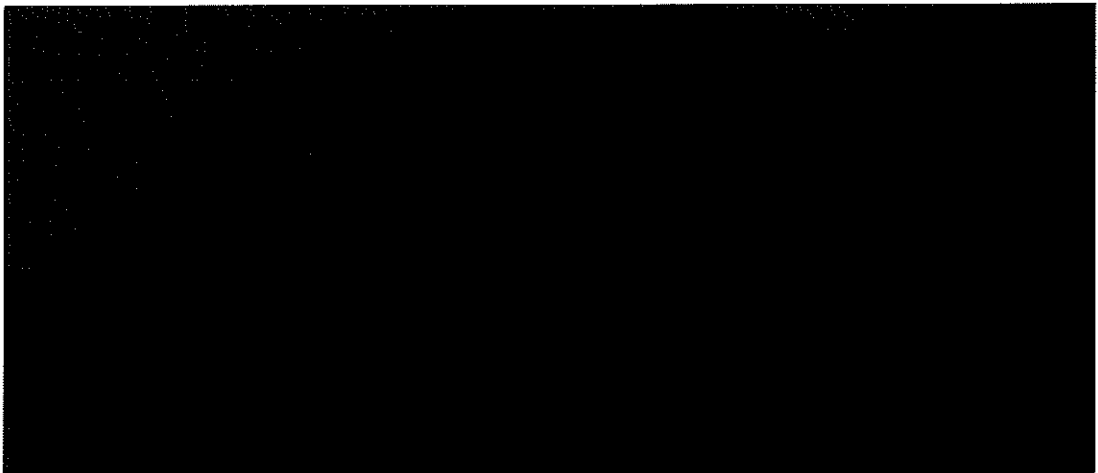
Marked Exhibit No/...



13. On the 13th day of September 2011 I received a copy of the reply letter sent by Energex with regards to the letter we had sent to them concerning the flooding in our basement. I am able to produce this document.

**Exhibit: Letter from Energex dated 29th August 2011 concerning
flooding at Festival Towers**

Marked Exhibit No/..



Witness Signature..... Signature of officer.....
Page Number 5 of 6




15. As stated in my previous submission I think that in order to prevent flooding to inner city buildings in the future that Energex should seal the conduit around their underground cables or have valves in their footpath pits to prevent water backing up the pits from the river.

Lynn De Lange

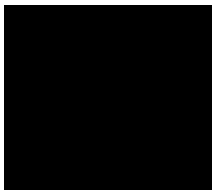
Justices Act 1886

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated 13/09/2011 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...14thday of.....September.....2011



Witness Signature..... Signature of officer ..
Page Number 6 of 6



ANNEXURE A – SERIES OF
PHOTOGRAPHS IN RELATION TO
FLOODING AT FESTIVAL
TOWERS 2011

ONLY AVAILABLE
ELECTRONICALLY: SEE
COMPACT DISC OR
FILE# 1726659

COST OF RECOVERY FROM INUNDATION OF BASEMENT CAR PARKS B4 AND B3 ON 13/1/2011 FESTIVAL TOWERS

Recovery and the returning of upper level lifts and basement car parks B3 and B4 to working order were extremely urgent. B4 was completely submerged. Festival Towers is a 41 storey building and evacuation of water and associated silt in basement car parks was extremely urgent to prevent further damage to the building and upper level lift shafts. The nature of the water also presented a serious health risk. Some residents who could not manage the stairs including a pregnant resident were stranded in their apartments. In excess of 10,000, 000 litres of water had to be evacuated urgently before damage could be assessed and extremely urgent repairs to basement infrastructure commenced in an environment where qualified and reliable trades people were in very high demand.

Work	Original Estimated Final Cost (Excl GST)	Payments to date (Excl GST)	Notes	Estimated final cost (Excl GST) Final
Water and silt evacuation	\$50 000	\$29 760 (Austrans) \$9120 (Austrans) \$2 969 (Mem Maintenance Services pumps and various other equip) – invoice being reviewed for possible on charging of some costs to other complexes \$340 (Mem) \$4 953.27, \$663.59, \$749.59, \$586.59 (TransPacific) \$4 447.06 (Select) TOTAL TO DATE \$53 589.10 Charged to Admin	Extremely urgent - first pump requested early 14/1/2011 – no show. Second quoted \$280 per hour 6 pm to 6 am and \$240 per hour 6 am to 6 pm (see attached Austrans). Work commenced 12 pm 14/1/2011 because of the extremely urgent nature of the work and while other pumps were being sourced. Third and fourth pumping operators sourced did not have sufficient hose lengths to reach B4. Fifth pump sourced on 18/1/2011 and commenced pumping. (see quote attached Select). Water evacuated on the morning of 21/1/2011 to the extent to allow damage assessment. Pumping and removal of silt continued as required and in relation to removal of water from lift shafts until all water and silt evacuated including water in storm water holding tank in B4.	\$55 000

Work	Original Estimated Final Cost (Excl GST)	Payments to date (Excl GST)	Notes	Estimated final cost (Excl GST) Final
Cleaning of areas with high pressure hosing	\$9 000	\$2 560 (Hard Yards) \$1 128 (TZK Maintenance) \$5 866 (TZK Maintenance) \$2145 (TZK Maintenance) – 3 invoices \$1 120 (TZK Maintenance) TOTAL TO DATE \$12 819 Charged to Admin	Very urgent - High pressure cleaning of walls, floors and ceilings of all basement car parks (including B1 and B2) needed to be completed as water and silt receded to prevent build up of mud and to facilitate damage assessment and repair work. Mud and silted water presented a health risk to anyone entering the area after water receded. Contractors are preferred supplier who have previously completed work in the complex at competitive prices and were available to commence work immediately, willing to comply with workplace health and safety requirements and charges per hour were assessed as fair and reasonable. Lift shafts cleaned, degreased and treated for bacteria. Invoices to date attached – itemised invoices obtained. Invoices to be on charged to lot holders for cleaning off removal of rubbish from cages not included. Work complete	\$12 819
Lift repairs	\$10 000 to \$60 000 (\$40 000 expected)	\$23 520.38 Charged to Admin	Very urgent. See attached agreement with Otis for completion of work. Otis holds the maintenance and service contract for the lifts in the building. Under this agreement work was required to be completed by Otis and commenced as soon as possible. Upper level lifts returned to operation on Saturday 22/1/2011. See additional repairs required of \$127490.09 (Excl GST)– see below.	\$23 520.38 (Excludes additional work required)
Electrical repairs	\$30 000	\$23 480, \$105 (Mem Maintenance Services) TOTAL \$23 585 Charged to Sinking	Very urgent. Mem is the preferred supplier for electrical work in the building. Rates are standard and competitive. Rates were assessed as fair and reasonable. This contractor knows the location etc of all electrical equipment etc, prepared the building for possible inundation and was available as soon as water	\$23 480

Work	Original Estimated Final Cost (Excl GST)	Payments to date (Excl GST)	Notes	Estimated final cost (Excl GST) Final
			was evacuated and damage could be assessed. Running repairs and testing of switch boards completed so that other contractors could commence as soon as possible. All lighting in B4 required replacement and work commenced as soon as possible so that pumps and exhaust systems and completion of lift repairs etc could be commenced by other trades people as soon as possible. Itemised invoice provided.	
Security	\$3 000	\$2 585 \$550 (AdNev Security) TOTAL TO DATE \$3 135 Charged to Admin	Work complete Required to address traffic problems in car park entry area and to stop people from entering the basement car parks while pumping and work was continuing and during night periods as the car park entrance was required to remain open to continue pumping throughout the night. Preferred supplier used at previous rates. Itemised invoices provided.	\$3 135
Repairs to pumps	\$6 000	\$5 100 (Down Under) Charged to Admin	Work complete Extremely urgent. Pumps needed to be restored to working order urgently in case of further inundation with rain etc. Work progressed as a priority and being completed by preferred supplier electrical contractor and Down Under Pumps when area is accessible and parts are available.	\$8 000
Repairs to CO gas monitors and associated exhaust system and	\$20 000	\$3 340 (Dalkia) Charged to Sinking	Urgent. To be completed by Dalkia who are the current air conditioning/ exhaust system service and maintenance contractor for the building. See quote attached for VSD repairs (\$9 051 for 2 car parks and \$3 340 for CO monitors). These quotes were checked against industry standards to be fair and reasonable.	\$12 500 \$5 420

Work	Original Estimated Final Cost (Excl GST)	Payments to date (Excl GST)	Notes	Estimated final cost (Excl GST) Final
testing			Exhaust fans need to be cleaned and all vents checked Basement car parks can not be reopened until this work is complete. Clean up of B4 Exhaust – quote attached \$5 420 Completed.	\$5 160
Repairs to fire alarm system, smoke alarms and testing	\$5 000	\$5 160 (Eversafe) Charge to Sinking		
Repairs to fire doors	\$12 000	\$9 036 (Foley Constructions) Charge to Sinking	A maximum of 12 fire doors will be required to be replaced. Preferred supplier has quoted \$ 1 200 per door excluding GST which was \$400 less per door usually paid for replacement doors – see quote attached. Only doors requiring replacement are to be replaced. Foley Constructions supplier.	\$9 036
Replacement of security scanner re lift access and front door	\$4 000		Work complete Quote sourced from current service contractor. See CCTV	
Painting	\$4 000		Quotes sourced as attached	\$900
Replacement /repair of CCTV cameras	\$3 000	\$2 103 Charge to Sinking	Quote sourced – Johnson Controls Work complete	\$2 103
Contingency	\$5 000		Unforeseen repairs that may arise.	\$2 000
TOTAL	\$187 000 TO \$201 000	\$141 387.48	TOTAL EXCLUDING ADDITIONAL LIFT REPAIRS	\$163 073.38 - Estimated

ADDITIONAL NOT INCLUDED ABOVE as at 14 FEBRUARY 2011

Additional work identified not costed – clean down of sprinkler piping, wall reinforcing bottom of B4

Engineers report - \$1 925 including GST

Preparation – Mitre 10 - \$237.11, \$29.34, \$67.21

WORK REQUIRED ON LIFTS – SEE ATTACHED QUOTE \$127 590,9 (Ex GST)

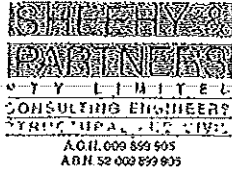


SM/7651-001

7651

15 February 2011

Festival Towers Body Corporate
c/o Stewart Silver King and Burns Community Managers
PO Box 10093 Adelaide Street
BRISBANE QLD 4000



Attention: 

Dear Sir,

Festival Towers Apartments – Basement Water Inundation

This letter confirms the outcomes of our investigations into the source of water inundation into the basement levels of your building located at the corner of Albert and Charlotte Streets in Brisbane City. The water inundation event occurred over the period 12th to 14th January 2011.

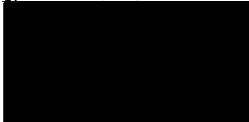
Based on our review of aerial photographs from the peak of the event and gathering of anecdotal evidence from personnel on site during the event we understand that while the water did reach the kerb/footpath level at the street frontages of the building, no water entered the property from across the footpath or driveway accesses since the height of water did not achieve that level. Also the height of the external surrounding water did not reach the level of the crown of the road in either Albert or Charlotte Streets in the vicinity of your building.

The basement wall construction is of kingpost and infill panel construction. It should be noted that this type of basement construction is intended to have minor seepage over time. A system of drains around the perimeter of each basement floor are located to catch any seepage that comes through the wall and direct it to a sump pumping system. There is evidence that the walls are performing adequately to their design function in this regard with only minor seepage evident to date at a number of locations. The volume of water in the basement as a result of the water inundation event is however not from a seepage source.

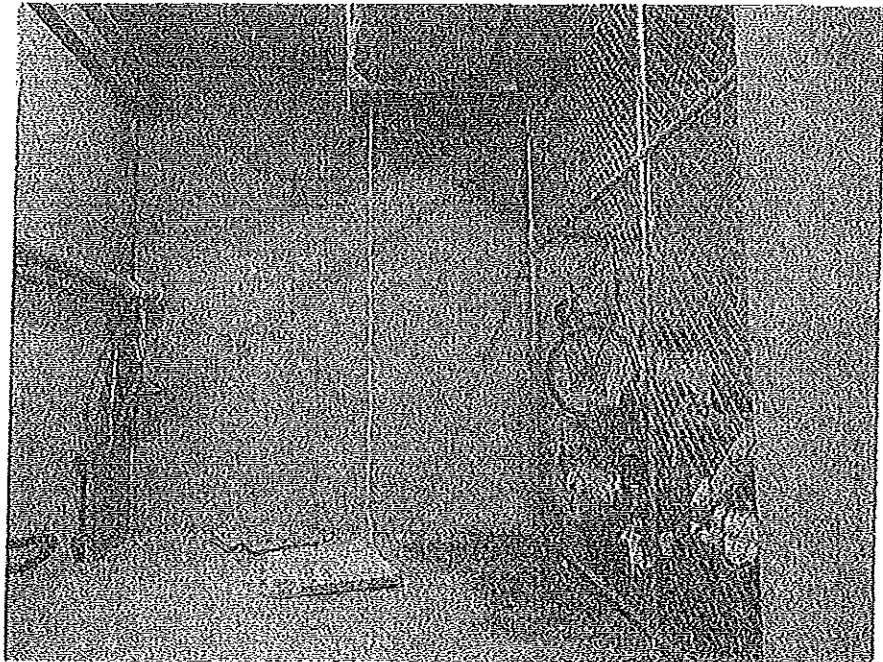
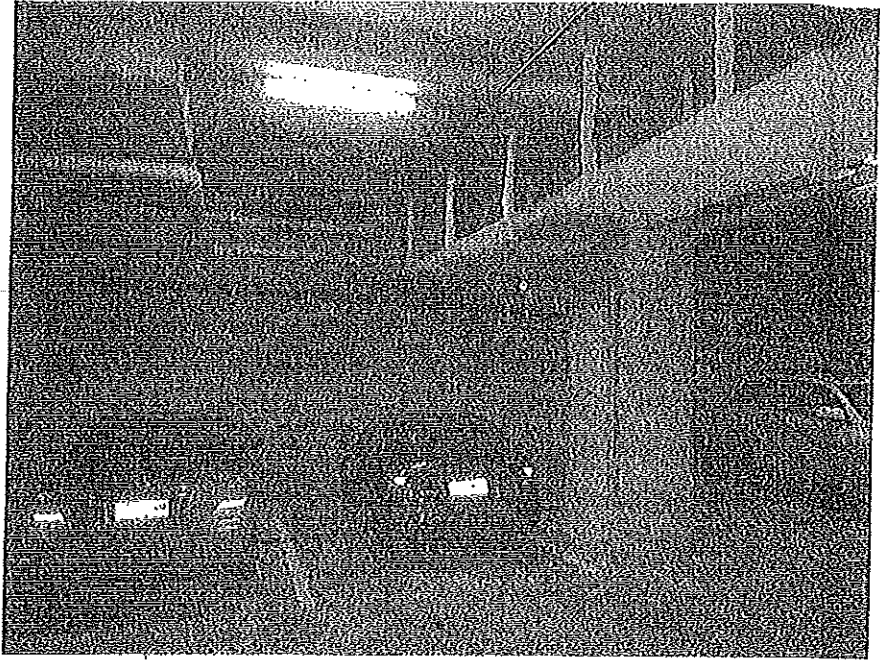
DIRECTORS:



3 Gregory Terrace



The source of the water inundation is believed to be at the incoming electricity mains to the building on the Charlotte Street Frontage. Marked up drawings are attached and photographs follow for identification of this primary water inundation source. A "waterfall" from this location was observed by staff on site during the event. The water staining on the vermiculite encasing of the incoming conduits and failed fire proofing of the entry location boxing soffit also confirm the likelihood of this location being the main source of water entry into the basement.



Other services entries to the basement show signs of seepage but as noted above are not considered to have contributed to the water inundation of the basement. All seepage sources are long term sources and are catered for by the buildings drainage and sump pumping system. The sump pumps are expected to have operated to minimise the effects of the high water inflow volume from the energex cable entry until such time as the power was cut off to the building or the water level reached the pump controllers causing a failure of the pumps. In any case the rate of pump outflow would not have been able to cope with the rate of water inflow from the energex cable entry source.

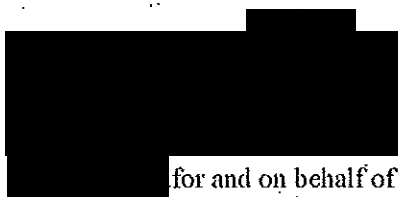
3.

The stormwater pipe along the southern boundary of the site showed no signs of water escape or seepage.

We do not believe there to be any immediate or long term structural impacts on the building structure as a result of the water inundation.

We trust the above information is to your satisfaction. Should you have any queries, please do not hesitate to contact us.

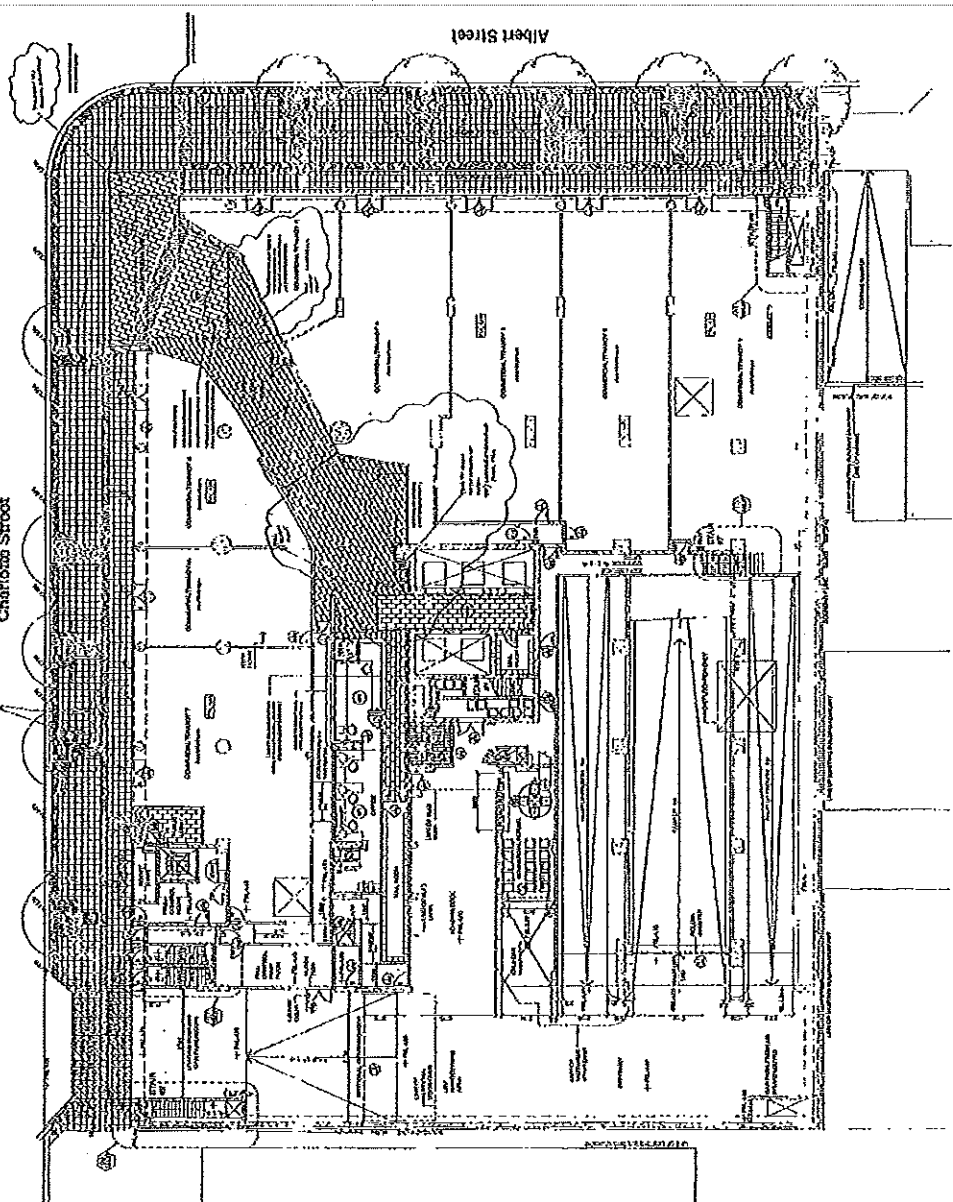
Yours faithfully

A large black rectangular redaction box covers the signature area.

for and on behalf of
SHEEHY & PARTNERS PTY LTD
Consulting Engineers

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LOCATION OF SWEEP PITS IN STREET



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COX

ENGINEER

ARCHITECT

GENERAL CONTRACTOR

AS BUILT

GROUND LEVEL

FLOORPLAN

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NO. 102

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COX

ARCHITECTS

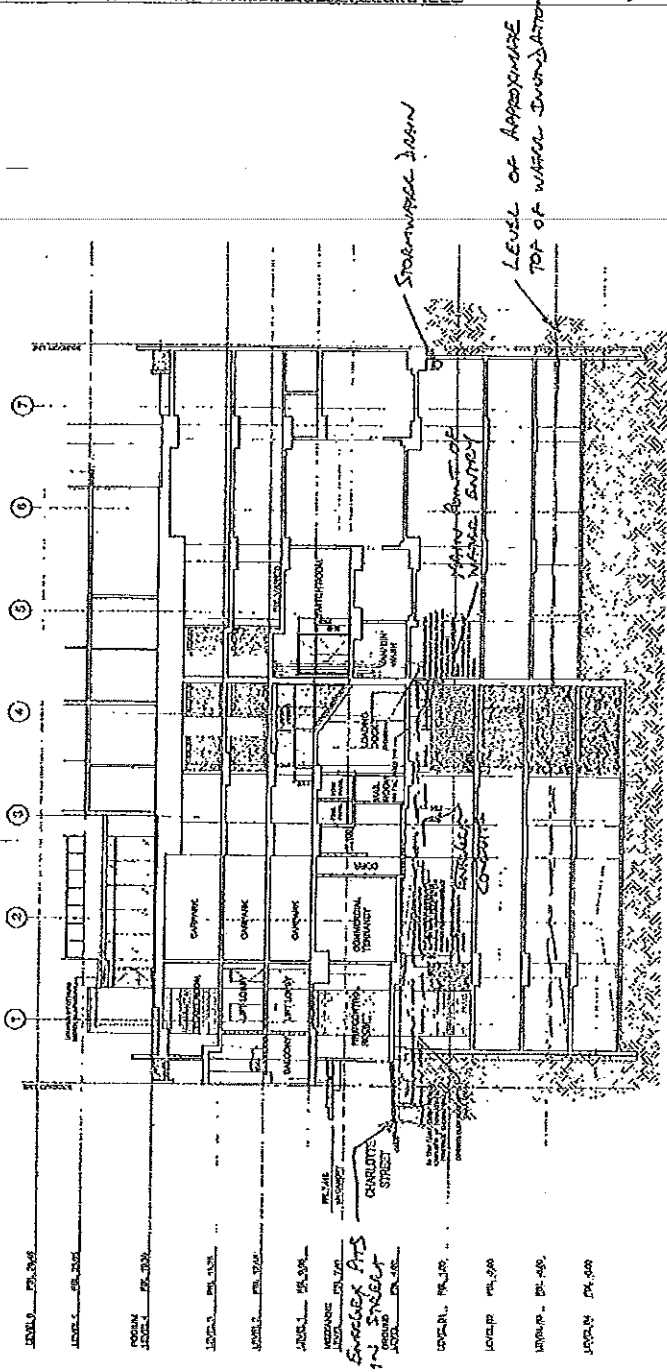
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SECTION 1.5

AS BUILT

DATE: ...

SCALE: ...



SECTION 1.5

Lynn de Lange
2008/108 Albert Street
BRISBANE QLD 4000

9 March 2011

The Commissioner
Queensland Floods Commission of Inquiry
PO Box 1738
BRISBANE QLD 4001

Dear Madam

I am a resident and owner of a home unit in Festival Towers on the corner of Albert and Charlotte Streets in the Brisbane Central Business District. I am also a member of the Body Corporate committee for the building.

During the floods our basement car park was inundated with water causing considerable damage to the two bottom car park levels which is costing some \$300 000 to repair. This water entered the basement from mainly one area in the top basement on the Charlotte Street side to the building

We do not have flood insurance. As there were no flood waters immediate to our building particularly on the Charlotte Street side during the floods or entering the ground floor levels we sought an engineer's report on what went wrong to allow so much water to pour in through the top basement in such a short time. The engineer's report is attached.

This report advises us that the water entered via the conduit in which the Energex underground power cables enter the building from the Energex pits in the footpath outside which are very deep. These would have had considerable water in the bottom coming up from the river. Apparently, Energex does not seal around the cables where they enter the conduit that takes the underground cables to our site.

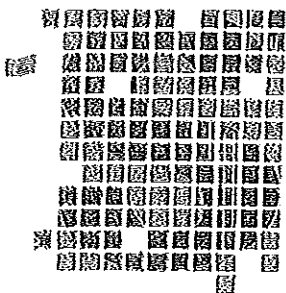
I have been advised that the effect was as if a very wide hose had been put in a swimming pool and the water siphoned off into our building. The day after the floods I wondered why Energex was going around the street pumping water out of the pits in the footpath where there had been no flood water anywhere near the pit.

I understand that this happened in other buildings also. To avoid this happening again I am of the view that Energex should be required to seal the conduit around the cables or have valves in their footpath pits to prevent the water backing up the pits from the river.

Yours sincerely



Lynn de Lange



SM/7651-001

7651

15 February 2011

Festival Towers Body Corporate
c/o Stewart Silver King and Burns Community Managers
PO Box 10093 Adelaide Street
BRISBANE QLD 4000



Attention:

Dear Sir,

Festival Towers Apartments – Basement Water Inundation

This letter confirms the outcomes of our investigations into the source of water inundation into the basement levels of your building located at the corner of Albert and Charlotte Streets in Brisbane City. The water inundation event occurred over the period 12th to 14th January 2011.

Based on our review of aerial photographs from the peak of the event and gathering of anecdotal evidence from personnel on site during the event we understand that while the water did reach the kerb/footpath level at the street frontages of the building, no water entered the property from across the footpath or driveway accesses since the height of water did not achieve that level. Also the height of the external surrounding water did not reach the level of the crown of the road in either Albert or Charlotte Streets in the vicinity of your building.

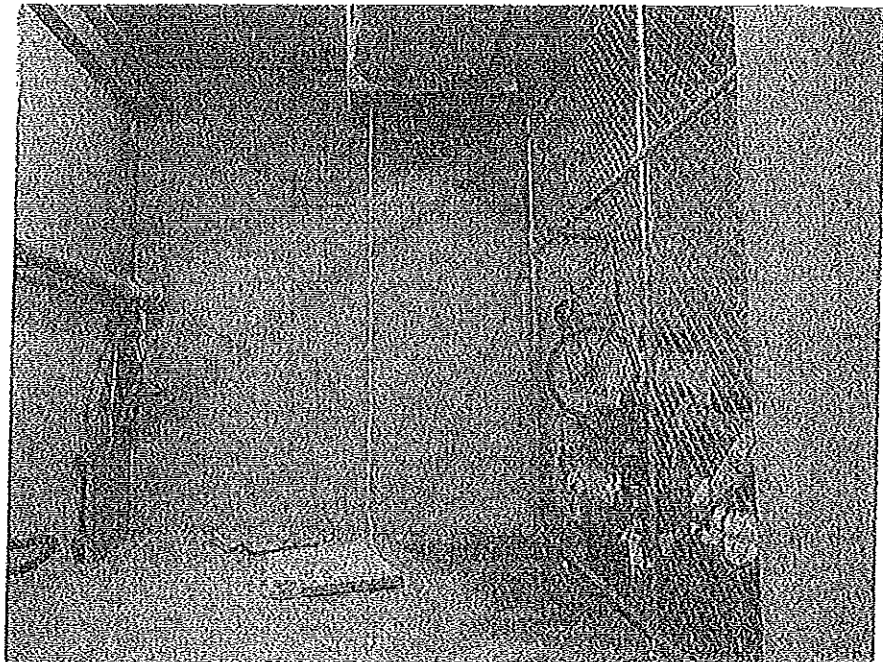
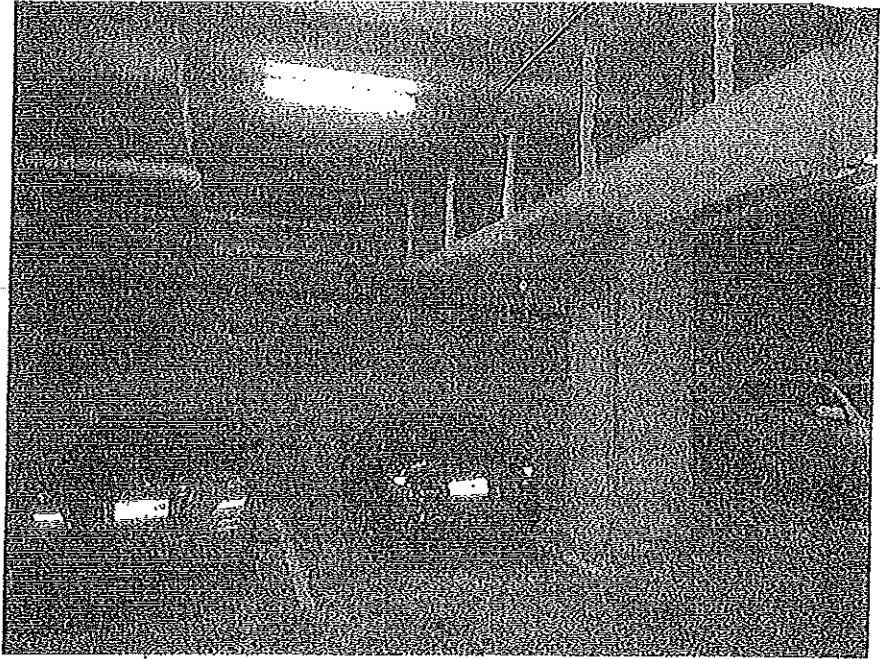
The basement wall construction is of kingpost and infill panel construction. It should be noted that this type of basement construction is intended to have minor seepage over time. A system of drains around the perimeter of each basement floor are located to catch any seepage that comes through the wall and direct it to a sump pumping system. There is evidence that the walls are performing adequately to their design function in this regard with only minor seepage evident to date at a number of locations. The volume of water in the basement as a result of the water inundation event is however not from a seepage source.

DIRECTORS:



The source of the water inundation is believed to be at the incoming electricity mains to the building on the Charlotte Street Frontage. Marked up drawings are attached and photographs follow for identification of this primary water inundation source. A "waterfall" from this location was observed by staff on site during the event. The water staining on the vermiculite encasing of the incoming conduits and failed fire proofing of the entry location boxing soffit also confirm the likelihood of this location being the main source of water entry into the basement.

3 Gregory Terrace
SPRING HILL QLD 4009
Phone: (07) 3839 3644
Facsimile: (07) 3839 3655
Email: mail@shoehy.com.au



Other services entries to the basement show signs of seepage but as noted above are not considered to have contributed to the water inundation of the basement. All seepage sources are long term sources and are catered for by the buildings drainage and sump pumping system. The sump pumps are expected to have operated to minimise the effects of the high water inflow volume from the energex cable entry until such time as the power was cut off to the building or the water level reached the pump controllers causing a failure of the pumps. In any case the rate of pump outflow would not have been able to cope with the rate of water inflow from the energex cable entry source.

The stormwater pipe along the southern boundary of the site showed no signs of water escape or seepage.

We do not believe there to be any immediate or long term structural impacts on the building structure as a result of the water inundation.

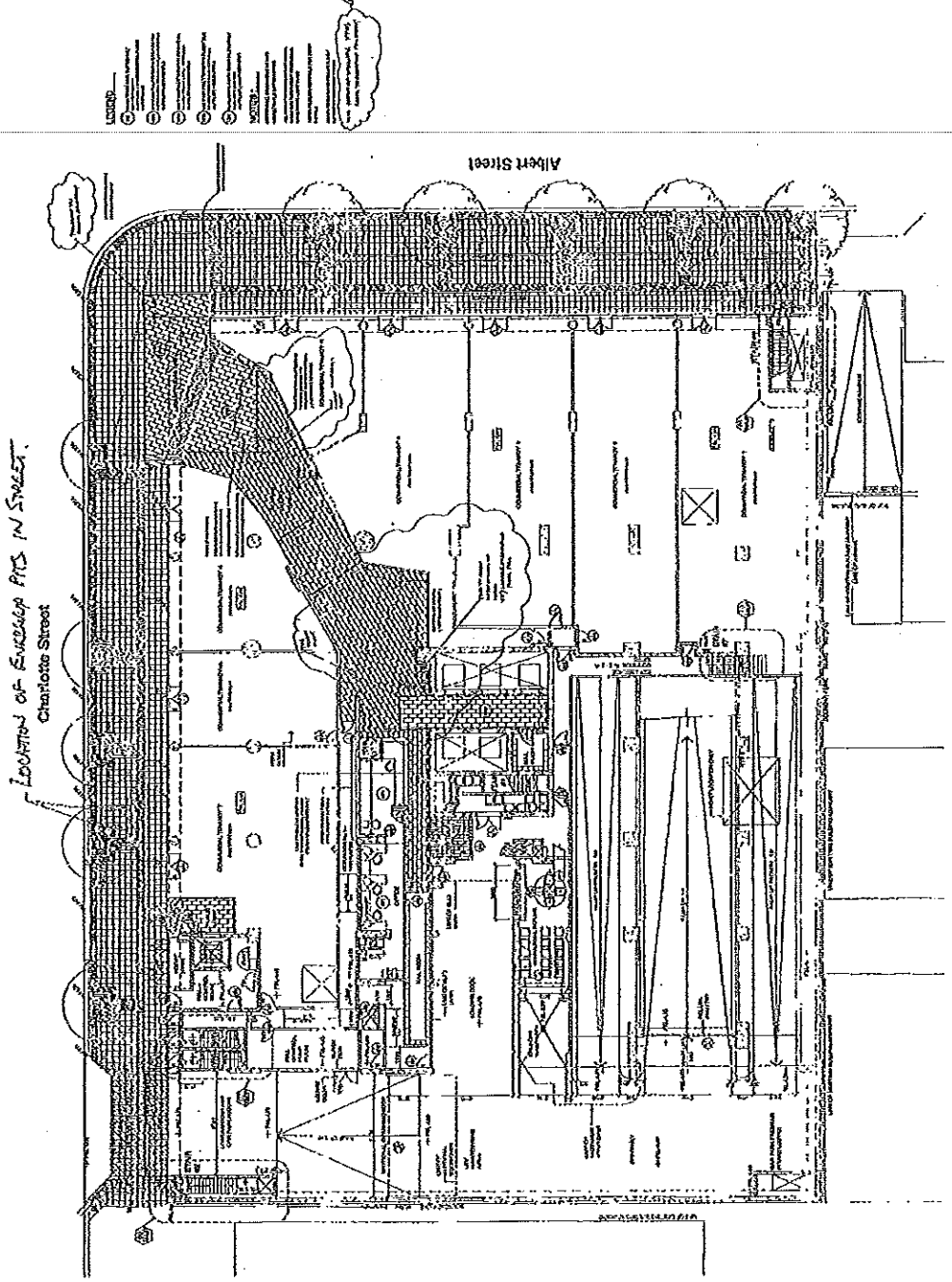
We trust the above information is to your satisfaction. Should you have any queries, please do not hesitate to contact us.

Yours faithfully



 for and on behalf of
SHEEHY & PARTNERS PTY LTD
Consulting Engineers

<p>SPRINKLER LIMITED 1000 N.</p>		<p>COX ...</p>	
<p>GENERAL CONTRACTORS ...</p>		<p>AS BUILT ...</p>	
<p>... ...</p>		<p>... ...</p>	



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COX

ARCHITECT

UNION SQUARE LIMITED
 100 MARKET STREET
 SAN FRANCISCO, CALIF.

CLIENT: **COX COMMUNITY LTD**
 1100 MARKET STREET
 SAN FRANCISCO, CALIF.

PROJECT: **METAL STRUCTURE
 REPAIRS TO
 BEARER'S SILL**

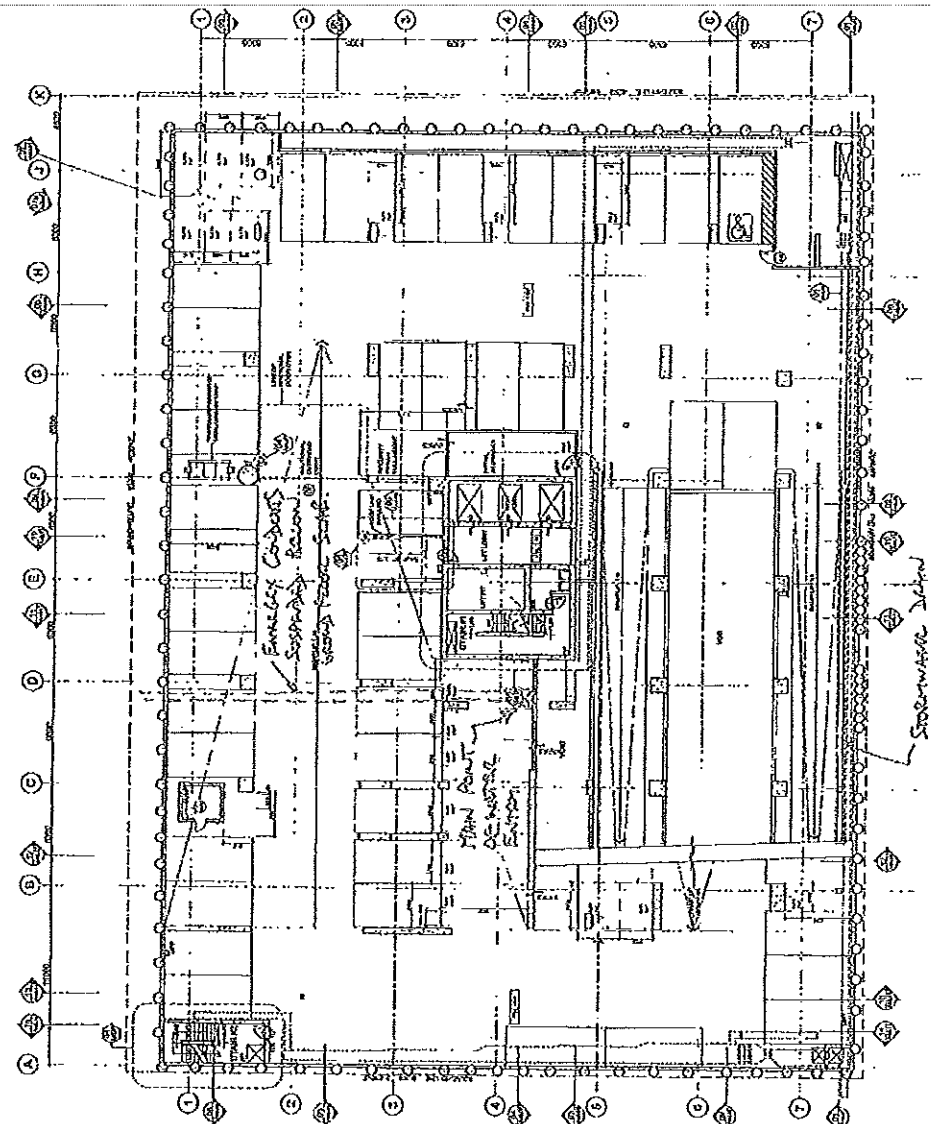
DATE: 10/19/72

LEVEL: **FLOOR PLAN**

AS BUILT

SCALE: 1/8" = 1'-0"

DATE: 10/19/72



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- ☒ REPAIR TO EXISTING CONCRETE
- ☒ REPAIR TO EXISTING METAL STRUCTURE
- ☒ REPAIR TO EXISTING MASONRY
- ☒ REPAIR TO EXISTING WOOD

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA BUILDING CODE.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA ELECTRICAL CODE.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA MECHANICAL CODE.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA PLUMBING CODE.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA GAS PIPELINE CODE.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA FIRE AND SAFETY CODE.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA STATE FIRE MARSHAL'S BUREAU REGULATIONS.
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10. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA STATE FIRE MARSHAL'S BUREAU REGULATIONS.

MISC. METAL LEGEND

- ☒ STEEL JOIST
- ☒ STEEL I-BEAM
- ☒ STEEL COLUMN
- ☒ STEEL BRACE
- ☒ STEEL STUD
- ☒ STEEL HANGING BRACKET
- ☒ STEEL WELD
- ☒ STEEL BOLTING

MISC. METAL NOTES

1. ALL METAL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA BUILDING CODE.
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10. ALL WORK SHALL BE IN ACCORDANCE WITH THE 1972 CALIFORNIA STATE FIRE MARSHAL'S BUREAU REGULATIONS.

LEVEL BEARER'S FLOOR PLAN

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COX

DESIGNED BY: [Name]

DRAWN BY: [Name]

CHECKED BY: [Name]

DATE: [Date]

AS BUILT

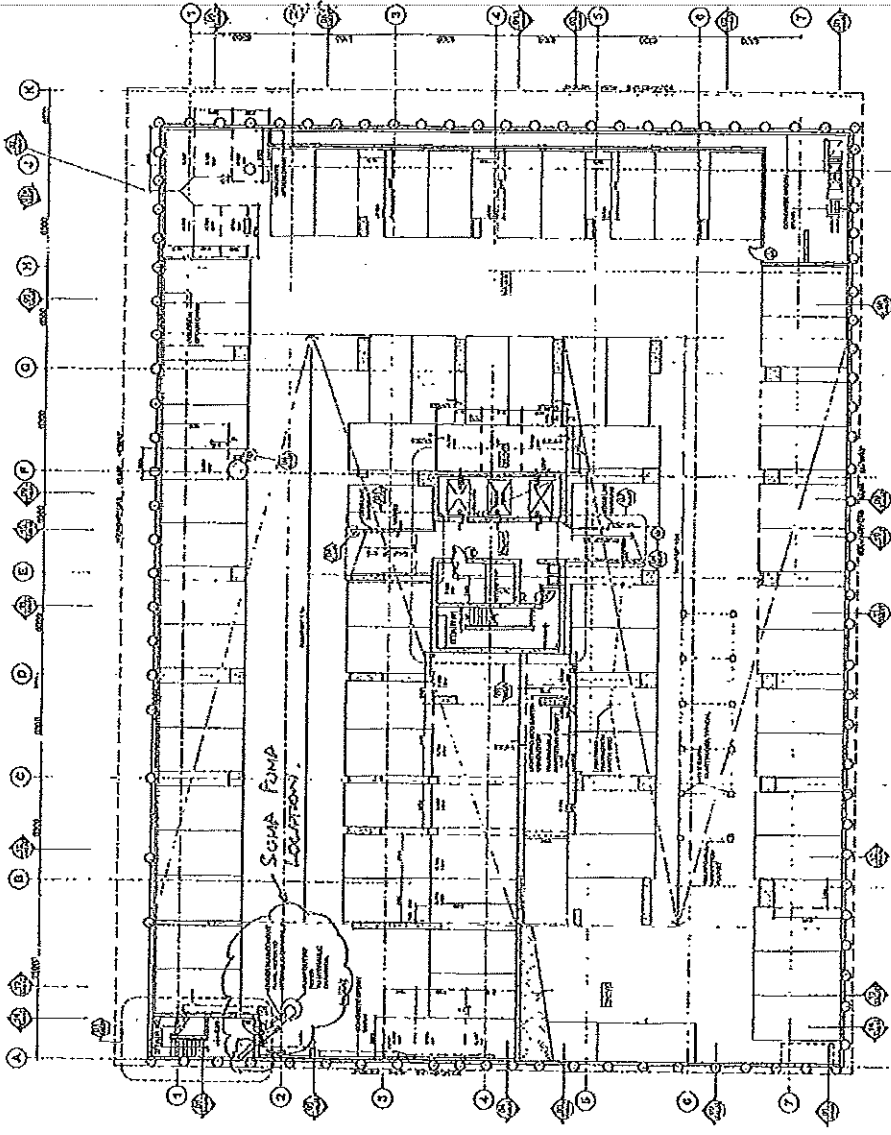
LEVEL: 1A

FLOOR PLAN

PROJECT: [Name]

NO. [Number]

DATE: [Date]



LEGEND:

- [Symbol] INTERIOR FINISHES
- [Symbol] INTERIOR PARTITION WALLS
- [Symbol] INTERIOR NON-PARTITION WALLS
- [Symbol] INTERIOR DOORS
- [Symbol] INTERIOR WINDOWS
- [Symbol] INTERIOR GLAZING

GENERAL NOTES:

- 1. ALL FINISHES TO BE AS SHOWN ON THESE DRAWINGS.
- 2. ALL FINISHES TO BE APPROVED BY THE ARCHITECT.
- 3. ALL FINISHES TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

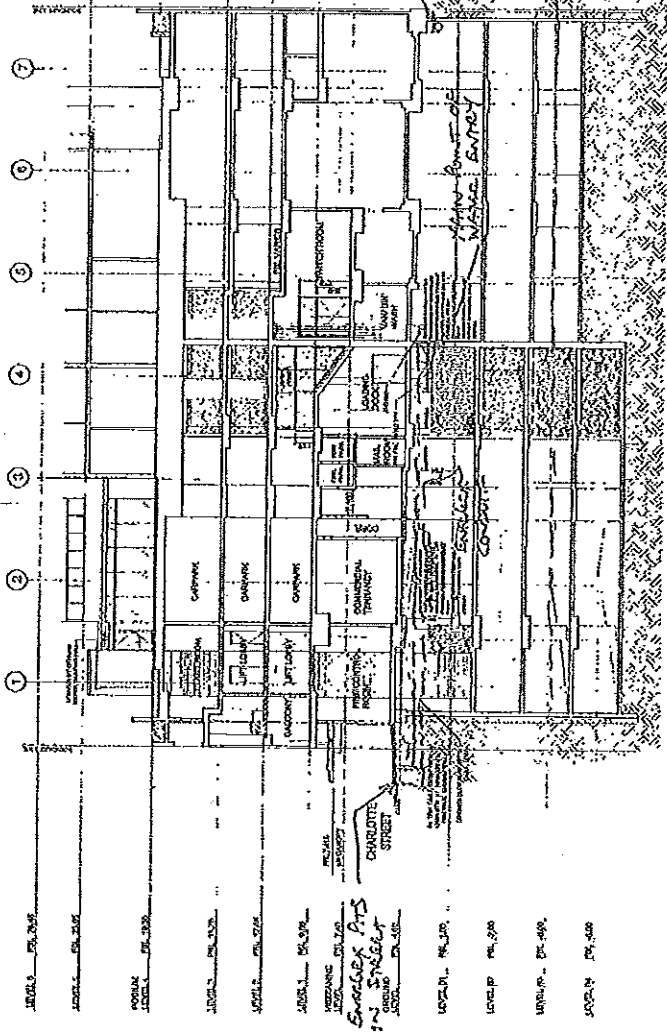
MISC. METAL LEGEND:

- [Symbol] MISCELLANEOUS METAL WORK
- [Symbol] MISCELLANEOUS METAL WORK
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MISC. METAL NOTES:

- 1. ALL METAL WORK TO BE AS SHOWN ON THESE DRAWINGS.
- 2. ALL METAL WORK TO BE APPROVED BY THE ARCHITECT.
- 3. ALL METAL WORK TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

LEVEL 1A FLOOR PLAN



Stairwell Deck
LEVEL OF APPROXIMATE
TOP OF WATER PENETRATION

- LEVEL 1 FIN 200'
- LEVEL 2 FIN 185'
- ROOF FIN 170'
- LEVEL 3 FIN 155'
- LEVEL 4 FIN 140'
- LEVEL 5 FIN 125'
- LEVEL 6 FIN 110'
- LEVEL 7 FIN 95'
- LEVEL 8 FIN 80'
- LEVEL 9 FIN 65'
- LEVEL 10 FIN 50'

CHARLOTTE STREET

CONCRETE
ASPH/FLY
BRICK

COX

ARCHITECTS

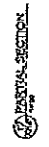
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On Behalf of the Body Corporate For FESTIVAL TOWERS CTS 35634

25th March 2011

Energex Limited
Attention: Customer Service Team Leader
GPO Box 1461
Brisbane QLD 4001

Dear Customer Service Team Leader,

RE: WATER INUNDATION RESPONSIBILITY

We write to you on behalf of the Body Corporate for FESTIVAL TOWERS CTS 35634, located on the corner of Albert and Charlotte Street, Brisbane 4000.

We enclose a copy of the Engineers Report prepared by Sheehy & Partners Pty Ltd after water inundation occurred over the period 12th to 14th January 2011.

The report states that 'the source of the water inundation is believed to be at the incoming electricity mains to the building on the Charlotte Street Frontage. The water staining on the vermiculite encasing of the incoming conduits and failed fire proofing of the entry location boxing soffit also confirm the likelihood of this location being the main source of water entry into the building.'

The Body Corporate strongly believes that Energex should assume responsibility for the water inundation based on the engineer's findings in the attached report.

We look forward to your response.

Yours faithfully,


Community Manager

For and on behalf of the Secretary of the Body Corporate

Direct
Email 

Please direct any correspondence to our Brisbane office.

Q:\bcm\35634\DOCS\Correspondence\2011\letter to energex re water inundation 240311.doc

GOLD COAST
PO BOX 8319
GCMC QLD 9726
T +61 7 5504 2000
F +61 7 5504 2001
ABN 88 069 399 864

MELBOURNE
PO Box 23040
Docklands VIC 8012
T +61 3 9642 0555
F +61 3 9642 3411
ABN 64 114 836 172

BRISBANE
PO Box 10093 Adelaide St
Brisbane QLD 4000
T +61 7 3010 5555
F +61 7 3010 5500
ABN 49 078 545 329

SUNSHINE COAST
PO Box 1405
Maroochydore QLD 4558
T +61 7 5453 9550
F +61 7 5445 6310
ABN 25 010 953 054

NORTH QLD
PO Box 1079
Cairns North QLD 4870
T +61 7 4059 1399
F +61 7 4059 1299
ABN 25 010 953 054

NORTHERN NSW
PO Box 1645
Kingscliff NSW 2487
T +61 2 6674 5844
F +61 2 6674 2344
ABN 30 098 060 952

**STEWART SILVER
KING AND BURNS**

COMMUNITY MANAGERS
sskb@sskb.com.au www.sskb.com.au
SSKB Body Corporate Management Pty Ltd
ABN 59 100 137 862

0768-02-568
21 April 2011

Referred to

City 133 Insurance Adjuster

WRM
water + environment

WRM Water & Environment Pty Ltd
ABN: 55 127 424 544 ACN: 107 194 544

Level 5, Paddington Central,
107 Latrobe Terrace, PO Box 809,
Paddington Qld 4061 Australia
tel +61 7 3367 1279 fax +61 7 3367 1679
www.wrmwater.com.au

WATER DAMAGE ASSESSMENT

Property Details

WRM Ref.	0768-02-568
Address of Loss	108 Albert St, Brisbane
Insured Name	Festival Towers CTS 35634
Land Use	Commercial
Insurer	Chubb Insurance
Claims/Policy No.	N93207360
Adjuster	Cunningham Lindsay
Adjuster Name	[REDACTED]
Adjuster Reference	8082743

Version of Events

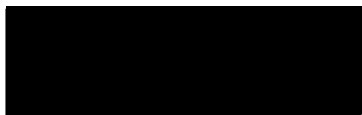
Representative Interviewed (by Phone)	[REDACTED]
Date and Time of Initial Inundation Above Floor Level	The initial inundation of the basement car-park at the property commenced at 0900 hours on the 12 th January 2011.
Version of Events (provided by Representative)	<ul style="list-style-type: none"> • There are four levels of basement car-parking at the property that were inundated. The fourth (upper most) level was inundated to about one third of its height. The main sections of the hotel were not inundated above floor level. • The power board for the hotel is located on the first floor so power was available throughout the event. • At around 0900 hours on Wednesday 12th January, water started to flow into the basement car-park. The sump pumps were initially coping with the water. • At around 1430 hours, on Wednesday, the water started to come in as a deluge and completely overwhelmed the sump pumps. • The water appeared to be coming through the walls. • An external pump was required to drain the basement car-park.

Findings

Local Rainfall & Runoff	<ul style="list-style-type: none"> • Total rainfall of 180mm was recorded for the period 9th-13th January at the Brisbane City Alert Station (540198) approximately 350m east of the subject property. Recorded hourly rainfalls and water levels at Brisbane City Alert are shown in Figure 1. • Peak 1-hour rainfall intensity of 28mm/hr occurred at 1600 hours on Sunday 9th January. Similar rainfall intensities are regularly experienced in Brisbane. • Peak stormwater runoff from the surrounding local catchment would have occurred within 10 to 30 minutes of peak rainfall. • There was no rain of significance recorded after 1500 hours on Tuesday 11th January and no rain was recorded after 0000 hours on Wednesday 12th January (See Figure 1) • Given that the property was not inundated until Wednesday when the
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	<p>rainfall had effectively ceased, local stormwater runoff would not have inundated the basement above floor level.</p>
Brisbane River Flooding	<ul style="list-style-type: none"> • The Brisbane River drains around the western, southern and eastern sides of Brisbane City. The Brisbane River overflowed and inundated the southern areas of Brisbane City including the southern end of Albert St on the 12th and 13th January 2011. Photos from Nearmap show that floodwaters inundated Albert Street and Charlotte Street in front of the subject property. • It appears that floodwater did not enter the basement via the access ramp from Charlotte Street. However, floodwater would have entered the neighbours adjoining basement car park to the south. • It is likely that the initial inundation of the basement was Brisbane River water backflowing through the stormwater pipes. The floor level of the basement car-park is well below river level. • Water would have also seeped through cracks and holes in the walls of the car-park from the surrounding ground. It is possible that some of these holes are connected to subsurface drainage through which Brisbane River floodwater surcharged. • The recorded water levels at the Brisbane City Alert gauge (540198) over the period of interest are shown in Figure 1. The Brisbane River peaked at a level of 4.46m AHD at 0400 hours on Thursday 13th January. • Overbank inundation would have commenced on Wednesday 12th January.
Conclusions	<ul style="list-style-type: none"> • The basement car-park at the subject property was inundated above floor level by floodwater from the Brisbane River backflowing through the piped stormwater drainage system. • Stormwater runoff would not have inundated the basement above floor level.

For and on behalf of
WRM Water & Environment Pty Ltd



Principal Engineer

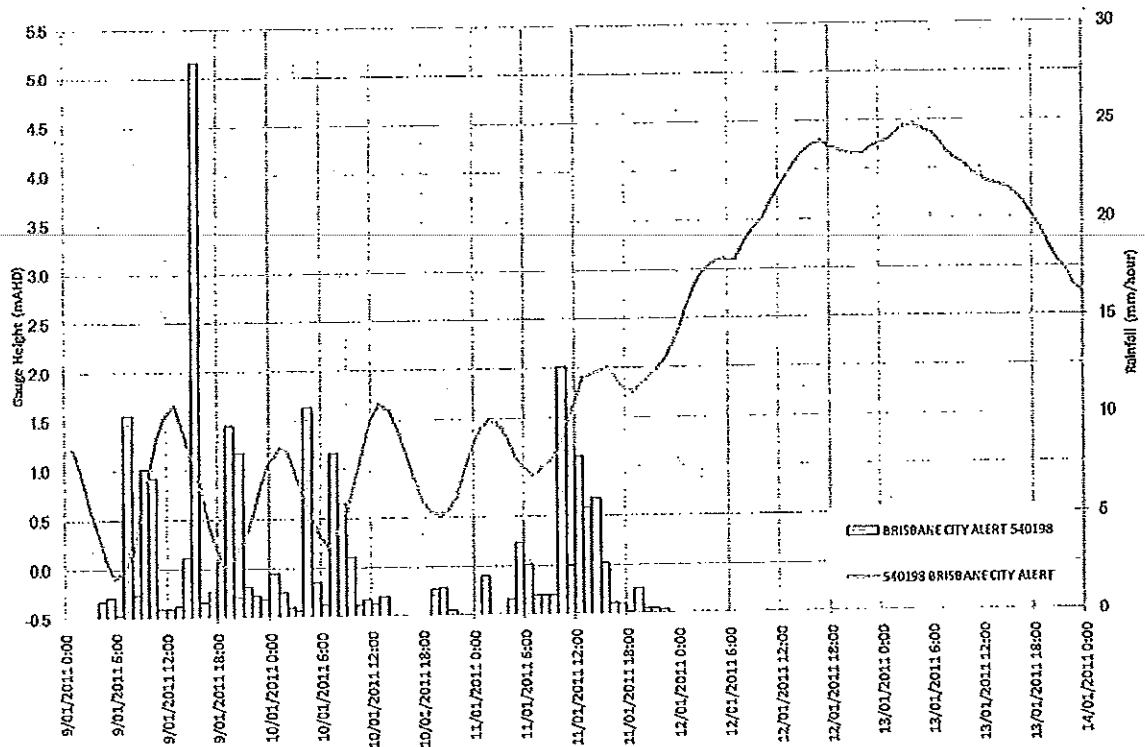
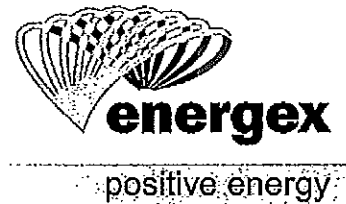


Figure 1 - Recorded Water Level and 1-Hour Rainfall Data for Brisbane City

29 August 2011

Stewart Silver King & Burns Community Managers
On behalf of the Body Corporate
for Festival Towers CTS 35634
PO Box 10093 Adelaide Street
Brisbane QLD 4000



Attention Ms Kate [REDACTED] Community Manager

Dear Ms [REDACTED]

**ENQUIRY RE WATER INUNDATION RESPONSIBILITY FOLLOWING THE
JANUARY 2011 BRISBANE FLOODS**

We refer to your correspondence of 25 March 2011 and subsequently of 20 May 2011. We apologise for the delay in our response following our letters of 29 March and 6 June, however this matter is complex and was referred for investigation to various members of the ENERGEX team.

As a result of the investigations, we note the following:

1. Whilst it is possible that flood waters entered sections of the CBD pit and duct system adjacent to the Festival Towers Building ("Building") at the time of the Brisbane January 2011 floods, it is also possible that such flooding affecting the Building may have resulted from other entry mechanisms.
2. As prescribed by the Electricity Regulation 2006, the Building Owner has a responsibility to provide ENERGEX with the substation space and this includes providing ENERGEX with the necessary or suitable places for entry and exit of electric lines and cables for the substation. ENERGEX then supplies and installs the electrical equipment in the substation and installs the underground cables to connect to the electrical equipment.
3. The Building Owner also has the responsibility to maintain and repair damage to or deterioration of the substation space, including the necessary or suitable places for the entry and exit of electric cables for the substation.

Accordingly, ENERGEX does not agree with the Body Corporate's assertion that ENERGEX should therefore assume responsibility for the water inundation at the Building.

We trust the above response provides some clarity in relation to this issue.

Yours sincerely

[REDACTED]

Reference 695/75/19325

Enquiries
Darryl Bensted
Telephone
(07) 3664 4132
Facsimile
(07) 3664 9820
Email
darrylbensted
@energex.com.au

Corporate Office
26 Reddacliff Street
Newstead Qld 4006
GPO Box 1461
Brisbane Qld 4001
Telephone (07) 3664 4000
Facsimile (07) 3025 8301
www.energex.com.au

ENERGEX Limited
ABN 40 078 849 055