

Note

This statement has been redacted to remove certain personal information and information that is not relevant to the land planning terms of reference.

QFCI

Date:

26/09/11

Jm

Exhibit Number:

611

Statement of Witness

Queensland Floods Commission of Inquiry

<i>Name of Witness</i>	Juleia Nicole MURRAY
<i>Date of Birth</i>	██████████
<i>Address and contact details</i>	██████████ Burpengary QLD 4505 Mob: ██████████
<i>Occupation</i>	Access Consultant
<i>Officer taking statement</i>	Det/Sgt A VLISMAS
<i>Date taken</i>	23 September 2011

Juleia Nicole MURRAY states:-

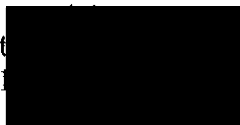
1. I reside at ██████████ Street, Burpengary with my partner. The property is listed as Lot ██████████ in the Parish of Burpengary, size 1419sqm. It is zoned Residential A and is managed by the Moreton Bay Regional Council. The house is approximately 35 years old.
2. It is 2 storey brick and tin roof, the bottom of the house is garage, rumpus, storage, and laundry and toilet area. The upstairs area is all the living area of the home.
3. There are no industrial areas in the immediate area however there are a number of child care centres in close proximity.
4. When we purchased our property we assumed we may be at risk of flooding as Burpengary Creek was at the rear of the property however when we requested our Solicitor Paul PATTISON to carry out flood and property searches prior to purchasing, we were advised that the council had no records of flooding in the area.

5.

6.

7. On the 11th January 2011 at approximately 7:00am, I left home to catch a train to work at Spring Hill. At 9.00am I received a text message from my neighbour saying the street was flooding. Because my father lived only 15 minutes away from

Witness Signature
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Signature of officer

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our house, I contacted him, but he was prevented from accessing our house and property by rising flood waters.

8. At 11.35am I received a text message from authorities warning of severe flooding in the Burpengary area. I had already left work, but due to train delays I did not arrive at Burpengary until 1.00pm.

9. By this time the whole of our street was under water and I could only watch from afar. I received text messages from our neighbours who were trapped in their house. By 6.00pm my father and I were able to wade in fast flowing knee deep water to our house.

10. By that time most of the water had receded away from the house but the street was still in flood.

11. The flood water had entered the bottom of our home to a depth of approximately 1.2 metres up the walls. The flood water had entered the property from all directions as Burpengary Creek wraps around our street.

12. The double brick fence at the front of the property was knocked over; the six foot timber side fence that had been replaced only six months previous due to flood damage was again knocked down.

13. All the items under our house that we had not been able to move had been piled in a corner by the force of the fast flowing water. Our pool table had been flipped over,

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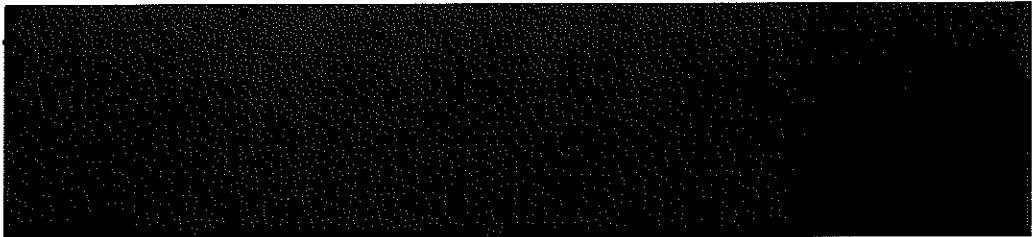
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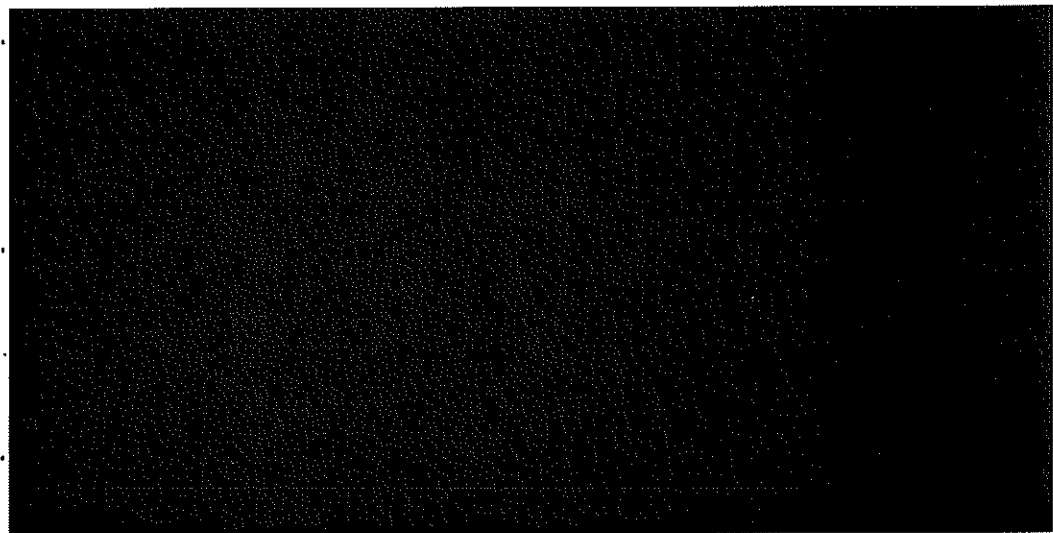
the fridge had been knocked over and the laundry tub had been wrenched from the wall.

14. Many other items were covered in mud, or strewn across the lawn, and we later discovered that a number of items had been washed away. As we live at the end of a cul-de-sac street there is basically only one way in and out. The waters had risen so quickly and flooded the street effectively cutting off evacuation routes for some residents.

15.



16.

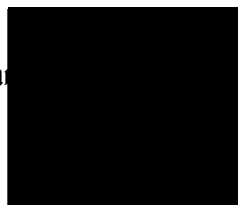


17.

18.

I am able to produce a series of photographs of the damage caused by the flood.
Tendered and marked exhibit number...

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- 19. The area was originally managed by the Caboolture Shire Council and after amalgamation the Moreton Bay Regional Council took over.

- 20. The water from the flooding of our property came from the Burpengary Creek. The water entered our property from the rear and the street. Burpengary Creek defines the rear property boundary, but wraps around the end of Dale Street which resulted in flooding from both directions.

- 21. Our property has flooded four times, April 2009, May 2009, October 2010, and January 2011 since we have lived at this property. On each occasion the water has entered our property from the rear and from Dale Street.

- 22. There has been significant development both up stream and down stream of our property and I believe that has contributed to the overland flow and the ability of Burpengary Creek to cater for this excess overland water flow during sustained periods of rain.

- 23. Street meetings have been held between residents and Moreton Bay Regional Council following the January 2011 flood. After the meeting I got the impression from the council that virtually nothing has been done to rectify the situation or stop it from occurring again.

- 24. The council advised us that they had had experts prepare reports regarding various flood mitigation options however all were economically unviable and would not be carried out.

- 25. Due to the frequency of floods and the threat of future flooding I feel that my property and the rest of Dale Street, Burpengary should not have been zoned and approved for residential development.

- 26. I have also submitted a questionnaire to the Flood Commission of Inquiry Queensland regarding these issues.

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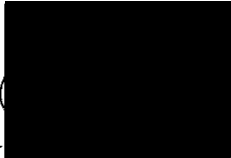


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I am able to produce that questionnaire.

Tendered and marked exhibit

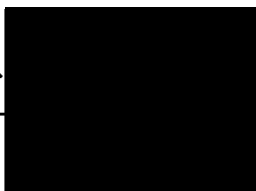


Justices Act 1886

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

- (1) This written statement by me dated 23/9/2011 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.

.....
September.....2011



.....Signed atBrisbane.....this.....23rd

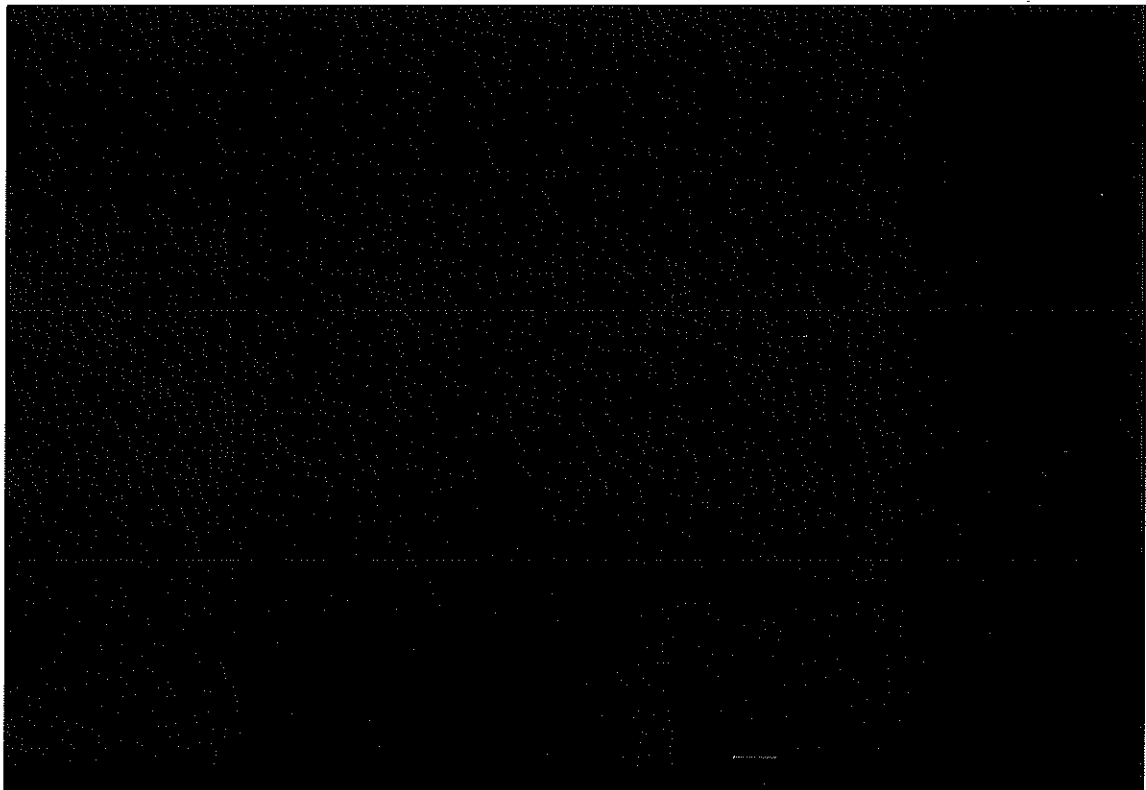
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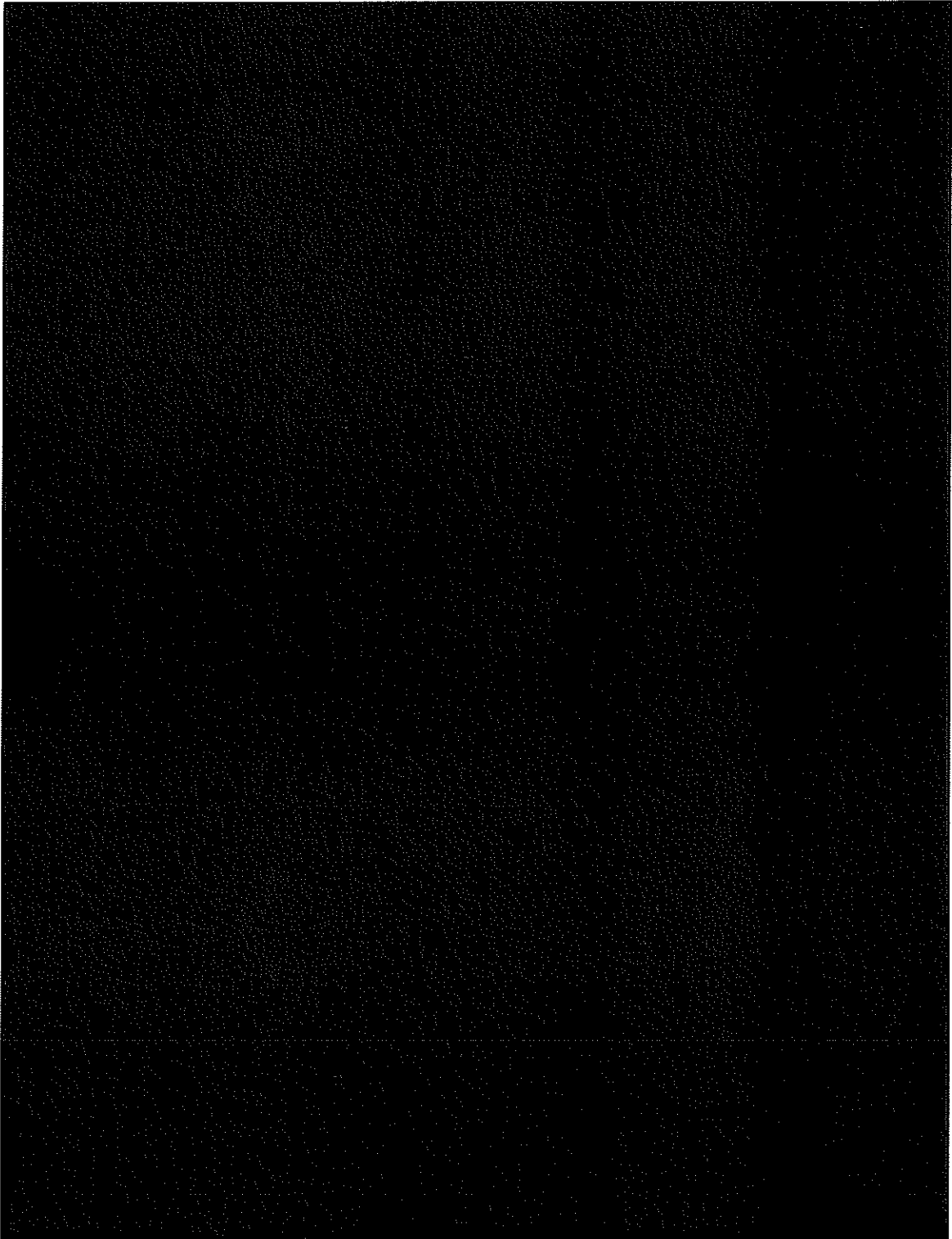
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Questionnaire Insurance & Land Planning:

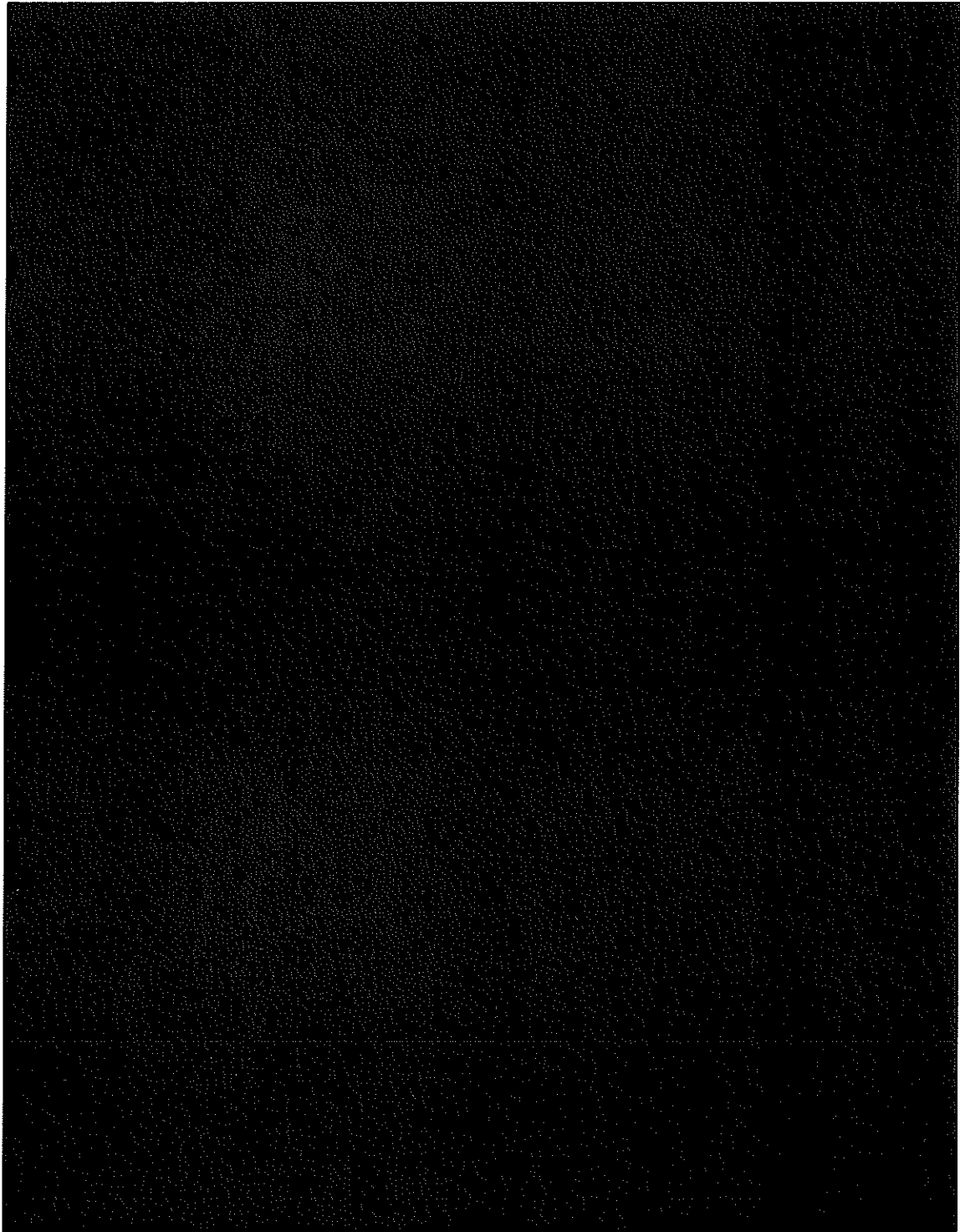
1. Personal Details

1.	Full Name –	JULEIA NICOLE MURRAY
2.	Current Address –	[REDACTED] BURPENGARY QLD 4505
3.	Date of birth –	07/01/1979
4.	Contact Telephone Numbers –	[REDACTED]
5.		
6.	Occupation –	ACCESS CONSULTANT
7.	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
8.		SUNCORP INSURANCE
9.		ALMOST FINALISED

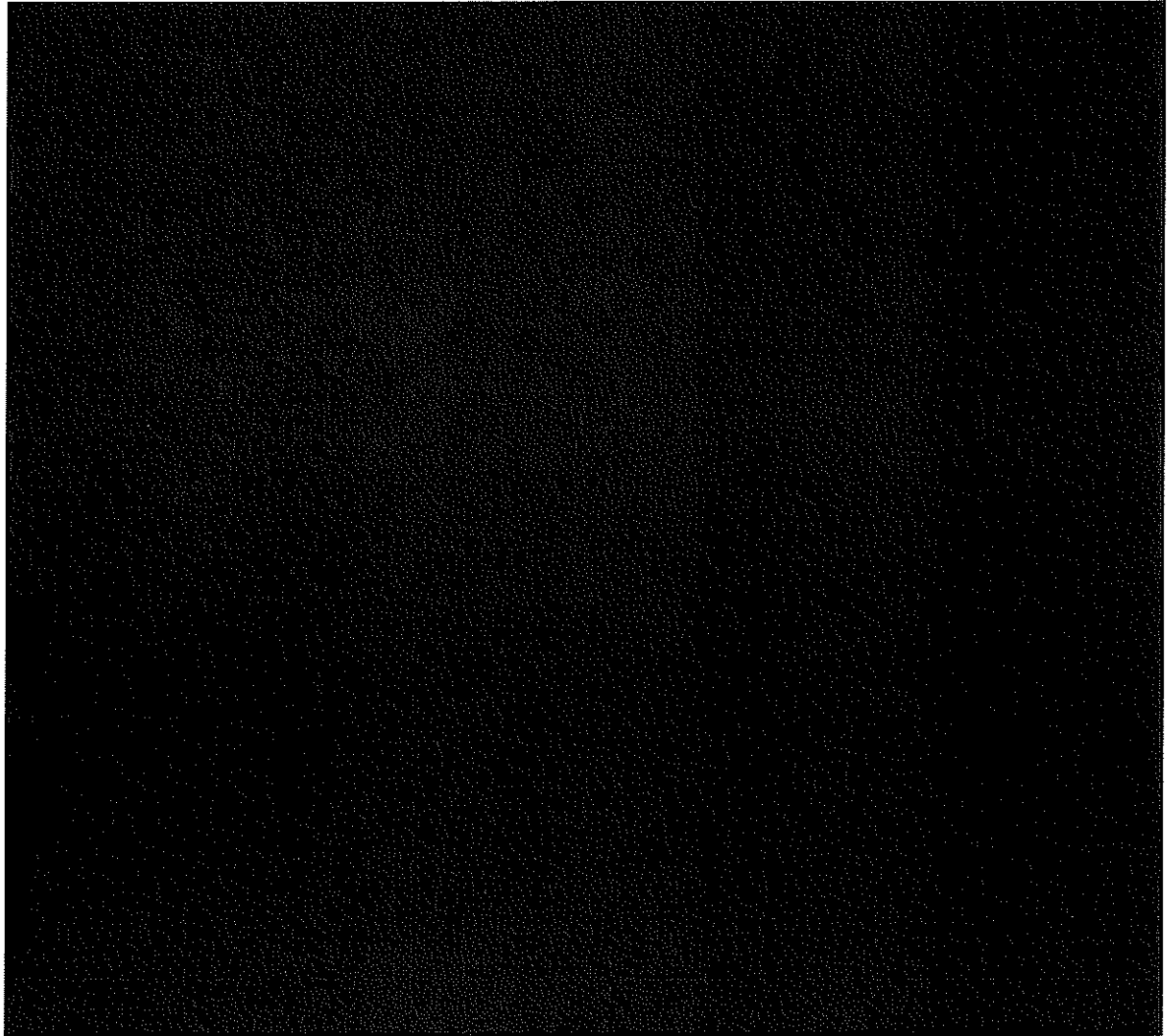




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7. Land Planning:

31. Can you provide to us the real property description of your property including Lot No, Parish, Size, Which Council? Age of your property and surrounding properties? Any Industrial areas in the area?

LOT [REDACTED]
PARISH OF BURPENGARY
SIZE: 1419 SQM
ZONING: RESIDENTIAL A
COUNCIL: MORETON BAY REGIONAL COUNCIL
AGE: APPROX. 35 YEARS OLD
NO INDUSTRIAL AREAS WITHIN CLOSE PROXIMITY

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32.	Did your Local Council change as a result of Council Amalgamation? If so what was the name of your previous Local Council? YES. PREVIOUS COUNCIL: CABOOLTURE SHIRE COUNCIL
33.	What is the land zoning for your property? What is your land used for (rural/residential)? Any Industrial areas or child care or aged care facilities in your area? RESIDENTIAL A ZONE NO INDUSTRIAL AREAS, BUT A NUMBER OF CHILDCARE CENTRES ARE LOCATED WITHIN CLOSE PROXIMITY.
34.	Were you affected by the flood events of 2011? If yes, what do you believe was the source of the flooding? (stormwater/sewer/creek/neighbouring property/ river) YES. FLOODING FROM BURPENGARY CREEK
35.	Can you describe the way in which the water came into your property and flooded it? Is there any previous history of flooding in respect to the property? Please provide details of previous flooding, including when it occurred, the way in which the water came into your property and flooded it and any action taken by your or any government body or other organisation in respect of the flooding? WATER ENTERED THE PROPERTY FROM THE REAR AND THE STREET. BURPENGARY CREEK DEFINES THE REAR PROPERTY BOUNDARY, BUT WRAPS AROUND THE END OF [REDACTED] STREET, HENCE FLOODING FROM BOTH DIRECTIONS. OUR PROPERTY HAS FLOODED FOUR TIMES SINCE WE HAVE LIVED THERE, APRIL 2009, MAY 2009, OCTOBER 2010 AND JANUARY 2011. EACH TIME THE WATER HAS ENTERED THE PROPERTY FROM BOTH THE REAR AND THE STREET. LIMITED ASSISTANCE HAS BEEN PROVIDED BY THE LOCAL GOVERNMENT PRIOR TO THE FLOOD EVENTS.
36.	Have you taken any action regarding the source of the 2011 flooding? (Notified Council/Govt) Please outline what action you have taken and with whom? (Provide any documentation supporting the same) What has been the outcome of that action? STREET MEETINGS HAVE BEEN CALLED WITH MORETON BAY REGIONAL COUNCIL FOLLOWING THE JANUARY 2011 FLOOD. RESIDENTS ATTENDED COUNCIL MEETINGS. TO DATE, IT APPEARS VIRTUALLY NOTHING HAS BEEN DONE TO RECTIFY THE SITUATION OR STOP IT FROM OCCURRING AGAIN.

37.	<p>Are you aware of any approvals, for example, development approvals, land planning approvals or culvert approvals that you believe may have caused/impacted/affected flooding in respect of your property?</p> <p>I BELIEVE THAT SIGNIFICANT DEVELOPEMNT BOTH UPSTREAM AND DOWNSTREAM OF OUR PROPERTY HAVE CONTRIBUTED TO OVERLAND FLOW AND THE ABILITY OF BURPENGARY CREEK TO CATER FOR THIS EXCESS OVERLAND FLOW DURING SUSTAINED PERIODS OF RAIN.</p>
38.	<p>Please outline what you know about these approvals/constructions etc. When were these approvals granted? By whom? Any public objections? (Please provide any documentation you have in respect of this).</p>
39.	<p>Have you had any action regarding these approvals/constructions etc? Please outline what action you have taken and with whom? (Please provide any documentation you may have supporting the same) What has been the outcome of that action?</p> <p>NO</p>
40.	<p>Have there been any actions by Council or any other person that you believe has caused flooding to your property? If so, how do you believe this has caused flooding to your property?</p> <p>OTHER THAN APPROVING THESE DEVELOPMENTS THAT INCREASE OVERLAND FLOW, NO.</p>
41.	<p>Were you aware your property could be affected by flooding when you purchased the same? How did you know? If you weren't aware that your property could be affected by flooding when you purchase it, and you were acting on the basis of information that the property would not flood/or not be likely to flood/or wasn't a significant risk of flooding, what was that information? Who did you get that information from? How did you get the information?</p> <p>WE ASSUMED THAT THERE MAY BE A RISK AS BURPENGARY CREEK WAS AT THE REAR OF THE PROPERTY. HOWEVER, WE REQUESTED OUR SOLICITOR TO CARRY OUT FLOOD & PROPERTY SEARCHES PRIOR TO PURCHASING. WE WERE ADVISED THAT COUNCIL HAD NO RECORDS OF FLOODING IN THE AREA.</p>

42. When you purchased your property who did your conveyancing? Did they make you aware of any flood related issues to your property? Did your conveyance suggest undertaking flood searches in respect of the property?

SOLICITOR PAUL PATTISON.

WE REQUESTED OUR SOLICITOR CARRY OUT FLOOD & PROPERTY SEARCHES PRIOR TO PURCHASING. WE WERE ADVISED THAT COUNCIL HAD NO RECORDS OF FLOODING IN THE AREA.

43. Were you aware of any flood controls in the area and if so, how they restricted or affected your property? What were you aware of? How were you aware of this? Was the information you received about flood controls consistent with what is actually happening in the area? If yes, please state how. If no, please state how what is happening is inconsistent with the flood controls.

WE WERE ADVISED THAT COUNCIL HAD NO RECORDS OF FLOODING IN THE AREA.

44. Have you renovated or built on to your affected property? What have you done? When and what approvals did you obtain? Were any flood mitigation conditions imposed as part of the approval process? Eg what you could build, where you could build, conditions on building material.

NO

45. Do you have any suggestions on what could be done to prevent flooding in your area in future or minimise the adverse effects of flooding?

ADDITIONAL WORK ON THE CREEK EG. DREDGING, RE-DIRECTING THE CREEK

46. Is there anything else you want to tell us in relation to this matter?

COUNCIL ADVISED US THAT THEY HAD EXPERTS PREPARE REPORTS REGARDING VARIOUS OPTIONS FOR FLOOD MITIGATION. ALL OPTIONS WERE ECONOMICALLY UNVIABLE AND WOULD THEREFORE NOT BE CARRIED OUT.

8. Other Matters Land Planning:

47. Are there any other matters relating to Land Planning you wish to discuss?

48. Is there anything further you wish to add?

THE FREQUENCY OF FLOOD AND THREATS OF FLOOD SUGGEST THAT THE PROPERTY AT 17 DALE STREET, AND IN FACT THE MAJORITY OF DALE STREET, SHOULD NOT HAVE BEEN ZONED AND APPROVED FOR RESIDENTIAL DEVELOPMENT.

49. Is there anything further you believe could be done to enhance the Land Planning process in relation to possible future natural disasters?

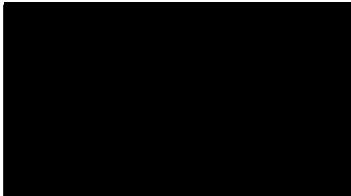
The National Disaster Insurance Review

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



11/09/2011

Signature

Date

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OBTAIN COPIES OF:

- **RELEVANT INSURANCE POLICIES.**
- **COPIES OF CLAIMS.**
- **PHOTOS OF DAMAGE CLAIMED ON INSURANCE.
COPIES OF ANY CORRESPONDENCE BETWEEN WITNESS AND
INSURERS.**
- **COPY OF ANY COMPLAINT LODGED BY WITNESS AGAINST
THEIR INSURER.**
- **COPIES OF ANY DOCUMENTS RELEVANT TO LAND PLANNING.**

