
TRANSCRIPT OF PROCEEDINGS

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2009 VICTORIAN BUSHFIRES ROYAL COMMISSION

MELBOURNE

THURSDAY 29 OCTOBER 2009

(74th day of hearing)

BEFORE:

THE HONOURABLE B. TEAGUE AO - Chairman

MR R. MCLEOD AM - Commissioner

MS S. PASCOE AM - Commissioner

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1 CHAIRMAN: Yes, Mr Rush.

2 MR RUSH: Commissioners, the terms of reference for the Royal
3 Commission direct the Commission to inquire into matters
4 concerning planning for bushfire, infrastructure, training
5 and resourcing relating to bushfire risk. The
6 organisational structures and the infrastructure of the
7 principal agencies responsible for bushfire firefighting
8 will be the subject of consideration before the Royal
9 Commission.

10 There is before the Commission an abundance of
11 evidence that, on one view, demonstrates the
12 inefficiencies and the fragmentation and perhaps the
13 wastefulness that can arise when two very substantial
14 organisations in the large part separately prepare and
15 plan to meet bushfire threat. The evidence led and to be
16 led on one view demonstrates a great cost to this state, a
17 cost in terms of the seemingly massive duplication of
18 resources and infrastructure and a cost in that a two-tier
19 system, on the evidence, demonstrates a preparation and
20 response to bushfire that does not maximise resources and
21 that compromises command and control.

22 The Commissioners may think it odd that CFA and
23 DSE have different mapping systems, different IT and
24 information systems, that CFA and DSE personnel working in
25 an incident management team at an incident control centre
26 working on those different IT systems are not trained and
27 cannot operate each other's systems, that each entity
28 separately goes about preparing and distributing
29 predictive fire maps using different systems, that a level
30 3 incident controller from DSE has different training and
31 a different regime in relation to experience before being

1 appointed from his or her counterpart at CFA.

2 No doubt the community is intrigued to learn that
3 at the IECC both CFA and DSE have separate operating
4 staff, different logistics, different planning, different
5 information sections. The evidence points, one may think,
6 to a fragmented approach, a lack of cohesion, a less than
7 optimal outcome.

8 The Commission heard from Chief Commissioner
9 Overland on Tuesday. He emphasised evidence previously
10 given to the Royal Commission, the importance of command
11 and control. He stated that command operates vertically
12 within the management structure of each agency. Whilst it
13 is appreciated that the initiatives raised by Mr Overland
14 are temporary or bridging pending the Royal Commission
15 findings, it might be thought that what Mr Overland did
16 not grapple with was the impact on command and control of
17 two separate agencies having responsibility for
18 preparation and response to bushfire.

19 So it is that inquiry will be made and evidence
20 led concerning organisational structures. Some of the
21 issues raised in this evidence will include whether there
22 should be a single agency for fighting bushfire in
23 Victoria, whether there should be a single agency with
24 responsibility for fighting fire generally across the
25 state. If more than one agency is to exist, how should
26 jurisdictional boundaries be established, noting that at
27 the moment boundaries between what may be considered
28 metropolitan and country appear to be idiosyncratic, with
29 Aspendale and Frankston CFA, but Mordialloc metropolitan;
30 Springvale and Dandenong CFA, but Clayton and Mulgrave
31 metropolitan; Hoppers Crossing CFA, Laverton metropolitan.

1 If there is to be one agency for fighting
2 bushfire, how is the expertise, the experience and the
3 culture of the other agencies to be preserved? Should
4 both CFA and DSE retain separate firefighting capacity,
5 but for fighting bushfire come together under one single
6 chain of command with one single infrastructure in
7 relation to bushfire response? Do circumstances exist
8 where volunteers should be paid, such as for attending
9 training courses or being put on standby?

10 These are some of the issues that will be
11 referred to during the course of evidence on this topic,
12 and I should emphasise the list of issues that I have
13 referred to is by no means exhaustive.

14 Commissioners, it is proposed to deal with
15 the topic of organisational structure in two blocks of
16 hearing before the Commission. Over evidence today and
17 tomorrow the Royal Commission will hear from the heads or
18 people in charge of fire agencies across the country.

19 The first witness to be called will be the chief
20 officer of the Tasmanian Fire Service, Mr Michael Brown,
21 who will give evidence as to the fire service, a single
22 fire service, an amalgamation of urban and rural brigades,
23 including career and volunteer firefighters, and the way
24 that service operates in Tasmania.

25 The Commissioners will hear from Mr Craig Hynes,
26 who is the chief operations officer of the
27 Western Australian Fire and Emergency Services Authority,
28 as to the regime of organisational structure in
29 Western Australia. Mr Euan Ferguson, who is the chief
30 officer of the South Australian Country Fire Service, will
31 give evidence as to the South Australian organisational

1 model and tomorrow, from New South Wales, the assistant
2 commissioner and director of operational services of the
3 New South Wales Rural Fire Service will give evidence as
4 to the way in which the organisation for bushfire is
5 maintained in New South Wales.

6 Commissioners, the topic, as I have indicated,
7 will be the subject of two blocks of hearings, this first
8 block with witnesses over today and tomorrow and the
9 second block of hearings likely to be in May 2010.

10 Counsel assisting and solicitors for the Commission are at
11 present discussing with the Victorian Government Solicitor
12 the potential of engaging management consultants to
13 investigate and report on the current structures and, if a
14 need is identified, to suggest options for organisational
15 reform.

16 Finally, in this brief overview and opening,
17 Commissioners, I note that the Volunteer Fire Brigades
18 Victoria have provided a submission to the Royal
19 Commission. That submission puts forward the contention
20 that there is a need for a clear and unambiguous control
21 over the management of bushfire firefighting in Victoria
22 and that submission contends that control should vest in
23 the CFA as the agency primarily responsible for the
24 protection of life and property in the event of bushfire
25 in Victoria. The submission was provided I think last
26 week and I tender that submission, Commissioners, which is
27 to be found at (SUBM.002.051.0275).

28 #EXHIBIT 474 - Submission from Volunteer Fire Brigades
29 Victoria (SUBM.002.051.0275).

30 MR RUSH: Can I also tender, Commissioners, the document that
31 has been referred to many, many times over the months of

1 evidence, which is The Australasian Inter-service Incident
2 Management System for emergency, which is at
3 (TEN.121.001.0001).

4 #EXHIBIT 475 - Document titled "The Australasian Inter-service
5 Incident Management System" (TEN.121.001.0001).

6 MR RUSH: Ms Doyle will lead the first witness.

7 MS DOYLE: As has been indicated, the first witness this
8 morning is Michael Brown. I would ask him to come
9 forward. He is chief officer of the Tasmanian Fire
10 Service.

11 <MICHAEL WAYNE BROWN, affirmed and examined:

12 MS DOYLE: Thank you, Mr Brown. Your full name is Michael
13 Wayne Brown and you are presently the chief officer of the
14 Tasmanian Fire Service?---That's correct.

15 You have prepared for the assistance of the Commission a
16 witness statement which appears at (WIT.7521.001.0001).
17 Do you have a copy of that and its attachments with
18 you?---I do.

19 Are the contents of that statement true and correct?---To the
20 best of my knowledge.

21 I tender that statement.

22 #EXHIBIT 476 - Witness statement of Michael Wayne Brown
23 (WIT.7521.001.0001) and attachments.

24 MS DOYLE: Dealing with your position, you are presently the
25 chief officer of the Tasmania Fire Service and you have
26 held that position for a short period of time but you have
27 a long history in the Tasmania Fire Service. Could you
28 just outline for us some of the positions you have held in
29 your 32 or so years in the service?---I commenced service
30 with the Rural Fires Board in 1977 and after undertaking a
31 traineeship completed qualifications in fact with

1 the Country Fire Authority in Victoria with officer
2 qualifications. I then worked predominantly in field
3 operations, career brigade operations and in training. In
4 more recent times I have been involved at regional
5 management level and deputy chief officer and now chief
6 officer.

7 As you note in paragraph 6 of your statement, your most recent
8 position prior to the position you now occupy is deputy
9 chief officer of the service. In your role as chief
10 officer you are directly responsible to the State Fire
11 Commission of which you are also chairperson?---That's
12 true.

13 In that role you have direct reporting lines to the Minister
14 for Police and Emergency Management?---That's correct.

15 Throughout your statement you explain in detail the statutory
16 regulatory underpinning of the service and the way in
17 which it operates, and we will go to that detail in a
18 moment. But in a nutshell your statement outlines the
19 fact that there are three agencies responsible for fire
20 prevention and suppression in Tasmania. There is the
21 Tasmania Fire Service, Forestry Tasmania and the Parks and
22 Wildlife Service?---That's true. The two main land
23 management organisations in Tasmania, being Forestry and
24 Parks, also have fire responsibilities.

25 Within the body that we call the Tasmania Fire Service or
26 comprising that service is a combined urban and rural
27 emergency service comprising career and volunteer
28 staff?---That's correct.

29 Can you just talk us through the breakdown between career and
30 volunteer brigades? As I understand your statement, there
31 are four career brigades which are located in the

1 population centres of Hobart, Launceston, Burnie and
2 Devonport?---That's true.

3 How many members are there of those four career
4 brigades?---There are approximately 230 career members
5 across those career brigades.

6 Then the balance of the state is covered by some 230 volunteer
7 brigades who obviously cover a mix of urban, rural and
8 regional areas?---That's true.

9 How many members are there making up that 230 brigades of
10 volunteers?---Approximately 5,000.

11 The division in terms of the four career and the remaining
12 volunteer brigades presumably is not a neat division
13 between metropolitan hubs and the rural area. Can you
14 just describe for us, in your words, the way in which the
15 division plays out between urban and rural, career and
16 volunteer?---It is only Hobart head station, the CBD
17 station, and Launceston CBD station that are completely
18 career staffed. There are no volunteers involved. At the
19 other stations, so the suburban stations attached to both
20 Hobart and Launceston, there are composite stations so
21 that they have career crew and volunteers as well attached
22 to those areas. Burnie and Devonport operate also in that
23 way and some of the other stations, even in the
24 surrounding areas in the fringe areas, are completely
25 volunteer and every other brigade in the state is
26 volunteer.

27 This amalgamation came into force some time ago, about 1979.

28 Are you able to speak to what inspired the decision to
29 amalgamate urban and rural, career and volunteer in this
30 way?---Tasmania features - perhaps its main fire event was
31 in fact 7 February, but in 1967, when we had major fires

1 impacting on Tasmania and there were some criticisms then
2 of the incompatibility of equipment and operations and
3 techniques. I wasn't working in the organisation then,
4 but I think that came to light with a report that was
5 conducted by Mr Cox at the time recommending that there be
6 efficiencies in combining the services. So, prior to that
7 we had 22 separate urban fire brigade boards, we had a
8 Rural Fires Board. There were problems in consistency
9 with training, with operations, with equipment, so hose
10 couplings from one area to the next didn't fit, for
11 example; with radio communications, so that wasn't
12 standard across the board, so brigades, when they needed
13 to work in with other brigades across the state, couldn't
14 talk on the same radio equipment, for example. So, it was
15 in the light of all of those kinds of things that there
16 needed to be some efficiencies. Another one was
17 efficiencies in arranging and organising and purchasing
18 equipment, for example. So, if you have a number of
19 different boards needing to purchase fire appliances, for
20 example, there weren't too many efficiencies out of each
21 of those boards going alone. So, in organising it as a
22 statewide fire service there was seen to be a number of
23 efficiencies that could be highlighted by that.

24 If the matters you have referred to were some of the
25 philosophies or rationales underpinning the decision to
26 amalgamate, are you able to speak to the way in which the
27 amalgamation has rolled out? Have there been any
28 difficulties, administrative or other, and has there been
29 a successful merging of the cultures?---I think it has.
30 It has taken a long time, but it has been 30 years I think
31 next month since the amalgamation, but the first one was

1 to bring forward some equity in funding. So, one of the
2 things that came forward from the initial report back in
3 1979 was that there was going to be a fire levy system so
4 that everyone contributed to fire services so there was
5 equity in the way that people funded and provided for fire
6 services. So, that happened and the people were all put
7 in under the same badge and in the same uniform, but
8 I think it is fair to say it took a significant amount of
9 time for a lot of the other things to take place.

10 Standard training regimes did occur and I guess it took
11 about the first 10 years for that to happen. There were
12 statewide training schools and statewide curriculum
13 developed. There was standardisation in equipment and a
14 statewide radio system was established, for example.

15 I think some of the things that took longer were more the
16 cultural differences. There were cultural barriers
17 between career and volunteer and urban and rural fire
18 services. I couldn't pretend that - there is perhaps some
19 elements of that that still exist, but in a very minor way
20 compared to how it was even 20 years ago or even 10 years
21 ago. So, it has taken a long time to get those cultural
22 matters worked through and there are a whole lot of other
23 things like industrial awards and industrial
24 representation and those sort of things took a long time
25 to get established. But I think the proof is in the
26 pudding now that it does work well together and we do have
27 our career people working in with volunteer people very
28 successfully and vice versa. I think it is probably only
29 now that we are really reaping the benefit of that
30 amalgamation.

31 If we took a snapshot of the service today, we would find those

1 things you have spoken of, standardised equipment and
2 purchasing systems?---Yes.

3 To the extent possible, standardised training, by which I mean
4 there may be different training for volunteers, different
5 for career, but standardised across the state?---That's
6 true.

7 And would you find standardised operating procedures and
8 management structure?---Yes, there are.

9 You mentioned funding. The shift in funding or what you
10 described as equity in funding was another matter brought
11 about at the time the amalgamation occurred. Is it the
12 case that in 1979 there was a shift from previous
13 methodology to what is now the regime under which there is
14 a levy which is sought from property owners, collected by
15 councils, and then a portion of funds generated from the
16 general body of taxpayers?---That's true, and insurance
17 revenue is still a significant component.

18 Before we turn to some of the detail of the matters you have
19 spoken of, you mention early in your statement one of the
20 obvious facts that might affect the way in which fire and
21 land are managed in Tasmania, namely that 40 per cent of
22 Tasmania is comprised of parks and related reserves
23 et cetera that fall under the auspices of Parks?---Yes.

24 And some 1.5 million hectares is forestry land which falls
25 under the auspices of Forestry Tasmania?---Yes.

26 We will go to the details of those two management agencies in a
27 moment. You mention the role of the State Fire
28 Commission. It is the peak governing body and policy
29 group. As I understand it, it has representation from the
30 unions, volunteer associations, local government. Can you
31 explain how it operates, who has a seat at the table and

1 what it does?---The chief officer of the Tasmania Fire
2 Service is chair of the State Fire Commission.
3 Representatives are from the United Firefighters Union,
4 the retained volunteers association, the volunteers
5 association, local government has two representatives and
6 state treasury has a representative.

7 The State Fire Commission, when it is referred to as being the
8 governing body and setting policy, at what level does it
9 set that policy as far as Tasmania Fire Service is
10 concerned?---It reviews and considers and approves all
11 policy matters for the Tasmania Fire Service and also
12 reviews such thing as corporate plans and state budgets.
13 It is also charged with developing the state fire protection
14 plan?---That's true.

15 At paragraph 25 of your statement you set out the functions and
16 powers of the commission under the Act. Perhaps if we
17 just go to that. You have touched on a couple of
18 those?---Yes.

19 Obviously it formulates policy in respect of the administration
20 and operation of the service, coordinates and directs the
21 development of the fire service and the other matters set
22 out there. At point (d) is the development and
23 promulgation of the state fire protection plan?---Yes.

24 Which we will go to in a moment. There is a mention there in
25 paragraph (e) of standardising fire brigade equipment and
26 establishing and maintaining training facilities for
27 brigades. Presumably, in light of what you have said,
28 that is all done in a way which aims to achieve statewide
29 uniformity and consistency?---That's true.

30 COMMISSIONER PASCOE: Before you leave the topic, Ms Doyle, I'm
31 interested in the model of the commission, Mr Brown, in

1 relation to the governance model that it represents,
2 because there is a degree to which you, occupying both
3 roles, are at times reporting to yourself. I'm wondering
4 has this model partly emerged because of the size of
5 Tasmania and for efficiencies in terms of not having too
6 many personnel in roles, or is there another reason for
7 adopting this model?---I can't really comment too much on
8 what the history has been in terms of the development of
9 the structure of the State Fire Commission. Suffice it to
10 say it would from my point of view, in my short time of
11 being involved with it, appear to be representative of the
12 key stakeholders in relation to fire protection in
13 Tasmania.

14 Are there particular advantages or disadvantages that you see,
15 because in effect you are having a model where both your
16 governance responsibilities, so to a degree your
17 compliance and accountability responsibilities, are vested
18 in the same person who has an operational and a managerial
19 and a leadership role as well. So can you point to any
20 advantages or disadvantages in that model?---Look, I'm not
21 sure. I haven't had a huge amount of experience with the
22 State Fire Commission, so I find that a bit difficult to
23 comment on at this point.

24 MS DOYLE: Flowing from that, in terms of developing and
25 administering the fire services budget, just as one simple
26 example, is it the State Fire Commission that is
27 responsible for that or is it the commission that makes
28 representations to the minister in order to receive an
29 allocation of funding?---The commission each year prepares
30 and provides for the budget, and ultimate approval is
31 through the ministerial and treasury process.

1 Below the commission, does the fire service make
2 representations to the commission as to what it expects
3 its obligations and expenditure to be in the next
4 financial year, for example?---Yes, it does. All centres
5 are reporting through to a central point with the director
6 of finance and administration to put forward the budget to
7 the commission.

8 COMMISSIONER McLEOD: Could I just ask another question on the
9 commission and then we can move on. Do you believe that
10 your role as chairperson of the commission, as well as
11 being the head of the fire service, strengthens your
12 authority and independence in managing your operational
13 responsibilities or do you think the existence of the
14 commission inhibits your capacity as head of the fire
15 service in terms of your operational
16 responsibilities?---I guess my only comment to that is
17 I think it is a strength. I think the necessary
18 accountability and rigour for the commission is provided
19 through the membership and representation on the
20 commission. Although the chief officer, who is also chief
21 executive officer and chair of the State Fire Commission,
22 might seem to have the position of authority and guidance
23 perhaps for the commission, it is not necessarily the case
24 because of the representation on the commission.

25 So it acts as a kind of check and balance, in a
26 sense?---I would think so.

27 To what might otherwise be seen to be a chief officer who is
28 too independent, if I can put it that way?---I think so.
29 Would you care to comment on what the relationships would be
30 and would they be different in terms of your role as chief
31 officer if the chairperson of the commission were not

1 yourself, which is often a more common model for a
2 commission that sits above an executive agency?---I can
3 appreciate that, but perhaps comment that I haven't given
4 that a great deal of thought. I don't know that I have
5 needed to, so I haven't taken that into consideration as
6 yet.

7 CHAIRMAN: In the event of a major fire, it is pretty clear who
8 would be held responsible?---Yes.

9 MS DOYLE: Picking up on a comment you made, Mr Brown, when you
10 sit at the table wearing your hat as chairperson of the
11 commission, obviously you do that working with the other
12 members which, as you have noted, include representatives
13 of the United Firefighters Union but also the two
14 volunteer peak bodies, Retained Firefighters and Volunteer
15 Fire Brigades, as well as the representatives from local
16 government and a representative of the secretary?---Yes.

17 Just stepping to the Tasmania Fire Service for a moment in
18 terms of the broad way in which it is organised, and we
19 won't go to all of the detail that is in your statement,
20 but Tasmania Fire Service sitting under you has four
21 divisions or streams: operations, community fire safety,
22 corporate services and human services?---(Witness nods.)

23 I think for convenience there is a chart that is at attachment
24 2 to your statement. We won't go to all of the detail,
25 but it is at witness page 0049. That will come up on the
26 screen in a moment. Your position obviously sits at the
27 top. There is a deputy chief officer?---That's true.

28 We have the streams of operations, community fire safety,
29 corporate services and human services. What also appears
30 here is that there is a regional structure. The state is
31 broken into three regions?---Yes.

1 Northern, southern and north-west?---That's right.

2 Do you have a regional chief and deputy regional chief for each

3 of those regions?---The northern and southern regions both

4 have deputy regional chiefs. That's not the case in the

5 north-west.

6 Below the regions sit the districts?---That's right.

7 You have nine districts?---Nine geographical districts, yes.

8 I take you back to paragraph 30 of your statement where you

9 concentrate on what the operations division does?---Yes.

10 At paragraph 30 you note that the division delivers the

11 emergency response and community fire safety services, and

12 you give the statistic we have already touched on. There

13 are the four career brigades with 230 members and about

14 230 volunteer brigades with about 5,000 members?---Yes.

15 I will take you to the management structure next which you deal

16 with at paragraph 33 of the statement, the executive

17 management team. Can you just explain to us who makes up

18 that team, how it operates and what it does to assist you

19 with the strategic management, as is noted there?---The

20 executive management team consists of the chief officer as

21 chair and also the deputy chief officer who is in charge

22 of operations. With that person is the three regional

23 chief officers representing the three main geographic

24 areas and the director of community fire safety, director

25 of corporate services and director of human services.

26 Their role is about ensuring organisational consistency

27 across the state in terms of the programs we deliver and

28 in terms of the way in which we are conducting operations,

29 to discuss and work through issues of policy development

30 and any new programs that are coming forward, and to

31 anticipate and manage issues of significant organisational

1 impact.

2 As you note in paragraph 36, the way the organisation works in
3 terms of regions, districts and brigades we have just
4 spoken of, but that I think is depicted at attachment 3.
5 It might be useful for us to go to that now. Attachment 3
6 is at witness page 0050. Can you talk us through this
7 map, the way in which it divides the state into regions,
8 districts and then brigade level?---I think people can see
9 the red lines showing the three regions in the state.
10 They align with the three Telstra area code regions, by
11 the way. In each of those regions there are a number of
12 districts and the districts are in different colour codes.
13 Each geographical district maintains and is responsible
14 for development of somewhere between 20 and 35 volunteer
15 brigades across the district and the map also depicts
16 I think the urban areas at Burnie, Davenport, Launceston
17 and Hobart. In each of those career brigades there are
18 district officers as well.

19 I want to take you to the work at the brigade level and the
20 types of events to which brigades are called out. You
21 deal with this at paragraph 49 of your statement.

22 Obviously there is a brigade chief in charge of each
23 brigade?---Yes.

24 At paragraph 49 you note the type of work that the brigades
25 undertake. They are ready to respond to a wide variety of
26 emergency incidents. 000 calls are directed through to
27 your statewide control centre where computer aided
28 dispatch technology is used. Then you have a long list of
29 types of emergencies or events to which the brigades might
30 be required to respond. Can you just explain to us the
31 portion of this which is bushfires, structure fires and

1 other types of emergency or rescue operations?---Yes. The
2 list is there for people to see, but the majority of our
3 incident type across the state in a normal year would be
4 bushfires or fires in vegetation of some sort, followed by
5 I would think alarm calls and calls to structural fires
6 and transport-related incidents are probably fairly even
7 in terms of the number of calls that we get. There are a
8 much lesser but nevertheless important other range of
9 roles that we respond to, so there are areas of specialist
10 rescue and hazardous material-type responses. But the
11 majority of responses, as I said, would be bushfires,
12 structural fires, alarms and motor vehicle accidents.
13 Even for the members of the career brigades in the urban
14 regions, what portion of their work would be what might be
15 regarded as a vegetation or bush fire?---That would be
16 different. When I stated what would be highest in
17 numbers, that was looking at it on a statewide
18 perspective. In the career areas there will be a higher
19 concentration of calls to alarm-type responses and
20 structural fires.
21 Within the brigade the command structure is one that is quite
22 familiar to us. We will just note that. At paragraph 52
23 onwards you deal with the chain of command. First of all,
24 the AIIMS system operates in Tasmania?---It does.
25 Then the order of seniority within the brigade is that which
26 you set out at paragraph 54, chief officer downwards, down
27 to brigade chief, brigade officers and leading
28 firefighter. That chain of command structure has been
29 established under an operating procedure made under the
30 auspices of the Fire Service Act?---That's right.
31 Just for completeness, I note that you attach that as

1 attachment 4 but there is no need to go to that. Can we
2 deal with the State Fire Council before we move to other
3 more operational matters. The State Fire Management
4 Council you mention at paragraph 58 of the
5 statement?---Yes.

6 Do you or one of your representatives have a seat at that
7 table?---Both the chief officer and deputy chief officer
8 have a seat at that table.

9 The State Fire Management Council was formed after an
10 independent review into vegetation-based fire in Tasmania
11 that you mention in paragraph 60?---Yes.

12 So there are representatives of your service, parks, forestry,
13 local government, but then industry representatives,
14 including farmers and forest industry?---That's correct.

15 What does the fire management council do? What is the scope of
16 its work?---It is explained there as it is catered for in
17 the Fire Service Act. It is independently chaired and has
18 the responsibility to develop a state vegetation policy to
19 be used as the basis for all fire management planning
20 across Tasmania, and to advise and report to the minister
21 on such matters relating to the administration of this Act
22 as it applies to vegetation fire management. I could go
23 on and read through it, but the responsibilities of the
24 committee are there.

25 Would it be fair to say its focus is on land management,
26 perhaps including fuel reduction, or does it have any
27 input into true fire suppression?---It has very little
28 involvement in true fire suppression. The focus is
29 basically on land management and in more recent times the
30 other environmental impacts of fire such as smoke
31 management and the like.

1 Within land management it has input into prescribed burning
2 policies and fuel reduction policies?---Yes.

3 Below that sits the fire management area committees that you
4 refer to in paragraph 62 onwards?---Yes.

5 So again the Tasmania Fire Service is represented on each of
6 those area committees?---It is.

7 You set out the functions of the fire management area
8 committees at paragraph 64 onwards. The protection plans
9 there and the work that's done at that level, again would
10 it be fair to say it is focused on the land and fuel
11 management rather than suppression tactics or
12 plans?---That's true.

13 The next matter you deal with in your statement is staffing and
14 training at paragraph 65 onwards. Can you tell us about
15 the training, first of all, of your career staff; what
16 system applies, how do people move through the ranks, how
17 do they achieve competencies?---Our career staff start
18 with a recruitment process that essentially gets them
19 through the skills necessary to form part of a career crew
20 on the first day that they are assigned to their brigade
21 and their station. That takes - I think it is about
22 14 weeks at the moment. Through their recruit course they
23 can complete a number of public safety training package
24 competencies. Then there is a career training schedule
25 that outlines the competencies and units that they need to
26 achieve to get through certain pay points within their
27 career and then promotion points.

28 Volunteers. You mention in paragraph 71 that, as one would
29 expect, the recruitment is generally carried out and more
30 successful at the local level?---(Witness nods.)

31 How are volunteers trained, first of all, in Tasmania?---That's

1 recently gone through some change. They are trained for
2 the most part at their own brigade by their own brigade's
3 people. They go through, I think it is about 10 points of
4 training that are essential to get them to the point to
5 operate safely under supervision within a crew.

6 Notionally that training takes about 10 hours to get them
7 through to that point. Prior to that they also do an
8 induction package which takes them through understanding
9 of the organisation, OH&S matters and structural matters.

10 What you explain in your statement and what is set out at
11 attachment 7 takes a volunteer through to level 1
12 firefighter level. How does a volunteer progress from
13 level 1 firefighter level and can they take any leadership
14 roles within a brigade?---At the first level, generally
15 they are not taking leadership roles except that they will
16 move to a point when they go through the level 1 training
17 that they needn't necessarily operate under supervision.
18 So, after they have done their basics training they can
19 operate within their brigade, but they should be under
20 supervision of someone who is at least at level 1 level.
21 Then after I think another 10 hours training to attain
22 their level 1 skills, the door's open for them to attain
23 further training and that will be dependent on the brigade
24 type they are in. So, if the brigade has a broader range
25 of risks, for example breathing apparatus and chemical
26 risk and perhaps road rescue or whatever, they need to
27 attain that training on top of their basics training.

28 Can a volunteer rise to the rank of brigade captain?---Yes.

29 Can they be deployed in roles on a fireground such as sector
30 commander or division commander?---Yes, they can and in
31 both cases there are development courses for volunteers.

1 For example, leading, managing, developing teams is a
2 requirement or a desired requirement for someone to be a
3 brigade chief and there are crew leader training courses
4 that people can do to go through and take that role.

5 Are volunteers ever used in incident management teams?---Yes,
6 but normally in the capacity of providing the essential
7 local knowledge and liaison.

8 So it wouldn't be typical to see a volunteer holding either the
9 position of incident controller or, say, head of
10 operations unit or information unit?---At lower scale
11 incidents it certainly does happen, but when we are
12 talking about the larger scale incidents where we are
13 running a full incident management team in Tasmania, it is
14 not very often that volunteers are involved in the
15 leadership roles in those areas. That's not about
16 necessarily competence, it is more things like
17 availability. So, obviously we have to be able to get
18 people on very short notice and move them to another place
19 in the state for a period of five or six days. That's
20 often very difficult for volunteers to be able to do.

21 There are two species of payment to volunteers that you mention
22 in your statement. The first class is a group called
23 retained volunteers and the second instance are volunteers
24 who may receive payment in some circumstances. Can we
25 talk first about retained volunteers. As a class, who are
26 they, and by what arrangement are they paid under a
27 retainer?---As mentioned before, Tasmania has 230
28 volunteer brigades and at present, and I'm not exactly
29 sure of the number, I think we have 12 retained brigades.
30 It used to be about 30 retained brigades. They are
31 brigades that will receive a small amount of payment on an

1 hourly basis for I think it is two hours training a week
2 and then they are paid for the time spent at calls that
3 are in their gazetted area. I should note from this
4 point, though, that those brigade members often spend a
5 lot more than two hours training and they don't get
6 payment for when they are responding beyond their gazetted
7 area, and they often do. So, it is really historical. It
8 is from the days when we had the separate urban fire
9 brigade boards and payment was made then, but volunteers
10 do have their representation and a small group of them
11 have made some strong representation in the past about the
12 maintenance of their payment. So, those brigades do
13 continue to get payment today and in most cases it is in
14 recognition of the increased complexity of the risk in
15 their areas. They are not in the very rural, remote
16 areas, they are in the larger townships that might have
17 some port risk or industrial risk, for example, so their
18 risk is more complex and their training needs are more
19 complex, their equipment is more complex.

20 Can I just clarify with you, of the 12 or 13 brigades that
21 might be described as retained brigades, the members of
22 those brigades who get payment, is it confined to the
23 officers or is it every member of that brigade?---Every
24 member of the brigade gets - look, to a complement, and
25 there are numbers set for the establishment of the brigade
26 that can get payment, so that might be, for a given
27 brigade, 16, but that brigade might have 30 members, so it
28 would be 16 of those members would be paid and the
29 officers get paid an annual retainer.

30 So you would find a proportion of the brigade receiving some
31 kind of payment, the officers receiving an annual flat fee

1 retainer?---Retainer.

2 And all who are eligible receiving, on an hourly rate, a
3 payment for training but capped at two hours a day?---Per
4 week.

5 And an hourly rate for attendance within gazetted areas?---Yes.

6 There is another type of payment which you mention in your
7 statement and which is set out in a document called the
8 interagency protocol, and we will go to that protocol in a
9 moment, but under this system in what circumstances can
10 volunteers also receive payment?---There are remote areas
11 in Tasmania under the control of Parks and Wildlife and
12 Forestry Tasmania where from time to time they need
13 additional resources beyond what they can provide for
14 firefighting and they will call upon our services to
15 provide those resources. Being that they often want such
16 capacity for a long duration and it is very remote, our
17 people have understandably not necessarily got a
18 willingness to go and respond to those, so payment was
19 seen as an option to help provide some motivation. It was
20 established maybe five or six years ago, and I would
21 suggest the number of times that it's been used I can
22 probably count on one hand. We find that when those calls
23 have come forward, even when payment has been offered, a
24 significant number of volunteers don't put up their hand
25 for the payment in the end and just say, "No, it's all
26 right. It was a good experience for me", or whatever. So
27 it is provided for there just so that when resources are
28 very stretched and Forestry or Parks need that capability,
29 they have a mechanism for getting it.

30 And its crux, if I understand you correctly, is the fact that
31 this is when other agencies are essentially asking to

1 borrow Tasmania Fire Services resources?---Yes, and the
2 protocol provides for that in a fairly strict sense.
3 Perhaps we will go to that. It is at witness page 0127. There
4 is a clause there that encapsulates what you have just
5 been saying. It is attachment 11 at page 0127. This is
6 part of a broader document which is an interagency
7 protocol in force at present. Do you have page
8 0127?---Yes, I have.
9 That part of the protocol is headed "Payments to Tasmania Fire
10 Service volunteers". This is at page 0127?---Yes.
11 It says, "It is a sensitive issue which must be carefully
12 managed. Care must be taken not to create an expectation
13 of automatic payments to volunteers who are deployed to
14 fires on" essentially Forestry or Parks land. Then it
15 says payment is available in some circumstances, and those
16 are set out there. It then sets out a procedure by which
17 you can get the payment. It looks as though it needs to
18 be activated, and then it is sent through a number of
19 levels up to the regional officer and the multi-agency
20 group?---(Witness nods.)
21 I think as you have just noted it has happened, what, a handful
22 of times?---Yes.
23 You say in your statement that the response rates of unpaid
24 volunteers is as high and reliable as retained or paid
25 volunteers. Can you expand on that?---Yes, it has been
26 commented before that perhaps payment for volunteers is in
27 some way a motivation or incentive. My experience over a
28 long period of time is it makes little difference in terms
29 of the reliability and timeliness of a response being
30 determined by whether a brigade is a paid or an unpaid
31 brigade.

1 So, whatever its rationale and whoever draws on it, you have
2 not found it to be a causative factor in terms of the
3 rates of turn out?---No, not at all. In fact certainly
4 the volunteer associations are very strong on the
5 volunteer ethos. While I don't think anyone wants to be
6 in a position where they are out of pocket, they are very
7 strong on the position of being volunteers in the true
8 sense.

9 Mr Brown, your statement then deals with the way in which the
10 Parks and Wildlife Service and Forestry Tasmania work.
11 I'm not going to ask you to expand on that. Most of it is
12 a matter of public record and analysing the Acts that
13 apply. If we can just note that you deal with PWS at
14 paragraphs 86 to 119 of your statement. Perhaps the best
15 summary appears at paragraph 93, if we can just touch on
16 that. At paragraph 93 of your statement you note that,
17 "Parks and Wildlife Service must take responsibility for
18 managing and extinguishing fires on the land for which it
19 is responsible." So that is reserve land, national parks,
20 regional reserves, conservation areas and crown
21 land?---Yes.

22 It has within its auspices its own trained firefighters?---It
23 does.

24 You set out some of the statistics in relation to that in those
25 paragraphs. Does PWS itself respond to or work within the
26 same three regions that Tasmania Fire Services
27 do?---I think the geographical boundaries are slightly
28 different, but they are represented right across the
29 state.

30 The other entity that you summarise is the work of Forestry
31 Tasmania at paragraph 120 onwards. Again, the best

1 summary of what Forestry Tasmania is responsible for
2 probably appears at paragraphs 120 to 122?---Yes.

3 It has a quite different focus. It is a government business
4 enterprise, essentially. I think you summarise it well by
5 saying its business is growing trees?---That's right.

6 It uses fire as a forest management tool, but obviously has its
7 own firefighting capabilities?---Yes.

8 Those capabilities no doubt are primarily directed towards
9 protecting its asset, namely the trees that it is
10 growing?---Yes.

11 In paragraph 122 you summarise Forestry's management policy:
12 manage fire, obviously in order to minimise damage to
13 forest, and prevent the spread of fire to neighbouring
14 lands?---Yes.

15 Can we just step back from those two entities and can I have
16 you explain do Parks and Forestry fight fires outside of
17 their tenure, outside of their land?---They do. I will
18 refer back to the protocol again. That provides for the
19 principle of the nearest and most appropriate resource
20 responding to any fire in Tasmania. So in principle and
21 in some cases Parks and Wildlife would respond to a fire
22 that might be on private property outside the park if it
23 is the closest and most suitable resource.

24 All of this is done under the auspices of an interagency fire
25 management protocol. The document that encapsulates that
26 we have just looked at in another context. This protocol
27 was first agreed between the two land management entities
28 in 1992, and Tasmania Fire Service came on board a couple
29 of years later?---Yes.

30 Can you tell us about the principles that underpin this
31 interagency protocol?---The principles are essentially

1 about the three organisations working together to ensure
2 that we have got consistency in operations, in priorities,
3 there is not duplication in terms of the way in which we
4 use equipment, obtain equipment. Our training, for
5 example, is done together. While all three organisations
6 in their day-to-day work do things that are significantly
7 different, when it comes to fire operations all three
8 organisations work together. So when we are doing ICS
9 training it is collectively, it is together. When we are
10 doing our pre-season workshops and pre-season briefings,
11 we are doing that together. When we are arranging
12 specialist resources like aircraft, for example, that's
13 done together. Then when we are in bushfire operations
14 mode we are generally working together, in many cases even
15 when it is on a single land tenure because we know there
16 is potential in some cases for a fire to quickly involve
17 other land tenures.

18 So is it the case, Mr Brown, that the two main tools that
19 assist this working together are the protocol, which
20 encapsulates the agreement between the agencies, and then
21 a group called the multi-agency coordinating
22 group?---That's right.

23 We will go to the work of the group, but you mentioned
24 training. I just want to have you expand on that. You
25 said, "We do our ICS training together." How do the three
26 agencies come together in particular to train incident
27 management teams?---Not only ICS training but in other
28 bushfire training we generally do it together. So the
29 multi-agency coordination group is working throughout the
30 year on ensuring that when there are opportunities to work
31 together in this kind of environment, for example

1 training, that we are using those opportunities. So when
2 we are conducting pre-season training, as I mentioned, or
3 when we are seeing a need to conduct another incident
4 management course, we do those things together as a matter
5 of course.

6 So you will find sitting in a group or a classroom
7 representatives and members of Tasmania Fire Service,
8 Parks and Wildlife, and Forestry being delivered the same
9 training modules and content?---Yes.

10 Is there any more practical training? For example, do
11 multi-agency incident management teams ever train together
12 pre-season or pre-event?---They do. Prior to each season
13 we have workshops where incident management team personnel
14 get together and train together and also review such
15 things as new policies that may have been developed in the
16 off season or new equipment or new protocols. Those sorts
17 of things are worked through together again prior to the
18 fire season.

19 I want to take you to the protocol, because it sets out very
20 clearly the aims of the protocol but also the way the
21 coordinating group works . This is attachment 11 to your
22 statement, if we can go back to that, at witness page
23 0123. At witness page 0123 the responsibilities of the
24 three agencies are noted and they are obvious. But under
25 the heading "Preparation" it says, "The agencies will
26 appoint a representative and a deputy to the MAC group,
27 multi-agency coordinating group. The MAC group will have
28 delegated responsibility for facilitating and coordinating
29 the management of interagency responses to level 3
30 bushfires." How does MAC group discharge that
31 responsibility? I'm asking this in a very practical level.

1 How do they designate a point or form an interagency
2 response to a level 3 bushfire?---Often the fire may well
3 be under local control or a type 1 or type 2 incident
4 management team anyway. But the representatives on the
5 multi-agency group will recognise that a fire is either on
6 multi-land tenure or has the potential to burn across
7 multi-land tenure, and the complexity of that incident is
8 likely to increase and the size of the incident is likely
9 to increase. At that point they will appoint a level 3
10 incident management team. So all three representatives
11 know the strengths and capabilities of their people. A
12 register is maintained of people across the state who can
13 work on incident management teams. They will make a
14 selection according to the capability and availability of
15 personnel to be on the incident management team. They
16 will be appointed in writing.

17 Can I perhaps use a hypothetical example to give life to this.

18 If it were a hot day, expected to be extreme fire weather
19 in Tasmania but there is not yet any fires that have
20 ignited, would you expect a MAC group to be formed and
21 sitting where? At state operations briefing centre in
22 Hobart?---Yes, the MAC group will have anticipated that
23 and they would be either - depending on the time of day,
24 but during the core part of the day they would be
25 available at the state operations briefing centre. They
26 would have at that point of time already nominated and
27 preplanned an incident management team, at least one on
28 those types of days.

29 The membership of the group on the day, is it likely to include
30 yourself or someone of a senior rank?---Generally it
31 wouldn't include myself. Each organisation nominates an

1 appropriate person to be their representative on that
2 incident management team and a deputy.

3 I think you mentioned that if it were known to be a high
4 fire-risk day they would have already nominated at least
5 one incident management team. But if the day unfolded and
6 there are a number of level 3 events, how would the MAC
7 group determine who was to comprise the incident
8 management team for each event? Would it be resolved by
9 looking at the tenure at the point of ignition or are
10 there other factors that come into play?---Tenure at the
11 point of ignition may have a consideration, but it
12 certainly wouldn't be the principal consideration. It
13 would be more on the capability and availability of the
14 personnel to fulfil the roles in the incident management
15 teams.

16 I think that is something that comes out in the next principle,
17 if we can go to page 0124, under the heading "Bushfire
18 suppression" at 3.1. It says, "The guiding principle is
19 that the most able firefighting crew of any agency will
20 respond immediately to a reported fire regardless of the
21 land tenure involved." That seems to be focused on who
22 goes to the initial call-out?---Yes.

23 Does that principle also flow through to the appointment of
24 those who will manage the incident?---Yes, it will. It is
25 one of the principles of AIIMS ICS that it is irrespective
26 of position in terms of the appointment to certain
27 incident management positions. It is more about
28 capability.

29 So again can we turn to a hypothetical to perhaps tease out
30 this issue. If a fire has started in land which was in
31 Parks and Wildlife tenure but it is predicted it will at

1 some stage threaten more urban areas that would be under
2 the responsibility of the Tasmania Fire Service, what sort
3 of process would you expect the MAC group to go through in
4 order to determine who will be incident controller, who
5 will be deputy and who will fill the other important
6 roles?---Again it is about capability. For the most part
7 where the fire has got the most potential to burn through
8 and also where the fire starts does play some kind of
9 part. But it is more about the capability of the people
10 to run the incident management team and the roles within
11 the incident management team rather than what the threat
12 is and what the land tenure is. Particularly if an
13 incident poses an imminent threat to a community or some
14 structures, it is more likely that TFS would at least have
15 a leading role in incident management or lead operations.
16 In order to be able to do that, again a very practical sense,
17 does this mean the MAC group sits at the state operations
18 briefing centre with a list of who has level 3
19 qualifications from each agency, literally where they are
20 and whether they are rostered on for duty?---They do.
21 Would it go to the level of having contact details and their
22 roster being available?---Yes.
23 If we look at point 4 of the interagency protocol at page 0125,
24 this spells out some of these matters. It says the MAC
25 group has functions including appointing an incident
26 management team to level 3 bushfires, that will involve
27 resources from more than one agency; will appoint an
28 incident controller to take supreme charge; and then will
29 appoint persons to fill the other roles. I want to ask
30 you about (d), "designate a mentor to support an IMT when
31 necessary". In what sort of circumstances does that issue

1 arise?---It is an important point for us that we need to
2 develop our good incident management personnel for the
3 future. One of the things that TFS and the other
4 Tasmanian agencies have been endeavouring to do is to
5 ensure that we get people to learn from the experiences of
6 these serious incidents, these going incidents, so that we
7 have got a succession plan for the future in respect of
8 providing good incident management personnel.

9 What sort of person might take the role of mentor in a
10 particular incident?---Often the mentor will be the
11 incident controller or someone in a senior IMT position
12 itself, and they will be mentoring somebody else as to
13 what they are doing and how they are making their
14 decisions and what is influencing their decisions
15 et cetera.

16 We have talked about personnel. What about resources? Does
17 the MAC group play a role in sharing and allocating the
18 pool of resources from the multi-agencies?---To some
19 degree, particularly for where resources are scarce. An
20 aircraft or earthmoving equipment might be a case in point
21 there. The MAC team can take a strategic statewide view
22 and collectively determine where the weight of resources
23 should be put.

24 That's dealt with in point 5 of the agreement. Can I take you
25 to point 8 of the agreement, which deals with information
26 management at page 0128. It notes there a central
27 function of the AIIMS system is the flow of information.
28 At point 8.3 it says, "In the case of a level 3
29 multi-agency fire, the responsibility for ensuring that
30 this information flow occurs lies with the incident
31 controller appointed to take charge of extinguishing the

1 fire." Information flow, is that sort of management speak
2 for warnings, including warnings to the community?---Yes,
3 and AIIMS ICS doctrine has the incident controller in
4 charge of such things including media management. But
5 I can say as a result of some of the experiences learnt
6 out of the Victorian experiences that this is under
7 review. Obviously the role of incident management
8 personnel in putting out warnings in a very timely way and
9 putting out community information has been recognised as
10 needing a much higher profile and needs to be considered
11 to be a lot more effective in the future.

12 Can I take you back to the body of your statement and just pick
13 up a couple of matters that you refer to at paragraph 163
14 onwards.

15 COMMISSIONER PASCOE: Just before we leave that, one matter
16 that wasn't entirely clear from the description of the
17 preformed IMTs, and you have noted in your statement that,
18 first of all, you told us earlier that the agency closest
19 to the fire would be the one that would respond,
20 irrespective of jurisdiction, and also that you are going
21 to use the most capable, I suppose, people for the fire.
22 In your description of these preformed IMTs, is it what
23 Victorian language would describe as a hot start? Do you
24 know that language?---No.

25 There is a comparable activity undertaken in Victoria on days
26 of extreme fire danger, what we would sometimes now call
27 code red days but also total fire ban days of having
28 preformed IMTs. In taking evidence from districts around
29 the state, they have a different understanding of the
30 degree to which all of the roles are set. So, for
31 example, we have heard from certain areas where you might

1 have personnel designated but for the role of incident
2 controller, and the role of incident controller is then
3 determined on the point of ignition of the fire. Is that
4 a practice?---No, it is not.

5 So you are much more likely in terms of capability, proximity,
6 those kinds of factors?---The initial response is by the
7 nearest and best able service, but that is very much just
8 for the initial response. So an incident management team
9 is not so quickly activated. But suffice to say that I'm
10 aware that some other states have preformed incident
11 management teams, and that team might stay together for
12 the whole fire season. We differ slightly to that in
13 which we have a register of people and their capabilities.
14 We might today preform an incident management team with
15 the knowledge that tomorrow is going to be a day of
16 extreme fire danger, but they are not a team that has
17 necessarily been gelled together for the whole fire
18 season.

19 MS DOYLE: Can I take you to paragraph 163 of your statement
20 which goes on to explain how some of these things might
21 roll out over a day. So you say in paragraph 163 where
22 there are level 2 or 3 incidents occurring the MAC group
23 will meet at the briefing centre that you just referred
24 to. This state operations briefing centre, that is
25 Tasmania Fire Services headquarters in Hobart?---Yes.

26 If there were a day where there were a number of level 2 and
27 level 3 incidents unfolding, would you expect, first of
28 all, that you would be in attendance at the state
29 operations briefing centre?---Yes, that's going to be
30 dependent on the severity of the forecast and the nature
31 of incidents that are occurring. But it would certainly

1 build up to myself attending at some point.

2 And there would be a MAC group present there if there was a
3 likelihood of multi-agency fires?---Yes.

4 Would it be likely there would be senior representatives of
5 Parks and Forestry?---The Parks and Forestry would for the
6 most part be represented by their MAC group
7 representatives. But at a certain scale there may well be
8 more senior representatives from Parks and Forestry, and a
9 number of other agencies too.

10 Would you expect your police service to be represented?---Yes.
11 In fact we have arrangements with police and there is a
12 roster in place and we know who to call upon when we need
13 police liaison in our state operations briefing centre.
14 That's at one level, at the liaison level. Under your state
15 emergency management arrangements is there a stage at
16 which the police take on a more formal role, either of
17 coordination or control?---There is in the state Emergency
18 Management Act the legislation enabling that to happen
19 whereby there could be a declared state of emergency, and
20 then one of the options with that is the state controller
21 would take control of the whole situation, which is the
22 commissioner of police. But I can't recall that being
23 used, certainly in recent history.

24 Just going back to the body of your statement and finishing
25 this example about a number of level 3 incidents, at
26 paragraph 165 you note that, in the case that there is
27 more than one fire burning at the same time, the MAC group
28 are responsible for taking a statewide overview. You then
29 say at paragraph 168 that it has become more common for
30 the MAC group to move brigades from their primary response
31 area to other regions. Can you expand on that? In what

1 sort of circumstances would the MAC group be involved in
2 moving brigades or moving firefighters from place to
3 place?---It may not be the MAC group. It might be the
4 regions and the duty chief officer or myself making these
5 decisions. But more and more often these days we move our
6 resources as a taskforce. So it is often the case in
7 Tasmania if fires are impacting on one part of the state,
8 due to the coastal effect, the fire conditions aren't so
9 bad in another part of the state. So we are able to pick
10 up resources en masse and move them as a taskforce from
11 one end of the state to the other. In most years now we
12 do that on a number of occasions. In fact this year
13 featured a Tasmanian taskforce to Victoria as well. So we
14 are more and more used to doing that. There is a good
15 willingness by our people, both volunteer and career, to
16 do that. It provides for not only a better weight of
17 resources when we need it; it also provides for relief of
18 local crews who may have been working for several days in
19 a row with the fires that they have got.

20 I want to take you now to the issue of statewide emergency
21 management and just deal with that briefly. As you would
22 expect, under the Emergency Management Act in Tasmania
23 there is an obligation to have prepared a state emergency
24 plan. You have attached that to your statement. You say
25 in paragraph 201 that under the plan Tasmania Fire Service
26 is identified as the management authority for fire urban
27 and privately managed rural land, and then Forestry is
28 identified as the management authority for fire in its
29 regions, and Parks is identified as the management
30 authority in national parks and other relevant areas.
31 That designation under the state emergency plan of the

1 management authority, how does that work in with all that
2 we have just heard about in terms of the MAC group and the
3 way that multi-level 3 incidents tend to be
4 handled?---I think the MAC arrangements are more about
5 - without looking at statistics - the one percentile type
6 fires, those fires that are going to be fast moving and
7 are certainly going to be moving across the landscape
8 pretty quick and involving several tenures. While they
9 are the ones we need to focus on, we need to recognise
10 that there are a huge number of other fires that do remain
11 in single tenure. As those responsible for the land,
12 Parks and Wildlife and Forestry Tasmania, respectively,
13 I think that's just reflecting their role and their
14 responsibility in the management of fire on their land,
15 which includes the response to fire under most situations.
16 Then, under either style of a fire, if an emergency escalates
17 to the level where this is required, I think this is a
18 matter you've just mentioned, paragraph 210 says, "If
19 there is a prolonged or significant state or national
20 emergency, commissioner of police as state controller can
21 assume overall control. That sort of control will be
22 focused on a broader whole of government approach and the
23 community impacts of the emergency." Has that assumption
24 of control happened during your time in the senior ranks
25 of the service?---No, it hasn't. The only time in a
26 bushfire sense I can recall it happening, it was probably
27 under previous legislation too, but it happened in
28 principle after 1967. But that wasn't until after the day
29 of the impact of the fires.
30 There is a quite separate matter that you deal with in your
31 statement, the process that's gone through by Tasmania

1 Fire Service of triaging buildings. Can I take you to
2 paragraph 180 of your statement where you deal with that.
3 You refer there to triage and hot day response. You
4 explain in your statement that there is a process whereby
5 members of TFS go out and assess buildings into three
6 categories, which you have set out at paragraph
7 181: undefendable, red; defendable with firefighter
8 assistance, orange; and defendable without firefighter
9 assistance, green. As I understand it, this assessment is
10 fire specific and it is situational. Can you explain how
11 it is done and what it is for?---It is to ensure that we
12 have our resources operating where they can get the best
13 impact. So obviously in some conditions there are
14 properties that are undefendable and we shouldn't be
15 putting our people at risk and wasting valuable resources
16 working with those kinds of properties. There are
17 properties that may be defendable but there will be
18 assistance needed. So in general that will be firefighter
19 assistance, if working at a property, can have a good
20 chance of saving that property and do it in relative
21 safety. There will be some properties that are defendable
22 without firefighter assistance. So it is a matter of
23 given a situation, crews or personnel from an incident
24 management team will go forward immediately in front of
25 the fire, and it might be as short as only two or three
26 hours in front of the fire impact, and make an assessment
27 of properties in terms whether they are in either of those
28 three categories. So crews, when they need to work with
29 those properties, will know which ones they need to work
30 with.

31 So these categorisations of red, orange and green have their

1 greatest impact in terms of deployment of resources;
2 namely, resources will not likely be sent to a red asset
3 because the view has been formed ahead of the fire it is
4 not defensible?---That's true.

5 Attachment 12 sets out how it is done at witness page 0163. It
6 is a policy statement there that sets out how bushfire
7 triage for buildings will be undertaken. If we can just
8 look at that for a moment, witness page 0163. If triage
9 occurs and a building is classed green, defensible without
10 firefighter assistance, it is not intended that that
11 categorisation will last beyond the duration of the fire,
12 is it?---No.

13 So it is fire specific and it is to enable the suppression
14 activity for that fire. Is there a broader type of
15 assessment of structures available in Tasmania that is
16 more aimed at householder information so that people can
17 know whether their home is defensible?---Okay. So the
18 triage is an assessment at a point in time and given a
19 particular scenario. So it is certainly not static. The
20 other type of assessment is a structural risk assessment
21 and it is about at any time of the year being able to view
22 a property and making an assessment of, in broad terms,
23 that property's risk from fire. So that can be done at any
24 time; whereas the triage position is about being
25 situational.

26 The other type, the structural assessment that could be done
27 any time, is it routinely done by the Tasmania Fire
28 Service or is it something that relies on self-assessment
29 programs?---Tasmania Fire Service have had some
30 involvement in doing it, and in some cases our volunteer
31 brigades have taken on additional training to be able to

1 do this and they work in doing that in their local
2 communities very well. But, with the number of resources
3 that we have got to do that, clearly we must be able to
4 provide the tools for people to take a self-assessment.
5 To this point of time TFS has developed that, but only in
6 terms of a brochure. We are aware that some other
7 agencies have been working on some very good web based
8 models that we would be interested in adopting at some
9 point in time once we have had a chance to review those.
10 But we think it really does need to be there in terms of a
11 self-assessment tool.

12 Whereas the triage model, to go back to that for one moment, is
13 deployed during a fire or perhaps on a total fire ban day
14 where there is a high risk of fire?---Yes, it is usually
15 as a fire is occurring, in front of where it is predicted
16 that fire may well be moving to.

17 Can I take you finally, Mr Brown, to paragraphs 223 and 224 of
18 your statement where you pull together some of these
19 themes that emerge in your statement. You say at
20 paragraph 223, witness page 0043, that the amalgamation of
21 the rural and urban services in 1979 has been very
22 successful. You note it has taken some time for the
23 merging of the cultures, but gradually there has been an
24 acceptance of the new structure and the new culture. In
25 paragraph 224 you note that the wider model used in
26 Tasmania is very effective due to the cooperative
27 arrangements that exist between the three agencies through
28 the protocol. You refer there to interagency training,
29 standardised equipment and collaboration through the MAC
30 group as all being of assistance in operating cohesively.
31 Those two paragraphs there, are they a fair summary of the

1 way in which both the amalgamation but then the
2 interagency collaboration work well today in
3 Tasmania?---I think they do. While the MAC arrangements
4 have had a focus on fire working with land management
5 agencies, it shouldn't be forgotten that it is really
6 important that the relationships between fire and people
7 like police and State Emergency Service and now the
8 Commonwealth are very important as well. I think that's
9 been a focus for TFS and I think other services too, in
10 talking to my colleagues.

11 Are there any matters arising, Commissioners? I think there may
12 be a couple of parties who seek to ask some questions.

13 CHAIRMAN: I draw your attention to paragraph 187. It refers
14 to new operational priorities. Is that just in theory or
15 are you able to give some indication of practical
16 applications?---I can, Commissioner, give you some
17 practical applications. We are in the process of now
18 pre-season briefing our operational people across the
19 state and have made a clear point about operational
20 priorities on the very, very high fire danger days and the
21 days leading up to catastrophic ratings. That's where
22 I think as an organisation we need to completely rethink
23 our operational priorities. So, rather than having crews
24 out working in a fairly dangerous environment working with
25 remote properties and probably with a lot of houses that
26 are moving very much into the undefendable category,
27 operation priorities need to ensure that our resources are
28 moving back to protect people and, whether those people be
29 at schools or nursing homes or assembled in the places
30 that we have talked about before in the community refuges
31 or neighbourhood safer places, clearly those people need

1 protection. What is very important too is the protection
2 of assets. So it is very important again on those most
3 extreme of days that resources are back protecting what
4 have been identified as the critical assets to a community
5 in terms of them recovering and in terms of them being
6 sustainable from post the fires. So that may well be in
7 items of significant public infrastructure, again like
8 schools and nursing homes and perhaps shopping centres and
9 places that employ people because, if they go, often that
10 can be the end of the community, and critical
11 infrastructure like bridges and electrical infrastructure
12 and the like. So those are going to be the things that on
13 those very high fire danger days when firefighting becomes
14 almost futile, the focus on operational resources has to
15 be back to protecting those kinds of assets.

16 COMMISSIONER McLEOD: Mr Brown, early on in your presentation
17 you referred to the origins of the current arrangements in
18 Tasmania as going back to the 1967 fires in Tasmania. It
19 seems that it was a very long gestation period until 1979
20 before a unified fire service was established in Tasmania.
21 Your description of some of the arrangements and the
22 differences that existed in 1967 seem to me to not really
23 mirror the arrangements that currently exist in Victoria,
24 where there has been over time increasing
25 inter-operability being pursued and so on. Would you like
26 to just comment a little on why it took 13 years and what
27 some of the circumstances were? If you have any knowledge
28 of Victoria, could you sort of hazard a guess as to where
29 Victoria is along that path of achieving inter-operability
30 as perhaps a prelude to amalgamation?---There wasn't
31 necessarily 13 years where nothing happened. Following

1 the 1967 fires there was a review and, following that,
2 there was the establishment of the Rural Fires Board. So
3 there was a system put into place to established brigades
4 in the rural sense across Tasmania. But then I think it
5 was later it was seen that there wasn't inter-operability
6 between the rural fire service and the urban fire
7 services, and the urban fire services again were fairly
8 fragmented in the fact that they had 22 separate
9 structures. So it was at that point that the next step
10 was seen to be logical, the integration of the fire
11 services as a whole. As for Victoria, I can't speak too
12 much about Victoria's system. We have excellent
13 relationships with Victorian fire services. I'm aware
14 that the catalyst for the CFA was the 1939 fires, and they
15 have had a long period of development. But I can't speak
16 to too much as to the need or the implications for
17 amalgamation further in Victoria.

18 One final question: communications. Have the arrangements in
19 Tasmania resolved the difficulty of incompatible
20 communication systems so that you now do have reliable
21 communications within the fire services and between the
22 fire services and other agencies such as the police and
23 the state government authorities that are involved
24 whenever serious fires occur?---We do. We have an
25 excellent communications plan now. In fact from one radio
26 set with 100 channels - no, more than 100 channels now.
27 I don't use radios very much these days. But we have
28 complete inter-operability with the land management
29 agencies and local government on the one radio set. It is
30 all on the same VHF radio band. There is only police, and
31 I guess it is for security reasons that they have a

1 different network arrangement. But, when we are working
2 with police, the incident management system we use allows
3 us to develop a communication plan, so that we have
4 planned for the communication links back to police. But
5 all other agencies work on the same band. So that's been
6 a great improvement.

7 MS DOYLE: Can I just clarify one matter arising from the
8 question from the chairman about paragraph 187, which is
9 still on the screen. You have explained why the
10 priorities have been adopted. Can I ask you to clarify,
11 in terms of those priorities being communicated to your
12 incident management teams and crew on the ground, what
13 steps Tasmania Fire Service is going to take in order to
14 ensure that the new priorities in the case of fires
15 burning out of control are well understood and then
16 implemented?---Yes. The process at this time of the year,
17 as normal, is pre-fire season briefings with a whole range
18 of groups. It is almost complete. It should be complete
19 by mid-November. The new operational positions and
20 priorities have been communicated and documented out to
21 all our people internally and such people as the state
22 emergency management committees, the regional emergency
23 management committees and the interagency groups that work
24 with Forestry and Parks and Wildlife.

25 Thank you, Mr Brown. I understand there may be other parties
26 who seek to ask questions.

27 CHAIRMAN: How long do you anticipate you will be, Mr Dean?

28 MR DEAN: Not terribly long, Mr Chairman. Just before I ask
29 Mr Brown some questions, I indicated to my learned friend
30 before the proceedings commenced this morning that it may
31 be useful if I just indicated to you what topics are of

1 interest to the United Firefighters Union. I don't
2 propose to make any opening statement or submission, but
3 there are four subjects which we are interested in
4 examining during the course of the Commission.

5 Those subjects are the desirability of a single
6 fire service for the state of Victoria or a like model,
7 such as a fire service administered by a commission such
8 as the one that Mr Brown has given evidence of today.

9 In the alternative, a matter which we seek to
10 examine is the increased professionalisation of the CFA;
11 that is, the provision of more career staff to address the
12 developing and growing needs of bushfire fighting in the
13 state of Victoria. My instructions are that this is a
14 matter which is already under consideration by the state
15 government.

16 The third matter, which is allied to the first
17 two matters essentially, is that consideration needs to be
18 given to greater coordination between the resources, that
19 is personnel and equipment, available to the MFESB and to
20 the CFA and, in that context, examining the rural-urban
21 interface in the context of firefighting.

22 Finally, the fourth topic of interest to the
23 United Firefighters Union is the question of training.
24 That of course is allied to the question of the increased
25 professionalisation of the CFA. It involves also a
26 consideration of the time necessary to train staff in
27 order for them to perform their roles in an increasingly
28 complex environment, and also to discharge the types of
29 responsibilities which Mr Overland foreshadowed on
30 Tuesday. So they are the broad areas which we seek to
31 deal with during the course of our participation in the

1 proceedings.

2 CHAIRMAN: Can I indicate, as you have not been here earlier,
3 that we do have our manageability concerns. For example,
4 we are hoping between now and 1 o'clock not only to
5 finalise Mr Brown but also to deal with two other
6 witnesses. So it is very important that, whilst the
7 issues you raise are appropriate, you be very focused in
8 your questions to maximise the chance we can get through
9 as much as we can as quickly as we can.

10 MR DEAN: Yes, I follow that, Mr Chairman.

11 <CROSS-EXAMINED BY MR DEAN>

12 Mark Dean is my name, Mr Brown. I am counsel for the United
13 Firefighters Union. If I could ask you very briefly some
14 questions about the activities of the commission, that is
15 the State Fire Commission, that you have given evidence
16 about. I understand from your evidence that your role in
17 that commission has been very recent, but I take it you
18 would be familiar generally with its activities; would
19 that be correct?---In a limited sense, but correct.

20 Would it be correct to say that the success of that commission
21 is as a result of a number of stakeholders having an
22 effective voice?---Yes.

23 That is, you have given evidence that the commission comprises
24 a representative of the United Firefighters Union, the
25 Tasmanian retained firefighters and the Tasmanian
26 volunteer brigades. Where issues arise of interest to
27 those organisations, they can bring them to one single
28 table, that is the commission, and consideration can be
29 given to those issues in that context?---That's one avenue
30 for associations and unions to bring issues to the table.
31 But there are a range of other avenues, such as state

1 consultative committees which unions and associations sit
2 at and a raft of other groups.

3 However, does the commission provide one single structure, an
4 identifiable structure, for those interest groups to bring
5 matters of concern to them to the table for
6 consideration?---No, I don't think it is the purpose of
7 the commission for those bodies to bring matters of their
8 concerns. There are other consultative processes that are
9 established and those bodies bring matters of concern to
10 them. I see the State Fire Commission as being more about
11 the top level governance of the organisation.

12 In the context of operational matters?---Can you ask that
13 again?

14 In the context of operational matters?---To the commission?
15 Yes?---No.

16 If the Firefighters Union, for example, had a matter of
17 operational concern, would that be a matter which would be
18 raised within the commission or not?---Highly unlikely.
19 I would suggest it would be at a state consultative
20 committee arrangement.

21 Does the commission itself then consider matters of operational
22 concern arising out of particular incidents?---In a very
23 strategic sense. So in some of the far more higher level
24 and high impact incidents, yes.

25 If there was a large or a complex level 3 fire or series of
26 level 3 fires burning in the state of Tasmania, upon
27 completion of the response to that incident would the
28 response be considered by the commission? Would that be
29 one of the matters that it would examine?---It could be.

30 So the effectiveness of response to a particular incident would
31 be something that the commission may consider?---It could

1 be.

2 So therefore in that context it would provide a venue, would it
3 not, for the various parties who are represented on the
4 commission to report to it as to the effectiveness of the
5 response?---Well, it could be. But the normal position
6 would be that there are a range of other venues and
7 opportunities which representative bodies could and should
8 raise those sorts of issues at.

9 All right. In relation to the cultural issues which you
10 referred to during the course of your statement, are those
11 types of issues matters which are considered by the
12 commission?---At times.

13 Could I deal specifically with the interrelationship between
14 the AIIMS system and the brigade structure as it operates
15 within Tasmania. Do you think there are any problems
16 between the interrelationship between the brigade system
17 and the AIIMS system in a command sense?---No.

18 Do you think that command at a brigade level is compatible with
19 the AIIMS system?---Yes, I do.

20 In Tasmania, have there been experienced any difficulties, to
21 your knowledge, in relation to the interrelationship
22 between those two systems, that is command at a brigade
23 level and command at an AIIMS level?---I'm not quite sure
24 where you are getting at, but not specifically.

25 At a brigade level, command is invested in a brigade captain or
26 a group captain; would you agree with that?---With the
27 brigade chief in Tasmania, yes.

28 When the AIIMS system is operational in relation to a
29 particular incident, who does the brigade chief report
30 to?---The principle of AIIMS applies at every and any
31 incident. So the principles of AIIMS rest even at the

1 most simple incident as the brigade chief being incident
2 controller.

3 I understand that. But where there is a separate incident
4 management team in place or where there is an incident
5 management team in place and command is devolved through
6 sector commanders and divisional commanders, who does the
7 brigade captain in the Tasmanian context report to?---With
8 an incident management team in operation?

9 Yes?---It would depend. If it is being used as a crew, it
10 might report to a divisional commander or it may report to
11 an operations officer, depending on the scale and scope of
12 the incident.

13 As far as you are concerned, the Tasmanian experience is such
14 that there have been no problems that you are aware of in
15 relation to the interrelationship between the brigade
16 system and the AIIMS system?---No.

17 Just in relation to matters of training, you told us that there
18 are preformed or preplanned IMTs that train together prior
19 to the commencement of the fire season; is that
20 correct?---No.

21 I must have misunderstood your evidence then. If you could
22 explain how that operates?---I said that other states I'm
23 aware do have preformed incident management teams that
24 might stay together for a long duration, perhaps the whole
25 fire season. It is not the way in which we have operated.
26 We have a register of incident management personnel. It
27 is only on perhaps the forecast of some severe fire
28 weather conditions or understanding that fires are likely
29 to develop that we will say that we need to preplan or
30 appoint the incident management team so it is ready for an
31 immediate response. But that might be only with a day or

1 two days notice.

2 Do those personnel train together, though?---Not necessarily,
3 because they might be from other parts of the state. So
4 an incident management team might appoint people from all
5 corners of the state. But they are most likely to have
6 worked together in pre-season workshops and training
7 exercises.

8 Do those pre-season workshops or training exercises include
9 volunteer personnel and career personnel together? Do
10 they train together?---Most don't. Some have in the past.
11 But I think I mentioned before most of our incident
12 management teams, particularly the higher level type 3
13 incident management teams, don't include volunteers in the
14 strict sense, but they are certainly involved with
15 incident management teams while they are operating for
16 their local knowledge input.

17 Is there any reason, apart from geographical issues, why
18 volunteers and career personnel do not train
19 together?---In the incident management training?

20 Yes, in that context?---Only that most volunteers are choosing
21 to be involved in the firefight and perhaps at crew
22 leader, perhaps up to divisional level roles.

23 Are you able to say typically how much training over the course
24 of a year a career firefighter would undertake in terms of
25 days or hours?---No, I can't pull that off the top of my
26 head.

27 In relation to IMT issues?---No, I would find that difficult to
28 answer. I don't know.

29 Are you able to tell the Commission what the relief ratio is
30 for career firefighters in the Tasmanian Fire Service?

31 That is, how many permanent staff do you have to have in

1 order to allow shifts to be complete to provide for career
2 staff to be able to be adequately trained?---I didn't come
3 equipped with that. I can't provide that.
4 That information would, however, be available
5 presumably?---Yes, it would.
6 You understand that to mean - - -?---Well, I don't quite
7 understand your question. So career staff to be available
8 to allow for training?
9 For the Tasmanian Fire Service to discharge its statutory
10 function, that is to provide a 24-hour fire response
11 capability, a certain amount of staff are required to
12 allow the staff who are there to respond to be trained and
13 so on. Do you understand that?---Yes. Off the top of my
14 head - no, I couldn't tell you at the moment. It is a
15 ratio of I think about 1.2. So, for every staff member
16 you need, you need 1.2. But that then gets more complex
17 when you are talking about the shift environment.
18 Has the Tasmanian Fire Service had to increase its level of
19 career staff in order to respond to the more complex needs
20 of bushfire fighting in recent history?---It's a good
21 question, but I don't believe so.
22 Just finally, in relation to the use of personnel based, for
23 example, in Hobart, what role, if any, do those staff play
24 in responding to bushfire events?---The staff in Hobart?
25 Yes?---Specifically? Staff in Hobart certainly would be called
26 upon to respond to bushfires on the urban fringe, and from
27 time to time they will be asked to respond well beyond
28 that. Some other staff are also trained of course in
29 incident management. So they might be picked up and used
30 for an incident management team elsewhere in the state.
31 Some are also trained in remote area firefighting. So

1 they might be used as part of a team to assist with that.
2 So there is no theoretical or strategic boundary between
3 firefighters who are based in urban areas in Tasmania in a
4 way which would prevent them from responding to events in
5 rural areas?--No, and the other way around too. Of
6 course we have volunteers come well into Hobart now on a
7 not frequent basis but from time to time to assist when
8 operations demand for it.

9 <CROSS-EXAMINED BY MR FINANZIO:

10 MR FINANZIO: My name is Finanzio and I appear for the
11 volunteers in this case, the Volunteer Fire Brigades
12 Victoria. I have just a couple of questions for you. My
13 learned friend Mr Dean asked you a few questions about the
14 volunteer involvement in training and in IMTs in
15 particular. If a volunteer wanted to do the training to
16 take positions of higher responsibility, could
17 they?---Yes, they could.

18 So it is right to say there is no barrier, structural or
19 otherwise, to them doing that?---No, there isn't.
20 It is just a question of their personal choice?---Yes.

21 MR CLELLAND: We have no questions, Mr Chairman.

22 MS DOYLE: There is no re-examination. So I would ask that
23 Mr Brown be excused. It may be an appropriate time for a
24 short break before we turn to the witness from
25 Western Australia.

26 CHAIRMAN: Yes. Thank you, Mr Brown; you are excused.

27 <(THE WITNESS WITHDREW)

28 (Short adjournment.)

29 MS DOYLE: Commissioners, I now call Craig Hynes, who is the
30 chief operations officer for the Western Australian Fire
31 and Emergency Services Authority.

1 <CRAIG ANTHONY HYNES, sworn and examined:

2 MS DOYLE: Thank you, Mr Hynes. Your full name is Craig
3 Anthony Hynes?---Yes.

4 And you presently hold the position of chief operations officer
5 for Western Australia's Fire and Emergency Services
6 Authority known as FESA?---Yes.

7 You have prepared a statement to assist the Commission. Are
8 the contents of the statement true and correct?---Yes.

9 I tender that statement.

10 #EXHIBIT 477 - Statement of Craig Anthony Hynes
11 (WIT.7523.001.0001).

12 MS DOYLE: Mr Hynes, if we start with your background and your
13 position, you are appointed under the Fire Brigades Act as
14 a director of operations for FESA and you also note in the
15 opening paragraph of your statement you hold an
16 appointment under the Bushfires Act as a bushfire liaison
17 officer. Now, that title is not necessarily a good
18 descriptor of what the role of bushfire liaison officer
19 involves. Can you just explain that position?---The
20 bushfire liaison officer role is one that gives it the
21 powers of the fire control officers under the Bushfires
22 Act which basically enables it to take control of fires
23 and do anything the position needs to to extinguish a
24 fire.

25 So the designation of bushfire liaison officer enables you to
26 call in aid powers under the Act. It is not, as the title
27 might tend to suggest, any sort of liaison role with the
28 community or with other agencies?---No. That's right.
29 You have set out in the statement at paragraph 5 onwards your
30 qualifications and experience. You have over 24 years
31 experience in fire and emergency services generally,

1 having commenced your career as a firefighter with the
2 Western Australian Fire Brigades Board and then holding a
3 number of roles in that board rising to the position of
4 district officer. When the Western Australian Fire
5 Brigades Board became part of FESA in 1999, you then held
6 each of the positions which are set out at paragraph 8 of
7 your statement, director of training and development
8 through to chief operations officer, and you have held
9 that post since August 2007. You note your other
10 appointments in paragraph 9, including being a director of
11 the National Aerial Firefighting Centre, the Australian
12 Council of State Emergency Services and an AIIMS reference
13 group convened by the Australasian Fire and Emergency
14 Services Authorities. With that background in mind, your
15 role as chief operations officer reports to the chief
16 officer?---The chief executive officer of FESA, yes.

17 And your responsibilities in the operations portfolio, can you
18 just describe those?---My role in the operations portfolio
19 is to manage the operations of FESA and all its
20 constituent bodies, including the fire and rescue service,
21 the Volunteer Fire and Rescue Service, the Volunteer
22 Marine Rescue Service, the State Emergency Service and the
23 volunteer emergency services.

24 All the officers and members of the fire brigades which fall
25 under the Fire Brigades Act are therefore under your
26 immediate direction and control?---Yes, as per the Fire
27 Brigades Act.

28 In simple terms, the way that fires are responded to in
29 Western Australia involves three entities; FESA, the
30 Department of Environment and Conservation and local
31 government volunteer brigades?---Yes, that's correct.

1 Can we just tease each of those out. Perhaps we will start
2 with a map first of all in terms of the regions they each
3 respond to. Annexure 4 to your statement is a
4 colour-coded map that might assist with that. If you can
5 turn to tab 4, it will also come up on the screen, witness
6 page 0008. The red areas here are said to be the gazetted
7 fire districts for the relevant period, green areas are
8 Department of Environment and Conservation tenure and the
9 rest local government. Which of those fire entities has
10 responsibility for each of these colour-coded areas and
11 how does it work?---The gazetted fire districts are
12 clearly the fire brigades, come under the Fire Brigades
13 Act and FESA's responsibilities. The white areas are the
14 local government areas and the green areas are those which
15 are CALM Act lands, which the Department of Environment
16 and Conservation have responsibility for. If you are
17 aware of Western Australia, Western Australia
18 predominantly has its population in the south-west land
19 division, really in that lower left-hand corner looking at
20 the map.

21 The gazetted fire districts noted in red, do they correspond
22 fairly closely to where the population centres are as
23 well?---Yes, that's correct. Where there is a major city
24 there is a gazetted area and major rural towns would have
25 a gazetted area, a town site gazetted area.

26 Within FESA there are career and volunteer brigades. Can you
27 explain the brigades that make up FESA and how the
28 division is struck between career and volunteer staff and
29 brigades?---Under the Fire Brigades Act we have career and
30 volunteer fire and rescue service. The career fire
31 service spreads through predominantly the Perth

1 metropolitan area and five major regional towns, including
2 Mandurah, Bunbury, Kalgoorlie, Albany and Geraldton. We
3 have approximately 90 volunteer fire and rescue services
4 which predominantly are the major rural towns where they
5 operate. We also have 18 volunteer emergency service
6 units, ones that operate in more rural areas, or more
7 remote areas, sorry, that usually are a combination of a
8 State Emergency Service hazard role, a bushfire hazard
9 role or an urban fire role.

10 So under the umbrella of FESA there are the career brigades you
11 have spoken of and the volunteer brigades. How do they
12 interact, if at all, under the umbrella of FESA? To what
13 extent are there resources, personnel and training
14 common?---Certainly we have the one training centre, we
15 have the one training program. Our career program is more
16 complex and more graduated than the volunteer program.
17 Our volunteer program goes across our volunteer fire and
18 rescue service urban brigades, also across the local
19 government bushfire brigades. We are also responsible to
20 do their training. So, there is some commonality in the
21 key tasks of hazardous materials, breathing apparatus,
22 structural fire and then you have a common set of training
23 for bushfire response.

24 In relation to that, although there is the division between
25 career and volunteer staff and in some senses that matches
26 the division between urban and rural centres, nevertheless
27 do your career staff turn out to many bushfires? What
28 sort of proportion of their work is devoted to bushfire
29 s?---In the urban interface we have about 6,000 bushfires
30 or probably a bit more than that, sorry. Our career
31 firefighters would probably attend about 40 per cent of

1 actual responses in bushfires. I think that would be a
2 fair estimate.

3 As in 40 per cent of their work is bushfires or they attend
4 40 per cent of bushfires?---Sorry, it would be 40 per cent
5 of their responses because a career fire service obviously
6 has the structural and hazardous materials response and
7 also there are a lot of alarm calls in their actual
8 response calls.

9 So, for a career firefighter under the auspices of FESA, they
10 would expect to routinely be called out to typical
11 structure fires, but a large part of their work, perhaps
12 up to 40 per cent, would involve attending
13 bushfires?---From the October through to April period in
14 the southern bushfire season, yes, that would be the
15 experience, and all of our structural brigades also are
16 equipped with tankers for off road work.

17 You set out in your statement the way that FESA came into
18 being. It was created by legislation in 1999 but that
19 followed the establishment of an emergency services
20 taskforce in 1997 which had suggested certain changes to
21 the structure. I think you highlight a couple of the
22 matters that the taskforce looked at in paragraph 22, that
23 it was hoped this would achieve these outcomes:
24 Improvement in the delivery of services to the community
25 and volunteers by bringing together the Bushfires Board,
26 the Western Australian Fire Brigades Board and the State
27 Emergency Service; improvement in the effectiveness and
28 coherence of policy development; and a co-ordinated
29 approach to planning and management across agencies. The
30 identification of those desired outcomes in 1997, was that
31 inspired by particular events or circumstances? What led

1 to the assessment of these issues?---There had been a
2 couple of reviews and in particular some fires in our
3 hills, which is our major risk area in Western Australia,
4 the Perth hills. The minister of the day, John Day,
5 produced the Day report which made a number of
6 recommendations about the lack of cohesiveness, the silo
7 approach that the Fire Brigades Board, the Bushfires Board
8 had taken, including what was then called CALM, which is
9 now DSE, and recommended that there should be a review
10 into that arrangement, and that happened with the
11 emergency services taskforce in 1997 and they recommended
12 an organisation such as what FESA is today.

13 Each of those elements in paragraphs 22(a), (b) and (c), the
14 improvement in delivery of services to the community and
15 volunteers, the improvement in the effectiveness and
16 coherence of developing and implementing policy, and a
17 coordinated approach to planning and management, have
18 those three borne fruit?---In my experience, definitely.
19 Having come from one of those organisations and then been
20 a key part in the formation of the new organisation which
21 is now 10 years old, it has been a significant outcome for
22 emergency services in Western Australia.

23 Was there a teething period or a period during which some
24 matters needed to be worked out?---Look, there is no doubt
25 that cultures - and you will hear that word many times,
26 I'm sure. There were patch wars, but I was surprised at
27 the ease that it occurred. I think there was some very
28 good leadership at the time. Unions were consulted,
29 associations were consulted, key staff members. There
30 were obviously a lot of changes in personnel and that
31 helped and the new organisation was put forward pretty

1 quickly. In fact, it was recommended to occur in 1997 and
2 in 1999 the agency was put together. They brought key
3 staff members from each of those agencies together pretty
4 quickly and we were operating effectively from early 2000.
5 Your experience, that of having been in one of the precursors
6 and then being in a senior role in the newly formed body,
7 was that replicated across the formal organisations? Did
8 a number of them have personnel transferred to senior
9 ranks in the new FESA?---The career fire brigade was
10 obviously the dominant organisation with the most amount
11 of staff, but it was a clear decision to ensure that all
12 agencies were clearly represented in the upper echelons,
13 I suppose, of the organisation, I suppose almost on a
14 pro rata type of basis. But we now only have one
15 corporate services section, one planning area, one
16 community safety area. So all those things, they bear
17 fruit for all those agencies now with that common approach
18 to emergency services. So, yes, there were some changes
19 in personnel, but I think a lot of people got on board and
20 saw the benefits of what we were achieving.
21 In terms of the structure necessary to support the change, you
22 set out some of those elements at paragraph 26 onwards in
23 your statement. You note there that FESA was created by
24 the FESA Act, replacing the former bodies and the Act also
25 establishes a FESA board with the necessary powers and
26 functions to undertake its role. What is the role of the
27 FESA board in terms of the way it interacts with someone
28 at your seniority and the CEO's seniority?---The CEO sits
29 on the board. It is chaired by an independent appointment
30 of government. The board members are representative of
31 the groups that we I suppose support and administer,

1 including the State Emergency Service, the bushfire
2 service, the fire and rescue service and Volunteer Marine
3 Rescue Service. So those representatives and independent
4 members provide advice and perform a board governance role
5 also normally with the financial accounts and similar.
6 Then there is a number of consultative committees, which
7 I sit on each of the consultative committees, which also
8 provide advice to the board through the chairman who is
9 appointed to the board. The chairman of each consultative
10 committee is appointed to the board.

11 Perhaps if we can look at the makeup of the board through
12 paragraph 47 of your statement which sets that out. At
13 paragraph 47 you note there is a chairman and then the
14 chairmen of each of the four consultative committees and
15 then a number of representatives, so there is a
16 representative of private fire brigades or volunteer
17 brigades and they are known as the Volunteer Fire and
18 Rescue Service representative. Then there is a person who
19 represents volunteer firefighters within the meaning of
20 the Act and then the SES and a number of other entities.
21 So the chairman is a person different from the CEO?---Yes.

22 From what area or ranks is the chairman usually drawn?---The
23 chairman is appointed by government. Usually in the past
24 it's been - well, the current chairman is a former senior
25 public servant in the West Australian public service.

26 In paragraph 48 you refer to these consultative committees that
27 you just mentioned a moment ago. They seem to be
28 theme-based. There is a bushfire service consultative
29 committee, fire and rescue service, State Emergency
30 Service and Volunteer Marine Rescue Service. I think you
31 said you sit on each of those?---Yes.

1 And they provide advice back up through to the FESA
2 board?---Through the chairman. However, the committees
3 also resolve any issues that may be raised through their
4 constituents.

5 You then at paragraph 52 refer to the executive management of
6 FESA. The Act requires there to be a CEO appointed and
7 the CEO administers the day-to-day operations of FESA.
8 Reporting to the CEO are officers in charge of each of the
9 four portfolios, so you are one of those who reports to
10 the CEO?---Yes, there is a slight typo there. There are
11 three executive directors and the chief operations
12 officer, so an executive director heads the portfolios and
13 I'm in charge of the operations portfolio.

14 Is the CEO of FESA a neat fit to the chief officer of other
15 fire services or is it a different role, different type of
16 role?---Ultimately the CEO of FESA has the powers to
17 appoint who they choose to be the director of operations,
18 so that appointment is made by the CEO. However, the
19 appointment of the director of operations is a person of
20 operational experience and competencies.

21 But in terms of what might be traditionally referred to as a
22 chain of command, say, in the event of a fire burning or a
23 number of incidents, is the CEO sitting at the head of
24 that operations stream or is it a different
25 role?---I would manage operations. However, I obviously
26 work closely with the CEO as far as the effectiveness of
27 FESA's operations. The CEO also has an appointment on the
28 State Emergency Management Committee and is very much
29 involved in the state's emergency management arrangements.
30 So in a major emergency the FESA CEO is very much involved
31 in those arrangements.

1 Can we move from the CEO to the bottom, if you like, and just
2 get an understanding of who comprises FESA's firefighters.
3 You have given us some statistics in paragraph 68. You
4 say there that operationally FESA's role involves
5 coordinating the response of more than 30,000 volunteers
6 and 900 career firefighters and you refer to the types of
7 hazards to which they might respond. So, the 900 career
8 firefighters will be based in the gazetted land
9 areas?---Yes, predominantly 22 career stations in Perth
10 and five career stations in country regional centres,
11 cities.

12 The 30,000 volunteers will be spread across the state, but do
13 they also tend to be concentrated in any particular
14 pockets or regional centres?---The south-west land
15 division is predominantly where our volunteer strength in
16 numbers are. As you go into the north-west and the more
17 broadacre areas, you get less numbers, so predominantly
18 our volunteer numbers and staff numbers are in the
19 south-west of the state.

20 Having got some understanding of what FESA is and does, can we
21 just talk about the other two main types of responses to
22 fire in Western Australia. First of all, the Department
23 of Environment and Conservation has certain
24 responsibilities to manage land within a particular
25 category. I think the figure you give in your statement
26 is that the land falling within the portfolio of the
27 Minister for Environment is some 27 million hectares of
28 national parks and like land. The responsibilities of the
29 department for that land, is it land management or does it
30 include fire suppression on that land?---Their role is
31 predominantly land management. However, they have some

1 powers for fire suppression which is borne from the
2 Bushfires Act. In the south west of the state the
3 Department of Environment and Conservation have a
4 significant firefighting response force.

5 I think you give the figure in relation to that at paragraph
6 153. You say at 153 that the Department of Environment
7 and Conservation has approximately 300 conservation
8 employees trained and available for deployment in fire
9 suppression crews, and then another approximately 500
10 salaried staff trained and experienced to fill allocated
11 roles in incident management teams. We will come back to
12 the circumstances in which those staff might find
13 themselves fighting fires outside of their turf, if I can
14 put it that way. We will come back to that in a moment.
15 The third broad group are the local government brigades.
16 They cover most of the white parts of the map we looked at
17 a moment ago. How do these local government brigades
18 operate and what service do they provide?---The local
19 government brigades are established by local governments.
20 They establish and maintain brigades by the requirements
21 of the Act. However, there is a significant involvement
22 of FESA through our role in the emergency services levy
23 and providing the funding for their brigades. We also
24 provide their fleet and equipment and their PPE through
25 our processes, so we develop and design their equipment
26 and training. So, a local government would appoint a
27 chief bushfire control officer, who would be a volunteer
28 employee. However, there are provisions for some areas of
29 the state, the high risk areas of the state, where FESA
30 and local government have a partnership and we appoint a
31 community fire manager who is paid for between the local

1 government and FESA and they may also take on the role of
2 chief bushfire control officer. So, in essence, there are
3 some paid chief bushfire control officers. Then the local
4 government will set up a structure of fire control
5 officers and then brigades with captains and lieutenants
6 et cetera.

7 So, first of all, in terms of the area they cover, local
8 government has responsibility for bushfires which are
9 within their municipal boundaries, except for any red bits
10 within their boundary, by which I mean except for any
11 gazetted areas which are FESA's responsibility?---Yes,
12 that's in essence correct, yes. They are responsible for
13 those lands that are not gazetted, those private lands
14 that are not covered by the CALM Act land. We have
15 established in some areas what we call a volunteer fire
16 service which will do both the urban and the private
17 lands.

18 Not every local government in Western Australia has a fire
19 brigade. As I understand it, 113 local governments have
20 established a bushfire brigade?---Yes, and that's a moving
21 feast because there is obviously some reorganisation of
22 local governments and amalgamations at the moment under
23 way in Western Australia. But in the metropolitan area
24 some inner metropolitan councils have got no need for
25 local government bushfire arrangements because they are
26 covered by FESA's services.

27 You provide some of these statistics at paragraph 114 of the
28 statement, that's at witness page 23. At paragraph 114
29 you note that 113 local governments have established
30 bushfire brigades and you have noted that some
31 re-alignment of boundaries might alter that, but within

1 those local governments there are 677 brigades comprised
2 of 24,693 volunteer fighters and 648 support personnel.
3 If we can just pause there for a moment, I think what you
4 said about the composition of those brigades is that they
5 will be for the most part volunteers but you may find at
6 the senior level, say at chief bushfire control officer
7 level, a person who is paid and that payment is
8 contributed to by FESA and local government?---Yes, that's
9 correct, and that's a deliberate move because we do want
10 to see the local governments still have a key role in the
11 management of their brigades and their community safety
12 outcomes as far as bushfire response goes. That is
13 something that has been widely accepted by local
14 governments and we are currently up to about 17 of those
15 or in negotiation with another high risk local government
16 at the moment.

17 Is this a fair summary of the way local government bushfire
18 brigades work: they provide the personnel, so to speak,
19 although they are volunteers drawn from within the
20 municipality, and FESA provides the infrastructure, namely
21 the appliances, the resources and the training?---Yes.
22 Since the 2003/04 year we've introduced the ESL and we
23 provide operational grants and capital grants which is
24 decided by our capital grants committee comprised of the
25 key stakeholders and myself, I'm on that capital grants
26 committee, and, yes, we provide the infrastructure for the
27 brigades now.

28 You mentioned ESL. That's the emergency services levy?---Yes.
29 When did you say that came into force?---I believe it was
30 2003/04 financial year.

31 Is that a model pursuant to which the grants or the funds

1 allocated to the brigades are determined on the basis of
2 expected requirement or expected output?---Yes. In the
3 development of the ESL we asked local governments to
4 submit previous expenditure and costs of running their
5 brigades and we averaged that over a five-year period and
6 then determined an initial grant. Surprisingly we got it
7 fairly accurately and we found that there were some unders
8 and overs in various local governments. That is also
9 category rated, there are five categories, and ESL
10 categories relate to the type of service you receive. So,
11 an ESL category 1 would be the metropolitan fire district
12 where you would get a career fire service and State
13 Emergency Service, right down to category 5 where you
14 would just have a rural brigade and possibly a State
15 Emergency Service which would be a voluntary service.
16 So that's how the money goes out. It sounds like, from what
17 you say in brief terms, a calculation can be made based on
18 the risk profile of the area but also the resources that
19 are generally available to protect the area. That's how
20 the money goes out. How does the money come in? Of what
21 is the emergency services levy comprised?---Our budgets
22 are set by government, as all government agencies are.
23 However, we estimate the cost of our expenses, including
24 the capital grants. The budget is then approved. The
25 gross rental value plus a factor is then determined. That
26 then is collected by local governments and levied on all
27 the property owners. Apart from category 5, where it is a
28 flat \$35 per property owner, the others relate to gross
29 rental value multiplied by the approved factor.
30 If we look at paragraph 87 of your statement, you explain that
31 the levy is charged as part of government rates, but then

1 the five categories are set out in a table there. So, in
2 terms of the money going out, if you are located in
3 category 1, namely metropolitan area, you have a
4 particular grade or level of emergency response available,
5 you have the network of 22 career fire and rescue service
6 stations and the SES, and that moves through to level 5.
7 I think the way you described it is, when you are at level
8 5, that's the lowest or the flat rate alone, rather than
9 adding in the local government levy?---No. It is a
10 local government - ESL, emergency service levy category 5
11 would be \$35. That would be collected on property rates
12 by the local government and then submitted to FESA.

13 The practical way in which local government brigades obtain
14 their funding is, as you have described, they submit their
15 estimate of expenditure into FESA, who then, through their
16 process, work out whether it has fallen under or over the
17 estimate and the funds are then applied?---Yes.

18 You mention in your statement recruitment of volunteers at
19 paragraph 105 onwards. Can we talk first of all about
20 volunteers who come under the FESA banner. Tell us about
21 their recruitment and the way in which FESA volunteers are
22 trained and move up through the ranks?---Well, as my
23 statement says, volunteer recruitment is largely conducted
24 at the local level, which is most effective and we have
25 done a fair bit of research into that. We also provide a
26 number of tools for them to recruit people. We also do
27 this, by the way, not just for these that we say are
28 directly responsible to FESA; the local government
29 brigades, the bushfire brigades, also come under this
30 practice. We assist them in their recruitment practices.
31 The training of volunteers, if that's what you wanted me

1 to lead to, is established through our training centre.
2 We have a volunteer training section who develops training
3 for our volunteer brigades, both urban and rural, if I can
4 call them that. They have a combined curriculum. They
5 used to have separate curriculums. They have a combined
6 curriculum which goes through the induction, through the
7 basic and everybody has to go through the bushfire
8 training core, and then those in the urban stream would go
9 through into those urban-type hazards and in the bushfire
10 stream would go through the things like up to crew leader
11 and other roles in the incident management structure.

12 You mentioned research in paragraph 106. You say FESA has
13 commissioned a study to determine the significant issues
14 affecting volunteer recruitment. You note there one of
15 the outcomes there it was identified that lack of time and
16 availability of existing volunteers to undertake the
17 recruitment itself was one of the problems. Can you
18 comment on that?---It would be some time since I have read
19 that paper; however, no doubt time is always a significant
20 impediment to a volunteer. However, we have found that
21 that face-to-face interaction in the local community in
22 selecting people and targetting people and we have given
23 them a handbook on doing that and tools to do that is the
24 most effective way and to set up their brigade in that
25 type of arrangement. Certainly time is always an issue,
26 but it is also targetting those groups that may have more
27 time and finding the right mix for their brigade, group or
28 unit.

29 There is no system in Western Australia whereby any of the
30 classes of volunteers we have talked about are retained or
31 paid?---No, all our volunteer groups are unpaid. However,

1 there are some payments made to fire and rescue brigades
2 and our volunteer emergency services as far as merit
3 payments, which is a sum given to the brigade for certain
4 outcomes.

5 I want to ask you about multi-agency or multi-tenure fires.

6 What happens in circumstances where a fire starts on land
7 under the auspices of the department, for example, or land
8 under the auspices of FESA brigades, but it is obvious it
9 is going to spread to another area? How is that dealt
10 with?---There is an initial response to a fire, whichever
11 way it is reported. The most appropriate agency would
12 respond to that. So, if a fire was to start on CALM Act
13 land tenure, if they had personnel in the area they would
14 respond to it and take responsibility for that fire. If a
15 fire starts to develop into a more significant incident
16 and looks as though it was threatening other tenures,
17 there would be some notification of that and there would
18 be an arrangement made to manage that fire in a
19 cooperative way, and that would quite often involve an
20 incident management team involving different people from
21 different tenures, or different agencies, sorry. So
22 that's the basis of the process and that is set out in our
23 Westplan.

24 Westplan is a Western Australian state emergency plan?---For
25 bushfires, yes. Each hazard in Western Australia has a
26 Westplan, yes.

27 Can we go to that briefly. It is attachment 12 to your
28 statement. It starts at witness page 0062, and it is the
29 state bushfire emergency management plan, or referred to
30 as Westplan-Bushfire. Under this plan and in the
31 situation where an incident management team has members

1 from more than one agency, who determines the composition
2 of the incident management team? Who determines who will
3 be the incident controller and the other key members of
4 the team?---In my experience it is normally the tenure
5 that probably has the most resources in the area and also
6 predominantly if the fire started in one tenure, they
7 would have the incident management team running and
8 there'd be a case of cooperation and discussion between
9 the agencies to change the composition of that IMT
10 appropriately as the risks changed.

11 Have there been situations or has it arisen that there is a
12 need to have any person or group responsible for
13 determining any dispute or confusion about that, or has it
14 tended to work itself out in individual examples?---FESA
15 and the Department of Environment and Conservation operate
16 operation centres where senior staff are and those sort of
17 matters are discussed at those levels. I would expect
18 senior officers from my organisation to be discussing that
19 regularly and resolving issues. Look, we haven't had too
20 many issues, only minor issues that any agency would have
21 where there might be a personality issue or someone we
22 don't think was up to the position.

23 Is there a practice of pre-positioning incident management
24 teams, by which I mean either on days when extreme fire
25 danger is predicted or, going into a fire season, is there
26 such a practice for Western Australia?---FESA operates
27 what we call METs, major emergency teams. They are four
28 teams which are headed each by one of the assistant
29 chiefs. They train and exercise together. We have
30 already done our training for this year, where we use a
31 simulation technology in many instances for bushfire and

1 cyclone events, and similarly the Department of
2 Environment and Conservation have five teams that are
3 ready for deployment. Notwithstanding that, in each
4 region you would have our staff, and DEC staff if they are
5 there, and local government people who would respond to a
6 fire in a first instance and as that management team
7 needed to be supplemented or relieved or assisted in any
8 way, we would then do that from the team that was on
9 standby.

10 The four teams you mentioned who are preformed, are they ready
11 to be deployed anywhere in the state or are they
12 regionally based?---They are metropolitan based. We have
13 our state duty roster each week. One team is stood up
14 basically to - if someone needs a couple of incident
15 managers, incident planners, we would take them from the
16 stood-up team. That's the practice. We don't have to go
17 the hard and fast rule, but that's our practice.

18 I want to ask you about the circumstance where there are
19 multiple level 3 incidents, and this appears in
20 Westplan-Bushfire at pages 77 to 78.

21 COMMISSIONER PASCOE: Just while that is coming up, Ms Doyle,
22 I'm interested to know, Mr Hynes, whether
23 Western Australia with the formation of those four
24 preformed IMTs, are they then kept as the same IMT for the
25 entire season?---Yes, Commissioner. The four major
26 emergency teams all train and exercise together. However,
27 in instances of deploying the whole team, I can't think of
28 a time we have done that. We have just taken people
29 because we know they will be available and we have sent
30 them to another operations area to supplement the
31 resources, whether it is a cyclone or a major fire.

1 So in terms of the weekly roster that you described, generally
2 you would have the same people together on the same
3 week?---Yes, that's right.

4 So some flexibility in terms of availability?---Yes. We would
5 say that "Team alpha is on this week," yes.

6 MS DOYLE: The matter of multiple incidents I just wanted to
7 ask you about is at pages 77 to 78 of Westplan-Bushfire
8 and you will see at paragraph 5.4.4 and the passage just
9 above that, it says that there is an entity called an
10 OAMG. I have looked at the ready-reckoner acronym table
11 and that is an operations area management group. What is
12 such a group and how are these triggers brought into
13 play?---That's where our state emergency and management
14 arrangements link in with our incident management roles,
15 so an operations areas manager is appointed by the hazard
16 management agency, so the agency who has responsibility
17 for the incident, and they would declare an area of
18 operations to be responsible for that area and any
19 incidents in that area would be supported by that
20 operations area manager. The operations area management
21 group is one where the operations area manager would, with
22 the district superintendent for the police district or the
23 emergency management district, convene a group of people
24 that would support an incident. So, they could be Main
25 Roads, the local water service, the local government,
26 Department of Children and Protection that looks after a
27 lot of recovery issues, so anybody who is relevant to the
28 hazard we are dealing with who would support the incident
29 and in fact the name "management", it has just been
30 changed by our state emergency committee where we
31 determined it was better termed an operations area

1 "support" group, because there was some confusion about
2 that sort of management role. It was a support group.
3 How long has the area of operations model been in place under
4 Westplan-Bushfire?---This document was put together in
5 about 2004, so it certainly has been in for some time.
6 It's probably for about the last five years.
7 Areas of operation aren't pre-determined in terms of
8 boundaries, are they? Do they spring up in order to match
9 where the incidents are?---That's right. So, the best
10 example is where we use it quite regularly as when a
11 cyclone is predicted to cross the north-west coast. We
12 appoint an operations area manager, usually one of our
13 senior officers in the area. He would then set up a
14 number of incident management teams, which are towns that
15 are likely to be impacted and they would determine that
16 area of operation by the impact predictions from
17 the bureau.
18 In the example of fire, though, and in the particular example
19 here where there are multiple level 3 incidents, how and
20 when are area of operation managers appointed and how do
21 they get their support group marshalled to assist
22 them?---The operations area management model is always
23 used in a major fire. However, the appointment of the
24 operations area manager - and it hasn't always been well
25 managed; in fact, it should be the hazard management
26 agency that appoints the operations area manager, and we
27 do - they would form the support group and then start
28 providing support to the incident management teams in that
29 area. In most instances it is only one incident
30 management team, as opposed to cyclones, but it can be
31 multiple incidents. They would ensure that any resources

1 or any assistance in dealing with community issues of
2 evacuation or supplies were sorted out, as opposed to the
3 things that we do in our operations centre where we
4 support our teams in the response phase.

5 So you could have a very large, complex, but single level 3
6 incident and in that instance there might be an area of
7 operations manager appointed?---Yes.

8 Equally, you could have a number of level 3 fires and if they
9 were grouped in an approximate geographic area there might
10 be an operations area manager handling a couple of those
11 level 3 fires?---Yes, that's correct. However, in
12 Western Australian experience we haven't had a lot of
13 multiple level 3 incidents in the same area. We've had
14 them in a larger geographical area, so it's better to have
15 the operations area manager in the region that it is
16 operating in.

17 Where does the operations area manager come from? What I'm
18 driving at is this: if there is a level 3 fire that is
19 essentially a DEC fire and a level 3 fire that is a FESA
20 fire, are there circumstances where there is a need to
21 appoint an operations area manager above those two fires
22 or is that not a reason?---Where the DEC have operated,
23 they have normally asked FESA to appoint the operations
24 area manager, more to do with our linkage into the
25 emergency management arrangements, so in major fires like
26 in this last season the operations area manager in the
27 Bridgetown fire was our regional director for that area
28 who then formed the operations area management group with
29 the superintendent and representatives of DEC and they
30 really start to get to look at the recovery issues but
31 also manage any issues that are going on with the

1 community during the incident.
2 You said a moment ago that it is better to have the area of
3 operations manager in the region where the fire is. What
4 experiences have given rise to that opinion?---That's the
5 basis of it, because under the state emergency management
6 arrangements you have local arrangements, regional
7 arrangements and state arrangements, so an operations area
8 management group really operates at the regional level.
9 That's where a district superintendent is and our
10 equivalent of a district superintendent. The state
11 arrangements come in above that and so operations area
12 managers, if we have a teleconference at the state level,
13 we would have the operations area manager come in and
14 report on the incidents in that area.

15 COMMISSIONER McLEOD: Mr Hynes, could I just put a question to
16 you that might help me to understand what you are saying.
17 Is the size of Western Australia, and the nature of its
18 population dispersion particularly, one of the factors
19 that has perhaps given rise in your state, because it is
20 so large, to a greater reliance on this regional centre of
21 operations to be the backstop to the incident controller
22 managing the crisis because any support is unlikely to
23 come from a long way further afield?---Commissioner,
24 I think that's probably to do with some of the tyranny of
25 distance that we deal with. In the south-west area we are
26 really only dealing, from Perth to the furthest region,
27 probably five or six hours. However, yes, we do operate
28 on local regional level. Regional level, they will deal
29 with an incident. Once they go beyond that, they go to
30 the state and request the type of resources they need.
31 But it certainly is necessary for regions to operate on

1 their own for some time before further resources can be
2 obtained from other areas that are less affected.

3 MS DOYLE: I want to take you finally to some difficulties with
4 the Western Australian model that you point to in your
5 statement and then the solution which is presented by a
6 bill currently before parliament. At paragraph 189 you
7 touch on what you describe as operational issues that
8 arise from the model, so if we can just go back to your
9 statement at page 36. At paragraph 189 you say the
10 emergency management structure in the example of
11 bushfires - do you have paragraph 189?---Yes.

12 You say it has created some operational difficulties and you
13 point to four more significant ones. Firstly, clearly
14 establishing which hazard management agency is responsible
15 for a fire that burns across jurisdictions; (b) having
16 multiple hazard management agencies can create
17 inconsistencies in implementing fire management plans; (c)
18 you point to a legislative deficit, if you like, the fact
19 that the Emergency Management Act doesn't prescribe hazard
20 management agencies for fire; and (d) the inability of
21 FESA to issue total fire bans in a targetted way, if I can
22 summarise in that way?---Yes.

23 The difficulties with establishing which hazard management
24 agency is responsible for a fire, you go on in paragraph
25 190 to say that that has usually been resolved by
26 conferring but it can be a source of debate and confusion,
27 and you give a couple of examples where a fire is burning
28 on local government areas towards another municipality or
29 where a fire is in a municipality but approaching a town
30 which is covered by FESA, or where a fire is on local
31 government land, FESA takes control but then the fire

1 might be affected by a wind change and burn towards DEC
2 lands; all sorts of examples there. Have some steps been
3 taken that might deal with some of those
4 difficulties?---Yes, there have. I suppose a couple of
5 inquiries, including coronial inquiries, an Office of the
6 Auditor General review of our response to major fires have
7 highlighted those deficiencies in our legislation. Whilst
8 we have had a very successful history of fighting major
9 fires, you can't always rely on cooperation and goodwill.
10 I clearly support that view. Hence, we are looking to
11 establish through the Bushfires Act Amendment Bill, and
12 this is an urgent amendment because there is also a
13 Greater Emergency Services Bill that has been approved by
14 cabinet which will combine all the emergency services acts
15 into one and deal with these things in more detail in the
16 future. However, the urgent amendment bill is currently
17 in the upper house of our Western Australian parliament,
18 which should be finalised by the end of this month or
19 November, which will establish that FESA will, due to the
20 nature and extent of a fire, be able to take control of
21 those operations. It will also establish the legal
22 ability for local government to hand a fire to the
23 Department of Environment and Conservation, where it can't
24 at the moment, also vice versa. So, it will clearly
25 establish the legal responsibilities when a major fire is
26 burning, and also the fact that there won't be any
27 confusion in the public's mind about who is responsible
28 for warning communities and for providing advice about
29 going fires.

30 You have attached the bill at attachment 14. We won't go to
31 that. You summarise it neatly in paragraph 200. If you

1 just turn to paragraph 200, you say there that, "The
2 Bushfire Bill provides that if a bushfire is burning on
3 local government land or land under the control of the
4 department, FESA may authorise in writing a bushfire
5 liaison officer" - and you hold such a post - "or other
6 person to take control of all operations in relation to
7 the fire." It looks as though there are two trigger
8 points; (a) By request of the local government or the
9 department; or "(b) If, because of the nature or extent of
10 the fire, FESA considers it is appropriate to do so." So
11 is it fair to say, Mr Hynes, that under paragraph 200(b),
12 in essence, if FESA considers it appropriate, it will now
13 have all powers necessary to take control of any fire,
14 whether it ignites in or burns in local government or DEC
15 land?---In essence, yes, that's correct.

16 You anticipate that will come through in November and is there
17 any lag time in it becoming operational once it is passed
18 by parliament?---We are undertaking a whole range of
19 concurrent actions dealing with the other agencies and the
20 Westplan-Bushfire is being completely rewritten at the
21 moment and is currently in a draft form which will clearly
22 establish the new principles and parameters of operating
23 under the new system.

24 In paragraph 207 you list a number of reasons why in your view
25 it is critical that FESA have such authority. You refer
26 to its significant resources, its regional and state
27 operations centres, its sophisticated bushfire mapping
28 facilities, its ability to coordinate state and national
29 resources, its 000 facility, its bushfire information
30 line, warning networks and State Alert systems. Can I ask
31 you, in light of that list, one matter we haven't touched

1 on. Is there a central headquarters from which FESA can
2 run major fires or a number of major fires?---Yes. We
3 operate from the FESA headquarters, the state operations
4 centre, and we will be building a new facility which will
5 commence construction next year.

6 In the event of multi-tenure fires, if I can us that term
7 again, even if FESA has control of such a fire, would it
8 be anticipated that relevant representatives of the
9 department and the local government brigades might be
10 present at your centre during the handling of such a
11 fire?---In essence, that's the way it operates now.
12 However, the two major agencies in FESA and DEC operate in
13 separate facilities and have liaison officers. However,
14 it is my view and with the principles and parameters that
15 we will put in the legislation, they will operate from the
16 one centre.

17 Are there any matters arising, Commissioners?

18 COMMISSIONER McLEOD: I just have one question, Mr Hynes, the
19 vexed question of communications. In your services in
20 Western Australia with a multitude of different
21 organisations and bushfire authorities, have you resolved
22 the issue of incompatibility in communications so that
23 fire authorities working together can talk to each other
24 and talk to the police and talk back to your headquarters
25 in Perth with ease?---The bushfire organisations all
26 operate under VHF mid-band currently, but I have referred
27 to in my statement the West Australian emergency radio
28 network which FESA is implementing, which will be moving
29 us to the high band VHF network with also ability to cross
30 band repeat to the UHF network, which means that all the
31 major emergency services, including police, ambulance,

1 volunteer marine rescue, will be able to communicate.
2 That's already implemented in the Great Southern part of
3 our state and has been working successfully during major
4 operations. That will continue to be rolled out over the
5 next few years, I think finishing in about 2011. The WA
6 police operate on a UHF band and have a digital network in
7 the metropolitan area. However, we do have an ability to
8 link communications in major operations and there is the
9 emergency services A and B channel on the UHF network
10 which we can go to. So, our new radio network has been
11 designed particularly to make sure that all emergency
12 services, including our SES bushfire services, fire
13 services and police, can communicate.

14 How long has that taken to get to that point from the start of
15 that project, if I can describe it that way?---I think our
16 project has been running for about two years and it is a
17 five year project. I might be a year or so out on that,
18 Commissioner.

19 COMMISSIONER PASCOE: A couple of questions I would like to
20 raise with you. One relates to the responsibilities of
21 landowners, and I note in paragraph 21 you talk about
22 section 28 of the Bushfire Act which describes the
23 responsibility of landowners and occupiers in the control
24 and extinguishment of fire on private land and describes
25 the authority of FESA, local government and so on. But
26 also in paragraph 119 you make note there of firebreak
27 inspections, so two questions arise. One is are there
28 mandated requirements for landowners, including those in
29 private homes, to create firebreaks in Western Australia,
30 and are there penalties if they don't comply?---Yes, a
31 local government issues firebreak orders, which are the

1 standard firebreak orders. Some local governments, and
2 it's more commensurate to the risk, are more proactive in
3 following up enforcement. Enforcement includes fines and
4 I know local governments do enforce those fines. Also
5 under the Bushfires Act we do have the ability to enforce
6 that as an authority ourselves where a local government
7 doesn't act, yes.

8 Is this a provision that's actively pursued?---The firebreak
9 orders are fairly well applied across the state.

10 Firebreaks are not necessarily a great fire management
11 tool. They are just really access tracks and breaks on
12 small properties, yes.

13 What about fuel management around individual homes?---The
14 Department of Environment and Conservation manage the fuel
15 management of the public estate and have a very good
16 program and burn about 10 per cent of their estate. We
17 certainly try to work with them to make sure that those
18 high priority areas are targetted and we have a state
19 bushfire threat analysis which has been done in
20 conjunction, FESA and DEC did that, and have highlighted
21 all those areas of higher fuel loads and assets at risk
22 and that certainly informs the fire management plan. At a
23 local government area we have a bit of work to do. We
24 don't have a statewide template plan, but we are currently
25 working with local governments to do that. We do have our
26 guidelines for building in bushfire-prone areas which
27 local governments adopt, but it is not mandated at the
28 moment and we are currently seeking legislation to declare
29 the state bushfire prone.

30 Just another question which you haven't raised in your
31 statement, but while you are here it is a good

1 opportunity. The issue of aerial surveillance and
2 suppression, is it accurate that on sighting of smoke
3 there are contracted air services to go and survey the
4 area and report back?---DEC in particular operates towers
5 and air spotting aircraft in their estate. We also
6 operate an air intelligence platform that we can put up
7 and provide air intelligence on major fires or any hazard.
8 Is there a need to authorise through central command or can
9 that be activated upon the sighting of smoke?---That's
10 more a question for the DEC, but I know that they are very
11 active in seeking ignitions and monitoring that. In fact,
12 I suppose early detection of ignition has probably been a
13 success of the West Australian services and that detection
14 process, but it is not always reliable because we could
15 have a lot of lightning ignitions and that becomes very
16 problematic to I suppose detect those ignitions very
17 quickly.

18 Just finally, in relation to your own role as chief operating
19 officer, does that equate to the role of chief fire
20 officer or chief officer in another jurisdiction?---Yes,
21 essentially it does. In fact, the Fire Brigades Board,
22 the predecessor of the career fire service, had a chief
23 officer and a chief executive officer, so in essence I now
24 as the chief operations officer look after the operations
25 of all the operating services.

26 In relation to statutory responsibility, does it vest in you or
27 the chief executive officer?---For the gazetted districts
28 under section 31 the chief officer or the director of
29 operations is appointed and has control of all brigades
30 and equipment and is in essence similar to a chief
31 officer's powers in other jurisdictions.

1 So you are effectively the responsible person on the
2 day?---Yes. The scapegoat, yes.

3 In relation to an issue that this Commission has looked at, and
4 that is the issuing of warnings, do you have the
5 responsibility for overlooking the issuing of
6 warnings?---Well, yes. In essence, in state operations
7 centre we would oversee any operations to make sure
8 warnings are being submitted. But certainly incident
9 management teams have the key role of the intelligence on
10 the ground to establish that an affected community
11 requires a warning. But we certainly do on days of high
12 fire danger make sure we are monitoring what's going on
13 and in essence this year we will be putting in our State
14 Alert product, too, which we have established systems for
15 incident management teams to provide us advice that they
16 need a warning put out to the community.

17 Is there a statutory requirement on you as the chief operating
18 officer to ensure that that occurs?---Only from the point
19 of view of protection of life and property, I believe.

20 In that general sense?---Yes.

21 Thank you.

22 MS DOYLE: Can I just ask, emerging from that, has
23 Western Australia or will Western Australia adopt the
24 national model in relation to the new categorisation of
25 bushfire warnings finishing with code red?---Yes, we have
26 established the new fire danger rating system with the
27 bureau. We will be launching that next week, actually.
28 Through from low, moderate, through to catastrophic, yes.

29 I understand there are questions from a couple of other
30 parties.

31 MR DEAN: Just one topic, if I may.

1 <CROSS-EXAMINED BY MR DEAN:

2 Counsel for the United Firefighters Union, Mr Hynes. During
3 the course of your evidence you referred to tankers being
4 available to metropolitan fire brigades. Did I hear you
5 correctly in that respect?---Yes. Each of our career fire
6 stations is equipped with an urban pumper and a light
7 tanker.

8 So that's all fire brigades that are operated by FESA, is that
9 correct, or all stations operated by FESA?---If you are
10 referring to the career fire stations, which would be the
11 members you cover, yes.

12 So they have that dual capacity to both deal with structural
13 fires and bushfires?---Yes, that's correct. The tankers
14 serve other purposes for getting into areas that are
15 difficult to access, but predominantly we put that
16 four-wheel-drive capability to enable them to attend
17 off-road grass, scrub, bushfire, rubbish fires.

18 So, in the event of a fire occurring on the urban regional
19 interface, the fire stations in the area have the capacity
20 to deal with the bushfire that's impacting on the
21 metropolitan area; they've got the equipment to do
22 that?---Yes, they do. However, as responsible for
23 operations, I don't like seeing big urban trucks parked up
24 on the side of the road, so I would rather respond
25 bushfire brigades and that to urban interface. But, yes,
26 we can, particularly with asset protection, respond the
27 large trucks, yes.

28 Thank you.

29 MR CLELLAND: No questions, Mr Chairman.

30 MS DOYLE: There are no matters arising. I would ask that
31 Mr Hynes be excused.

1 CHAIRMAN: Yes. Thank you, Mr Hynes, you are excused.

2 <(THE WITNESS WITHDREW)

3 MS DOYLE: Mr Rush will now lead Mr Ferguson.

4 MR RUSH: I call Mr Ferguson, Commissioners.

5 <EUAN ARTHUR FERGUSON, sworn and examined:

6 MR RUSH: Mr Ferguson, your full name is Euan Arthur Ferguson

7 and you are the chief officer of South Australian Country

8 Fire Service?---Yes.

9 In all, just going through your history, you have had 31 years

10 in Victoria and South Australia in relation to the

11 firefighting industry or service?---Yes.

12 That commenced, did it not, after you graduated from the School

13 of Forestry at Creswick with a Diploma of Forestry?---Yes.

14 And you also hold qualifications with a Bachelor of Forest

15 Science from Melbourne University?---Yes.

16 And a Masters in Business Administration in 1998?---Yes.

17 Mr Ferguson, you commenced, did you not, service with what was

18 the Forest Commission in Victoria as a forestry officer

19 between 1978 and 1993?---Yes.

20 In 1993 you joined the Country Fire Authority of

21 Victoria?---Yes.

22 From there, after training, you were in project management and

23 in March 1995 became the operations manager for CFA in the

24 region around Sale in Gippsland?---Yes.

25 In 1999 you were appointed deputy chief officer with a

26 management position in relation to operational

27 planning?---Yes.

28 In August 2001 you became deputy director of operations in the

29 CFA?---Yes.

30 And in 2001 took up your current position as chief officer of

31 the South Australian Country Fire Service?---Yes.

1 You have prepared a detailed statement with a number of
2 annexures, Mr Ferguson. Are there a couple of amendments
3 you would like to make to the statement?---Yes, a couple
4 of changes I would like to make. The first is on page 38,
5 paragraph 204. It currently reads, "As chief officer of
6 SACFS, when a bushfire is declared under the EM Act," it
7 currently reads, "I am the hazard leader for the state."
8 The correct terminology is it should read, "I am the state
9 controller for the state."

10 Thank you?---There is a further change, sir, on page 51,
11 paragraph 271, which reads, "For example, the Emergency
12 Management Act provides for the establishment of" and can
13 we strike out that whole sentence in (i), so delete "the
14 Emergency Management Council". That's actually a
15 subcommittee of cabinet, not determined by the Act.

16 Thank you?---And a further change on page 52, paragraph 274, an
17 addition there. The Minister for Families and Communities
18 is also a member of the Emergency Management Council.

19 So that will be item (vii)?---Item (vii). The final amendment,
20 sir, is on page 59, paragraph 308. Since preparing this
21 statement I have been advised that in fact the Wangary
22 fire in 2005 was declared a major emergency. It was
23 initially an identified major incident but was declared a
24 major emergency, so I would just like to clarify that I am
25 now aware that was.

26 Thank you. We will come to that perhaps in a little more
27 detail. With those amendments, are the contents of the
28 statement true and correct?---Yes.

29 I tender the statement of Mr Ferguson.

30 #EXHIBIT 478 - Statement of Euan Arthur Ferguson

31 (WIT.7522.001.0001).

1 MR RUSH: You indicate in your statement, Mr Ferguson, you are
2 the chief officer of the South Australian Country Fire
3 Service and chief executive officer of the service. What
4 do those two roles encompass?---The chief officer role
5 encompasses all of the operational aspects of the service.
6 The chief executive officer role reflects the human
7 resource management, industrial relations, budgetary
8 responsibility and so on, the non-operational aspects.
9 You set out the responsibilities of chief officer at paragraph
10 22 on page 3 of the statement which concern management and
11 responsibilities under the Act. I just want to take you
12 to paragraph (e) which reads, "Facilitating organisational
13 change through a continuous improvement framework"?---Yes.
14 Why is it there and what does it involve? What are you looking
15 at there?---We are looking at I guess becoming the best
16 organisation we can be with the resources we've got. It
17 is important that since I've been in the organisation
18 we've changed the mission, so the mission now reflects
19 continuous improvement. It is a philosophical approach.
20 We have established a number of committees that are
21 focused on continual improvement, we have a lessons
22 learned group, so we try to engender in our organisation
23 that wherever we sit we can do better. We will copy,
24 plagiarise, create, invent to be the best we can be.
25 We will perhaps come back to that in due course, but you also
26 set out in the statement at paragraph 24 and following an
27 overview in relation to the emergency service
28 organisations of South Australia. There are three
29 principal ones, are there not, which are the South
30 Australian Metropolitan Fire Service, the South Australian
31 Country Fire Service and the State Emergency

1 Service?---Yes.

2 I will just briefly deal with each one. In relation to the
3 South Australian Metropolitan Fire Service, its
4 responsibilities?---They have gazetted districts, the
5 largest being the Adelaide metropolitan area. There are a
6 number of other gazetted districts which are mainly
7 associated with population centres, for example Port
8 Lincoln, Mount Gambier, Renmark. There are a number of
9 smaller towns, Peterborough is one example, and they have
10 both permanently paid firefighting forces and they have
11 retained firefighters as well.

12 We have had that term used with Tasmania this morning. What
13 are retained firefighters in that context?---The retained
14 firefighters of MFS are paid a retainer to be a member and
15 then they are paid for their attendance at fires and
16 significant training events and so on.

17 At paragraph 183, I think it is, you refer in that and
18 subsequent paragraphs to the resources of the South
19 Australian Metropolitan Fire Service. At 187 you detail
20 that it employs 1,137 staff, it has 36 stations, 19
21 metropolitan and 17 regional. So, I take it from what you
22 have said, the townships or the localities, cities outside
23 of Adelaide, are gazetted localities for this service to
24 perform firefighting operations?---Yes.

25 Then you refer to the South Australian Country Fire Service.
26 At paragraph 232 and following you indicate that there are
27 423 brigades for the Country Fire Service formed into 59
28 groups. Can you just indicate to us what a group is and
29 why a group?---The brigades are all fully volunteer
30 brigades and the groups are also administered by
31 volunteers headed by a group officer with a number of

1 deputy group officers. The brigades will be formed into
2 groups. I think the smallest group has four brigades, the
3 largest group has around about 21 or 22 brigades. It has
4 evolved largely historically. There have been a number of
5 reviews in some regions, but it is largely left to the
6 local arrangements as to how many brigades fit into a
7 group.

8 What's the purpose of a group?---Higher level command and
9 control, coordination. Also operational planning and
10 review.

11 In relation to the numbers of volunteer firefighters - at 338
12 you refer to this in the statement - there are in all
13 15,000 volunteer firefighters as part of the Country Fire
14 Service?---Correct.

15 That's made up of 10,809 firefighters, 3,290 operational
16 support members who undertake what sort of
17 responsibilities?---They may have logistic support
18 responsibilities, air support responsibilities. They may
19 be involved in training delivery, operating radio base
20 stations, incident management and so on.

21 And then there are 113 full-time staff as part of the
22 service?---Correct.

23 In relation to the regions, you indicate in the statement you
24 work on a regional basis. How many regions and how are
25 they established?---We have six regions. They have been
26 established historically. I don't think there has been a
27 change to the number of regions for many years. The
28 regional headquarters are located in peri-urban centres
29 and each region contains a number of groups and brigades.
30 The region is headed by a regional commander. We have
31 specific positions allocated to operations planning,

1 prevention, training and administration.

2 You also refer at paragraph 207 to three arms in relation to
3 areas, if you like, of the fire service: an operations
4 area, business service and a strategic services area. Can
5 you just enlarge on that division?---That reflects our
6 corporate structure in CFS headquarters. Each of those
7 areas is headed up by effectively an executive manager.
8 There is a structure that sits below each of those three
9 areas that supports me.

10 I'm jumping around a bit. At paragraph 269 you set out the
11 responsibilities of the service as set out in the
12 Emergency Services Act; looking at (ii), "to provide
13 efficient and responsive services in country South
14 Australia for the purpose of fighting fires, and dealing
15 with other emergencies or undertaking any rescue." I will
16 come to it in more detail later, but is the position that
17 the South Australian Country Fire Service becomes the
18 controlling agency for country fires?---Yes.

19 As part of the firefighting capability in South Australia, does
20 the Department of Environment and Heritage undertake and
21 have responsibility for prescribed burning in the
22 state?---Yes, they do under their own Act. But the
23 Department of Environment and Heritage are also a Country
24 Fire Service brigade. So they draw responsibilities as a
25 CFS brigade as well.

26 In connection with that, what are the nature of the sort of
27 resources that the department have?---Quite significant.
28 Look, I couldn't quote you numbers, but they have
29 established a significant resource which has grown since
30 around about 2001/2002. Prior to that time, the
31 department carried out very little prescribed burning.

1 But since that time the government and the department have
2 had a philosophical change of stance. They have now
3 embraced an active fuel reduction burning program, but in
4 order to do so have built up their resources. So since
5 2002 they have appointed a number of senior staff
6 centrally and they have also appointed regional fire
7 management officers. They have also conducted substantial
8 training in high-level forest fire management, incident
9 management and prescribed burning.

10 Are the firefighting resources principally directed at that
11 activity of prescribed burning?---They are directed in
12 prescribed burning, incident management and firefighting
13 as well.

14 Again, in a country fire that comes within the domain of the
15 Country Fire Service, how is it, as you have mentioned,
16 that those resources fall, if you like, under your
17 command?---By virtue of the fact that they are a Country
18 Fire Service brigade, they fall within my overarching
19 control. So I suppose that would be in two ways: the fire
20 would be my responsibility, but the personnel within DEH
21 would be subordinate to my command and control and the
22 chain of command within the Country Fire Service.

23 That is whether the fire starts in public or private
24 land?---Correct. If they attend a fire they would fit
25 into our chain of command.

26 Has that presented any problems in relation to command and
27 control at fire situations?---No, it hasn't.

28 The South Australian Forestry Corporation, does it also
29 maintain its resources in relation to conducting similar
30 activities to the Department of Environment and
31 Heritage?---Yes, very similar. The history is a little

1 bit different in that Forestry SA and its predecessor
2 organisations have a long history in both fire management,
3 prescribed burning and in fire suppression, and also
4 slightly different in that the Act allows - should there
5 be a fire burning on Forestry SA land, then it
6 specifically allows for a Forestry SA officer to assume
7 the role of incident controller.

8 You refer to a number of structural committees early in your
9 statement. At paragraph 44 you refer to the South
10 Australian prevention advisory committee. Can you briefly
11 outline to the Commissioners what the role of that
12 committee is?---First of all, it is a ministerial advisory
13 committee. Its focus is about prevention. It is a
14 representative committee. It normally meets between two
15 and four times a year. In its current form it is largely
16 a committee that considers reports.

17 Reports such as what?---Reports on particular hazards and how
18 they might be dealt with, the particular risk situation,
19 perhaps reports being tendered from regional committees or
20 district council committees.

21 The make-up of that committee, you said it was representative.

22 Can you give the Commissioners some idea of its
23 constituents?---They are listed as part of paragraph 45,
24 but in essence fire agencies, fire management agencies,
25 utilities, conservation groups, the South Australian
26 Farmers Federation and there is also a nominee - - -

27 It is a wide - - -?---Wide, yes.

28 Paragraph 48, the regional bushfire prevention committees;
29 their role?---Their role is similar, again focused on
30 prevention, one of each of the six CFS regions, and again
31 having a representational membership and a responsibility

1 to have oversight of prevention and to provide advice in
2 some cases to myself on commencement of fire season danger
3 dates and so on.

4 Then in paragraph 52 you refer to the district bushfire
5 prevention committee, which is required to be established
6 as a consequence of legislation. That prevention
7 committee's role and function at a district level?---The
8 membership is largely from brigades and the statutory
9 authorities. Its primary responsibility is to identify,
10 plan for and manage hazards, particularly fuel hazards,
11 within the district council.

12 The nature of the management that the district committees
13 undertake, what does it involve?---They have more regular
14 meetings. They would have a district council fire
15 prevention plan, which is an important document in,
16 firstly, identifying what the risks are, secondly, how
17 they could be dealt with, and then establishes in effect a
18 works plan. The plan might also recognise plans from
19 other agencies, such as DEH or other statutory authorities
20 or maybe large landholders, and to try and blend those
21 plans together.

22 You refer at paragraph 75 to operations management guidelines
23 which you indicate is intended as a high level statement
24 which carries your endorsement setting out how the South
25 Australian Country Fire Service operates. I would just
26 like to perhaps go to that in a little detail. Firstly,
27 that document sets out what we might describe here as the
28 AIIMS structure, the response of level 1, level 2, level 3
29 incidents?---That's within the document. If I may, sir,
30 the intent of the document was to describe in a fairly
31 brief form the operating systems of work and doctrine of

1 the CFS. But it does include that information, yes.
2 It also includes, does it not, the way in which the state
3 coordination centre runs or the intentions behind the
4 state coordination centre. Before going to it, can you
5 just explain what the state coordination centre is?---Our
6 state coordination centre bushfire is within the CFS
7 headquarters. It is the location that focuses the CFS
8 operational coordination and command and control effort.
9 If we can bring up annexure 3 at (WIT.7522.002.0047), which
10 refers to the role of the CFS state coordination centre,
11 and if we can go down the page, it sets out the main
12 purpose of the state coordination centre and the dot
13 points there are referred to. Then it says this, "While
14 the CFS state coordination centre is not actually
15 controlling incidents, there is a sense in the structure
16 closely aligning to the four functions of the incident
17 management system." Can you explain what that sentence is
18 directed at; what you mean by, whilst not managing, you
19 are closely aligned to the four functions?---At a state
20 level there is a need to recognise particularly the
21 planning and logistics functions as well as an executive
22 command function. So at a state level we will have a
23 state logistics coordinator, we will have a state planning
24 officer, we will have a state situation unit. They may
25 assemble information from going incidents and draw that to
26 the attention of the chain of command. Whilst we talk
27 about coordination, the fact is that we exercise command
28 and control. I have ultimate control. I exercise that
29 through a chain of command. There has been and there will
30 continue to be situations where I will exercise that
31 control either through the chain of command or directly

1 influencing an incident controller if need be.

2 In what sort of circumstances do you take up that role or that
3 responsibility?---Normally in major incidents, level 3
4 incidents, and normally that's done in a soft way. It
5 will be done through dialogue with the incident controller
6 and perhaps the relevant regional commander. I might
7 stress that most of the time when I exercise that command
8 and control it is in relation to prompting about what
9 resources might be required, ascertaining and satisfying
10 myself that strategies will meet the needs of other
11 agencies and so on.

12 I think Mr Hynes was asked also at that level what is done, if
13 anything, in relation to warnings at the state
14 coordination centre?---We have had for some years a system
15 of providing warnings, a bushfire information warning
16 system. That was reviewed following the Wangary fire. So
17 I guess, first principles, we have a system. I clearly
18 see that a responsibility of an incident controller or a
19 regional coordinator is to ensure that there is
20 consideration of both information messages and warning
21 messages. Indeed, if I sense that an information or
22 warning message perhaps should be considered, I will ask
23 questions and we may have a discussion about that.

24 Just going over the page to 0048, you set out the key
25 appointments in the state coordination centre. There you
26 refer to the chief officer and the state controller of
27 bushfire. The state controller of bushfire has
28 responsibilities independent of the chief officer's
29 position?---Yes, under our Emergency Management Act, and
30 there is a state emergency management plan - the Emergency
31 Management Act establishes the state coordinator, who is

1 the commissioner of police. The state coordinator can
2 appoint individuals as controllers for particular
3 functions, and he has appointed me as the state controller
4 bushfire. Then there are certain responsibilities which
5 are associated with being a state controller. They are
6 prescribed under the state emergency management plan.

7 I know they are set out in your statement, but can you briefly
8 just refer to us the nature of those
9 responsibilities?---I'm just going from memory here, sir,
10 but the responsibilities would be to exercise command and
11 control, to develop plans, to ensure that that's done
12 within a whole of government framework, and obviously when
13 there is an incident that that's done within the broader
14 state emergency management framework. In respect of an
15 actual incident, the state coordinator assumes a role that
16 I would see as almost a reporting relationship.

17 If I can get you to turn to 0050, which relates in this
18 document to levels of preparedness. If we can go down the
19 page to the second last paragraph, it reads, "Each
20 Thursday morning (by 1030) the regional coordinator will
21 update CRIIMSON with a level of preparedness for their
22 regional coordination centre." I will ask you about
23 CRIIMSON in a minute. It goes on, "There is no
24 requirement to update CRIIMSON again during the nominated
25 period unless the level of preparedness changes. Each RCC
26 will clearly display the level of preparedness, notify
27 support staff and volunteers as deemed appropriate.
28 CRIIMSON will be utilised to maintain and display a list
29 of regions and their respective levels of preparedness
30 together with the level of preparedness of the CFS state
31 coordination centre as nominated by the CFS DSC. The

1 state level of preparedness will also be clearly displayed
2 at the entrance to the SCC, in the reception area CFS
3 state headquarters 60 Waymouth Street and at the state
4 training centre - Brukunga." Firstly, can you tell the
5 Commissioners what CRIIMSON is and what is the purpose of
6 displaying those levels of preparedness at those various
7 venues?---CRIIMSON is an acronym for an electronic
8 operational information system. It evolved in around
9 about 2005. We had a paper based system where we had
10 individual - a paper based report for an incident. We had
11 a regional summary report and a state summary report.
12 I asked that they be put into an electronic form. Since
13 then the system has had a number of evolutions and is now
14 our flagship operational information system. Also since
15 then the Metropolitan Fire Service and the State Emergency
16 Service and the Department of Environment and Heritage
17 also use the system. So it is where we go to. All of our
18 situation reporting can go on-line. It is even at the
19 extent where many people, including myself, rather than
20 write a note into a log book, if we are logged on to the
21 system we can enter a log entry and it is possible to look
22 at a particular incident and look at all log entries and
23 get that summary. In relation to the levels of
24 preparedness, the reference in this document to the 10.30
25 on Thursday, at 10.30 every week during the fire danger
26 season we have a teleconference involving the Bureau of
27 Meteorology, and they then give us a forward outlook for
28 about five to seven days. So the Thursday teleconference
29 allows us particularly to plan for the weekend, if there
30 is something coming up, and obviously the requirement here
31 is for regions to identify any issues that might be on

1 their radar screen. As the risk might increase through
2 number of fires or through a weather situation or there
3 may be other public events, then a region can raise their
4 level of preparedness. That might only affect one region.
5 But we have certain triggers, depending on how many
6 regions go to what level, that would trigger the state to
7 go to that level of preparedness. For differing levels of
8 preparedness we will have differing levels of resource
9 availability, including incident management teams, we will
10 roster on aircraft or supplementary aircraft, and our
11 readiness of our incident management generally will be
12 scalable to the risk.

13 Why is that published, if you like, at the venues in the manner
14 that's described here?---We want everyone to know who is
15 visiting, particularly within our headquarters. We have
16 people who are coming and going. Sometimes our volunteers
17 are coming and going. We want that to be readily known at
18 what level we are operating at. As our level of
19 preparedness changes, we also put out what we call a
20 significant incident pager message over the government
21 radio network pager system. Police, utilities such as
22 ETSA, SA Water, primary industries have our pagers so that
23 as our risk and preparedness levels go up or down there is
24 an awareness within a broader emergency management
25 framework and broader government framework that our risk
26 is changing and our preparedness is changing.

27 At 0074 of this document the incident management team structure
28 is referred to. If we can bring up that page. The
29 document refers to level 3 teams. It refers to level 3
30 teams being coordinated to respond at a state level.

31 "There shall be four teams, black, blue, red and green,

1 operating on a weekly rotation." You refer to a level 3
2 resource pool. They would seem during the fire season to
3 be four permanent IMT teams?---Yes.

4 Can you describe how they operate, where they operate from,
5 what their function is?---Okay. If I may, I might just go
6 back to the level 2 teams. We recognise level 1 is the
7 small incident, level 2 is the growing or medium size, and
8 level 3 is the large. I require each of our regions to
9 have two level 2 teams, which might be between four and
10 eight people who form that incident management team. That
11 would be a pool of people in each of our regions. Then at
12 the highest level, level 3, we have established two
13 things. For some functions we have a pool of people, and
14 that's in particular some of the specialist functions like
15 public affairs, mapping and so on. But we have a number
16 of prescribed positions. Now, going into this fire season
17 I think we have 11 prescribed positions in each of those
18 teams. We have had a couple of different approaches, but
19 this is probably the third year now that we are going into
20 the season with each individual in those 11 positions
21 identified and approved by myself. Those teams meet and
22 train together. This is picking up on some of the
23 research by Christine Owen from the Bushfire Cooperative
24 Research Centre, where she has indicated that she believes
25 that incident management teams may perform better more
26 quickly if they know each other and have trained and
27 exercised together previously. So we have gone down that
28 track. We have those four teams. They have a number of
29 pre-season activities, including some simulation
30 exercises. We find it is working well. We did a review
31 after last bushfire season. Part of that review was that

1 we needed to increase the number of those people. We call
2 them short teams. So it is not a full incident management
3 team. The concept would be if we had a level 3 incident
4 develop, initially there may be a level 2 team who are
5 established, we would send in a level 3 incident
6 management team and they would integrate with the level 2
7 team and then we would supplement it with other people
8 from the level 3 pool.

9 Where are the four teams based and how do you get them to where
10 they need to be quickly?---The team members are actually
11 from all over South Australia. So we will move them as
12 best we can. One of the reasons for having a short team
13 is we can put them onto a medium-sized helicopter, almost
14 move a full team in one medium-sized helicopter or a
15 fixed-wing aircraft, and we have done that before, or just
16 pile them into cars. The teams are multi-agency teams.
17 So we have both paid staff and volunteers from Country
18 Fire Service. We have DEH staff. We have Forestry SA
19 staff. This year we also have Fire and Emergency Services
20 Commission staff and State Emergency Service staff. Many
21 of those are regionally based. So when an incident occurs
22 we will pull them together. If it is quite clear that we
23 have, for example, a catastrophic or code red day, then we
24 may preform a team. Of the four teams, we will have one
25 which will be on first call, on standby. We will have a
26 second as a back-up who are also on call. The other two
27 teams are effectively not on call. They then shuffle
28 their way through. If a team is used operationally, it
29 will probably go to the bottom of the list. So what we
30 try and do is give each team a turn at an incident, but
31 often that's determined by who is on call and who is not.

1 Have you actually used the helicopters to deliver the short
2 team to an incident control centre?---Yes. We moved some
3 people over - when we had 12 lightning strikes on Kangaroo
4 Island in December 2007, we had some incident management
5 personnel fly over and some drove over and went on the
6 ferry.

7 Mr Ferguson, there is also a reference at 0076 to the mapping
8 support team. Can you indicate to the Commissioners
9 what's behind the team and how it functions and
10 operates?---Yes. We recognised we needed to have a
11 high-level capability for geographic information system,
12 GIS, mapping. That capability doesn't exist within CFS.
13 So we have actually formed a relationship with the
14 Department of Environment and Heritage. In fact there is
15 a DEH mapping brigade. They can set up their members in
16 both the CFS headquarters, the state coordination centre,
17 in the state emergency centre, but most significantly they
18 can establish themselves in an incident control centre.
19 They can put geospatial information on to a map and then
20 produce that for the incident management team and
21 firefighters.

22 Annexure 4 at 0122 is a notice that's entitled "Appointment of
23 incident controller notice of appointment". It seems to
24 be a formal document. Is there a reason behind
25 that?---Yes. Under the Fire and Emergency Services Act
26 I have the authority to take control of any incident.
27 I can delegate that. We have two ways of exercising
28 control over an incident. The first is just through our
29 chain of command, and there is a process which is
30 described by the Act there. Essentially the chain of
31 command is put into effect. Alternatively, I can appoint

1 an individual as an incident controller. In doing so
2 I have sought crown law advice. That authority has
3 emanated from that. Attached to that is actually a list
4 of responsibilities. That allows me to appoint a specific
5 individual for a specific incident for a specific time as
6 incident controller. It also allows them to accept that
7 responsibility and acknowledge that responsibility.

8 What is the purpose of doing it this way?---Simply to send a
9 signal that the chain of command is now not applying, that
10 the chief officer has appointed someone. Secondly, this
11 only occurs for significant level 3 incidents, it allows
12 me to ensure that I have satisfied myself that an
13 appropriate person is in the role of incident controller.
14 In general our chain of command from an incident is
15 through a regional coordination centre back up to the
16 state coordination centre and to me. But I have on a
17 number of occasions recently in appointing an incident
18 controller directed that person to report to me directly.
19 The regional level isn't cut out of the loop, we involve
20 them in discussions, but it does allow me to form a direct
21 relationship with an incident controller if the
22 operational situation permits and dictates.

23 If we go back to your statement and paragraph 135, you say
24 there, "During a non-major bushfire I will be located at
25 the state coordination centre and assume ultimate command
26 and coordination functions in relation to the fire." But,
27 when it escalates and assumes a statewide significance,
28 you will move to the state emergency centre. Can you
29 explain to the Commissioners what goes on at the state
30 emergency centre and why the chief fire officer of Country
31 Fire Service goes to the state emergency centre?---It is

1 probably symbolic that we recognise that any significant
2 bushfire incident will involve many agencies and will
3 involve a whole-of-government effort in the preparation,
4 in the response and also in the recovery. Indeed, on the
5 evening before a significant day or as a significant
6 incident develops we will be communicating principally
7 with my counterpart in the Metropolitan Fire Service and
8 either with the commissioner of police or the deputy. We
9 will talk about what arrangements we need to put in place
10 for that whole-of-government, whole-of-emergency
11 coordination. In some situations, even before a fire
12 starts, we will activate the state emergency centre in a
13 precautionary mode. We have been known to have briefings
14 the night before where we give a round-up of our
15 preparedness, any issues. Often on the day of a
16 significant day we will reconvene for another briefing in
17 case things have changed overnight. We then may have a
18 partial activation of the state emergency centre where
19 there may be some key agencies and we set up liaison
20 officers. Then we may go for a more complete activation
21 as a situation develops. If a bushfire situation
22 develops, I think as I have indicated in my statement, the
23 two primary contacts I would make in an operational sense
24 would be to Grant Lupton, the chief of the Metropolitan
25 Fire Service, and to the commissioner or deputy
26 commissioner of police. We may talk every 30 minutes or
27 60 minutes; quite regularly. One of our discussions will
28 be, "Should we be getting our heads together and should we
29 be involving more agencies?" We have many situations
30 where we make a decision to meet at the state emergency
31 centre. So we have a room where we can talk over the

1 table; we can retreat back into an office. I have access
2 to website and CRIIMSON. I have liaison officers who can
3 assist me. I have direct communications back to my deputy
4 chief officer, who would be in the CFS state coordination
5 centre. The significance, though, is that we are able to
6 impart through hourly briefings at the state emergency
7 centre what our situation is, and then you can go around
8 the table and ascertain or discuss issues with other
9 functional services, which might be transport or
10 electricity or recovery, but the commissioner or deputy
11 commissioner and the chief officer and the MFS and myself
12 can also discuss specific issues we might have in respect
13 to a particular incident. This might be, "Should there be
14 a declaration under the Emergency Management Act? Should
15 there be directed evacuations? Should there been
16 strategic road closures?" Obviously if we are issuing
17 bushfire emergency warning messages, then we would be
18 articulating our intention to do that to police and MFS
19 before we actually did that.

20 At paragraph 141 you refer to the way it operated I think for
21 the Wangary fire. There in the third last line you say,
22 "In addition, the senior officers will jointly make
23 decisions regarding directed evacuations, closure of major
24 freeways and implementation of recovery activities". Can
25 you just explain how directed evacuations work in South
26 Australia?---Under the Fire and Emergency Services Act,
27 I just can't recall what section, there is a string of
28 powers that a senior CFS officer can exercise. One of
29 those powers is to direct the removal of an individual
30 from a fire scene. We have only exercised that power once
31 and that was during the 2007 Kangaroo Island bushfires.

1 Would you like me to go into that example?
2 Yes?---The fire started. We had 12 lightning strikes which
3 evolved into four level 3 incidents. We had a residential
4 estate with about 12 properties that was wedged between
5 two of these level 3 incidents. Both of these fires were
6 within 10 kilometres of this residential estate. The
7 level of bushfire readiness of this estate was deemed as
8 very low or non-existent. The local CFS crews were
9 saying, "We should consider removing the residents." We
10 had a particular day where we had a forecast of extreme
11 fire danger. The feature of that day was there was going
12 to be a wind change later in the day. The day before we
13 had extensive discussions with the incident controller,
14 our local people, police and welfare agencies and local
15 government as to whether we should be evacuating these 12
16 properties. Late in the afternoon we made a decision that
17 the risk of not evacuating those people was unacceptable.
18 So I exercised that power under the Act. It was a written
19 authority that I then issued to the South Australian
20 Police, who then effected the evacuation. It is
21 interesting to note, sir, that it was quite a
22 controversial action and we ended up with a number of
23 complaints, including a complaint to the Ombudsman and a
24 complaint to the Police Complaints Tribunal. However, on
25 reflection, I still believe it was the right thing to do.
26 In the end the estate was not burnt out and after 24 hours
27 the residents were allowed to return.
28 Just moving to paragraphs 155 and following, you there refer to
29 a committee known as Safecom, which is established under
30 the Emergency Services Act. I wonder if you can briefly
31 describe the role and function of that committee?---The

1 South Australian Fire and Emergency Services Commission is
2 a board which provides governance across the emergency
3 services sector. As well as the board, there is an Office
4 of the Fire and Emergency Services Commission as well. So
5 each of the three chief officers of SES, MFS and CFS is
6 also a board member of the Fire and Emergency Services
7 Commission. Other board members include representatives
8 from the CFS Volunteers Association, the SES Volunteers
9 Association and two appointees by the minister. The board
10 is chaired by the chief executive of the South Australian
11 Fire and Emergency Services Commission. There is an
12 Office of the South Australian Fire and Emergency Services
13 Commission which has probably three primary functions.
14 The first is to provide shared services for a number of
15 functions such as payroll, human resources. It also
16 provides a higher level strategic framework under which
17 each of the emergency services operates, and also provides
18 the emergency management resource within the state of
19 South Australia.

20 Just dealing with aspects of control agency, at paragraph 296
21 of your statement you indicate in South Australia that
22 each emergency situation will have an identified control
23 agency. It sets out the nature of what might be put in
24 place as the control agency. Then over the page there are
25 the three levels of declaration, two to be made by the
26 state coordinator of major incident or major emergency,
27 which I take it in relation to fire is you?---No, in this
28 context the state coordinator is the Commissioner of
29 Police.

30 So how does the Commissioner of Police in relation to fire
31 determine a major incident or a major emergency?---He

1 makes that determination, but he will do so in
2 consultation with all of the agencies who are involved. A
3 declaration under our Emergency Management Act then
4 invokes a specific set of powers under that Act, but in
5 terms of the fire agencies and State Emergency Service,
6 invoking a declaration under the Emergency Management Act
7 doesn't give us any extra powers. We exercise a very
8 similar suite of powers, so often during a major bushfire,
9 in a discussion I might have with the Commissioner of
10 Police about a declaration, he will say, "What would be
11 gained from a declaration?" From our point of view, often
12 there is little to be gained; we don't gain any additional
13 power; nothing really would change in the management of
14 the incident. In my experience, though, a declaration
15 under the Emergency Management Act is where other agencies
16 need to exercise those powers. So, for example, if there
17 has been widespread livestock damage and the Primary
18 Industries Department needs to go in there and exercise
19 powers, they don't have those powers under their Act but
20 they can get those powers in this situation from a
21 declaration. Similarly, in the recovery where there may
22 be a need to institute temporary arrangements for
23 infrastructure and have ongoing road closures, again those
24 powers can be drawn from a declaration. So, often we see
25 in a bushfire a declaration doesn't occur until the
26 recovery is well and truly under way, so that might be
27 12 hours after the impact of the bushfire.

28 You note at paragraphs 303 and 304 that although the state
29 coordinator has the ultimate power in effect, the hazard
30 agency leader, which would be you, really remains the
31 operational commander. I was wondering if you can explain

1 to the Commissioners the philosophy behind in this case
2 the state coordinator, the Chief Commissioner of Police
3 having that ultimate power. What is the philosophy behind
4 it, as you understand it?---Could I just clarify your
5 terminology, sir? There are probably two key terms
6 established in our emergency management plan. The first
7 is control agency. So, when there is an actual incident,
8 the plan can identify a control agency and a state
9 controller for that particular risk. There is also what's
10 called the hazard leader. The role of a hazard leader is
11 to lead the planning, so it's not when there is an
12 emergency, it is to develop that whole of government plan.
13 To come back to your question, the intent is that there be
14 one person, the state coordinator, who will have some
15 overarching responsibilities for bringing together all of
16 the resources. The state coordinator under the Act can
17 actually provide a direction or give a direction to a
18 state controller, although I can't recall where that has
19 ever occurred. Certainly in terms of bushfire situations,
20 when there has been a declaration, I have effectively
21 reported to the police commissioner on what our objectives
22 are, what our plans are, what our resource needs or
23 constraints might be. We meet formally. He may ask
24 questions. He may ask questions of other agencies in the
25 context of our plan, so it opens up a formal authority and
26 a more or less formal communication process.

27 Just a couple of other matters, Mr Ferguson. The Country Fire
28 Service, apart from the 100 or so full-time employees, is
29 it a completely volunteer force?---Correct.

30 You at paragraph 343 refer to minimum training, indicating that
31 in your view the South Australian rural firefighters have

1 the highest qualifications, I think, in Australia. I just
2 wonder has that presented any difficulty in getting people
3 to come to that level and undertake the three, I think,
4 days of training which are the basic minimum skills
5 required?---Yes, there has been some difficulty,
6 especially with some of our traditional rural brigades.
7 We have endeavoured to overcome that by making some of the
8 training pre-reading type training. We are endeavouring
9 to have our health and safety bit put on-line. We have
10 done a recent review, but I think it's 12 units we have in
11 our basic firefighter course. We are sticking with it.
12 We think it has a direct safety outcome in that our people
13 know what they're doing, they know the risks and they
14 understand the level of their competency because of that
15 training.

16 Another matter not referred to in your statement but perhaps
17 raised by Commissioner Pascoe to Mr Hynes, do you have a
18 system where aircraft on particular days for particular
19 areas are on call for the circumstances of doing the best
20 you can to ensure first attack?---Yes, we do. The
21 aircraft are tied into the levels of preparedness that
22 I spoke about before. We have three air base centres, one
23 in the Adelaide Hills, the other based at Mount Gambier
24 and the third at Port Lincoln. For each of those centres
25 we have identified a geographic area around those centres
26 which we call a primary bomber response zone. Outside of
27 the primary bomber response zone is what we call the
28 secondary bomber response zone. To activate an aerial
29 firefighting response in the secondary zone there has to
30 be a request by an incident controller or a regional
31 coordinator to initiate the aircraft response. However,

1 within a primary bomber response zone, if a fire is
2 reported, generally through 000, that will go into our CAD
3 centre or the MFS CAD centre, and a pager would go out
4 that activates the relevant CFS or MFS brigade. That
5 pager message is also received by our state airdesk and
6 our state aircraft resource coordinator, who would then
7 immediately activate a pager response for our pilots. If
8 it's at a time when they are on the airstrip, they will
9 get in their aircraft and proceed directly to that fire,
10 so they will get the same information about the locality
11 and status of the fire. The consequence of that is that
12 it is possible to get our fixed wing aircraft in the air
13 within five minutes of a fire being reported, often less
14 and often the aircraft will be the first firefighting
15 force over a fire. The rules allow that the first drop
16 can be initiated by the bomber pilots, so if it is a two
17 bomber response, both of them can drop their load and they
18 then return to replenish their load if it's necessary.
19 The second load needs to be confirmed either by the
20 incident controller or the regional duty officer, so it
21 allows for a very swift initial attack by our aircraft on
22 an incipient fire.

23 Is there particular training that goes into that attack in
24 relation to issues concerning safety?---Yes, there is.
25 The first thing is we would also activate an air attack
26 supervisor in a different platform, often a rotary wing
27 platform. We are aware that there are different
28 arrangements interstate. In fact, we have had a lot of
29 discussions with the Victorians because this same system
30 operates in what's called the "green triangle", which is
31 the south-east of South Australia and the south-west of

1 Victoria, and there have been occasions where South
2 Australian fire bombers have been activated via the
3 mechanism I have described to fires in Victoria and that's
4 resulted in discussions. We have made as a requirement
5 for all of our aviation personnel what we call team
6 resource management training, which is situational
7 awareness training, it is training which has come out of
8 the military, and I think by now all of our aviation
9 personnel would have received that training. So that's
10 our response to the criticism that there may be increased
11 risk because it might take a little bit of time to get our
12 air attack supervisor up in the air.

13 That completes my examination of Mr Ferguson.

14 CHAIRMAN: Can I get some estimate of how long other people
15 might expect to be?

16 MR DEAN: I just have one topic, Mr Chairman. It shouldn't
17 take very long.

18 CHAIRMAN: Come forward, Mr Dean.

19 COMMISSIONER McLEOD: While Mr Dean is coming forward, a quick
20 word on communications, which is a bugbear often of fire
21 agencies and their ability to communicate with their own
22 kind and with other services; a comment about South
23 Australia from a communication point of view?---It has a
24 very good emergency communication system. It is called
25 the government radio network. It was instituted and
26 implemented in the early 2000s. It has a digital and an
27 analogue system. The emergency services operate on the
28 analogue system, but the police operate on the digital
29 system. It is a trunked network radio system. It allows,
30 for example, a vehicle at Mount Gambier potentially to
31 talk to someone on a handheld radio at Ceduna, so through

1 the network. It also has, as well as the network system,
2 it has a Simplex system, so you can just go vehicle to
3 vehicle. The system also includes a paging network all
4 operated by the same provider, who is Telstra. There are
5 a range of what we call talk groups, effectively they are
6 channels, and each agency can pick its own channel plan up
7 to 200 talk groups in a particular agency plan. There is
8 a high degree of commonality. So, for example, the
9 Department of Environment and Heritage, while they have
10 some of their own talk groups, they have the full suite of
11 CFS talk groups, as does forestry SA. There is a specific
12 band of channels that are called multi-agency channels.
13 These are both Simplex and trunked. So if, for example,
14 there was an incident involving a number of emergency
15 services, and normally the police would initiate this, we
16 could identify a multi-agency talk group. All the
17 agencies would go on to that and they can each hear each
18 other talking. The rescue helicopter service, often when
19 it comes into an incident, will use one of the
20 multi-agency talk groups so that all of the agencies can
21 hear. For Country Fire Service we identified that we also
22 needed to have a Simplex radio system, so in addition to
23 the government radio network we operate a VHF Simplex
24 system which is only vehicle to vehicle. Our fireground
25 traffic is organised so that it goes on to the VHF Simplex
26 system and we rely on the government radio network as a
27 command channel. So, for example, safety messages would
28 be issued through the command channel, so there is a
29 requirement for our vehicles to monitor both frequencies.
30 In addition to that, we have in recent years mandated the
31 fitting of UHF CB radios to our firefighting appliances.

1 The primary reason for that is that farm fire units, we
2 require them to have a UHF radio, so each of our CFS
3 firefighting appliances can, if necessary, communicate
4 with farm firefighting units should they be on the
5 fireground.

6 COMMISSIONER PASCOE: I might just step in ahead, and I may be
7 anticipating something you want to raise, Mr Dean. I note
8 in paragraph 172 that you make reference to the South
9 Australian Metropolitan Fire Service operating in
10 metropolitan Adelaide and in 16 provincial cities and
11 towns across South Australia. You are probably aware that
12 the CFA operate in our provincial towns in Victoria. So
13 I'm just interested in, if you like, just I suppose a
14 brief response from you in relation to whether the current
15 arrangement in South Australia is based on history and
16 legacy and your estimation of the effectiveness of that
17 arrangement, of having a metropolitan fire service in the
18 provincial towns?---Yes, it is based on history and
19 I believe it is a very effective arrangement. The
20 evolution of the MFS gazetted areas has largely been
21 attributed to increasing risk and increasing complexity of
22 service delivery and increasing specialisation of
23 equipment. Having said that, though, there are
24 well-established and very good inter-operability and
25 support arrangements, so it is common that for significant
26 fires within the MFS area CFS resources will be called in
27 either to take up quarters in the MFS fire station or to
28 work on the fireground with metropolitan fire service.
29 Even in central Adelaide that's occurred quite recently.

30 <CROSS-EXAMINED BY MR DEAN:

31 Mr Ferguson, when you use the term "bushfire", do you mean a

1 fire that is not a structural fire?---I think yes, but we
2 need to recognise that bushfires also involve structures.
3 So bushfire is essentially a rural fire that may involve
4 structures, but its genesis is in an environment where
5 there is more of a rural environment.

6 So it is the origin, the genesis of the fire which gives it the
7 quality of being a bushfire as opposed to where it
8 ultimately burns to, such as into a small rural town or an
9 urban fringe area?---The genesis is important, but it is
10 probably more - it's not only the genesis, it's where the
11 fire is now and where it's going to be going to. I think
12 bushfire is probably a general term that we use to
13 describe the predominant fuel that the fire is burning
14 within, but I accept that we may have bushfires that burn
15 into an urban or even metropolitan area which burn urban
16 and residential fuels, structures.

17 They become structure fires in that situation, don't they, if
18 they are taking out houses and infrastructure?---There is
19 a term we use called the "interface" and the interface is
20 this boundary area between rural vegetation-type fuels and
21 structural fuels. There are a number of ways; it can be a
22 distinct line or it can be scattered housing and I think
23 the interface probably more aptly describes the situation
24 you are referring to.

25 In South Australia bushfires occur within the metropolitan fire
26 service districts, don't they?---They have, yes.

27 In that situation the Metropolitan Fire Service would become
28 the control agency; would that be correct?---They would
29 exercise control over that fire, yes.

30 The Country Fire Service would become a support agency in that
31 situation?---Yes.

1 In the event that a fire originates in the Country Fire Service
2 district and burns into the Metropolitan Fire Service
3 district, the Country Fire Service would be the control
4 agency ordinarily in that situation?---Yes.

5 With the Metropolitan Fire Service as the support
6 agency?---Yes, but in an operational sense, sir, it is
7 important that in those situations, either of which you
8 describe, they would be situations where myself and the
9 chief of the Metropolitan Fire Service would be stuck like
10 glue together.

11 I'm pleased to hear that. That would not be an uncommon risk
12 in South Australia, particularly around the hills of
13 Adelaide; that is, a fire originating in the Country Fire
14 Service area burning into the Metropolitan Fire Service
15 area or vice versa?---It is actually not all that common.
16 The majority of fires that occur, bushfires that occur in
17 South Australia occur in the Country Fire Service area of
18 responsibility and that probably reflects the line of
19 gazettal or the metropolitan fire district, which in many
20 parts of Adelaide the urban sprawl has gone well beyond
21 that district boundary. So, this interface area is
22 largely, in many areas, in the Country Fire Service area
23 of responsibility.

24 When you said that yourself and the commissioner are
25 responsible, or the chief officer responsible for the MFS
26 would be stuck together in the event that a fire was
27 burning within an urban regional interface, is there any
28 formal memorandum of understanding between the two
29 agencies to deal with such an event?---With the
30 Metropolitan Fire Service?

31 Yes, between the two agencies?---That would probably be best

1 covered by the state bushfire plan under the Emergency
2 Management Act, the hazard plan, the state bushfire hazard
3 plan.

4 So does that deal in terms with a fire burning across a
5 boundary between the MFS and the CFS? Is that how that
6 issue is dealt with?---I couldn't point to it. I can't
7 tell you.

8 MR RUSH: Commissioners, I have no re-examination. But if
9 I can, before asking Mr Ferguson to go, on behalf of
10 counsel assisting and solicitors thank the three chiefs we
11 heard from today for their enormous cooperation in
12 presenting and getting together the statements that have
13 been tendered.

14 CHAIRMAN: I endorse that thanks on behalf of the Commission.
15 Thank you very much to all three of you. You are now
16 excused.

17 <(THE WITNESS WITHDREW)

18 MR RUSH: The New South Wales evidence will be tomorrow and
19 I have neglected to say it will also concern community
20 fire groups.

21 CHAIRMAN: Are you suggesting 2.15 to resume?

22 MR RUSH: Thank you.

23 LUNCHEON ADJOURNMENT

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1 UPON RESUMING AT 2.15 PM:

2 MS RICHARDS: This afternoon's lay witness is Anna Macgowan
3 from Bendigo. I call Ms Macgowan.

4 <ANNA MACGOWAN, affirmed and examined:

5 CHAIRMAN: If you take a seat so that you are roughly central
6 to those microphones, you can just ignore them.

7 MS RICHARDS: Could you please state your full name for the
8 Commission?---Anna Macgowan.

9 You live in Marong Road in Bendigo?---Yes.

10 In a suburb of Bendigo known as Ironbark?---Yes.

11 Marong Road is also known as the Calder Highway?---Yes.

12 With the assistance of the lawyers for the Commission, you have
13 prepared a statement for the Commission?---Yes.

14 Do you have a copy of it with you?---Over there, yes.

15 I will just arrange for that to be provided to you. Please

16 stay there, Ms Macgowan. Have you checked your statement
17 recently?---Yes, I have.

18 Are there any corrections you wish to make?---No.

19 Is it true and correct?---Yes.

20 I tender that.

21 #EXHIBIT 479 - Witness statement of Anna Macgowan

22 (WIT.113.001.0001).

23 MS RICHARDS: Ms Macgowan, you live, as you've told us, in
24 Marong Road in Ironbark. It might be helpful if we have a
25 look at the map. We have become familiar over the last
26 few days with the geography of western Bendigo. It is
27 exhibit 445, document number (TEN.119.001.0001). Just
28 while the map is coming up on the screen, can you describe
29 your house to us in general terms, what it's made of?---It
30 is a brick semi-detached house that's next door to another
31 house which is directly next to what's known as Spotlight

1 in Bendigo.

2 If we can look at the bottom right quarter of the map and then
3 zoom in just where the word "Ironbark" is, so we can see
4 there where the word "Ironbark" is there is an
5 intersection between Loddon Valley Highway, also known as
6 Eaglehawk Road?---Yes.

7 And the Calder Highway, also known as Marong Road, and then
8 Happy Valley Road going up to the north-west?---Yes.

9 Can you indicate where in that area your house is and how it
10 relates to the Spotlight centre?---The word "Ironbark" in
11 blue, I am about where the second "R" is.

12 And there is a yellowish area to the north?---Yes.

13 Known as the Victoria Hill Diggings?---Yes.

14 You can see that over where your back fence used to be?---It's
15 been replaced.

16 Can you describe for us what the Victoria Hill Diggings
17 are?---It's an old gold mining area where there are a
18 number of old mines with two poppet heads, usually metal
19 structures, and there is a pathway through with some
20 information for tourists and visitors.

21 The history of Bendigo, of course, includes its history as a
22 gold mining town and we find in amongst the suburbs of
23 Bendigo a number of areas like this which have been dug
24 out for mines and where building is not possible?---Not
25 possible at all.

26 So they are now effectively public open space in amongst the
27 houses?---Particularly all the way through from where I am
28 right out north-west, there is a whole area of that. It
29 seems mostly in that area. There are other areas, but
30 primarily there.

31 What is the vegetation like in that diggings area to the

1 north-west of your house?---Lots of peppercorn trees,
2 scrub. Also there used to be residences, sort of shacks
3 and things, so there is the occasional fruit tree. You
4 will find the occasional apple or plum or that sort of
5 thing in surprising places.

6 Up until February this year what was your assessment of the
7 bushfire risk at your home in Ironbark?---I thought
8 I lived in the suburbs.

9 Did you have any fire plan or fire preparedness at
10 all?---I have lived in the Yarra Valley, so I'm aware of
11 getting it going and getting a general reading of what's
12 going on. Nothing specific, no.

13 On 7 February itself you say in your statement that you were
14 aware of the weather forecast and you say that you knew
15 through basic common sense that there would be bushfires
16 somewhere in the state?---Somewhere was going to burn.

17 Did you apprehend that there was a risk nearby?---Not
18 specifically, no.

19 How did you spend the early part of the afternoon of
20 7 February?---Reading a book, reading a book curled up and
21 turned the radio off about lunchtime and I was curled up
22 with the airconditioner on.

23 Then you say at about 4.30 you smelt smoke?---Smelt smoke
24 through the airconditioner, immediately turned the radio
25 on and heard Jonathan Ridnell.

26 That caught your attention, did it not?---Jonathan Ridnell is
27 the weekday breakfast announcer, so to hear his voice at
28 4.30 on a Saturday afternoon is completely out of context.
29 So I woke up, or it alerted me to it. If that same
30 announcement had been made, for example, by a sports
31 broadcaster, it wouldn't have had the impact.

1 And very shortly after you turned on the radio you heard an
2 announcement being made that had some relevance to
3 you?---There had been a fire reported at Bracewell Street
4 with a north-westerly wind.

5 As we know from our familiarity with the map we have just been
6 looking at, Bracewell Street is to the north-west of your
7 home?---Yes.

8 After you heard that, what action did you take?---I turned the
9 airconditioner off, turned the radio off, put my mobile
10 phone and keys in my pocket and went outside, set up the
11 hose properly, cleared some wooden furniture, hosed down
12 the awnings and the fences and waited.

13 Did you consider leaving?---No.

14 Why not?---I wasn't prepared to leave. I hadn't practised -
15 and this is something I've learnt - I effectively in some
16 way froze. The only thing I could think of doing was
17 staying. I've since learnt now that I would practise my
18 fire plan.

19 So some time after you first became aware that there was a fire
20 to your north-west, at around 6 o'clock a CFA crew came
21 outside your front door?---Somehow I was out on the front
22 steps and there was no traffic, the road had obviously
23 been blocked, and it was getting rather red and dark and
24 the CFA truck drove down the middle of the road and said,
25 "There's a fire on the way, about 10 minutes away. We
26 recommend you leave." I said "No". They said, "We really
27 do recommend you leave." I said "No". They did ask me
28 twice, which was brilliant, rather than the once. The
29 second time was great.

30 After you'd made it clear that you didn't intend to leave, did
31 they give you some advice about what you should do?---Stay

1 inside and wait for the firefront to pass. I stayed
2 outside.
3 You stayed outside, sheltered within the carport,
4 effectively?---Yes.
5 And waited?---Yes.
6 After about 15 minutes what did you see?---From my left, which
7 was where the fire came through, below through one of the
8 bushes it caught fire and then suddenly the whole hillside
9 was consumed by flames. It was like a train. It was very
10 dark, very dusty, a sound I will never forget. It went
11 "whoosh" and then went around the side of Spotlight and
12 then all I heard from then for hours was "crackle,
13 crackle, crackle". My fence had burnt, was burning.
14 So the fire came right up to your fence?---Yes.
15 And the fence caught fire?---About from here to the windows
16 away.
17 After your fence had caught fire, what action did you take to
18 address that problem?---I started moving towards the fence
19 and started hosing it down. Then there was a gentleman
20 from the DSE in his green overalls came through the gate.
21 You mention the gentleman in his green overalls. How were you
22 dressed on this occasion?---Appallingly. Shorts, singlet,
23 crocs; about as badly dressed as I could possibly be.
24 So the gentleman from the DSE came - - -?---Took my hose and
25 then his partner was on the other side of - suddenly saw
26 him on the other side of the fence and he started ripping
27 down palings. I said, "No, take it out." So he got out
28 the chainsaw and "zip, zip, zip," suddenly the fence was
29 gone and there was a bulldozer pushed the fence into the
30 now clear area behind me.
31 I think you have taken a couple of photographs of that which

1 are in attachment AM 1?---Yes.

2 If we could go to witness page 0007. This is a photograph
3 taken shortly after the fire looking - - -?---Towards my
4 place.

5 Back towards your house?---Yes.

6 Through the gap in your fence?---What was a fence.

7 I think we can see the remains of the fence in the
8 foreground?---Yes.

9 Then the next photograph is the reverse shot?---That was taken
10 from where I stood when the fire went through.

11 If we can look at the next photograph?---That is where I was,
12 from where I was standing. That entire hillside on the
13 other side of what was the fence was all burning.

14 Did the fire at that stage approach any closer to your house
15 than the back fence?---At that stage, no.

16 What happened?---Probably about an hour later I was chatting
17 with some people at the back - - -

18 Sorry, what happened that stopped the fire advancing further
19 towards your house from the back fence?---I have no
20 recollection of any wind at all. I've since found out
21 that 6.30, which is when the fire got to Spotlight, was
22 when the wind changed. It puzzled me until I was told
23 that that was when the wind changed.

24 After your fence had been attended to by the men from DSE, who
25 you say in your statement were from St Arnaud?---Yes.

26 Which is a little over an hour to the north of Bendigo towards
27 Mildura?---Yes, north-west.

28 Then you say in paragraph 24 of your statement that after that
29 your neighbours started to come out of their houses and
30 people began to come out of the Spotlight centre?---Yes.

31 Some time after that, while you were talking with these people,

1 did you notice a spotfire near your house?---Someone
2 noticed there was smoke coming from my place, so half a
3 dozen of us dashed to my place and took hoses and buckets
4 and put that spotfire out. There was also a fellow with a
5 ute and a water tank and he helped us put it out, too.
6 As you note in your statement, it didn't take a great deal of
7 effort or water to put out that spotfire, it just needed
8 the presence of some people to do it?---Needed the
9 presence. It took about five minutes and it was out.
10 You remark in your statement on telephone communications during
11 this time. You told us earlier that you put your phone in
12 your pocket. Were you able to make telephone contact with
13 friends or family during this time?---I didn't attempt to.
14 About an hour later I did, between - I couldn't tell you
15 exactly when. The spotfire would have been about 7.30,
16 probably about 8 o'clock. I attempted to call - the one
17 person I needed to talk to was my mother, who lives in
18 Sydney, and I eventually got through a bit later on.
19 You subsequently found out that a number of people had been
20 trying to ring you but had not been able to get
21 through?---Yes. When my mobile was back on board there
22 were three or four messages from friends.
23 You have told us about the timely intervention of the crew from
24 DSE?---Yes.
25 And the warning that you received from the CFA before the fire
26 arrived. When was the next time you saw the CFA crews
27 working in the vicinity of your home?---A CFA truck from
28 Swan Hill went for a drive around without anyone getting
29 out. I think that would have been - my exact timing is
30 out - about 8.30 or so, and then closer to dark there was
31 a mopping up crew mopping up the edges of Victoria Hill

1 Diggings to the left of my place, the back of it, with
2 what I will call the oldies and the youngies, the sort of
3 15, 16-year-olds and then the sort of 60-plus-year-olds.
4 There were CFA people not on active fire duty mopping up
5 in a truck.

6 You have obviously reflected since that evening on your level
7 of preparedness for a fire in your backyard?---Yes.

8 What will you do differently in future?---I've already got the
9 clothes. I would always leave - sorry. Apologies.

10 I would always stay, I would never leave. I've already
11 got the cotton clothes. I have already done a practise
12 run and I would certainly practise that every year.

13 It is your view that having a plan is important but practising
14 that plan is equally important?---A plan on paper is
15 almost useless unless you practise it, because when it's
16 in cellular memory, when it's in your body's memory, then
17 it can be accessed. I'm never going to remember something
18 on a piece of paper unless I've actually done it.

19 I think you have a very practical illustration of why it's
20 necessary to practise the plan to see that the plan
21 works?---When I practised it, I found I needed something
22 to sit on to put on my boots. The closest stool was on
23 the other side of the kitchen, so I have since moved a
24 chair next to the laundry to put my boots on. It is as
25 simple as that, and it is only by practising that
26 I realised I needed something to sit on to put my boots
27 on.

28 You have also reflected on the fact that you happen to be an
29 ABC listener and happened to turn on that station that
30 happened to be the emergency broadcaster?---Yes.

31 But you are aware that other people you know don't necessarily

1 listen to the ABC and might not have had such ready access
2 to that information?---Yes.

3 What suggestion do you have arising from those
4 reflections?---The emergency services website have the
5 link to the ABC list of websites, the list of radio
6 stations, that that link be made and utilised. Quite
7 frankly, the commercial broadcasters, if they are not
8 prepared to be the emergency services broadcaster,
9 advertise in some way that the ABC is, that all fire
10 emergencies and emergencies are through the ABC and go to
11 the ABC website. It is government funded, it is a public
12 broadcaster. There is a social responsibility.

13 Thank you, Ms Macgowan. I have no further questions.

14 Commissioners?

15 COMMISSIONER McLEOD: With the experience that you've lived
16 through, have you reflected at times since on the wisdom
17 of people living in the bush close to obviously ignitable
18 trees and so forth?---I have, and I certainly know that
19 I would never live somewhere like that. I would only ever
20 live in a property that was defensible. It's a personal
21 choice. If people want to live in those places, they have
22 to be prepared to accept that they are not defensible,
23 that they could well lose it, so it is a personal choice.
24 Yes, I have definitely thought about it. I certainly also
25 know that I would never want to live in a weatherboard
26 house or a wooden house. I would want something that at
27 least had a level of protection in its construction,
28 definitely.

29 Are you choosing to remain living where you're currently
30 living?---I'm renting at the moment so, yes, and I would
31 like to stay. I since have - I've only been in Bendigo

1 two and a half years now and I've now got a sense of
2 belonging to the town. The bushfire brings communities
3 together, it brings people together, and it's done that
4 with me. I have a real sense of belonging. Before the
5 fire I actually had nowhere that I thought I could go.
6 Now I have at least a dozen people that I could turn up on
7 their doorstep and have a meal and a bed for the night.
8 It does bring communities together like that, which is
9 great.

10 There was a reference in your submission which I didn't
11 understand to a TAC-style advertising campaign?---Yes,
12 Traffic Accident Commission.

13 I'm not a Victorian, that's why it's not familiar to me. You
14 are saying they are kind of - - -?---The graphic ones.

15 I guess frequent advertising helps to get the message
16 across?---Yes, and almost - I use the word advisedly -
17 almost the brutal ads that are real because a lot of the
18 nice ads have no impact. It takes the reality, the
19 brutality of the reality, if that makes sense, to get the
20 message across. I certainly, and I have been speaking
21 with people who weren't aware that this is a dangerous
22 thing, it is truly dangerous. Cars are dangerous, fires
23 are dangerous, people do die. Maybe we've got complacent
24 since 1983, because that certainly was a wake-up call.

25 MS RICHARDS: So your reference in paragraph 32 of your
26 statement to the TAC-style advertising campaign is to the
27 series of advertisements that the Transport Accident
28 Commission have produced which show in graphic detail the
29 consequences of drink driving and speeding?---Graphic
30 detail, yes.

31 Your suggestion is that a similar advertising campaign might

1 bring home the reality of living with the risk of
2 fire?---Yes, and also the impact on your life of having
3 stayed or gone. It is a very personal experience and it's
4 very, very emotional and a lot of people don't realise.
5 I wasn't aware of how emotional it was, because, yes,
6 I've felt depths of emotions that I can't remember in a
7 very long time, both fear - people said, "Were you
8 afraid?" I said, "No, I wasn't afraid. I know the
9 meaning of the word 'terror'." I also know the meaning of
10 great friendship, which has come from that. As mentioned
11 in here, a friend went through police roadblocks to get to
12 me because she didn't believe me when I said I was okay
13 and the only way that she would know that I was okay was
14 effectively to give me a hug, which is what she did. It
15 is very, very personal.

16 MS RICHARDS: Nothing from the State, I'm told.

17 CHAIRMAN: Thank you, Mrs Macgowan. You are excused.

18 <(THE WITNESS WITHDREW)

19 MR ROZEN: The next witness is Mr Greg Williamson, and I ask
20 Mr Williamson to come forward.

21 <GREGORY JOHN WILLIAMSON, sworn and examined:

22 MR ROZEN: Mr Williamson, is your full name Gregory John
23 Williamson?---Yes, that's correct.

24 Are you also known by the nickname "Curl"?---Yes, that's
25 correct. I used to have hair.

26 I ask you that because if we see a reference to "Curl" in
27 someone's log or statement, that is a reference to
28 you?---Yes, that's correct.

29 Mr Williamson, you are giving evidence today in relation to
30 your role as part of the Murrindindi fire on 7 February
31 2009?---Yes.

1 You were due to give evidence earlier when the Commission was
2 considering the Murrindindi fire, but for personal reasons
3 you were unable to do so at that time?---Yes, that's
4 correct.

5 We are grateful to have you along today. Mr Williamson, have
6 you for the purposes of the Commission and with the
7 assistance of the Victorian Government Solicitors prepared
8 a witness statement for us?---Yes, I have.

9 Is the statement dated 24 September 2009?---Yes, that's
10 correct.

11 It is at (WIT.3024.004.0138). With those words, Mr Williamson,
12 it should appear on the screen in front of you. Have you
13 had an opportunity to read through that revised statement
14 before giving evidence today?---Yes, I have.

15 Are the contents of the statement true and correct?---Yes,
16 that's correct.

17 Is there anything that you wish to change in the
18 statement?---No, that's pretty right, thank you.

19 I will tender the statement.

20 #EXHIBIT 480 - Revised witness statement of Gregory John
21 Williamson (WIT.3024.004.0138).

22 MR ROZEN: Mr Williamson, can I ask you a little bit about your
23 work circumstances and your background. Firstly, you are
24 presently employed as the works coordinator in the
25 Marysville office for the DSE?---Yes, that's right.

26 Does that mean you are effectively in charge of the Marysville
27 DSE office?---No, it's basically in charge of the AWU crew
28 and most of the works, like any work that goes on in the
29 Marysville district I basically look after, and machinery,
30 plant, vehicles, basic day-to-day running of the
31 Marysville depot.

1 The AWU crew, is that the Australian Workers Union
2 crew?---That's correct.
3 They are employees of the DSE who are members or eligible to be
4 members of the AWU; is that right?---That's correct, yes.
5 You explain in paragraph 5 of your statement that you have
6 worked for the DSE and its predecessors for a period of
7 32 years; is that right?---Just over 33 now, but, yes.
8 You set out some of the background duties that you've
9 performed. I won't take you through the detail of those,
10 but if I can just draw your attention to paragraph 9. You
11 there explain that you have had involvement in a number of
12 major fires and campaign fires in the role of either
13 sector boss or sector commander?---Yes, that's correct.
14 I take it in addition to those major fires that are listed in
15 paragraph 9 you have also had experience in many minor
16 fires as well?---Yes, like the ones listed in my statement
17 are the sort of major campaign fires, but a lot of the
18 time in summertime it is quite often you have 50 or 60
19 fires in the district. A lot of them are small fires. As
20 I say, the main ones there are the big campaign fires.
21 One of the ones that you refer to at (ii) is the Ash Wednesday
22 fires. What role did you play in relation to the Ash
23 Wednesday fires?---Ash Wednesday I was in New South Wales
24 in Bondi. Not in Bondi as in beach; it is just across
25 near Bombala. There were large fires that started up
26 basically up in the high country of Cann River which got
27 into New South Wales, burnt a lot of pines up there.
28 I was basically a sector commander, divisional commander
29 of a pretty large fire up there on Ash Wednesday.
30 At paragraph 10 you explain that you have performed the roles
31 of division commander, sector commander and on a couple of

1 occasions you've also worked as an operations officer in
2 incident control centres. I take it that the bulk of your
3 fire related experience has been in the field rather than
4 being in an incident control centre?---That's correct.

5 You list in your statement preparations that were put in place,
6 starting at paragraph 16, preparations for 7 February. In
7 the week leading up to 7 February 2009 did you become
8 aware of the weather and the predictions that 7 February
9 was forecast to be a particularly bad fire day?---Yes.

10 All the predictions, just through work and all the radio,
11 through the media, it was quite obvious it was going to be
12 a very bad day.

13 Did you participate in preparations within the DSE in advance
14 of 7 February?---On 6 February, which was the Friday, I
15 certainly had to make sure everyone was available for
16 standby duties. There was a doubling-up of making sure
17 contractors were ready to go to transport dozers around or
18 floats, putting contractors on standby, making sure all
19 the equipment was up to scratch, vehicles fuelled up,
20 basically making sure everything was go, was the green
21 light.

22 Had you also requested that you and your crew have a rest day
23 on 5 February to ensure that you were rested for any
24 duties that you might have to perform on the 7th?---For
25 some of my crew, because a few days before that I took a
26 crew to Beechworth fires, not the large Beechworth ones,
27 there was a small fire, there were a few lightning strikes
28 up in Beechworth which we were only there for a couple of
29 days and but it was a pretty solid slog. I suggested to
30 the FMO that probably the guys which were with me,
31 including the guys from Alexandra and Toolangi and

1 Broadford, should probably take a day off just for fatigue
2 reasons because of the prediction of what Saturday was
3 going to be like.

4 At paragraph 22 of your statement you explain the arrangements
5 that were made for the various crews to be placed on
6 standby for 7 February 2009. You explain that you
7 organised to have half of the Marysville crew on standby
8 at the Marysville office from midday, with the other half
9 to be on standby at home from 10 am on the 7th?---Yes,
10 that's correct.

11 You explain that you rostered Mr Cobb and Mr Giovanetti to
12 commence duties at midday in the role of crew
13 leader?---That's right.

14 If I can take you forward then to 7 February which you describe
15 in your statement starting at paragraph 29. You yourself
16 were at home on standby on the morning of
17 7 February?---That's correct, yes.

18 And home is Taggerty?---Yes, Taggerty.

19 How far from Marysville is Taggerty?---Twenty-five kilometres.

20 Pretty well in a northerly direction?---Yes, north-south.

21 You say you were listening to the ABC Radio for reports of
22 fires and you saw smoke in the Black Range shortly after
23 1500 or 3 pm?---That's correct.

24 That was the Murrindindi Mill fire, as it turns out, that you
25 saw smoke from?---Yes.

26 As you explain in paragraph 32, you live east of Murrindindi
27 Mill about 20 to 25 kilometres, and you were concerned
28 about the smoke and so rang and spoke to Mr Miller at the
29 Alexandra ICC. Did you know that there was a prearranged
30 ICC in place at the Alexandra office?---Yes, I did.

31 Did you know that as part of that prearranged team Mr Miller

1 would be the incident controller?---Yes, that's correct.
2 He was the duty officer.
3 That's why you rang him to report the fire that you'd
4 seen?---Yes, that's correct.
5 Was he aware of the fire when you rang him, do you
6 recall?---Yes, he was.
7 You had a discussion about the deployment of Mr Cobb's crew
8 from Marysville?---Yes, I did.
9 As you explain, Mr Miller told you that Mr Cobb's crew had been
10 deployed to go to the point of origin at the Murrindindi
11 Mill and you discussed with him that perhaps that might
12 not be the best use of those resources; is that
13 right?---That's correct.
14 What was your thinking there, Mr Williamson?---Just on the
15 particular day, if that fire started, I could not see much
16 point in going to the origin of the fire because from home
17 there was a northerly wind blowing, at least a
18 nor-westerly wind blowing probably 50, 60 kilometres.
19 I could not see much point going right around to the
20 origin of the fire when the fire was heading south.
21 Where did you think would be a better deployment location for
22 Mr Cobb's crew?---I really wasn't sure on that. Certainly
23 my thoughts were to certainly go towards Peter - Peter
24 would have made his own decision - but certainly not go
25 right around to the origin, but maybe somewhere in between
26 on the Black Range, along the Maroondah Highway.
27 Were you thinking at that point that towns such as Narbethong,
28 Buxton and possibly Marysville could potentially be at
29 risk from that fire once it got into the Black Range?---At
30 that stage it was unknown what the fire was going to do.
31 It certainly was building in the Black Range, but

1 I certainly couldn't see any fire. You could see a column
2 of smoke and the combustion fireball, but certainly there
3 was no fire on the eastern side of the Black Range at that
4 stage.

5 You explain in paragraph 33 that, after having that discussion
6 with Mr Miller, you left to head for the Marysville depot.
7 What was the outcome of the discussion with Mr Miller?
8 Did he agree with your suggestion that Mr Cobb's crew
9 could be deployed in a better location than to the point
10 of origin?---I didn't discuss that with him. I just
11 suggested maybe Peter, instead of going to the origin, he
12 should go somewhere else or somewhere in between.

13 I didn't take that any further.

14 How was it left, though, between you and Mr Miller? Was he to
15 contact Mr Cobb or what was agreed as to what would
16 happen?---Andy just told me to head to Marysville to catch
17 up with my crews at Marysville.

18 On your way to Marysville, did you have a discussion with
19 Mr Cobb?---I think it was on the way to Marysville at some
20 stage, but I couldn't tell you exactly when it was. I had
21 discussions with Peter probably several times during that
22 day, but I'm not sure whether it was when I was near
23 Buxton or on the way through.

24 Perhaps if I refer you to paragraph 33 of your statement, do
25 you see you say there that you left your home to go to
26 Marysville at about 3.20 and "On my way I received a call
27 from Peter Cobb on the trunk radio." You suggested to
28 Peter that he ought to speak to the ICC about where he
29 would best be deployed; is that right?---As I recall it,
30 yes.

31 What role were you playing at that point in terms of Mr Cobb's

1 crew? In other words, were you in a position to direct
2 where he should go or how did it work between you and
3 Mr Cobb?---No, no. I was independent at that stage.
4 Peter was acting as a crew leader. He would have had five
5 or six people with him. So, it was entirely Peter's call
6 what he did with his crew.
7 Subject presumably to any direction he got from
8 Mr Miller?---That's correct.
9 You drove down to Marysville. You were in a DSE slip-on
10 vehicle, is that right?---That's correct.
11 You had some difficulty with a tree that fell across the road
12 on your way down to Marysville?---Yes. Between Taggerty
13 and Buxton I was going along what they call the Buxton
14 straight. A large peppermint tree fell across the
15 Maroondah Highway, completely blocking the road. It
16 probably only fell about seven metres in front of my
17 vehicle, which was a concern to me because it was quite a
18 large tree and there was going to be a fair bit of work to
19 get that tree off.
20 What did you do?---Got the chainsaw out.
21 And got the tree out of the way, I take it?---That's correct.
22 You then proceeded to Marysville. On your way did you consider
23 that there was a need for something to be put in place to
24 manage the traffic on the road?---I didn't actually go to
25 Marysville. I stopped north of Buxton, because I could
26 see there was still quite a column in the Black Range.
27 I had to make a call. There was a lot of traffic on the
28 Maroondah Highway, as you would be well aware. There was
29 no-one with me, but I made a decision that any traffic
30 heading south should be stopped, so I basically just
31 pulled up just north of Buxton, put the flashing lights on

1 and started to stop traffic, which I was there for quite a
2 time. A lot of people wanted to go through, but
3 I indicated that they shouldn't and all the traffic
4 actually turned around and headed back towards Alexandra.
5 Did you at one point contact the ICC at Alexandra to raise your
6 concerns about having some more formalised traffic
7 management put in place on the radio?---Yes, I did.
8 At paragraph 36 you explain that you spoke to Mr Bowdern. He
9 was the operations officer in the incident management
10 team, and you asked him to organise for some police to
11 come and carry out those traffic management
12 responsibilities?---Yes, that's correct.
13 At paragraph 39 you explain that at 1630 hours you met up with
14 the Marysville crew. They explained to you, did they,
15 that their crew leader, Mr Cobb, had gone to make some
16 investigations about where they could best be
17 deployed?---That's correct, yes.
18 You thought that they could usefully be employed assisting with
19 traffic management prior to the police arriving?---That's
20 right, yes.
21 You explain that you understand that after you left Buxton to
22 go to Marysville, that the police ultimately arrived and
23 took over those responsibilities?---As I understand it,
24 yes.
25 You arrived at 1645 at the Marysville depot, as you explain in
26 paragraph 40. You say that when you arrived at the depot
27 you commenced in the role of crew leader. Who were the
28 members of the crew that you were leading?---There was Ben
29 Giovanetti, who is the equivalent of me as in fire roles,
30 but there was probably about six AWU guys, six or seven
31 I think it was, just the usual crew members. We have

1 permanent crews and some additional summer crews in
2 summertime.

3 You explain in your statement that you were ultimately
4 appointed to the position of division commander but that
5 didn't occur until after the fire had passed through
6 Marysville; is that right?---Probably in an indirect way
7 I was sort of acting as a divisional commander. Dave
8 Bowdern did contact me earlier in the evening before the
9 Kings Road spotfire to ask me to liaise with all the CFA
10 resources to work out who to go where and whatever, so
11 I agreed with that. I probably didn't start directing
12 traffic on the divisional commander until the
13 spotfire actually - until there was an actual fire in
14 Marysville.

15 We will come to that in a moment. I'm just trying to clarify
16 your role. The way Mr Bowdern describes it, and as the
17 operations officer it was his role under AIIMS to do the
18 appointing of division commanders; is that right?---Yes.

19 And the way he describes it is that he formally appointed you
20 as division commander at about 8 pm, but he had informally
21 appointed you as division commander earlier in the day at
22 around about 5.30 or so. Does that broadly line up with
23 your understanding of the situation on the day?---Yes, it
24 does. What actually happens probably more in the
25 Marysville district, and it has probably happened in the
26 last 20-odd years, if there is a fire in the Marysville
27 district, if I'm at that particular fire, it's pretty well
28 automatic that I take over that role as a divisional
29 commander or sector commander. That's sort of been
30 probably a Murrindindi or Marysville district thing for a
31 long time, so it's sort of a given. It might sound a bit

1 funny, but that's the way it operates.

2 You do explain in your statement, Mr Williamson, that you

3 dispatched later on in the evening - and I will come to

4 the detail of it - but you dispatched at about 5.30 pm CFA

5 and DSE resources to go and deal with a spotfire at Kings

6 Road. So, do we take it that certainly from that time

7 onwards you are acting in that informal division commander

8 role and that the resources under your control are both

9 the DSE and the CFA resources?---Yes, that's correct.

10 Is the position that that was formalised when Mr Bowdern

11 contacted you, as he says, at about 8 pm?---Yes, that

12 would be right.

13 Before turning to the role that you played in relation to the

14 spotfire, I want to ask you some questions about your

15 understanding of the risk that the Murrindindi fire

16 presented to Marysville as the afternoon panned out. If

17 I can first take you to paragraph 43 of your statement.

18 You are there describing the briefing that you gave to the

19 Marysville crew at 5 pm. You say, "I told them the fire

20 situation was very bad and that they needed to be prepared

21 for things to happen very quickly. At this time I did not

22 think that Marysville would be directly affected by the

23 head of the fire and I confirmed that our strategy was to

24 direct our resources towards asset protection around the

25 outskirts of the Marysville township." By that, do you

26 mean that you considered that the head of the fire would

27 pass Marysville to the west?---That's correct, yes.

28 Were you factoring in the forecast south-westerly wind change

29 into that assessment?---No, I wasn't, because I wasn't

30 aware of a wind change until later. I think it was 1745,

31 something like that.

1 You first became aware of the forecast wind change when you had
2 a discussion with Mr Luckman of the CFA; is that
3 right?---That's correct.

4 The Commission has heard evidence that a Mr Shaun Lawlor was in
5 Firebird 305, the helicopter, doing some fire spotting.
6 You would know Mr Lawlor, I take it?---Yes, I know him
7 well.

8 Were you aware that Mr Lawlor was making observations of the
9 fire and feeding back information to the Alexandra ICC
10 about those observations?---No.

11 I take it that at no stage did you have the benefit from
12 Alexandra of that information that Mr Lawlor was passing
13 to Alexandra?---No.

14 Just for completeness on that, Mr Lawlor's evidence to the
15 Commission was that he had a discussion with Mr Twitchett,
16 who was the deputy operations officer in Alexandra, and
17 what Mr Lawlor told Mr Twitchett at a time at which he put
18 at about 5.10 in the afternoon was that, from his
19 observations of the fire which he was making above
20 Narbethong and the Narbethong-Marysville road, he told
21 Mr Twitchett that Marysville and Buxton were not being
22 impacted by the fire but that if the predicted south-west
23 wind change occurred they would be directly in the path of
24 the new firefront. That was not information that was
25 conveyed to you by those in the incident control
26 centre?---No, I didn't get that information.

27 Would that sort of information, that observation of fire
28 behaviour and predictions about where the fire is likely
29 to head, I take it that would be useful information for
30 someone in your position to be getting from the incident
31 control centre?---Absolutely, yes.

1 Along, presumably, with information about predictions of wind
2 changes and the like?---Yes, operational-wise that's most
3 important, yes.

4 Just in relation to that, we know that there was an operations
5 officer, Mr Bowdern, in the ICC and that he had a deputy,
6 Mr Twitchett. But as I read your statement, and correct
7 me if I'm wrong, Mr Williamson, but the strategic
8 decisions about how to deal with the fire and particularly
9 how to protect Marysville from the fire seemed to be ones
10 that you and the other DSE officers were making on the
11 ground in Marysville rather than receiving direction from
12 the ICC. Is that a fair summary of the events of the
13 afternoon?---Look, the problem I have there is things on
14 the ground were happening very quickly. Now, for
15 information to get back to regional office, it's a bit
16 hard to explain, but everything was happening very
17 quickly. Probably in a lot of cases, not only on
18 7 February, it is up to the operations officer or the
19 divisional officer or sector commander to make decisions
20 because a lot of the time the ICC probably doesn't know
21 because things are happening very quickly. So things on
22 the ground, there have to be a lot of decisions made
23 quickly on the ground.

24 Can I summarise what you are saying in this way, Mr Williamson.
25 Correct me if I'm wrong, but in a fast moving fire such as
26 the one you were dealing with on 7 February 2009, it is
27 inevitable that those on the ground are going to have to
28 make decisions rather than necessarily waiting for
29 guidance from an incident control centre that is some
30 distance away?---Absolutely. Yes.

31 In relation to that, though, is it fair to say that there can

1 be a difference between the strategic approach to managing
2 the fire and the tactical decisions that you've got to
3 make to achieve that strategy. Do you understand the
4 difference that I'm referring to?---No. You could run it
5 by me again, if you wouldn't mind.

6 Certainly. On the ground, you may have to make tactical
7 decisions about what you are going to do in a practical
8 sense - - -?---Practical decisions, yes.

9 To deal with the fire. But, in addition to that, there might
10 be a more strategic level of decision making, an overall
11 strategy, and you would have had experience of this, that
12 might be developed at an incident control centre leaving
13 it for people on the ground to make tactical decisions to
14 achieve the strategy?---Yes.

15 From my reading of your statement, you were essentially
16 performing both those tasks. You were developing the
17 strategy and making the tactical decisions, together with
18 your colleagues on the fireground?---Yes. I believe
19 you're right in what you're saying, but we had to make
20 decisions pretty quickly that day.

21 I understand that. Please don't think I'm criticising you, I'm
22 just trying to understand the decision-making process on
23 the day. At paragraph 46 of your statement, if I can just
24 return to this issue of your understanding of the threat
25 presented to Marysville by the fire during the course of
26 the afternoon, you say after briefing the crew at the
27 depot you and Mr Giovanetti and the seven Marysville crew
28 members travelled west of Marysville on the
29 Marysville-Narbethong Road to make observations of the
30 fire. You say, "We could see the plume of smoke and
31 fireballs and it looked like the fire was still at

1 Narbethong. The way the fire was moving, I thought that
2 only the outskirts of Marysville would be impacted by the
3 flanks of the fire." Once again, that's the fire
4 unaffected by any wind change, is that right?---That's
5 correct.

6 COMMISSIONER McLEOD: Just on that point, you do say in your
7 statement that, "Based on the information we had regarding
8 the wind change, my prediction was that the fire would go
9 to Warburton and the surrounding areas." That was
10 presumably based on your belief that, when the wind
11 changed, the fire would have been sufficiently south that
12 when it changed direction and started to head in a
13 north-easterly direction it would be beyond
14 Marysville?---Yes. Certainly the main front of that fire,
15 if that wind didn't change, I would hate to think where
16 that fire would have got to. But certainly there still
17 would have been a flank fire. Even though the main front
18 of that fire had travelled a long way to the south, there
19 still would have been a flank fire coming in towards
20 Marysville. Not to the extent of a head fire, of course,
21 but there still would be fire coming into Marysville, but
22 only as a flank fire, and it would have been coming down
23 at Marysville, too.

24 MR ROZEN: Just in relation to the question you have been asked
25 by Commissioner McLeod, I think the Commissioner is
26 referring to paragraph 51 of your statement, if that
27 assists you. There you say, "Based on the information we
28 had regarding the wind change, my prediction was that the
29 fire would go to Warburton and the surrounding areas.
30 I thought that the fire would enter Marysville but not
31 with the ferocity and force that it did." Does that assist

1 you in answering?---That's exactly right, yes.

2 Just in relation to that, though, even if the firefront has

3 passed to the south of Marysville, you still have a very

4 long eastern flank of the fire which will potentially turn

5 into a new front of the fire once the wind change occurs;

6 is that the position?---Yes, that's right. It was a bad

7 day. You are still going to have a flank fire, not a head

8 fire coming into Marysville. I would have thought so,

9 anyway. I'm not an expert in fire behaviour, but that's

10 the way I was looking at it.

11 I understand. You say you are not an expert of fire behaviour,

12 but you have obviously had very extensive experience

13 observing fire behaviour in the forest as part of your

14 duties?---Yes, I have. Yes.

15 If I could ask you some questions about your understanding of

16 the wind change. I think you have already told us that,

17 prior to a discussion that you had with Mr Luckman of the

18 CFA, which you refer to at paragraph 49 of your statement,

19 you had no understanding that there was a wind change

20 forecast on 7 February; is that the position?---Not until

21 Bruce spoke to me, no.

22 And Mr Luckman, what did you understand his role to be on the

23 fireground?---I think he's only - I'm not saying only -

24 but he is a CFA member. I don't think he is lieutenant or

25 anything like that. He was in a support vehicle with the

26 CFA, another guy I didn't know. There wasn't a hell of a

27 lot of CFA guys, CFA tankers in Marysville initially,

28 because I think they went towards the origin of the fire,

29 a lot of them, and they were still travelling to

30 Marysville. So Bruce was the first guy I spoke to when we

31 were out sort of Mount Gordon way. He came in the support

1 vehicle.

2 So you are on the Marysville-Narbethong Road?---That's correct.

3 Near Mount Gordon. You are talking to Mr Luckman?---Yes.

4 My question was not so much what you understood he was doing,

5 but rather he didn't hold any position in the command

6 structure that you were aware of?---No. I don't believe

7 so, no.

8 The evidence the Commission has heard is that group officer

9 Rice deployed Mr Luckman to perform a ground observer

10 role?---Yes, I imagine so.

11 So that communication you received from Mr Luckman about the

12 wind change, was that really, in the nature of it, a

13 chance discussion that there was a wind change forecast or

14 were you specifically seeking information from him about

15 the weather?---We were actually grouped together and that

16 come over his radio and we had discussions about it, yes.

17 As you say in paragraph 49, what he said to you was that there

18 was a 50 to 60 kilometre an hour south-west wind change

19 forecast to arrive in about an hour and a half?---That's

20 correct, yes.

21 So that conversation is taking place at 5.45 and therefore you

22 were factoring in a wind change arriving at about 7.15

23 that evening; is that right?---I'm not real good on

24 figures, but I think that's pretty right.

25 Not really my strong suit either, Mr Williamson, but I think

26 that's right. You then say in paragraph 50 that

27 Mr Giovanetti received a call from Mr Bowdern in the IMT

28 at about 1750 or 5.50, so that is within about five

29 minutes of your conversation with Mr Luckman?---That's

30 right, yes.

31 You say he was told they were anticipating a 50 to 60 kilometre

1 an hour wind change from the south-west, but there is no
2 reference there to any time being given. Is that
3 because - well, can you explain that for us, please?---No,
4 I can't. That's all I remember, Ben saying Dave said
5 there was going to be a southerly change come through with
6 a 50 to 60 K wind to the south-west.

7 You have been assisted in preparing your statement by a log
8 that Mr Giovanetti kept on the night?---That's correct.
9 Perhaps if I can just take you to that briefly. It is
10 attachment 2 to your statement, and it is at
11 (DSE.HDD.0048.0037). Firstly, in relation to that page,
12 is all of it Mr Giovanetti's writing or have you written
13 some of the entries on the page?---The first three lines,
14 I think the "3 strike teams, Marty Shaw, Tom Jones", is my
15 writing. Anything after that is Ben's.

16 We see a reference halfway down the page, "1750 D Bowdern". Do
17 you see that?---Yes, I do.

18 "50 km wind from south. Weather alert. 3 strike teams heading
19 in from Buxton." That's the information that was
20 communicated by Mr Giovanetti to you as having been given
21 to him by Mr Bowdern; is that right?---Yes, Ben obviously
22 put this in the log. Ben was having discussions with me
23 about that, yes.

24 You've relied on the log entry to describe these events in your
25 statement; is that right?---Yes.

26 You then go on at paragraph 51 to refer to your understanding
27 about the potential impact of the fire on Warburton. You
28 have already been asked some questions about that. Then
29 I want to ask you about what you say at paragraph 52.
30 Once again you refer to Mr Giovanetti's log in the note to
31 the effect that "Alexandra and Marysville crews confirm

1 wind change" and, as you say, that was a note he made
2 about the response you got back from the crews, the
3 Alexandra and Marysville crews, advising of the wind
4 change; is that right?---Yes, that's correct.

5 Are you able to say now, and if you are not tell us, whether
6 the information you conveyed to the crews included the
7 predicted timing of the wind change?---Yes,
8 I remember - I'm not sure what's in the log - but
9 I remember distinctly making a conventional call to all
10 crews there was going to be a south-westerly wind change
11 in approximately an hour and a half, and basically "Please
12 acknowledge".

13 Not long after that occurred, about half an hour later at
14 1820 hours, as you explain in paragraph 57, Mr Williamson,
15 you overheard some advice about there being a spotfire
16 burning near the intersection of Kings Road and Martins
17 Road south of Marysville?---Yes, that's correct.

18 You had a discussion with other DSE officers, Mr Giovanetti,
19 Mr Cobb and Mr Cowell, and after that you dispatched the
20 CFA and DSE resources to the area?---That's correct.

21 What was Mr Cowell's role? Was he another crew leader?---He
22 was a crew leader from Alexandra.

23 Was the intention at that point for you to all go to the
24 location of the spotfire, have a look at it and then
25 decide what action, if any, you could take?---Yes, that's
26 correct.

27 As you explain in paragraph 57, you had available to you
28 approximately 50 CFA officers, 31 DSE crew and four crew
29 leaders?---That's right, yes.

30 You have attached a map to your statement which we have already
31 used when Mr Cobb gave evidence. If I can summarise the

1 content of the map, it shows the location of a number of
2 spotfires that Mr Cobb and Mr Willans observed during the
3 course of the afternoon, and then it also shows the
4 location of the backburn that I'm about to ask you about.
5 Coming up on the screen now is that map. Just while it is
6 there, does the yellow box point to the location of the
7 spotfire?---Yes, that's correct.

8 And the pink box indicates the line of the backburn that was
9 lit; is that right?---Yes, that's right.

10 I might actually have that the wrong way round. The think the
11 pink box indicates the spotfire and the yellow the line of
12 the backburn. Does that sound right?---Sorry, yes.

13 You explain the size of the spotfire and its location at
14 paragraph 61. Were you present in the hearing room when
15 Mr Cobb gave evidence about the spotfire and the
16 backburn?---No, I wasn't.

17 You essentially explained that the spotfire was about 70 metres
18 south of Kings Road in the bush; is that right?---Yes,
19 that's right.

20 What sort of area was the spotfire covering when you first - -
21 -?---When I got there it was probably about a hectare.

22 The wind was still blowing from the north-west at this
23 time?---That's right.

24 And so the spotfire was burning in a south-easterly direction
25 under the influence of that wind?---That's correct.

26 Can you describe for us the terrain in the vicinity of the
27 spotfire?---It's in mixed species bush. It's a slight
28 sort of slope uphill. There's a town firebreak. There's
29 a spotfire that's probably 60 or 70 metres away from the
30 town firebreak which joins on to Kings Road and behind the
31 town firebreak there's about 20 hectares of fuel-reduced

1 country which we burnt in 2007. That's about it.

2 Having regard to those matters and also the factors that you
3 set out in paragraph 64 of your statement, you decided
4 that it was an appropriate course to light a backburn
5 together with the other crew members from the DSE. What
6 were the CFA resources allocated to do when you were doing
7 that?---Most of the CFA trucks were basically deployed
8 along Kings Road, basically parked at the houses.
9 Basically the DSE guys were sort of probably looking after
10 the backburn, the operational side of the backburn. The
11 CFA trucks were basically positioning themselves along
12 Kings Road for asset protection of the houses.

13 Did you know whether there were people in any of the houses on
14 the Kings Road or the streets around where the CFA trucks
15 were working?---Look, when I was going into Kings Road,
16 when I was travelling to that spotfire, and I couldn't
17 tell you which people there were, but there were people
18 outside one house which were going into the house when
19 I last saw it. I didn't get back to there, but I saw a
20 few people, but not too many.

21 Did you have any discussions with any of the CFA members about
22 them inquiring whether or not there were people in the
23 houses and talking to them about what their intentions
24 were?---No.

25 Who was in sort of minute-by-minute control of the CFA
26 resources when you were performing your activities in
27 relation to the backburn?---I believe probably Tom Jones,
28 I think. Also Gary Creighton. I think Gary arrived there
29 just as we were sort of starting operations. There was a
30 bit of - what would I call it? There were still sort of
31 CFA tankers coming into that spotfire as we started it

1 because they were still en route to Marysville, I think.
2 Mr Jones, we have heard evidence, was a strike team leader of a
3 group of CFA tankers. Is that your understanding?---Yes,
4 that's right.

5 Did you at any stage consider in your role as informal division
6 commander whether some of the CFA resources ought to be
7 deployed to investigate whether or not there were people
8 in houses on Kings Road and in the roads in the
9 area?---No.

10 Was your thinking that that was a matter that, what, they would
11 address as part of their asset protection role or is it
12 not something that you considered?---My role at that stage
13 was there was a spotfire and we had to deal with it the
14 best we could. We had a lot of resources, but at that
15 stage that was a single spotfire, it was away from the
16 main front of the fire, so we were going to deal with that
17 spotfire the best we could.

18 What was your understanding about where the main front of the
19 fire was located at that time?---When we were at Mount
20 Gordon, just as we got the call - before we got the call
21 of the Kings Road spot, I actually caught up with Peter,
22 Peter Cobb. There was quite a lot of fire to the south.
23 You could see fire sort of dancing away up the side of
24 Mount Strickland, up in Wilks Creek, Granton country,
25 which is a fair way south of Marysville.

26 South of Marysville?---Yes.

27 Did you think that was spotfire active ahead of the front or
28 did you think the front had reached Mount Strickland to
29 the south of Marysville?---No, I believe that was the main
30 front of the fire. There was obviously the spotfires in
31 front at an earlier stage, but to me the main front was

1 south of Marysville.

2 Now, we do have another map that's been provided to the
3 Commission which is a close-up of the area that I'm about
4 to ask you about. It might be of assistance if we use
5 this. It is at (TEN.122.001.0002). That should come up
6 on the screen in front of you now, Mr Williamson. I think
7 a pointer can be provided to you which you might find
8 helpful. If you look over your left shoulder,
9 Mr Williamson, you will see the map and part of the
10 evidence that I understand you are about to give concerns
11 the reservoir which we can see right at the bottom of the
12 map. Do you see that's got a little hand on it?---Yes.
13 If that helps to orient you. Can you firstly start by
14 indicating to us the position of the spotfire on that
15 map?---Somewhere there.
16 So in that area there. You are pointing to that
17 triangular-shaped area of forest which is south-west of
18 the Kings Road?---Yes, that's right.
19 We have already heard some evidence from Mr Cobb that the point
20 of ignition of the backburn was at the intersection of
21 Martin Road and Kings Road?---That's correct.
22 I think that's the point there where the arrow is, is that
23 right?---Yes, that's right.
24 The backburn was then lit along the track in a broadly westerly
25 direction from that intersection; is that right?---Yes.
26 If you come a little bit south with your pointer, it's
27 sort of on the south side of that track.
28 So that's the track along there. As you explain in your
29 statement, Mr Williamson, once lighting up of the backburn
30 commenced, you travelled towards the reservoir; is that
31 right?---Yes, that's right. Ben Giovanetti and I left

1 Cobby and James sort of doing the backburn. We left to
2 make sure that there was access out on the Paradise
3 Plains, basically followed the town firebreak to the
4 south.

5 Are you able to indicate to us on the map as best you can the
6 route that you and Mr Giovanetti followed?---We left the
7 backburn sort of back here. It's a bit hard to pick up,
8 but sort of just travelled through the scrub here to just
9 on the edge of the reservoir, about there somewhere.

10 So that journey through the scrub as you have just described
11 it, what were you travelling along? Is there a path
12 through there?---Yes, it's quite a good break. It's a
13 town firebreak which we put in in 1983. It's quite a good
14 track right around it. It gets slashed and it's about 30
15 to 40 metres wide. Yes, it's quite a good track through
16 there.

17 What was the purpose of you and Mr Giovanetti travelling
18 towards the reservoir? What were you looking for or what
19 were you doing?---There were two reasons. Mainly to make
20 sure the guys who were doing the backburn had access for
21 escape routes if everything did happen, make sure
22 everything was clear so we could continue on with the
23 backburn, slowly continue on with that, and also to look
24 at the possibility if that wind was supposed to - if that
25 wind didn't change, there was a possibility that we could
26 continue with that backburn slowly around the southern
27 edge of the town firebreak and would give us basically a
28 good break around the southern edge of Marysville.

29 When you went to make those observations, was your intention to
30 investigate the direction in which the backburn ought to
31 continue and then to communicate back with Mr Cobb for a

1 decision to be made about that issue?---Yes, when I left
2 Peter the decision at that stage was to slowly continue
3 the backburn around the town firebreak, but Ben and I were
4 looking at whether we could - the town firebreak actually
5 turns away from the town a bit, heads to the south. There
6 was another option of actually going back closer to the
7 township, but we didn't get to the stage where we could
8 check that out.

9 Could you indicate for us on the map that other option of going
10 closer to the township just so we can understand what your
11 intention was?---It's a little bit rough to work out, but
12 instead of sort of travelling around further to the south
13 around to Paradise Plains, you can actually cut through.
14 There's actually quite a good break which comes out near
15 Paradise Plains which joins onto the break basically
16 behind the office, so it joins back onto the town
17 firebreak, which meant we weren't taking in so much
18 country, it was a lot closer to town. Admittedly that
19 wasn't a town firebreak, but it was still a reasonable
20 track. It was another reasonable option. But, as I said,
21 I didn't get to exercise that.

22 I understand that. Is the position this, that prior to the
23 wind changing and you having to make a hasty retreat from
24 the area along with the other crews, that it was a work in
25 progress in the sense that you were yet to determine the
26 best route to be followed by the backburn?---Yes, that's
27 correct. But, as I said, when I left Cobby at that stage
28 we were slowly working our way - we were actually working
29 where the spotfire was, but the intention was to continue
30 at that stage very slowly around the town firebreak.

31 I think your evidence is that you commenced the backburn at

1 about 6.30 pm, 1830 hours; is that right?---That's
2 correct, yes.

3 And you were at that time proceeding on the assumption that the
4 wind change would arrive at about 7.15. I think you have
5 already told us that?---That's right.

6 Did you receive any up-to-date information from the incident
7 control centre or anyone else updating you on the timing
8 of the wind change after that communication you got from
9 Mr Bowdern?---No.

10 Mr Cobb has given evidence about discussions with you in
11 relation to whether approval ought be sought from the
12 incident control centre for the lighting of the backburn.
13 As I read your statement, that's not something that you
14 refer to in your statement. Am I correct there,
15 Mr Williamson?---Sorry?

16 Mr Cobb has given evidence to the Commission that he had a
17 discussion with you shortly before the backburn was lit
18 about whether or not you needed to contact the incident
19 controller to get approval for the backburn?---We did have
20 those discussions. The decision had to be made very
21 quickly, what we did there, and I don't believe we had any
22 other choice. I think I suggested - I told Ben to let our
23 own team know that we were going to start a backburn on
24 Kings Road. I didn't ask for approval because I didn't
25 think we had time to jimmy around. We had to deal with
26 that very smartly.

27 Did you consider asking either Ben to ask the incident control
28 centre or yourself contacting the people in Alexandra - -
29 -?---I believe Ben contacted.

30 Contacted Alexandra?---Yes.

31 Was he able to get any more up-to-date information about the

1 likely arrival of the wind change?---I don't know. He
2 didn't mention anything to me about any wind change, and
3 if he was told that I'm sure he would have.

4 Based on the prediction of a wind change coming at about 7.15,
5 did you have in mind a time by which you would want your
6 crews out of the area for their own safety?---What I was
7 working on, well, I didn't have much time to think about
8 it, but as I said, our plan, I spoke to Ben, Cobby and
9 James, was to just progress with that backburn slowly. It
10 wasn't long after that before the wind changed, so there
11 was no real plan on that because things changed very
12 quickly.

13 I understand that. Perhaps I haven't made my question clear.

14 When the backburn decision was made and they started to
15 light it up, you were proceeding on the assumption that
16 they had about 45 minutes before the wind change
17 came?---That's correct, yes.

18 Did you have in mind a time by which you would want the crews
19 out of the forest in advance of the change coming? In
20 other words, presumably you weren't going to wait until
21 the change arrived before directing them away from the
22 forest where they were working?---My plan in the back of
23 my head was hopefully we had a reasonable backburn around
24 the southern edge of Marysville before the wind change.

25 I understand that, but was your thinking that you would let
26 them continue working in the forest until the wind changed
27 and then direct them to a position of safety, or did you
28 factor in a sort of safety margin in advance of the wind
29 change arriving where they would leave to a position of
30 safety?---Well, if things become - as I said, my intention
31 was to try to get that southern edge in. If the wind come

1 early or whatever, as it did, there certainly would have
2 been evacuation plans to go to the oval.

3 As it turned out, the wind did arrive early and, as you explain
4 at paragraph 73 of your statement, you had only been
5 burning for about 10 or 15 minutes before the change
6 arrived?---Yes, that's correct.

7 You directed the crews to go to the Marysville oval?---Yes.

8 I made two calls when I was at the reservoir. When Ben
9 and I were travelling to the reservoir I noticed quite a
10 few spotfires across to the west of us and there were
11 quite a lot of spotfires. So I made a call for
12 all - sorry. Then it basically turned to midnight, which
13 you know you're in trouble when that happens. I've only
14 seen that a couple of times in my life. I made a call to
15 all vehicles, all personnel to turn to asset protection,
16 protect houses, and probably another two minutes after
17 that I made another call for everyone to go to the footy
18 oval ASAP because I could see the wind had changed and
19 there was a lot of fire coming in from sort of west of
20 where I was.

21 At paragraph 73 you say, "No-one had anticipated that the main
22 fire would enter Marysville with such ferocity." I take
23 it there you are referring to yourself and the other crew
24 members that were working with you?---Yes, that's correct.

25 You were surprised about the intensity of the fire that passed
26 into Marysville?---Yes, I was. Absolutely.

27 You also say, "I now know that if I had not made this call to
28 evacuate and if crews had not left at this time, we would
29 have lost 60 to 70 people within 30 seconds to one minute
30 later." You go on to explain that in their haste to leave
31 the area where they were working on the backburn, that kit

1 bags on the backs of vehicles caught fire and many of the
2 DSE vehicles suffered damage as a result of the fire; is
3 that right?---Yes, that's right. There's a lot of plastic
4 components melted.

5 The 60 to 70 people that you refer to as being in danger, do we
6 take it from that reference that you considered they were
7 in serious danger to their safety and their lives?---Yes,
8 I do.

9 That's the DSE crews that were working for you and also the CFA
10 strike teams that were up on the Kings Road?---That's
11 correct, yes.

12 At paragraph 74 of your statement you say, "As evidenced by
13 spotting from the western side of Marysville, the flank of
14 the main fire had developed into a head fire as a result
15 of the early arrival of the south-westerly wind change.
16 The wind change was the determining factor in the impact
17 of the main fire on Marysville. If the wind change had
18 occurred when predicted I believe the fire would not have
19 entered Marysville and our strategy in conducting the
20 backburn would have been successful in allowing the crews
21 to hold the fire on the edge of the town." I want to ask
22 you about that. When you say "If the wind change had
23 occurred when predicted," you mean if it had come at 7.15
24 as you understood it was going to come, based on what
25 Mr Luckman told you?---Yes.

26 Why do you believe the fire would not have entered Marysville
27 if the wind change had arrived at 7.15?---If we had that
28 extra hour, or 50 minutes to an extra hour, I believe -
29 and it would have been a big call, of course - I believe
30 we possibly could have had an edge around the southern end
31 of the Marysville township which, the way the

1 north-westerly wind was blowing, my only prediction with a
2 few figures and what I've seen over the years, that we
3 possibly could have had a four or five kilometre backburn
4 going towards the main fire, which would have been a huge
5 break around the southern edge of town.

6 You only had an extra half an hour of burning, didn't you,
7 based on the predicted arrival of 7.15, if it in fact
8 arrived at quarter to 7?---I thought we had
9 about - I thought the wind change was about 50 minutes
10 early.

11 Can I just clarify that. I think you already told us that the
12 backburn started at about 6.30?---Yes, that's right.

13 And you say in paragraph 72 that you had been burning for about
14 10 to 15 minutes before the change arrived?---Yes.

15 So, taking the lesser of that range, that puts the change
16 arriving at 20 to 7?---(Witness nods.)

17 That gave you 35 minutes, didn't it, compared to your original
18 understanding of the change arriving at 7.15?---That
19 sounds right, yes.

20 Given that the area that had been lit up or the distance lit up
21 in the 10 or 15 minutes was 250 metres, how far could you
22 realistically have expected to have burnt in a further
23 35 minutes?---I was looking at trying to - approximately
24 about a kilometre.

25 If you had been able to put in another kilometre of backburn,
26 do you think it would have had much of an impact on
27 slowing the intensity of the fire that ultimately hit
28 Marysville?---Absolutely.

29 Wouldn't the western side of Marysville still have been
30 unprotected even if you had been able to do that
31 additional burning?---Yes, it would have been, but it

1 wouldn't have been on a front fire. It still would have
2 been a flank fire.

3 Even a flank fire being pushed by a south-westerly wind of 50
4 to 60 kilometres is still going to hit the western side of
5 Marysville pretty hard, isn't it?---On that particular day
6 it was, yes. Look, it was a hard task, I know, but
7 I don't know what other options we had.

8 I need to ask you this, Mr Williamson. Do you think that you
9 underestimated the intensity of the fire and your ability
10 to stop it with a backburn?---Well, no-one knew the
11 intensity of that fire coming to Marysville. I don't
12 think white man had ever seen fire what come into
13 Marysville that day. It certainly surprised me, the
14 intensity of it.

15 If we can leave the backburn now, Mr Williamson. You describe
16 travelling north back to the DSE office after the wind
17 change; is that right?---That's correct.

18 You were concerned about the safety of your fellow employees
19 who were still at the DSE office in Lyell Street?---That's
20 right.

21 What did you do when you arrived? What did you see and what
22 did you do when you arrived at Lyell Street in the
23 office?---Once Ben and I got through Paradise Plains Road,
24 we went past the office, just to go back towards where
25 Peter Cobb's house was, towards that way in the west, just
26 to try to work out where the main fire was - how bad this
27 fire was coming in at us. I looked back after we went
28 past the office and I could see a lot of fire activity to
29 the south, so I immediately went back to the office to
30 where Gillian and Beryl were. I stopped at the bottom of
31 the steps and asked Ben to go and get Gillian and Beryl

1 out of the office.

2 Did he go and do that?---Yes, went up the stairs. Beryl and
3 Gillian came down, hopped in the car and I said, 'Where's
4 Ben?' They said, 'He's staying at the office.' He
5 requested that I take Beryl and Gillian down to the footy
6 oval. In the meantime, while Ben was going up the stairs
7 and I looked behind, there was a hell of a firefront
8 coming in behind us and I knew that wasn't going to happen
9 when they hopped back into the Toyota. All of a sudden
10 the spruces and messmate trees just exploded around the
11 office and we were in a fair bit of trouble there. So,
12 I tried to get to the back of the depot where there is a
13 fire store and a big workshop where we land helicopters.
14 It's quite an open area. But I couldn't get there because
15 there was too much fire activity, but I ended up putting
16 the Toyota in a garage beside the office. That garage at
17 that time was alright, but it just gave us enough
18 protection inside that shed because the outside radiation
19 was pretty extreme.

20 Was the position this, Mr Williamson: that being in the shed,
21 even though it was on fire, was the lesser of two evils
22 compared to trying to escape to the oval at that point of
23 time?---Yes, I wouldn't have made it to the oval.

24 What did you do - - -

25 COMMISSIONER McLEOD: That was notwithstanding the drum of
26 aviation fuel in the garage?---Six drums.

27 Six, sorry.

28 MR ROZEN: We don't want to understate the risk that it posed
29 to you. What did you do to keep yourself and the women
30 safe?---Once I was in the garage, as I said, the shed was
31 alright, there was a lot of sort of fire activity coming

1 through the door, because there was an old diesel ramp
2 beside where that door was that had had a lot of soaked
3 soil over the last probably 30 years. I got out and
4 started the pump up, I squirted the girls, opened the door
5 up, squirted the girls, made them scream a bit, squirted
6 the Toyota, squirted myself and did that quite regularly
7 because it was pretty hot in there. But, as I said,
8 outside wasn't good then. It was a better option to be
9 inside the shed.

10 During this time Mr Giovanetti was still in the office?---Yes,
11 Ben was having a pretty hard time. Both sort of ends of
12 the DSE office was alright. I spoke to Ben a few times by
13 phone and radio, I think it was. He was concerned because
14 the office was filling up with smoke. At one stage I put
15 a blanket - I was in full overalls, I put a blanket over
16 myself and made a bit of a run to the office to try to
17 help Ben, as two heads are better than one, but the
18 radiation hit me pretty hard and knocked me down. So
19 I had to get back and I retreated back to the shed where
20 the girls were, so that meant Ben was still in the office
21 having a pretty hard time by himself, I think.

22 Ultimately Ben got out of the office and brought the office dog
23 with him as well, is that right, the blue heeler?---Yes.
24 About probably 10 minutes after I did that, the next
25 minute we see Ben come bolting out of the office with the
26 blue heeler under the wing, threw it in the back of the
27 truck and then he spotted us, so I opened the door there
28 for Ben and he drove in. He was pretty relieved to see
29 people, I think.

30 Ultimately the four of you, once the firefront had passed, were
31 able to get down to the Gallipoli oval?---Yes, it took

1 quite a while. Ben and I did quite a lot of time trying
2 to put the office out. We obviously ran out of water.
3 Then we were just using fire extinguishers and we ended up
4 spending a fair bit of time on that, but we couldn't get
5 down to the oval probably for another, I don't know, it
6 might have been an hour and a half, something like that.
7 Once you got down to the oval, there were a large number of
8 both firefighters and residents of Marysville at the oval,
9 is that right?---Yes, that's right.
10 What were the conditions at the oval when you got down
11 there?---The oval was fine.
12 The firefront had passed and was heading towards the north at
13 that time?---Yes.
14 And later on in the evening did you lead a crew north towards
15 Buxton to clear the road?---Yes, that's correct.
16 You were able to clear the road to Buxton, in fact as far as
17 Taggerty; is that right?---That's right, yes.
18 And then later on in the evening you had to assist to get
19 ambulances back down to Marysville; is that right?---Yes,
20 that's right.
21 What did that involve, Mr Williamson?---Same sort of deal, just
22 keep going from Taggerty back to Marysville. We cleared -
23 it probably took us about two hours to cut our way through
24 the original time, the first time, but there were still a
25 few trees went over since we'd been because the road from
26 Marysville to Taggerty was alright all the way, a lot of
27 trees sort of alright, so it was just a few more trees had
28 fallen since we left.
29 Ultimately you finished your shift at 11.30 on the morning of
30 8 February 2009?---That's correct, yes.
31 Probably glad you had that day off a couple of days

1 earlier?---Yes.

2 I have no further questions for Mr Williamson, Commissioners.

3 CHAIRMAN: Thank you, Mr Williamson. We appreciate you giving

4 your evidence.

5 <(THE WITNESS WITHDREW)

6 MR ROZEN: I should just tender the map that Mr Williamson

7 referred to, the additional map as part of the same

8 exhibit.

9 CHAIRMAN: Yes.

10 MR ROZEN: That was at (TEN.122.001.0002), if that could be

11 part of Mr Williamson's exhibit.

12 MS RICHARDS: The next witness is Senior Constable Ian

13 Thompson. I call Mr Thompson.

14 <IAN RICHARD THOMPSON, sworn and examined:

15 MS RICHARDS: Mr Thompson, your full name is Ian Richard

16 Thompson?---That's correct.

17 You are a senior constable with the Victoria Police?---Yes.

18 Stationed at Marysville?---Yes.

19 With the assistance of the Victorian Government Solicitor, you

20 have prepared a statement for the Commission?---Yes,

21 that's correct.

22 This statement was served this morning, I think. It is

23 (WIT.3010.009.0291). Mr Thompson, you have checked that

24 statement recently?---I have.

25 Any corrections?---No.

26 It is true?---It is.

27 I tender that as part of exhibit 373, which is the same exhibit

28 as Mr Thompson's police statement, which has already been

29 tendered.

30 CHAIRMAN: Yes.

31 MS RICHARDS: Mr Thompson, you also made a statement to police

1 some months ago now on 4 March which has been tendered in
2 this Commission in your absence. Do you have a copy of
3 that there?---I do.

4 Is that statement also true and correct?---It is.

5 Mr Thompson, you have been with the Victoria Police for about
6 10 years now?---Yes, that's correct.

7 The last four of those at Marysville?---Yes.

8 As at 7 February you were living in Marysville with your wife
9 and two young children?---Yes.

10 And you were in fact the acting sergeant, officer in charge of
11 the Marysville police station?---Yes, that's correct.

12 The officer in charge was on leave at the time?---Yes.

13 You mention in paragraph 3 of your statement some wildfire
14 training that you undertook late last year?---Yes.

15 Apart from that, have you had any specific training in relation
16 to police response to bushfires?---No.

17 You yourself were not originally rostered to work on
18 7 February, were you?---No, that's correct.

19 You were in charge of the rosters at the station, I take
20 it?---Yes.

21 And you decided to make a change to the roster on 7 February in
22 light of the weather forecast?---Yes, that's correct.

23 And that change was to roster yourself on for the day
24 shift?---Yes.

25 Apart from making that change to the roster, did you make any
26 other particular preparations for 7 February?---No,
27 nothing in particular. We carry fire kits in the car and
28 I have a personal bag that I carry with me everywhere
29 which has got other equipment in it like overalls and
30 gloves and goggles.

31 Some of which might be required for bushfire, some of which

1 might be required for snow?---Yes, that's correct.
2 The range of conditions you might encounter. What is in the
3 fire kit in the car?---There were overalls, a couple of
4 pairs of overalls, some gloves, more goggles, blankets,
5 things of that nature.
6 It is a four-wheel-drive, the police vehicle at
7 Marysville?---That's correct.
8 Does that come equipped with a chainsaw?---Yes.
9 And you are trained in the use of that?---Yes.
10 On 7 February, as you have noted, the weather conditions were
11 as forecast?---Mm-hm.
12 What time did you start duty that morning?---8 o'clock in the
13 morning.
14 During the course of that morning, around the middle of the
15 day, you became aware of the fire at Kilmore?---Yes.
16 Was that through radio traffic through Wangaratta D24?---Yes,
17 just through the traffic.
18 At about 2.30 that afternoon you stopped to refuel the vehicle
19 at the Caltex station at Buxton?---Yes, that's correct.
20 And happened to bump into Senior Constable Collyer?---Yes,
21 that's correct.
22 Who was rostered to relieve you at 6 o'clock that
23 evening?---Yes.
24 You had a conversation with him?---Yes.
25 And what information did you exchange?---I was just making him
26 aware of the fire at Kilmore, and it was nothing more than
27 that, just that there may be extra activity later in the
28 day.
29 You continued from Buxton towards Narbethong?---Yes.
30 And you mention in your statement that you noticed a lot of
31 smoke in the sky at that time?---Yes, that's correct.

1 And became increasingly concerned about the potential risk of
2 fire?---Yes, started to get a bit concerned, yes.

3 On your return to Marysville you went to check on an elderly
4 neighbour?---Yes.

5 What did you say to him?---I just wanted to make sure that he
6 was aware of the smoke in the air, I suppose, that there
7 may be fire activity, to get an understanding of his
8 intentions, whether he was staying to fight the fire if it
9 came, which he said he was going to do, and to let him
10 know that I may not be able to assist him.

11 You also dropped in to speak to your wife and children?---Yes,
12 that's correct.

13 Did you put them on alert?---At that stage I wasn't aware of
14 any fire in our area.

15 But shortly after that a telephone call came through to you on
16 the station mobile phone?---Yes, that's correct.

17 That did make you aware that there was fire in the Murrindindi
18 region?---Yes.

19 Who was that phone call from?---It was from one of my local
20 residents, a Matthew Ronalds.

21 He was calling the station?---I believe he called the station
22 and it just diverts through to the mobile phone.

23 Was he calling to make an inquiry or to provide
24 information?---I think initially it started off as an
25 inquiry and it was something like, "I've heard that
26 there's a fire at Murrindindi Mill," and as I was unaware
27 of that I said I'd make some inquiries and get back to
28 him.

29 What inquiries did you make?---Once I got that phone call,
30 I left the house, driven out the road, and as I'm driving
31 out the road the CFA captain, Glen Fiske, has driven out

1 of his driveway.

2 Before you left the house, you suggested to your wife that she
3 start packing and be ready to leave if necessary?---Yes,
4 I did, yes.

5 So you saw Glen Fiske leaving his house, which is
6 nearby?---Yes, just a couple of doors down.

7 And followed him to the CFA station?---Yes.

8 What information was Mr Fiske able to provide you?---From
9 memory I think he provided information that there was a
10 fire originating around Murrindindi, but didn't have any
11 further.

12 At around about what time was that you had that discussion with
13 Mr Fiske?---I think it was shortly after 4 o'clock.

14 You then returned to the police station?---Yes, that's correct.

15 And made contact with D24?---Yes.

16 What information was D24 able to provide?---Very similar
17 information, nothing further.

18 That there was a fire at Murrindindi?---Yes.

19 Did you then try to get in touch with Sergeant Dave Rowles, who
20 is the officer in charge of the Alexandra
21 station?---That's correct.

22 How did you reach him?---He carries the MERC phone, being the
23 MERC for the area. That's the mobile phone number that
24 I have to reach him on, so I rang that phone number.

25 Did he have any information about the fire?---Again I think it
26 was very similar, that there was a fire going at
27 Murrindindi.

28 Shortly after that, did he ring back with some more specific
29 information?---Yes, he rang back and said that the fire
30 had spotted into Narbethong, which is about 10 Ks away
31 from Marysville.

1 Much closer than Murrindindi?---Yes.

2 And, as you say, in your response zone?---Yes, definitely.

3 Having received that information, did you prepare to leave the
4 station and head towards Narbethong?---Left the station
5 straight away.

6 What was your intention in heading towards Narbethong?---To get
7 down to Narbethong and, one, find out what assets were
8 needed, like CFA or DSE or whatever we could get, how big
9 the fire was, and to warn any residents that might be
10 close by.

11 As you drove towards Narbethong, before you reached there you
12 passed through Granton, which is a small settlement about
13 halfway between Marysville and Narbethong?---Yes, that's
14 correct.

15 And saw a spotfire there?---Yes, as I came into Granton. I was
16 on the Marysville side and it was on the left-hand side of
17 the road.

18 What did you do, having seen that spotfire?---Contacted D24,
19 requested CFA to come down, and then went into the
20 immediate house next door to the fire.

21 But there was no-one there?---No-one home.

22 Around this time you came across Mr Cobb from the DSE?---That's
23 correct.

24 Not long afterwards the Marysville tanker arrived?---Yes.

25 And set about addressing the spotfire?---That's correct.

26 And what role did you assume at this point?---The support crew
27 with the tanker came down as well, which was Glen Fiske
28 again, and he requested a traffic management point.

29 You set that up?---I certainly did.

30 Where did you do that?---Not far from where they were, on the
31 Marysville side, so no traffic came down and ran into the

1 tanker.

2 You say in paragraph 17 of your statement that you believe you

3 alerted D24 about the establishment of that

4 roadblock?---Yes, that's correct.

5 Did you again try to contact Sergeant Rowles?---Yes, I did.

6 Were you able to get through to him?---No, I was not.

7 The only course open to you was to leave a message on his

8 message bank?---That's correct.

9 What were the state of police radio communications at that

10 time?---Hectic. I think Kinglake fire was going at that

11 stage as well, I think. But, yes, very congested.

12 But you believe you were able to break in and advise D24 of

13 your location?---Yes.

14 After some period at that traffic management point, Mr Fiske

15 advised you to move further back down the road?---Yes,

16 that's correct.

17 And you did that and established the traffic management point

18 at the bottom of Mount Gordon?---Yes.

19 While you were at that position did you receive some advice

20 from people working with the DSE about where the fire

21 was?---I think it was Peter Cobb or it might have been

22 Curl stopped and said that they believed - I think what

23 the conversation was - they believed it had come across

24 the road into the state forest.

25 At around this time did you also receive a telephone call from

26 Josephine Hunter of the SES?---Yes, that's correct.

27 To let you know that she and other members of the SES were

28 planning to implement or proposing to implement their plan

29 to evacuate aged and infirm residents of

30 Marysville?---That's correct.

31 She said that you indicated that you were busy on another

1 job?---Yes.

2 You were the traffic management point and wouldn't be able to
3 assist, but were happy for them to do what they
4 proposed?---Yes, that's right.

5 She also told the Commission that she asked you if you could
6 get some more police backup and you told her that you were
7 working on it?---Mm-hm.

8 Do you recall that conversation?---I don't recall that specific
9 part of the conversation, but extra police resources is in
10 my interests down there as well at that point.

11 Were you making attempts to get additional police into
12 Marysville?---Certainly, yes.

13 What attempts were those?---Through D24, trying to break into
14 D24. I knew that the member from Eildon was coming down
15 and I knew that the water police were coming down as well.

16 You also mentioned that you had attempted to contact Sergeant
17 Rowles on his MECC mobile?---Yes, that's correct.

18 Had you asked him to send additional police
19 resources?---I hadn't been able to speak to him.

20 Had you left a message for him?---I believe I did, yes.

21 While you were still at the roadblock at the bottom of Mount
22 Gordon, you received a telephone call from Senior
23 Constable Collyer?---Yes.

24 What did he say to you?---I think that he was coming to
25 Marysville and asked me about the status of my family and
26 were they out of Marysville or were they still there, of
27 which I wasn't sure, and he's then said that he'll go to
28 there to find out.

29 As you say in your statement, you were very glad of that offer
30 of assistance?---Certainly.

31 And, as it turned out, your wife and children were still at

1 home and Senior Constable Collyer was able to alert them
2 to the risk of fire and they left in time?---Yes, that's
3 correct.

4 After speaking with Senior Constable Collyer you moved your
5 traffic management point further into Marysville?---Yes.
6 Where did you set it up next?---Intersection of Barton street
7 and Murchison Street, or Barton Avenue and Murchison
8 Street.

9 The reason for moving it was because the fire was
10 approaching?---Yes, just increasing smoke.

11 What was the intention of setting up your traffic management
12 point there?---It was just the furthest point out of town
13 where people couldn't get past me if they were coming that
14 way, so they couldn't drive around where I was if they
15 wanted to get out of Marysville without going through the
16 bush.

17 By this time, what assessment were you making of the fire
18 activity in the area of Marysville? How concerned were
19 you?---I was starting to get very concerned, yes,
20 extremely concerned.

21 Apart from the direct observations and the information that had
22 been passed to you by CFA and DSE personnel, what
23 information had you been given about the location and
24 movement of the fire?---None. None at all.

25 At around 5.30 some help arrived from an unexpected
26 direction?---That's correct.

27 Senior Constable Dwight drove into town from Woods
28 Point?---Yes.

29 And he relieved you at the traffic management point?---Yes,
30 that's correct.

31 What did you then do?---Basically drove to residents to warn

1 people that the fire was coming.

2 You mention in your statement that while you'd been directing
3 traffic at the corner of Murchison Street and Barton
4 Avenue you had been able to see some people in Murchison
5 Street hosing down their fences?---Yes, that's correct.

6 And that's where you first went?---Yes, that's correct.

7 Then you drove along Aubury Cuzens Drive?---Yes.

8 To warn people along there?---Yes.

9 What response did you get from people you spoke to?---The first
10 people, Alan Rayson and his partner, Maureen King, were
11 very positive. They left straight away. Then I think
12 most people in Aubury Cuzens Drive, or all that I spoke
13 to, I think, decided to stay.

14 What were the conditions like by the time you had finished
15 warning people in Aubury Cuzens Drive?---Very hot, very,
16 very windy, just extreme conditions.

17 And you note in paragraph 23, towards the end of that
18 paragraph, that the visibility was limited?---Yes.

19 And there was by this time debris falling from the sky?---Yes.

20 You then went to the CFA shed?---Yes.

21 Who did you meet there?---SES members, Ian Bates and I thought
22 Keith Ray, and spoke to them about vacating Marysville and
23 in the interests of safety that it was time to go, we
24 shouldn't waste time.

25 By this time it was fairly obvious that it was time to
26 leave?---Certainly. It was to me, yes. It was starting
27 to get very black.

28 It was your intention at that time to leave, driving out behind
29 the SES vehicle?---Yes, that's correct.

30 You got part of the way out of town towards Buxton?---No,
31 I reached the top of town. I hadn't driven through town,

1 so I hadn't left town.

2 You then received a call from D24?---Yes, that's correct.

3 What was the message that you received?---The message was that

4 there was someone at the CFA shed that needed assistance

5 with evacuation.

6 Are you able to say what time this message was

7 broadcast?---I have no idea of the exact time.

8 Did you consider continuing on towards Buxton?---I did, and the

9 reason I turned back was because I was probably only

10 50 metres from the CFA shed. It wasn't a great distance,

11 so I was - my plan was to go. If I had been further down

12 the road I would have kept going.

13 In the event you did turn back?---Yes.

14 And by the time you reached the CFA shed conditions had changed

15 very dramatically?---Yes.

16 Can you describe to us the situation that met you as you got

17 out of your vehicle?---It was black. A lot of smoke.

18 Falling embers. Large burning material falling from the

19 sky. Hard to breath. Very, very hot, extremely hot.

20 And you say in paragraph 26 of your statement that at that time

21 you thought you might die?---Yes, I thought it was a real

22 possibility, yes.

23 Someone let you into the CFA shed?---Yes.

24 Who else was there?---There was Glen Fiske, Richard Uden, his

25 wife and Pauline Harrow, Sue Gleeson and there may have

26 been a couple of others. I'm not sure exactly how many.

27 I think there were around 10 people.

28 You describe a little bit of the layout in your shed in your

29 statement. Inside the shed what were the

30 conditions?---Again, extremely hot. It was just a tin

31 shed. Smoke inside the building. Extremely hot.

1 While you were sheltering in the shed you were able to make a
2 couple of calls?---That's right.

3 One to D24?---That's correct.

4 You received a call from your wife to let you know that they
5 were safely to Buxton?---Yes.

6 You and Mr Fiske then set about attending to the shed to ensure
7 that there wasn't fire inside the shed as well as
8 outside?---That's correct.

9 Can you describe to us what you did during that time?---There
10 was burning material coming in under the door, so made
11 sure nothing caught fire with that, and basically just an
12 internal patrol to make sure that we couldn't see that the
13 shed was on fire.

14 You say that the shed is in large part dug into the
15 ground?---Yes, that's correct.

16 And that may have assisted?---Yes. Certainly.

17 How long do you estimate that you were in the shed?---I think
18 we were in there for around 40 minutes. I'm not sure
19 exactly, but I think it was around 40 minutes.

20 Mr Fiske had become increasingly agitated about his
21 family?---Yes, he had.

22 He wanted to go and check on them at home?---Yes, that's
23 correct.

24 You wanted to go with him for a couple of reasons?---Yes,
25 wanted to make sure he wasn't by himself when he went up
26 there, and just not knowing what the conditions were like
27 out there, I certainly wasn't going to let him go by
28 himself.

29 So you did drive to his home?---I drove, yes, in the police
30 car.

31 When you got there it had burnt down?---It had.

1 He was very concerned about what might have happened to his
2 wife and youngest son?---Certainly.
3 And then wanted to find out about his older son who was on the
4 CFA tanker?---That's correct.
5 You were aware by that time that the CFA tankers had retreated
6 to the oval?---I believe they had. I wasn't aware that
7 they were there, no.
8 In any event, you drove Mr Fiske down to the oval?---That's
9 correct.
10 When you got there, he was able to find his son?---Yes, that's
11 correct.
12 And you estimate that that was at about 7 o'clock?---Yes,
13 I think so.
14 Around about how many people had gathered on the oval by that
15 time?---I think including DSE and CFA there was probably
16 around 70 to 100. I'm not sure exactly how many.
17 What were the conditions like around the oval by this
18 time?---Other than the oval, it was still burning. The
19 pavilion was on fire. The trees surrounding the oval were
20 on fire.
21 You spent that evening largely on the oval?---Yes, that's
22 correct.
23 What was your main activity during that time?---When I was on
24 the oval it was just support for people who were there,
25 just welfare issues and obviously there were a few people
26 who had burns and we were lucky to have the doctor there,
27 so he was able to help with some of those. But just
28 making sure the people that were there were as comfortable
29 as they could be.
30 And you had a number of people approaching you with inquiries
31 about people who were missing?---Yes, that's correct.

1 How were you able to handle those?---Initially we just covered
2 the ground, basically, when we could. We got to the
3 houses to find out if they were still standing or if there
4 was any sign of life around their houses, eventually.
5 People were still coming into the oval.

6 Can I ask you about communications at this point. You had
7 driven down in the police vehicle?---Yes.

8 Were standard police radio communications still working?---No,
9 they weren't. I don't think so.

10 Did you have some backup?---The SMR radio can be used as a
11 trunking radio and that facility was working.

12 So you were able to make contact?---Yes.

13 With whom through that means?---Basically it works as a mobile
14 phone, so I was able to ring D24 and I was able to make
15 phone calls for people that hadn't spoken to family
16 members to let them know they were all right or things of
17 that nature.

18 After a couple of hours, you were able to leave the oval and
19 actually drive around town?---Yes.

20 What did you do on your drive around town?---Basically look for
21 houses that were standing, go in to check if there were
22 people there, ascertain if they wanted to come back down
23 to the oval, did they need anything or what we could
24 provide. Yes, just welfare, I guess, for people that were
25 still out in the township.

26 You were able to use the trunking radio as you have described
27 to make calls for people to let their loved ones on the
28 outside know that they were safe?---Yes, that's correct.

29 You remained on the oval overnight?---Yes.

30 At what time were you able to leave?---I think we left in a
31 convoy around about 11 o'clock that morning, the following

1 morning.

2 After the road had been cleared?---Yes, well after the road had
3 been cleared and that it was considered safe to drive on.

4 Mr Cobb of the DSE in fact drove you?---Yes, that's correct.

5 I think there was still a couple of tankers and some DSE
6 vehicles and we made sure they were dispersed with
7 the convoy to make sure, if something happened, that we
8 had some water available sort of all the way along.

9 Mr Thompson, your own house that you and your family were
10 renting was destroyed in the fire?---Yes, that's correct.

11 You have been living elsewhere?---Yes.

12 Although you went straight back to work immediately after the
13 fire, you've had to take some time off work?---Yes, that's
14 right.

15 And have only just in the last week returned to work after two
16 or three months off?---Yes.

17 Thank you, Mr Thompson. I have no further questions,
18 Commissioners.

19 CHAIRMAN: Thank you very much for giving evidence. You are
20 now excused.

21 <(THE WITNESS WITHDREW)

22 MS RICHARDS: Senior Constable Thompson was the last witness
23 for today. I would just like to move briefly to a
24 completely different topic, that of building. We were
25 scheduled to have some oral submissions in relation to
26 interim recommendations that have been proposed in the
27 building topic. The Commissioners will be aware that
28 written submissions have been received from the State, the
29 Commonwealth, Standards Australia and AFAC. The last of
30 those, Standards Australia and AFAC, indicated they didn't
31 wish to make oral submissions. In discussions with

1 counsel for the State and the Commonwealth, we have agreed
2 that everything that we wish to say is in the written
3 submissions and so there is no desire to make oral
4 submissions tomorrow.

5 CHAIRMAN: Yes. Thank you for that.

6 MS RICHARDS: There are just a couple of tidy-up matters to
7 tender, documents that witnesses promised they would
8 provide that have been provided. Perhaps if I can just
9 tender those now and that really will be the end of the
10 evidence for the building topic.

11 There are five documents that Ivan Donaldson of
12 the Australian Building Codes Board said he would produce.
13 There is agenda and minutes of an ABCB meeting for
14 2 November 2005; there are records of the ABCB meeting on
15 5 March this year; another meeting on 9 July this year;
16 and some emails from Mr Michel of Standards Australia to
17 Kevin Newhouse of the ABCB. They are documents
18 (TEN.126.001.0001) through to 0016 and I tender those as
19 one exhibit. I think we are up to 481.

20 #EXHIBIT 481 - ABCB state and territory administrations
21 meeting - agenda and minutes, 2 November 2005
22 (TEN.126.001.0001). Draft summary record of discussion,
23 ABCB meeting, 2009-1, 5 March 2009 (TEN.126.001.0008).
24 Draft summary record of discussion, ABCB meeting, 2009-2,
25 9 July 2009 (TEN.126.001.0010). Email from David Michel
26 of Standards Australia to Kevin Newhouse of ABCB regarding
27 bushfire standard RIS dated 26 March 2008
28 (TEN.126.001.0012). Email from David Michel of Standards
29 Australia to Kevin Newhouse of ABCB regarding latest AS
30 3959 draft dated 4 August 2008 (TEN.126.001.0016).

31 MS RICHARDS: There is a paper that was being presented by

1 Mr Traw at the ABCB conference entitled "Overview of
2 global bushfire wildland regulation". That's document
3 (TEN.128.001.0001).

4 #EXHIBIT 482 - "Overview of global bushfire (wildland)
5 regulations", Jon Traw, September 2009 (TEN.128.001.0001).

6 MS RICHARDS: Then there is an implementation plan that has
7 been provided by Standards Australia for revision of the
8 bushfire handbook, document number (CORR.0909.0153).

9 #EXHIBIT 483 - Implementation plan for bushfire handbook by
10 Standards Australia, 25 September 2009 (CORR.0909.0153).

11 MS RICHARDS: I had hoped to be able to tender a series of maps
12 of bushfire-prone areas and wildfire management overlays
13 for each of the fire-affected councils that were summoned
14 for production in late August and should have been with
15 the Commission by 9 October. We have been told they are
16 ready. For reasons that I do not understand they have not
17 yet been produced to the Commission, so perhaps we can
18 tender those in chambers when they do come in.

19 CHAIRMAN: Yes.

20 DR LYON: Can I just say something about that. My solicitors
21 have been in correspondence with the Commission now for
22 10 days. My solicitors had been waiting for codings and
23 they arrived at 11.23 this morning.

24 CHAIRMAN: Yes.

25 DR LYON: I have the email.

26 CHAIRMAN: So if we have codings and we have the relevant
27 document, we can presumably give that the next exhibit
28 number.

29 DR LYON: It will now be forwarded on, but that was something
30 that was made known to the solicitors for my learned
31 friend this morning.

1 #EXHIBIT 484 - MAV maps of bushfire-prone areas and wildfire
2 management overlays for each of the fire-affected
3 councils.

4 MS RICHARDS: We will put the documents with the exhibit number
5 when we receive them.

6 There are just a couple of other matters in
7 relation to Murrindindi. There are some documents that
8 have been produced by police. You will recall that
9 Superintendent Billing had a flowchart in relation to
10 traffic management points. He has produced that for us
11 and that is document number (VPO.001.032.0001) and if that
12 could be part of exhibit 365.

13 CHAIRMAN: Yes.

14 MS RICHARDS: Last but not least, I expect, is a record of a
15 debrief attended by Sergeant Barton and others on 1 April
16 which is document (VPO.001.032.0002) and if that could be
17 included in exhibit 364, which was part of Mr Barton's
18 statement.

19 CHAIRMAN: Yes. Thank you. That's all there is? We will
20 adjourn until 9.30 tomorrow morning.

21 ADJOURNED UNTIL FRIDAY, 30 OCTOBER 2009 AT 9.30 AM

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