



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

STANDING COMMITTEE ON LEGAL AFFAIRS

(Reference: Inquiry into fire and emergency services)

Members:

**MR B STEFANIAK (The Chair)
MS K MacDONALD (The Deputy Chair)
DR D FOSKEY**

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 20 JUNE 2008

**Secretary to the committee:
Ms R Jaffray (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry that have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

WITNESSES

CORBELL, MR SIMON , Attorney-General and Minister for Police and Emergency Services	238
DUNN, MR PETER, AO , Consultant, Hay Group	215
LEON, MS RENEE , Chief Executive, Department of Justice and Community Safety	238
MANSON, MR GREGOR , Commissioner, ACT Emergency Services Agency	238
McNULTY, MR HAMISH , Executive Director, Environment and Recreation, Department of Territory and Municipal Services	272
PARRY, MR BRIAN , Deputy Commissioner, Fire and Rescue, ACT Emergency Services Agency, and Chief Officer, ACT Fire Brigade	238
ZISSLER, MIKE , Chief Executive, Department of Territory and Municipal Services	272

The committee met at 9.42 am.

DUNN, MR PETER, AO, Consultant, Hay Group

THE CHAIR: I declare open this public meeting. The committee has approved for publication some documents which the minister provided to us yesterday. One document is not complete; it has not been approved because it is not complete and it is in a rather rough draft form. The remaining documents have been approved for publication.

Mr Dunn, I will read the privilege statement to you before we start. The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings.

Before the committee commences taking evidence, I need to place on the record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it. Parliamentary privilege means special rights and immunities attached to parliament, its members and others necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing. Do you understand that?

Mr Dunn: Yes.

THE CHAIR: Do you have any comment to make on the capacity in which you appear today?

Mr Dunn: I am a former commissioner of the Emergency Services Authority, now a citizen of the ACT.

THE CHAIR: When did you cease being head of the Emergency Services Authority?

Mr Dunn: That was 2½ years, 2¾ years, after my appointment in November 2003.

THE CHAIR: Your appointment was in November 2003?

Mr Dunn: Yes. I actually ceased in August three years later, in 2006.

THE CHAIR: What was your reaction to the decision by the government in July 2006 to restructure the then Emergency Services Authority into a non-autonomous agency working under the direction of JACS?

Mr Dunn: My reaction was that, since this was directly contrary to the recommendations of the McLeod report, which had been made for very good reasons, based on the experiences of the disastrous 2003 fires, this was a retrograde step. It failed to recognise the need for emergency services agencies to have very clear command and control arrangements internally and externally and, in particular, the benefit of the statutory authority, which in the convention is considered to be put in a position where it can offer much freer and franker advice and also educate, for example, ministerial staff and ministers as to the language of emergency management in this case. Again, that was going to be diminished.

Certainly, given the amount of publicity and the fact of the confusion surrounding the command and control that operated during the 2003 fires and, indeed, previously in the 2001 fires, which were also subject to a coronial inquest, this seemed to be a decision that was not based on the fact of the experience of the Canberra community.

DR FOSKEY: Can I ask a supplementary to that? I think it needs to be asked now.

THE CHAIR: Perhaps I will ask one and then I will go straight to you, Dr Foskey. Did you have any input into the decision, or did you have any meetings with the functional review team, prior to that decision being made?

Mr Dunn: I had meetings with the functional review team. I had numerous meetings and I had cause to write to Mr Costello directly and then speak to him personally. The reason for this is that the considerations, as the committee will recall, were based on the report on government services. That particular report, if I recall correctly, on page 2 or thereabouts, states that the section on the emergency services was not—I repeat, not—to be used for comparative purposes, as the data was inaccurate for that point. For example, in some states ambulance carries out road rescue. Here in the ACT, the fire service carries out road rescue. In New South Wales, the volunteer rescue service plus the State Emergency Service do road accident rescue. It is still impossible at this stage to compare emergency services between the states and territories.

We raised that point, knowing full well that the government was suffering severe budget problems at the time, that that data be explicitly excluded in the report on government services for comparative analysis; therefore a comparison needed to be developed. We did so. I can tell you that the risk assessment that was done for the ACT Fire Brigade, for example, was one of the most thorough risk assessments that I have seen done. It was extremely professional and pointed to major shortfalls in the arrangements that existed even under the authority. Similarly, the work that was done for the Rural Fire Service and comparisons with the State Emergency Service also indicated major deficiencies.

I will give you an example. In the case of the urban fire brigade, in order to get a comparator, which we discussed with members of the committee—and it was agreed that this process would be undertaken—we chose a particular district in outer Melbourne as an example. The example was based on population size, nature of the activities carried out in that area, light industrial components et cetera. We then isolated that and looked at the resources that would be applied.

That comparison revealed that the ACT Fire Brigade alone, to come up to a comparative standard—and I will talk about that in a moment—would require an additional \$6 million to \$7 million per annum in operating costs. I am not suggesting that that is an automatic decision—that that amount of money be applied to the ACT Fire Brigade alone. But, coupled with the risk assessment that was undertaken within the ACT Emergency Services Authority at the time for the fire brigade, the proposition was that both those facts needed to be considered in parallel and that on that basis a decision could then be made as to what level of risk would be acceptable within the territory.

That data was presented to the functional review. We had numerous meetings about that data. I seem to recall there would have been three with the staff. As I said, I wrote personally to Mr Costello about the problems with using the ROGS—report on government services—data for the comparison, and all of the data was provided in a different form. It was my understanding—obviously incorrect—that the inputs that we made would play a major role in determining both the structure and the funding arrangements for the authority.

DR FOSKEY: What do you think are the reasons for the authority being changed—I could use the word “downgraded” but I won’t—to an agency? Why do you think it was? You are allowed to speculate about this.

Mr Dunn: Two reasons come straight to mind. Firstly, there were issues in terms of the advice that was coming forward. I certainly sensed that—I may be wrong—as the head of a statutory authority, there was not the same obligation to implement policy; rather, we were actually running an operational organisation. At times I think that advice is difficult to receive at the political level. Secondly, there were clearly budget constraints. There had been a structural and fundamental budget issue sitting with the Emergency Services Authority from its inception.

Certainly, Mr Stefaniak, Ms MacDonald and Mr Smyth would recall—and perhaps I should check that you do recall this—that I consulted personally with each and every one of you on the development of the emergency services act. I consulted very closely also, Dr Foskey, with your predecessor, Ms Tucker. In the development of that, we also conducted 47 public consultation meetings within the ACT and New South Wales. We also travelled to Tasmania, Queensland and into rural New South Wales to seek input.

Once that was done, and in very close consultation with Mr Pratt, who was deeply interested in what was being developed, as the shadow spokesman for emergency services, we developed a budget for submission to the 2004-05 budget. This was not done, of course, until the budget process was well underway. The submission asked for in the order of \$13 million to be added to the emergency services to allow for the implementation of the structural reforms that were contained in that act, and also the major activities that were contained in that act—for example, the development of a strategic bushfire management plan.

In the event, some \$7 million to \$8 million only was provided in the 2004-05 budget for that particular function. Actually, that was not unreasonable at the time, given that the Treasury argument by serious officials was that there was no indication that the

Assembly would pass the act. Therefore, to prejudge a decision in the Assembly would be incorrect, and should the Assembly choose to pass the act and the consequent structural adjustments, what would happen then is that a necessary process would be gone through to adjudge the impact of that and then take the necessary steps. That seemed like a perfectly reasonable proposition, as I said, by serious and senior officials at the time.

In the event, the act was passed without amendment. In doing so, we then received instructions to move with speed to implement that act. We did. We raised the necessary paperwork for the second appropriation that would allow that budget to be achieved, and it was rejected. The implementation was already well underway.

DR FOSKEY: At what point in the process was it rejected?

Mr Dunn: When the second appropriation consideration was made, probably in about November-December.

DR FOSKEY: In the Assembly, cabinet or—

Mr Dunn: Put it this way: the advice came back to me through the minister that it had been rejected. The consequence of receiving that advice was that we then said we would cease to develop in certain areas. The answer to that was no. We cut back in a number of areas, but you have a fundamental structural problem about which we wrote frequently and raised the issues with ministers—three in all. Therefore, Dr Foskey, coming back to your question, one of the reasons was a definite frustration at the political level, I understand, with the increase, starting with the second appropriation bid, for the implementation of the emergency services act.

That caused a deal of tension from the moment that the organisation started to fall. Frankly, at the time it was the cause of a suggestion that I made to the then minister, Mr Wood, and also to the Chief Minister, Mr Stanhope, that a fire and emergency services levy be imposed in order to allow that additional cost for the formation of the new authority, as had been widely consulted on, to occur. That did not occur until some time later, in a very different and much larger form than was proposed.

They are the reasons that I sense were the case. Operationally, I think the organisation performed exceptionally well, and it was put to the test on a number of occasions. Internally, a lot of the wounds of the disastrous fires of 2003 had been healed. People were moving forward. Training was occurring again, and that had been stopped. I must say that no governments on either side can look proudly at the record of past life in the emergency services. So all of those things had been recommenced in accordance with the emergency services act. This caused tension, Dr Foskey.

MR SMYTH: I have a couple of questions to cover what you said. Are you saying that the Costello review misused the data that was given to them?

Mr Dunn: No, I am saying that if you open the report on government services document and look at the index and the reference to chapter 8, which is on emergency services, I must say—

DR FOSKEY: Is this the functional review?

MR SMYTH: Yes.

DR FOSKEY: We are not allowed to see that. We can't open it up.

Mr Dunn: I am saying that I wrote—and I am sure this letter is available—to this committee. I wrote formally to Mr Costello to advise that that report specifically excludes comparison with the emergency services. Were you to use that report, you would get a terribly skewed result. I make the assumption, because publicly it was stated, that that report was being used, but it is an assumption that that report was used. Therefore, there was the decision to make the changes that were made, and the Emergency Services Authority became an agency—back to a situation that could be looked at as being even worse than what pertained before the 2003 fires. However, that would be a matter for judgement, and fine judgement at that. To return it on the basis of that very superficial inquiry was, I believe, professionally poor. This had been raised numerous times with members of that committee, and I raised it with the minister.

MR SMYTH: And your opinion was ignored?

Mr Dunn: It must have been ignored because if it had been accepted I would see some evidence in the outcome of the risk analysis that the ACT Fire Brigade carried out. I refer, for example, to the standards of cover that were being developed for the Rural Fire Service and the considerations for ambulance and for State Emergency Service. They would have appeared somewhere in the document. In the event, the organisation that had been put in place after public consultation was trashed.

MR SMYTH: Was the money that you asked for in the second appropriation rejected by cabinet or was it not put forward by the department?

Mr Dunn: As I said, it was held back after what I would describe as thoughtful and serious consideration by Treasury officials, and I have no qualms about that. It was a sensible decision on the basis that to provide for that money would be to prejudge the Assembly decision.

MR SMYTH: That is fine, but once—

Mr Dunn: May I make one other point: in the budget papers for 2004-05, you will find in the ownership agreement that the number of FTEs—full-time equivalents—that are in there, signed and agreed by the then Treasurer, Mr Quinlan, represents the new organisation that was being proposed. So already there is documented evidence of the acceptance of this. However, I think the advice of the Treasury officials at the time was sound and professional.

MR SMYTH: The reference was actually to the next stage, when the act was passed and you went back to get the additional \$6 million or \$7 million. Once the bid went through to the department, did the department forward it for cabinet decision, was it stopped by the department or did it get to cabinet for decision?

Mr Dunn: The process is that it goes through Treasury, through the minister and to the cabinet. I do know that it was discussed, in the context of second appropriations, in the cabinet. I do not know what the context of those discussions was, other than to say that the outcome was “no”.

MR SMYTH: When you were told you did not have the money to fulfil the ownership agreement that the Treasurer had signed off on and agreed to, you were told to do the job anyway?

Mr Dunn: Correct. We also proposed a number of cuts that needed to be made in order to come back within budget. In many respects, public sector administration can be seen as pretty simple. It is not that it can be seen as pretty simple, as there is an input which is an appropriation and that is what you spend. The difficulty here is that you have a brand new act coming in, at a time of very strong and committed community involvement and also Assembly involvement. As I said, three of you were involved in that directly. The community was intensely involved in it.

As to other agencies, I forgot to mention the Australasian Fire Authorities Council, from whom we sought advice in this regard. There is a dilemma there; I recognise that. But the pathway that was put by the officials seemed very clear. For some reason or other, that created political difficulty. My sense at the time was that the government was insincere in its development of the emergency services.

MS MacDONALD: I have a supplementary on that. What makes you believe that the government were insincere? Why would they go about doing this if they were not committed to it at the time?

Mr Dunn: I think I have just spent some time, Ms MacDonald, explaining that. If we have a very clear process that is being proceeded with, to then follow that process and at the end of it to be told that there is no money, and that it would be inappropriate to actually move to having a fire and emergency services levy to make up the shortfall at that time, I can only conclude that the government does not want to do that. As a member of the government, I could ask you what standard of cover you require from the emergency services. What level of risk are you prepared to accept? That question cannot be answered by you.

MS MacDONALD: It is not appropriate for witnesses to ask questions of the committee. The committee has asked you to appear.

Mr Dunn: Yes.

MS MacDONALD: So it is not the time and place for a conversation to occur.

Mr Dunn: No.

MS MacDONALD: That would be a conversation that would occur outside the committee room.

Mr Dunn: I have answered the question because the work has not been done. The level of cover has not been done. Perhaps, procedurally—

MS MacDONALD: You could not see an instance of the government reassessing its priorities and also the scope of the money that has been put in? There was a lot of money put into all areas of emergency services. You do not believe it is possible that the government looked at it and decided to scale back the amount that was being spent?

Mr Dunn: Thank you for raising that. I suspect that is exactly what happened. The only thing was that that was never communicated directly to me or to the community. Indeed, it was left to Mr Costello in his secret review to come down with some figures.

I think you raise an outstanding point, and I thank you for raising it. If that decision has been made, and hence my comment about insincerity, that is the perception that I get: there are 2,000 people, when volunteers are included, working extremely hard to build an emergency services that accorded with the publicly consulted model and which was then approved by the Assembly. If a decision was taken—and I respect the right of the government to make it—to scale back, that should be communicated, and communicated very clearly. It could have saved everybody a lot of angst.

MS MacDONALD: It is my recollection that there were a number of times when the authority ran over budget. Is that correct, Mr Dunn?

Mr Dunn: That is the point I am making. Twice, in fact.

MS MacDONALD: So you ran over budget twice. You do not see that as being an issue—that the authority was not capable of living within its means?

Mr Dunn: I repeat what I have said: I do see it as an issue. I see it as a major issue. The point I make is that when the process that was put in place did not work, the next step from the authority was to propose reductions. Those reductions were rejected. You might recall there was a 20 per cent exercise conducted by Treasury at about that time. There is documentation that follows this through. I am sure it would be available to this committee. A series of recommendations were made to reduce the administrative budget by 20 per cent. They were formally rejected by Treasury as being necessary functions. Time and again proposals were put forward to step back on some of the developments. Time and again, they were refused.

There is a further side to this on the budget. One of the other tasks we were given was to tidy up what had been a longstanding problem within the Emergency Services Bureau. Several years prior to the authority, that organisation had also run over budget, by some \$3 million to \$4 million. In the budget in 2004-05, part of the appropriation was to fix that black hole, as it was known. So there is form on this. There is a history of insufficient funding to the emergency services. It is why the ownership agreement became very important. The ownership agreement, having been signed, was then executed.

The next budget also, if you want to track through, has a similar ownership agreement before they were dispensed with, for a reason I do not know. Operational overtime is in there as a specific example of something that would be funded on a current basis. It just so happened that in the forthcoming year, \$2.4 million or thereabouts, as I recall,

was expended very early in the piece by the ACT Fire Brigade because of the heavy operational load. That ownership agreement said that would be funded; it was not. So, of course, the agency ran over budget, but it ran over budget having made it very clear that that circumstance was occurring. If this were a budget hearing, we could spend all day talking about that, but I have told you where the actual structural problem lies, and it is in the documents.

DR FOSKEY: Could you explain what the ownership agreement is?

Mr Dunn: It was a supplementary paper to the budget papers. The agency head and the Treasurer signed off on a resource allocation statement. That is the best way to describe it. As I said, I refer you to the two agreements that were signed, for 2004-05 and 2005-06. They were dispensed with thereafter. I do not know why they were dispensed with.

THE CHAIR: When were you first aware that the restructure was on the cards?

Mr Dunn: All agencies, Mr Stefaniak, were on notice that there would be restructure when announcements were made that, for example, statutory authorities, independent commissions and the like were areas that were being closely scrutinised. That was made clear, so you could say that might be the starting point. From that point on, it was a question of having the dialogue. I have described the nature of that dialogue and the use of the report on government services or whatever else was used at the time.

The actual outcome was first advised to me when I was called to speak to Mr Mike Harris. The minister had been unavailable. I was contacted by his staff and the staff made three appointments for me to see the minister in the space of about a week, or maybe 10 days. All those appointments were cancelled at very late notice, on one occasion with me actually being in his office. I was then asked, as it turned out, as were a number of other agency heads, to speak to Mr Mike Harris. He gave me a letter which had been completed, and signed.

That letter said that the authority would become part of Justice and Community Safety again. The letter asked me to remain in my position and then asked me to ensure that we would meet the new budgetary requirements, which is exactly what we expected to happen—that last part, not the former. So that was the first that I knew of it.

Given that the whole point of the restructure had been to set up a statutory authority, which is in accord with what exists in most other states and territories in Australia, that was not a part of the organisation that I would have ever sought to join in the first instance, for the reasons I outlined at the start. I do not believe it is effective.

THE CHAIR: Are there any supplementary questions on that?

MR SMYTH: I have a few on the previous points. With respect to the money that was actually given, were you ever given any basis regarding the amount that was finally determined by the government or did they just cut what they spent to fit the cloth they had?

Mr Dunn: I have no idea what the process was. I suspect that might have been the

case, but we put the bid in. There were some discussions about that. The bid was gradually reduced, and in the end, in the budget figures, as I have described to you, there was a figure put forward. But I reiterate: at the time, working with the head of Justice and Community Safety, Tim Keady, and working with Treasury, it seemed like a perfectly logical process to have gone through. I have no qualms about that process at all. It is the subsequent process that caused a huge amount of angst within the organisation.

MR SMYTH: In the following year, the 2005-06 year, you were given a budget. Was there any scientific determination of that budget or was it simply a number that was given to you?

Mr Dunn: It was a number that came out of the process.

MR SMYTH: In regard—

Mr Dunn: Sorry, if I may, there is no question of standards of cover or risk or—

MR SMYTH: It was just the number that was determined?

Mr Dunn: That is right.

MR SMYTH: I would assume you put back documents detailing quite specifically what it would cost to provide the level of cover the government requested of you?

Mr Dunn: Yes, we did a full budget on the organisational structure that was accepted. As I said, in terms of full-time equivalents, that was actually contained in the ownership agreement, which is why it became a very interesting process when that has been formally signed by the Treasurer and me as the target which we were to head to, based on the new legislation that was coming in. In that sense those budget papers did pre-empt the Assembly decision. We never, ever got to the FTE figures quoted in that ownership agreement.

MR SMYTH: But subsequent to that, did you go back and reargue your case? You talked earlier about comparative studies and risk assessments that were done. Were numbers done to back up those documents in regard to getting the required amount of money out of the government?

Mr Dunn: No, because they were done for the functional review. At that stage the authority was still forming. We were still developing a key element, which was the planning element, in order to be able to do those particular pieces of work. My great concern in relation to command and control within the new agency now is that that capacity is greatly diminished, because it takes skilled people a lot of time to produce that.

With respect to our approach, we would have done this whether or not the functional review had appeared on the scene, because we were already starting to move down this path. Mr Parry, as a consultant, had already done a review of the Rural Fire Service, whereupon he made a number of recommendations for improvement—for example, looking at standards of cover. We were starting to move to a full standard of

cover assessment. We had moved to document all of that so that the government could make the decision, by saying, “This is what it might cost if you were to go for a very high standard of cover; make a judgement, and this is what the risk would mean if you didn’t fund to a certain level, and then let’s all move in that direction.”

MR SMYTH: You mentioned earlier that when there was a suggestion of a cut of 20 per cent Treasury came to the rescue and said, “No, those are functions that are required.” Did Treasury do any numbers on the ESA and what was required?

Mr Dunn: I am sure they did the numbers but I am not sure what they are. They certainly did not do a risk assessment. They certainly did not look at capability. Because of the situation that arose, where there seemed to be an immovable force—“you can’t reduce anything but you can’t have the money”—I said to Minister Hargreaves, when he first arrived in the portfolio, “This is an unsustainable circumstance and I want an independent review undertaken of what capabilities are needed or not.”

In the event, that became the expenditure review committee, which we welcomed, and we opened everything to the ERC. I think it was a very productive exercise. They certainly raised internal issues that we needed to address, and we were grateful to have those raised. Equally, they saw there was a dilemma. For example, I will not forget the look on their faces when we took them out to the Fyshwick fire station and showed them the tubs in which the chemical, biological and radiological protective suits were washed at the time. That tub drained immediately into the normal drains around Fyshwick—a totally unacceptable circumstance. That is on a facilities side.

We presented issues to them to do with shifts, and we produced a lot of documentation. The purpose of that was to have a decision taken as to what capabilities we did not need or on which we could cut back in the ACT. In the event, you may not know that the ERC never did produce a report. It produced a draft report, I understand, and then it was overtaken by the Costello review.

DR FOSKEY: Did you say what “ERC” stood for?

Mr Dunn: Expenditure review committee.

DR FOSKEY: Okay.

Mr Dunn: The point I make is that we asked for this to occur. So there is, if you like, the opportunity to take a risk assessment, to make a sensible assessment as to what the level of funding would be, to declare what that would be and then, if necessary, to decide what the money would be expended on.

MR SMYTH: Might I suggest the committee might like to call for the ERC documents and again call for the Costello review, which I know the government has not made available.

THE CHAIR: I do not think we will get the Costello review but certainly Mr Dunn has referred to a letter which I would certainly like to see. My committee colleagues and I will discuss that being actually produced. That obviously does not interfere with

what the government said in relation to the Costello review. I doubt very much that we will get the Costello review. We will certainly consider that and see where we go from there.

Mr Dunn, you are obviously not there anymore but are you aware of any morale issues amongst the RFS officers and volunteers that currently exist? You might comment too on whether you perceived any issues of morale during your tenure as commissioner.

Mr Dunn: Let me deal with the last part first. There were issues of morale. I mentioned before about the early process that the organisation had to go through. I think one of the very interesting things still to note is that to the best of my knowledge, there is only one Rural Fire Service officer that has ever been awarded a bravery award for some of the most amazing things that occurred.

Why is that important? It is important because it reflects how that service felt after the fires. Therefore, it meant that a lot of work had to be undertaken to rebuild the morale of that service. It is interesting to note—and I think this is excellent—that the ACT Fire Brigade, the Ambulance Service and the Australian Federal Police have all recognised people that undertook incredibly brave actions on that day.

But you have to ask the question—and I am asking this myself; it is rhetorical: why has that not been the case? The one in the Rural Fire Service that I am aware of was actually initiated externally, which again tells you something.

There were and have been morale issues that we worked assiduously on to improve. I think one of the most important and positive steps was the way that Mr Ross, the chief officer that was appointed, actually went about restoring the pre-eminence of the Rural Fire Service Brigade captains in the whole advice chain and the whole operational chain, restoring them to a real position of authority.

I am aware—because many of these people were, when I was in the authority, and still are, friends of mine—that there is a large amount of dissatisfaction still. Because I cannot comment on the detail of that, what concerns me is that after expending so much effort in rebuilding that organisation and getting it back on the horse, so to speak, it certainly seems to have slipped into a very deep hole.

Any organisation that has to suffer the indignity of captains resigning en masse out the front of this Assembly, leaving their fire trucks in the car park, needs to have a close look at itself. I do not believe, from what I see—and this is now as a citizen and just as a general comment—that those issues have been resolved. There are certainly issues that remain internally within the ACT Fire Brigade, and that certainly does concern me.

There will always be some issues. It will never be a perfect world. But there are some major issues on internal leadership and I think we have to ask ourselves: do we have the people in key leadership positions who actually have the competencies to carry out the task in a major emergency? I am sure the Western Australian Fire and Emergency Services Authority had no idea that it would be dealing with the issue that it is dealing with offshore at the moment and that the emergency management organisation had no

idea that it would now be dealing with gas shortages of that nature. Those things generate morale issues.

I will give you another example that can generate a morale issue and that is still not dealt with. One of the key operational issues during the 2003 fires was the threat to the Holt substation, the single source of power in the ACT. The planning organisation that was set up in the authority worked closely with Actew and the Chief Minister's Department to develop a second source of supply. We have seen a lot about that in the press. I am not going to comment on locations or anything. However, it is interesting to note that we still have not got that. This would be a major issue.

What has been deferred is the second power station. That impacts back into the organisation. It impacts on the morale of the organisation because clearly there is a major issue that is simply not being addressed. So when we look at things like that and we look at leadership issues, I do conclude that there are major morale issues that still exist.

DR FOSKEY: Could I ask some supps?

THE CHAIR: Ms MacDonald first and then you, Dr Foskey.

MS MacDONALD: Thank you, Chair. Mr Dunn, I was distracted during the second part of your answer with regard to morale. You talked about the role of Mr Ross in building up people's happiness, I suppose.

Mr Dunn: Morale.

MS MacDONALD: Morale, yes. What other things were done with regard to building up morale?

Mr Dunn: A particular example is the recommencement of the first station officers course in the fire brigade for nine years—probably 10 years, actually, by the time we started. This course was organised by the chief officer, Mr Prince, and after consultation with the commissioner of the New South Wales fire brigades a very high standard of achievement was set for this program.

I think the ACT Fire Brigade had one of its proudest moments post the fires when those first new station officers actually appeared and received their red helmets. It was raising the standards that made the difference there. And that was what Mr Ross was doing and that is also—

MS MacDONALD: What do you mean when you say “raising the standards”?

Mr Dunn: There had been no officer promotion courses in the ESB, in the ACT Fire Brigade, for over nine years. We were very careful in having the Chief Minister's Department assess the senior positions in terms of work value before appointments were made; so we knew what levels they were at in order to give us the ability to actually introduce major change.

A consequence of that was that when Mr Prince was appointed chief officer of the

ACT Fire Brigade, he immediately instigated these training regimes, in consultation with me. Morale improves—and this is a well-known fact in private enterprise and public enterprise the world over—when standards are improved. This has a major impact on how people feel about working in a particular place. As I said, that is a very good example.

Similarly, very demanding training activities were produced for the State Emergency Service which had now been formed as a stand-alone entity. The Rural Fire Service's exercises down in the Tinderry Mountains and the like were a very demanding program. All of those things contributed to improvement in morale. It is not a magic wand, though.

MS MacDONALD: No, of course not. It is something that all organisations have to continually work on.

Mr Dunn: Yes.

MS MacDONALD: And I should imagine that the current commissioner as well as the deputy commissioners have to continually work on issues of morale. There is the issue though, of course, of front-line versus administrative staff and getting that balance correct. Would you agree that if you do not have enough front-line staff that could lead to a lack of morale within the organisation?

Mr Dunn: Certainly if you do not have enough. I will need you to draw the connection to administrative staff.

MS MacDONALD: Sorry, what is it you want me to do?

Mr Dunn: Are you asking me a question about the ratio of front-line to administrative?

MS MacDONALD: Yes. The question was: if there are not enough front-line staff, then that would be an area where people would actually have an issue and you need to get that mix right. What would you suggest would be the correct mix within the organisation?

Mr Dunn: The focus in the Emergency Services Authority was to be an operational organisation. That is why we immediately outsourced payroll, just as an example, and sought to outsource other administrative functions also. I think it is very important that in a jurisdiction as small as the ACT what has now evolved into the shared services approach actually takes hold so that you do not have to have too many people in that space. We were very active in that and I think that has gone in absolutely the right direction.

If you are referring, on the other hand, to operational planning staff, then I would disagree entirely with you. In fact, this is the key issue at the moment and, frankly, operational planning staff of a high calibre are essential. They are not administrative staff, they are people with operational backgrounds, and they need to bring that together so that a joint operation can be effectively mounted.

I referred before to the planning on a second source of supply for electricity in the ACT. That is an example of where you need to do a lot of work with experienced people. The evacuation plan, in the event of a disaster in the CBD here in the ACT or the city of Canberra, has been an example of that. The development of a strategic bushfire management plan is another example. Version 1 was produced quickly by some expert people, and version 2, to my knowledge, has still not been produced, yet it was required under the legislation.

Those sorts of tasks, plus input into town planning issues, urban planning from the outset, the assessment of risk that I described before, all need to be done by professional people. So they are as operational as anybody. Also if you are going to operate, as we had to in 2003, at a whole-of-government level, you need people experienced to do so.

I think it is very important you get the mix right. I certainly believe that the mix was heading in the right direction and would have achieved its goal and probably has achieved its goal in terms of administration of the Shared Services Centre but in that process, as I understand it, that capacity to plan has been lost.

MS MacDONALD: When you talk about the mix heading in the right direction, what was the mix going to be of the \$7 million that you requested originally? How much of that was for administrative versus front-line staff? If you want to break down the administrative in terms of operational versus other administrative, I am happy to hear that information.

Mr Dunn: If I were sitting here as the commissioner and had the budget papers in front of me I would be able to answer the question. Two and a half years later, I have got no idea; so I cannot answer your question. I can tell you, though, that the legislation required the organisation to be operational. We were very focused on being operational and in some areas the administration was rapidly cut and had to be replaced.

Why did it have to be replaced? Because a decision was taken, when the statutory authority was created, for it not to have a portfolio department, to be totally independent. And what was the consequence of that? The consequence of that was that we had to go and buy our own financial system, pay for the seat licences for it. That was not budgeted for. We had to recreate our finance staff.

That seemed like a very strange decision and we protested that but that was to no avail. There were more administrative people in terms of payroll, processing ambulance accounts, actually doing other direct administration, than I would have preferred. But the steps that we took in order to move forward on that were to totally support the shared services model. And I am pleased to see that that is in.

THE CHAIR: Dr Foskey, you had a couple and then I am moving on to another area.

DR FOSKEY: I just wanted to stick with the staff morale issue. The committee was given yesterday a copy of the Yellow Edge Performance Architects report. It was produced in November 2004, during your time.

Mr Dunn: Yes, I am familiar with that.

DR FOSKEY: I found it a really useful document and I am very interested to know, and I will ask later, whether similar surveys of staff have been done since. From reading this document, it makes it really clear that staff were listened to. This is all about what staff thought. One thing we have been hearing all through this inquiry is that there is a frustration amongst people on the ground that their ideas are not percolating up.

You had time to implement some of the recommendations that staff made and I am wondering how the ESA dealt with this report when it was produced and whether you took on board the concerns of staff and what measures you put in to implement any of those.

Mr Dunn: The report is an excellent report. Yellow Edge did a wonderful job with that. They conducted the debrief. That report that you have there, if I am correct in recollecting, is the summation of the work that they did. They conducted interviews with a very large number of people immediately after the fire. It is an absolute credit to the former staff of ESB to actually initiate that.

I found it of real interest that I had been in the organisation for, I think, about four to six months—I stand to be corrected on that—before I became aware that this had been actually undertaken. I asked whether any post-operational interviews had been conducted because I was unable to find any. I was told that they had. We then had to seek some assistance to find that documentation. Then I went to Yellow Edge as well and spoke to them about that and found that this was exactly the right thing that should have been done and we then had that compilation produced.

DR FOSKEY: You mean it had been done but it had not been fed into any process?

Mr Dunn: That is right. The interviews had been done but it had not actually turned into the compilation report. It had fallen out of favour or been forgotten about in the hurly-burly, whatever it might have been. The fact is the data was there and that was an excellent move.

We then had that data compiled and we went through all of that data. We went through with each of the areas of the then ESA to look at what we could implement immediately. There is everything in there from the way feeding on the fire ground is conducted through to operational discussions.

Although I am now going back in time, I can say that we took that extremely seriously and, where we were able to implement those things or assign other actions that were already in train to remedy that, we did so and we took that extremely seriously.

THE CHAIR: Moving on to FireLink, I would like to ask you a few questions. When were you first alerted to the need for a mobile digital data and vehicle location system in the ACT?

Mr Dunn: The need for the new communications system, the replacement of the communications system, given that already the need had been identified, is articulated

in the cabinet documentation that went to cabinet prior to the January 2003 fires. Subsequently, of course, post the fire, that need for all of the communications improvements that had already been presented to cabinet was simply reinforced and it was a sad fact that that had not been dealt with earlier. That is when it first became apparent, in that initial cabinet documentation. If I recall, there are four key elements of any communications system that were required.

THE CHAIR: Right. When ATI was first approached as a possible supplier, what was the history of your association with the company and your views on its ability to actually deliver?

Mr Dunn: ATI and I did not know each other from a bar of soap. The only thing that I knew was that there was some organisation that brought what was known as the big black truck into Curtin during the 2003 fires and the quote was “thank God they did”. I was told about that. The communications issue was the one that I focused on immediately as being the absolute Achilles heel in the organisation. That is no insight on my part. Rather that is just accepting the fact the communications system collapsed for several hours in January 2003.

So I was aware that another system had been involved. I was aware that during the fire the location of Rural Fire Service elements was absolutely problematic, and with the speed of advance of the fire front it was of great concern to incident controllers in Curtin and to captains out in the field that there was no real knowledge of where people were, particularly when the communications system collapsed.

After I had been there for some time we made a decision that we needed to invest. The whole communications issue was raised and I was told, quite rightly, by the minister that this clearly was a very important issue. This was specifically singled out, along with the need for a new headquarters, by Mr McLeod in his report on the operational response to the fires. In that investigation we decided to go out and look around to see what was available.

THE CHAIR: I understand there was a four-month trial of the system in 2004. Were any difficulties identified in the aftermath of that trial, and was the minister happy with that four-month trial?

Mr Dunn: My main recollection of that was that the trial was underway. It was going to go for four months. There were a number of days—100 or 180 days or something; I am not sure what the figure is now. But that was all that could be afforded to trial it for a particular period of time. We would always have liked to have done more. The trial had commenced and then, by happenstance, the fire started down in the area known as lone pine in the wilderness area of Namadgi national park to the south of Boboyan Road, and the existing communications system of the RFS collapsed also or, I could say, again. The trial was underway. We dispatched the trial vehicle, the big black truck, down to behind the fire ground and it actually operated during the fire. Thank goodness we had it!

THE CHAIR: Just one more question and then Ms MacDonald has some supplementaries. During your time as commissioner was there ever any indication by the minister or by JACS, the department, after the procurement process was finalised

that FireLink was not suitable for the requirements set out by McLeod?

Mr Dunn: No.

THE CHAIR: Ms MacDonald?

MS MacDONALD: You said that the four-month trial was underway when that fire started. How long had the trial been underway when the fire started?

Mr Dunn: I think about a week or 10 days. But then what we did was bring it on for 24/7, so we consumed the amount of time that we were going to trial it for anyway in a real operational circumstance. I repeat thank goodness we did. It worked brilliantly.

MS MacDONALD: So the trial was aborted after that time? You did not actually continue on with the trial?

Mr Dunn: No. The trial was completed in that time. You need to look at the number of hours that it was budgeted to conduct the trial in pieces, which would have been, in fact, even more expensive and the number of hours that we actually used that vehicle. Once the communications had collapsed—there was a major technical problem with the old system on Mount Tennant during that fire. Had that fire run, the direction of that run would have threatened Michelago.

There was great consternation in the New South Wales Rural Fire Service about this fire. Let us make no bones about that. This was a serious issue that we had on our hands and it was very well dealt with. It was one of the first instances that the ACT Rural Fire Service, as I said before, got back on its horse and demonstrated just how committed and dedicated those people from parks and from the volunteers were. Communications were provided once that Mount Tennant VHF system went down via FireLink—thank goodness!

MS MacDONALD: You say that you did not need to continue with the rest of the four months because there had been enough trialling hours done in the week to 10 days that it had been—

Mr Dunn: That is not what I said at all.

MS MacDONALD: I am sorry?

Mr Dunn: Not enough hours—that is not what I said at all. What I said was that the amount of money that was allocated for the trial, which was all duly approved and went through the procurement process, was consumed on a 24/7 operation live in the field. You could get no better trial than that. You and I can sit here and just concoct a scenario of a trial that we might have, let us say, a fire in position X and make it as complex as we like. Nothing could be as effective as a real fire where there were real tensions and we really needed to know what was going on. That is a point that I think needs to be very clearly understood, that we had, sadly, an opportunity by an errant hitchhiker provided to us to test this for real.

MS MacDONALD: There were no concerns at the end of that period with FireLink,

you say?

Mr Dunn: We had not finished the procurement process at that stage. That was the trial. Now, I will take you back to the fact that the truck was deployed into the Curtin headquarters and was there certainly on 18 January 2003. It was operating while the whole communications system fell down. It is not as though we did not know. I did not personally know, but it is not as though other people did not know the capabilities of this vehicle. It is not as though we were not looking at other systems as well.

The fact is that there is still, to this day, to the best of my knowledge, no other system that does what that does. Now, it is new technology—or it was then. There is always a risk with new technology. But we certainly believed that that risk was minimal.

MR SMYTH: In regard to the demise of FireLink, the minister said words like “it was too sophisticated for use in the ACT”. Do you agree with that?

Mr Dunn: Absolutely not. I think that is an absurd statement, and I have said that publicly. It is utterly absurd to think that volunteers, for example, in the State Emergency Service or in the Rural Fire Service of the ACT are unable to operate a system of that nature. It beggars belief that that statement be made. I genuinely believe that to have influenced severely decisions and morale and is just the most oddball comment that I have ever heard.

Does it mean to say that we are going to produce a new computer system for fire ground mapping and we cannot use that because it is too sophisticated? That is actually more technically sophisticated than some of the stuff that FireLink actually provides as a network for that to go on. Nonsense!

MS MacDONALD: The Auditor-General said in the report on FireLink that there was no business case prepared to support the FireLink project and there was no cost-benefit analysis of FireLink against alternative solutions. Do you want to comment on that and say why not?

Mr Dunn: Certainly. I would love to do that because it was done.

THE CHAIR: It was done?

Mr Dunn: It was done, and the Auditor-General knows it. The documentation has been provided, and if it had not been for the fact that the Auditor-General called me and at least one other person in to have discussions, half of the documentation that has been referred to in that current report would not be there. We directed her where to find it. It was done.

The other systems were looked at. The other systems do not even come close—still to this day. In fact, one of the systems—and I will not name it, but I regret that the shadow spokesman advocated it by commercial name—had such technical issues that it had been withdrawn from service under extremis in another very large emergency service not far from here, and here it is being advocated as an alternative. Give me a break!

THE CHAIR: Did ATI, to your knowledge, ever make any presentations or submit any proposals to any minister at the time during the procurement process?

Mr Dunn: During the procurement process, I would be surprised, but I have got no idea. That would be something that I think would be unusual. What I can say in relation to ministers is that once the procurement was made invitations were extended to ministers and, of course, to the opposition to come and look at the system and learn and understand the system.

THE CHAIR: Ladies and gentleman, are there any other questions on FireLink?

MR SMYTH: I have a few more. When you saw the Auditor-General, you said that you brought to her attention certain documents. Why was she unaware that these documents existed?

Mr Dunn: I think you should ask the Auditor-General.

MR SMYTH: Did she indicate why she was not aware of them when you spoke with her?

Mr Dunn: No. She expressed surprise that they existed. The business case was one of those documents. I might also say that an amount of the information that the Auditor-General had was incorrect, particularly in relation to the Lone Pine fire and the communication situation there. That was corrected, and I think that process was conducted quite properly. I do not think that the conclusions are correct because, as I have stated before in relation to FireLink, there are certain areas that simply have not properly been gone into. I am sure ATI would have a view on that, too.

MR SMYTH: At the time the minister announced the demise of FireLink, were you aware of any technical reasons that should have prompted its demise?

Mr Dunn: Not technical reasons. There is one big issue that I was concerned about with FireLink, and I certainly talked about this with the chief officers at the time, and that is that there were insufficient resources available to conduct—I will use management jargon—the change management process that needed to go along with this. Change management was really important in this case because what FireLink was going to do was provide a capability for incident controllers in the field, but also provide a capability for real-time, a common operating picture, into the emergency coordination centre, and that was a great boon.

The problem with that from the outset was that the Rural Fire Service still harboured a deep mistrust of Curtin and any direct linkage into Curtin was going to be problematic. More energy needed to be expended in that space. Also, there were views that it was not necessary to know electronically where vehicles and crews were and it was not necessary to know how much water was being carried, for example, in a resupply tanker or where helicopters were and the like to be able to vector them into a fire. It was not necessary to do that because the incident controller could do that on the ground because he or she knew how to do that.

Well, I respect very much the competency of our volunteers. Without them we would

be nowhere and we really need to appreciate them. However, I would beg to differ on this particular point. I think it is a very dangerous prospect, given particularly the rate of advance on this fire front. What we are seeing now as a result of climate change is the unpredictability of fires, and this now really drives this home. It is a gross waste of \$4 million and a sad waste for the organisation.

DR FOSKEY: I have a couple of questions.

THE CHAIR: A couple more, Dr Foskey, and then we will move to another topic.

DR FOSKEY: It is not about FireLink. It is another topic. I want to know whether you were involved in the decision to relocate emergency services at Fairbairn. What is your assessment of that as a site? Does the new building that is being developed there respond to the concerns of staff at the time that needed a totally redesigned purpose-built building with all logistic staff in one controllable location? Firstly, were you involved in the Fairbairn decision? Two, what is your assessment of that site? Three, does the new building answer these concerns about the way staff are physically located with each other?

Mr Dunn: The answer to your first question is yes, I certainly was involved in the decision. I will return to that in a moment. The last question I cannot comment on because I have not seen anything—other than to know that it has been a tortuous process and that, as I read in the papers, a large amount of money has been spent on renting empty buildings for some time and now there is a design issue or some infrastructure issue.

But let me put that to one side and come back to the involvement and the assessment of the site. You would be aware that the initial proposal was to build a brand-new facility out on a site adjacent to the Snowy Hydro SouthCare helicopter site and the prison site. We were proceeding with that. That was costed out initially at in the order of \$47 million. That was the process. The budget bid was moved in the process for that. That budget bid was rejected because of the apparently urgent need to shift the juvenile detention facility because the existing facility apparently did not comply with human rights legislation here in the ACT. As described to me, there was a higher priority and the headquarters would have to wait, notwithstanding the accepted recommendation in the McLeod report—accepted by the ACT government—that the headquarters facility was urgent.

We then sought to re-look at a facility in Fyshwick where Territory and Municipal Services is. That site would have been fine but there would have been a conflict with the TAMS organisation. Mr Hargreaves raised with me the possibility that we might find a site in the old Air Force base at Fairbairn and that that should be something that we should consider. Virtually simultaneously with that, an unsolicited offer came in from the airport, saying, “You should come and look because, now that we have acquired this additional site, we have buildings here that would be suitable for your purposes.” So there was a coincidence there.

Mr Hargreaves then organised an evening meeting with me and Mr Weeks, who was the acting Under Treasurer at the time, to consider whether or not this would be an appropriate course to take. It was decided from that meeting that we should go and

investigate this and that if, and only if, suitable facilities—with a reasonable amount of modification—could be found, this may be an excellent opportunity to move very quickly to meet the urgent recommendation or the recommendation that was classified as urgent in the McLeod report as it had been accepted by government.

We spent a lot of time looking at the Fairbairn site. We concluded that, with appropriate modifications, this site would be a very good site. I would have to say that there is no such thing as a perfect site. If there were a perfect site, we would probably clear an area around the Legislative Assembly here, put ourselves smack in the middle of the organisation and then push out from there. Seriously, you do need to look at what is available. That gave us everything that was necessary for the emergency services there. We then went through an extremely detailed and, again, lengthy process to secure that, making sure that all people were kept informed along the way.

DR FOSKEY: What sort of handover did you have with the commissioner who followed you? Was there a really good handover so that you were able to pass on all your information and concerns to the new commissioner?

Mr Dunn: There was none.

DR FOSKEY: No handover whatsoever?

Mr Dunn: No.

THE CHAIR: You mentioned appropriate modifications—that would be a good site. Were there any issues identified or brought to your attention at any stage in relation to the status of the buildings, issues with communications and infrastructure or issues in relation to the access and egress of vehicles?

Mr Dunn: Yes. Certainly in relation to communications the issue was what sort of redundancy existed. It is an airport site; there was redundancy for communications. There were two separate links into the airport; a third one has now gone in, and that was planned. So communications were looked at very carefully and were resolved. We had to enter into discussions with the airport over antennae. You would have to do that with any airport because of aircraft frequencies and things of that nature.

None of those proved to be a difficulty. Indeed, very quickly, the Rural Fire Service headquarters moved up there. This is absolutely a consequence of the collapse of the communications and the failure of Curtin headquarters on 18 January 2003. We have moved out there into a purpose-built, incident-controlled facility, co-located with its aerial firefighting system. This was considered to be the pre-eminent facility in Australia for operational control—I am not talking about strategic, but operational control. That facility exists as we speak as being a decentralised facility—which was the whole point—that could have been used. I understand that has now been emptied, which I find quite fascinating.

Those decisions were taken for reasons about which I do not know. There were some issues that had to be resolved on the communications side. To my knowledge, certainly at the time, everything was resolved to continue us moving on.

In terms of vehicle access and egress, the issue of response times and what response vehicles needed to be there was considered. Quite clearly pumpers would not necessarily be the fire units that you would have there, but Hazmat breathing apparatus—those sorts of operational support vehicles—were the ones that were planned to go into that facility—CBR and the like. In fact, there was a facility there that would have been virtually purpose designed and already there for some of the CBR operations, so they would have been very good.

THE CHAIR: Were any other—indeed, any better—sites contemplated? If so, why were they ruled out?

Mr Dunn: Better sites?

THE CHAIR: Yes, or any other sites?

Mr Dunn: The sites that were considered, given that the process here was—I was directed to go and talk to the Planning and Land Authority about this. We looked at the sorts of sites. There had been a full study undertaken of both the headquarters and, I might add—do not forget it, please—the training facility. It is critical to have a site determined for each of those. Sites out on Majura Road were considered—next to the AFP centre out there. We looked at what was the site for ACT Forests—the new headquarters of ACT Forests before it was disbanded. We looked, as I said, at Fyshwick. We looked at the Symonston site. We then looked at the airport. On balance, in order to move in in the most cost-effective way, and given the urgency of doing it, the airport site was, in my opinion, far and above the best site. However, that was taken through the process and I understand that it is still a site which we—

DR FOSKEY: Why did you dismiss the forestry site or why was it dismissed?

Mr Dunn: It was too small and, given the plans for development of Molonglo, it would not have facilitated the operation of helicopters.

DR FOSKEY: Locationally it seems good.

Mr Dunn: Yes. It is also on the western side, which presents in a threat position, and that—

DR FOSKEY: There is going to be a whole town around that in a minute.

Mr Dunn: That is an issue. I do hope that they are adequately supplied with community fire units that are well trained.

THE CHAIR: What did you understand to be the completion date for the full relocation of the HQ to Fairbairn?

Mr Dunn: We had a series of dates, Mr Stefaniak. If I recall correctly, we had moved to a target of July 2007 for the move. Again, I would stand to be corrected on that; I do not have the documentation before me. The calculation of that date was in relation to both the refurbishment of existing buildings and the construction of a brand-new building. That construction was to be a 12 to 14-month construction. We looked

closely at the amount of time that the airport was taking to build buildings out there and that fitted exactly into that figure.

THE CHAIR: Were a needs analysis and business plan completed?

Mr Dunn: There was a large amount of documentation. As I said, consultants were used to develop all of that work in relation to the Majura site and then in relation to the Symonston site. We had all of that done. What then was the requirement was to take that information and overlay it on the airport site.

THE CHAIR: Any other questions?

Mr Dunn: Can I just mention the training centre? The other decision that had been taken was that it would be preferable to co-locate the training centre with the headquarters if that were possible. Majura possibly presented that, Symonston certainly presented that and the airport did also. The reason for that is that with volunteers we wanted to make sure that the site of the training centre was available out of normal working hours, that is on weekends and the evenings. By co-locating, the security of that centre would be better as well.

MR SMYTH: Just a final question, Mr Dunn. You said, I think, that the purpose-built incident control facility was the pre-eminent facility in Australia. Is there any reason why it would not be used?

Mr Dunn: Sorry, that was the—

MR SMYTH: The incident control centre at Fairbairn—the facility. Is there any reason why it would not be used or is there any reason why you would transfer the staff that were operating back to Curtin?

Mr Dunn: I have no idea what the reasons were to do that.

MR SMYTH: But there is no reason that you are aware of why you should move them back? Everything was there at Fairbairn?

Mr Dunn: I cannot comment upon that, but what I can say is that that move proved to be a truly effective move in terms of giving me redundant communications and giving my Rural Fire Service staff proper accommodation to work out planning in absolute proximity with the aerial fire support operations that we had.

THE CHAIR: Are there any further questions for Mr Dunn on any topic in relation to this inquiry? In that case, Mr Dunn, thank you very much for attending the committee hearings; thank you very much for the assistance you have given the committee; and, on behalf of the committee, thank you also for your efforts in the past when you were commissioner.

Mr Dunn: Thank you very much.

Meeting adjourned from 11.02 to 11.32 am.

CORBELL, MR SIMON, Attorney-General and Minister for Police and Emergency Services

LEON, MS RENEE, Chief Executive, Department of Justice and Community Safety

MANSON, MR GREGOR, Commissioner, ACT Emergency Services Agency

PARRY, MR BRIAN, Deputy Commissioner, Fire and Rescue, ACT Emergency Services Agency, and Chief Officer, ACT Fire Brigade

THE CHAIR: Thank you, minister, for attending today, and for bringing along the officials. I will read out the privileges statement to everyone. We will then get into some further questioning.

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it. Parliamentary privilege means special rights and immunities attached to parliament, its members and others necessary to discharge the functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing. Do you all understand that?

Mr Corbell: Yes, thank you, Mr Chairman.

THE CHAIR: Everyone else is nodding, including the two gentlemen sitting behind Mr Parry. Firstly, thank you for the documents you have provided. There is one document about which the committee has agreed to adhere—we had a meeting earlier today—to your request, as that document is very much in draft form. There are great gaps in it, and that has not been authorised for publication. That is the *Strategic bushfire management draft plan mark 2*, which has “draft” written all over it. The other documents have been authorised for publication.

You should now have received a letter from the committee requiring you to present the Stuart Ellis report. In terms of the exit statements, we will be asking you questions in relation to those. You have made comments in relation to that matter; there is a fair bit of correspondence in relation to those, I think over the past six months. The committee will deliberate further in relation to those.

With any documents, we are mindful of respecting confidentiality of any people mentioned in those documents. That is a longstanding tradition of this committee. The committee has requested—I think you were asked to bring it along, minister—the

Ellis report. Have you got that document?

Mr Corbell: Mr Chairman, before I answer that question, can I place on the record my concern that this committee made a request of me for documents earlier this week, which I am advised was not authorised by the committee. Mr Chairman, you wrote to me earlier this week and requested a range of documents. Indeed, you asserted the use of this committee's powers to call for documents. I understand that that call for documents was not actually authorised by the committee prior to that request being made of me.

I am deeply distressed by that, Mr Chairman, because I treat all requests for documents seriously, and I am concerned that the committee's request for documents was made without the concurrence of the committee. I just want to clarify whether that situation has now been rectified.

THE CHAIR: Mr Corbell, I thank you for your comments. Might I say, of course, that the deliberations of the committee are quite confidential. Might I also say that I hear what you say—

Mr Corbell: But the issue for me, Mr Chairman, is that when I receive a letter from the committee, I presume that the committee has resolved to do that. I am advised that the committee did not actually resolve to request those documents before the letter was sent to me. It makes it difficult for me to know whether or not I should be supplying documents, because I now no longer have any confidence as to whether or not a request made by the committee under the committee's name has actually been authorised by the committee.

You have requested a series of documents, including a cabinet-in-confidence document, and you have done so, Mr Chairman, without seeking the concurrence of your own committee. That is of some concern to me. I would like to now know whether or not the committee has actually formally resolved to request those documents.

THE CHAIR: Mr Corbell, I note what you say. Might I say also that the letter you got was probably quite routine. If you go back through various other correspondence and verbal requests which have been made during these hearings, I think that is painfully obvious. The committee has considered your letter; the committee has considered your comments; we have held a meeting. You have received a letter as a result of that meeting of the committee this morning. The committee acceded to one of your requests in your letter, which I have already mentioned.

Mr Corbell: No, Mr Chairman, if I could just clarify that I am referring to your letter of earlier this week.

THE CHAIR: I know what you are referring to, and I am telling you, and I am assuring everyone here, that you now have a letter from the committee as a result of deliberations we had this morning. I said before these proceedings started what the committee has decided. We have, as a committee, acceded to one of your requests in that letter, in relation to a document—

Mr Corbell: I am not asking about that, Mr Chairman.

THE CHAIR: that you have requested. The committee, in its deliberations, has now requested the Stuart Ellis report. I have indicated to you the committee's position, as of our meeting this morning, in relation to the exit statements, which I think have been the subject of some correspondence and discussion over several months. The committee, in that letter you have today after our meeting, has requested the Ellis report, so I ask you in relation to that, minister: do you have that document?

Mr Corbell: Again, Mr Chairman, just for clarification, I am seeking your advice about the request you made of me, which I have largely acceded to, earlier this week, on 16 June, when you wrote to me and said:

The Committee requests that you bring to the hearing the following documents ...

You then list those documents. I am advised that the committee resolved to do no such thing prior to you writing that letter. Is that the case?

THE CHAIR: I have answered. I have indicated to you, Mr Corbell—

Mr Corbell: No, you have not, Mr Chairman.

THE CHAIR: Yes, I have, Mr Corbell. I have indicated what the committee—

Mr Corbell: The issue—

THE CHAIR: I hear what you say, Mr Corbell, and anything in relation to that is a matter for the committee. I also have indicated to you that you can go back through a fairly lengthy history in relation to documents. I indicate to you now that the committee met this morning, that the committee considered your response to that letter—

Mr Corbell: No, I understand that, Mr Chairman.

THE CHAIR: and that the committee has now made a further request. As I said, I hear what you say, minister. I think it is important that we now get on with it. We do not have too much time, and you can certainly rest assured that the committee, in the letter that you have now—that is, the letter of today—has indicated exactly what it now requires you to provide. I have further indicated—I do not think it is in the letter—that we have actually acceded to one of your requests in your answer.

Mr Corbell: I just want to know, Mr Chairman—

THE CHAIR: I note your concern. We will consider the matter further, if need be, and respond in writing, and it is not for ministers to ask questions of the committee.

Mr Corbell: No, indeed, Mr Chairman, but I am just seeking to clarify with what authority those documents were requested of me.

THE CHAIR: Well, minister, I have answered your comments.

Mr Corbell: No. Mr Chairman, was it with the—

THE CHAIR: It is not a matter for you to ask questions further, minister; I am sorry.

Mr Corbell: No, Mr Chairman, I have to disagree.

THE CHAIR: I am sorry, minister. I have said as much as I am prepared to say.

Mr Corbell: I have to disagree, Mr Chairman, because this letter says that the committee requests me to provide the following documents. That sort of request of a minister is one that I treat seriously.

THE CHAIR: I would hope so, minister.

Mr Corbell: But I treat it seriously because I assume that the request is made by the committee, not just by an individual member of the committee.

THE CHAIR: Minister—

Mr Corbell: Mr Chairman, what I want to know—yes or no—is: did the committee resolve to request those documents of me or have I been misled? That is what I want to know.

THE CHAIR: The committee has discussed the matter, minister. The committee has decided to issue a further letter as a result of your response to that letter and—

Mr Corbell: Okay, thank you, Mr Chairman; I will take that as a “no”.

THE CHAIR: No, you won't take that as a “no”, minister.

Mr Corbell: Well, you have not said “yes”. It is a very simple question, Mr Chairman.

THE CHAIR: It is not for you to ask questions. If there is anything which any member of this committee has done which needs to be discussed, it will be done with the committee. Can I assure you that you have a letter now as a result of the committee's deliberations—

Mr Corbell: I know I have a letter now; thank you, Mr Chairman.

THE CHAIR: of 20 June, requesting, as a result of your correspondence and indeed as a result of considerable correspondence—there is correspondence in April in relation to exit statements, and there is correspondence in relation to several other documents, and all of those are listed there over the last six months. We now, however, have a letter from me as chair, on behalf of the committee, as a result of our meeting at 9.15, requesting the Ellis report. I would ask you to address that now.

Mr Corbell: I understand that, Mr Chairman. I am sorry to labour the point but I must, and the reason I must is that I believe I have been misled. This letter says:

The Standing Committee on Legal Affairs requests that you bring to the hearing the following documents ...

It then outlines the documents: the report written by Mr McGuffog, exit interviews of RFS staff, version 2 of the SBMP, the Yellow Edge report and the Stuart Ellis report. That letter was written on 16 June, which was Monday, Mr Chairman, and delivered to me either late Monday or early Tuesday. What I want to know is: did the committee, before you wrote this letter to me requesting documents, authorise that request? It is a very simple question, but you have not answered it, and I can only assume that the committee did not request these documents—you did, and you did so without the authority of your committee.

I am very happy to respond to requests from individual members, Mr Chairman, but when a chairman of a committee says that the committee wants certain documents, I assume that the committee has agreed to request those documents, and I provide them on that basis. I believe I have been misled. I believe that you have misled me because this committee has not requested these documents prior to you writing this request to me asking for those documents. Can I simply place on the record that I am disappointed with that course of action. I believe it is quite inappropriate for a chair of a committee to behave in such a way. You of all people, Mr Stefaniak, should know—

THE CHAIR: Don't lecture me.

Mr Corbell: after a decade or more in this place that that is the way committees work, and you went and demanded documents of me without the authority of your committee.

THE CHAIR: Minister, the letter you refer to says "requests". I note your concern, and the committee noted that you would be raising that, so we have discussed that. Indeed, we may well discuss that further. It is not actually for witnesses to ask questions of the committee. But I do note your concern, minister, and just—

Mr Corbell: The point is, Mr Chairman, if you want me to cooperate with the committee, you have to work in accordance with the rules that you set down for yourself, and you have not.

THE CHAIR: Again, I note your concern, minister. I have been in this place for a long time, as you say—longer than you—and I think I have a pretty good track record for being a very straight, honest person. If there is any sort of transgression by me—

Mr Corbell: Just admit that you made a mistake.

THE CHAIR: I am happy to admit I make mistakes. If I have made a mistake in any way—and we are talking about very procedural matters here—I would certainly make that known to my committee. As I indicated to you at some length, with respect to our deliberations, we had a meeting. We have now requested the Ellis report. We have noted your concerns in relation to several other matters. The committee will be asking some questions in relation to those, but I now get back to the Ellis report. Where is it?

Mr Corbell: I am happy to answer your question in relation to the Ellis report. As I have previously advised you, the Ellis report is a cabinet-in-confidence document. It was used to directly inform the deliberations of cabinet in relation to a range of matters. As I have indicated in my letter to you of yesterday, I am not able to provide you with a copy of that report. I previously advised you of that in the last hearing also.

THE CHAIR: The committee does require it, minister. I thank the secretary for looking at the grounds for this. I would ask why you will not provide it. There are certain grounds that may be acceptable there but—

Mr Corbell: I will simply claim public interest immunity, Mr Stefaniak. The document is central to cabinet's deliberations on a range of matters. It deals with a range of very sensitive issues, including issues relating to personnel within the ESA, and I will not be releasing the document.

THE CHAIR: I have great concerns there, minister. The committee hears what you say. But having looked at the precedents here and having looked at papers written by Harry Evans on precedents in the federal parliament, this is something I think that the Assembly may need to look at. There is very much a public interest. The Assembly is probably the appropriate place for a debate on that.

Mr Corbell: We can deal with it in that forum. That is quite okay.

THE CHAIR: Might I assure you, in terms of respecting people's privacy and the obvious need for that, that is certainly something this committee and I would think all committees in the Assembly take very seriously. There are ways of protecting people in terms of documents.

Mr Corbell: I would simply highlight to the committee that it is not routine in any way for cabinet-in-confidence documents to be released. They are given a level of protection for very good and valid reasons that relate to the decision making of governments and the ability of governments to reach decisions about the best possible course of action, without fear of advice being downplayed or muted because it may come to the public arena.

It is central to the concept of frank and fearless advice to government in decision making. That is why these documents are accorded their status as cabinet-in-confidence. It is for the very same reasons that I am unable to agree to your request.

THE CHAIR: I am advised that quite often reports and other documents which do go to cabinet are indeed released and there have to be very, very strong grounds for that not to occur. After all, this, from the evidence we have heard, is a logical report to make and it would not fall into what would be acceptable as cabinet-in-confidence.

Mr Corbell: You do not know that because you have not seen it.

THE CHAIR: That is probably something we cannot resolve today.

Mr Corbell: No, I am not able to. I regret I am not able to accede to your request.

DR FOSKEY: There is no doubt the committee does have the right to at least ask for and, I believe, receive that document. As we do not have it, I was wondering whether I could ask you for the terms of reference for the Stuart Ellis report so that we could know what we are missing.

Mr Corbell: Again, I do not intend to supply that. This report and all of the activity around it were commissioned by the government to look closely at how effectively the ESA was performing and what the challenges were within the organisation. The report was used to inform the government's decision making in relation to the future directions of the organisations and issues that needed to be addressed.

DR FOSKEY: To whom was that report handed initially?

Mr Corbell: It was provided to me.

DR FOSKEY: When was that?

Mr Corbell: I would have to take that on notice.

DR FOSKEY: I am interested in whether it was after the functional review.

Mr Corbell: Yes.

DR FOSKEY: As a result of the functional review?

Mr Corbell: The report was commissioned following the government's decision to incorporate the ESA into the justice and community safety portfolio.

DR FOSKEY: And the aim was to advise us how that should be done?

Mr Corbell: The aim was to provide a detailed assessment of issues and challenges within the ESA that needed to be addressed; it was basically an assessment of governance, an assessment of operations, an assessment of capabilities.

DR FOSKEY: Has the government responded to that document, created a government response?

Mr Corbell: It was produced for internal government consideration; so it was not the sort of document that required a formal government response as such in the context that you would understand it where the government provides a response to the Assembly, because it was not a public document.

DR FOSKEY: In what way has it informed the procedures and practices of the existing ESA?

Mr Corbell: It informed the government's approach in relation to, say, the organisational structure of the ESA and the restructure of the ESA, which I announced along with the commissioner about 18 months ago now, which resulted in the creation of two deputy commissioner positions, including Mr Parry's role and Mr Foot's role,

and the reorganisation of the chain of command within the ESA, amongst a range of other things.

DR FOSKEY: Assumedly the Stuart Ellis report became an implementation somehow and is being ticked off through some other form?

Mr Corbell: No. The Ellis report provided government with a range of options, identified where there were weaknesses in the organisation that needed to be resolved and provided government with a range of options as to how to achieve that. It did not provide specific recommendations; it made a series of observations which the government, in consultation with the commissioner, then looked at and took some decisions about how to best reorganise the command of the ESA and the structure of the ESA to address the issues that were identified in the report.

DR FOSKEY: Mr Manson was already the commissioner when that process was followed?

Mr Corbell: Mr Manson may have become the commissioner part way through that process.

Ms Leon: I have to check the exact dates for you, but I believe that the report came in a little bit before the commissioner did—but both around the end of that year. You might recall, commissioner, whether it was already in existence when you commenced.

Mr Manson: I commenced in December 2006—I am trying to remember the year—and I had access to that report to inform my advice in looking at the agency as a new commissioner coming in and providing advice to the government in terms of how I might take the agency forward and what the priorities ought to be. So that report was informing, along with a number of other exercises that I undertook to inform myself to provide a view to the government on the structure of our business plan for the future.

DR FOSKEY: So you were not given instructions to follow that holus-bolus; it became part of a context, within a context, of, say, the McLeod report?

Mr Manson: It was part of, as you say, the McLeod report and what I expected to come out of the Doogan coroner's inquiry, my own observations coming into the job and a range of other internal meetings and stakeholder meetings that I had undertaken in preparing the priorities for our business plan, which was launched in March 2007. So informing that process, informing the structure that I adopted, was a part of that process.

DR FOSKEY: Was there ever a formal meeting between you and previous commissioner Dunn as a handover exercise?

Mr Manson: Commissioner Dunn had left some six months before I took up; there were acting commissioners in the meantime. Mr Dunn and I had a conversation, I believe. There was not anything at that time that I really needed to cover off with Mr Dunn. I had an incoming brief which was quite comprehensive. It would not be

unusual six months after the event unless there was a particular matter which he had knowledge of that I would ask about.

DR FOSKEY: FireLink, for instance.

Mr Manson: FireLink would have been one of them had I needed to question him on that but I had enough advice internally and through expert panels, external reviews and independent reviews; so I did not need that advice.

THE CHAIR: Anything further on this particular one before we move on to some more substantive things?

MR SMYTH: Minister, are you saying that you initiated the Ellis report?

Mr Corbell: No, it was initiated by my department.

MR SMYTH: Was it done, Ms Leon, by you or was it done at the behest of Commissioner Dunn or Commissioner Manson or—

Ms Leon: I would have to check the exact source of the formal request to Mr Ellis but my recollection is that I made the request of Mr Ellis.

MR SMYTH: You made the request but were you the person who determined that this review needed to be done?

Ms Leon: Yes.

MR SMYTH: Or was it advanced by somebody else?

Ms Leon: No. I determined that there was a need to have an external look at the agency and provide both the government and the incoming commissioner with information about its structure and operations that would be used to make decisions going forward.

MR SMYTH: And the Ellis report was about all of the ESA or specifically the RFS?

Ms Leon: All of ESA.

MR SMYTH: Have all the assistant commissioners seen the report so that they can be informed as to what needs to be done to make the ESA the most effective organisation that we could afford?

Ms Leon: No. The commissioner has seen the report. I think I should emphasise the point made by the minister that the Ellis report does not make recommendations about particular courses of action; it provides a series of observations and a range of information that assists to inform decision making by the commissioner and by the government.

So it is not that there are a series of recommendations and an action plan for implementation; it is a set of information that was used by the government and the

commissioner to make decisions about the structure and operations of ESA. It is those decisions that are the ones being implemented through the business planning process of the ESA which the deputy commissioners need to be aware of and implement; so there is not a set of other recommendations that they do not know about. The Ellis report did not make recommendations.

MR SMYTH: Would it not be of assistance to the deputy commissioners to know the context in which they are implementing reform?

Ms Leon: I feel very confident that the commissioner gives the deputy commissioners all the context that they need for their business planning process.

MR SMYTH: Is there not an advantage for the deputy commissioners to understand the conclusions that Mr Ellis has drawn?

Ms Leon: It is the conclusions that the government and the commissioner drew that are the significant ones for those who are implementing the business plans.

MR SMYTH: Is the material in the Ellis report consistent with, for instance, the conclusions that the Costello functional review drew?

Ms Leon: They are about completely different matters.

MR SMYTH: If they are about completely different matters, do the things that Ellis speaks of back up the decisions that were made in the functional review?

Ms Leon: They are about different matters. They are not really comparable.

MR SMYTH: In what way are they not comparable?

Ms Leon: You asked me to divulge to you the contents of the functional review. If you ask me to make a detailed comparison, since neither of those documents is in the public arena, it is rather difficult to have a comparison of them.

MR SMYTH: Yes, it is rather difficult to have a comparison.

Ms Leon: I can assure you that the Ellis report dealt with matters of detail about the structure and operations of ESA that were not germane to the considerations that the government considered when it implemented decisions in the 2006 budget. They are about different aspects of the subject matter.

DR FOSKEY: Can I ask a question?

THE CHAIR: Yes. We will move on to some other things.

DR FOSKEY: It is all relevant. Mr Corbell, I thank you for one of the documents that you did give the whole committee as a result of the chairman's request, the Yellow Edge Performance Architects report. It is primarily the result of extensive consultation with ESA staff after the fires. I was wondering whether this exercise is being repeated because it seems to me that it is an extremely useful one. I am also wondering whether

such an exercise improves morale, especially when staff see that their suggestions are taken seriously.

Mr Corbell: I will ask Mr Manson to answer that question.

Mr Manson: Certainly. If you go to pages 4 and 5 of that report particularly—

DR FOSKEY: The Yellow Edge report?

Mr Manson: Yes. Essentially there is a list going from items 15 to 17 and so forth, which is a list of significant, if you like, recommendations on areas for improvement. If you look at that list, it is very consistent with the McLeod report and very consistent with the outcome of the Doogan inquiry. This report obviously was pretty much on target with the views of staff and volunteers at the time and it is extremely useful following events such as the 2003 fires.

I would say that, if you look through those recommendations, all of those have largely been implemented. The way that we give feedback to our staff and the community is that we have provided feedback by way of reports on the implementation of McLeod and Doogan, response provided by the government. By the end of this month, hopefully we will do an internal review of the implementation of those recommendations that the government has asked us to implement. Once that report is done internally, that will be circulated and we will be advising people how well we are going.

You may recall that the Bushfire Council is also charged with doing an independent report on the implementation of McLeod and Doogan. We have a well-known consultant, Mr Bob Smith, an independent consultant, who is assisting the Bushfire Council in preparing that report and we hope that that will be available from the Bushfire Council back to the minister in the next month or so.

I think the feedback mechanisms are in place. Whether we should seek to do another exercise like this—it probably only works after a significant event or after an incident where we have formal processes for debriefing which are always undertaken. We do a number of community surveys as part of our reporting mechanism. The most recent one was completed last week, where we had 89 per cent or 86 per cent of the public aware of our messages out in the community; so we are having a very good effect with our education programs on the community, evidenced by those surveys undertaken at local libraries.

I think it is a little difficult to do a major exercise like this. We use a number of other indicators in the community to provide feedback. Our three-year business plan has an annual report on that. We have done a six-month report, which is on the web. Our 12-month report will be out shortly and that provides feedback largely on the matters which are in the report's recommendations.

DR FOSKEY: It does seem a little unfortunate that it takes a major event, a catastrophic event, before this kind of consultation is seen as worth while, though, because a lot of the advice that is given here would have been rather helpful before the event. The sorts of mechanisms you mention, while of course commendable, are

not of the same order as the consultations with staff.

Mr Corbell: In reply to that, it is important to stress that that document acted as a very important debrief for everyone who had been involved in the 2003 fire event. That sort of debrief and feedback is normal after any training activity or any actual incident that volunteers go through. After any training activity, there is a debrief where volunteers give their feedback to their commanding officers about what went well, what went badly, what the opportunities are to improve et cetera. That is a normal part of the activities of our volunteer services. That occurs every time they train. Whether it is a hazard reduction burn or whether it is an actual incident, that is what happens now.

It is important also to stress that there are a range of other things that also occur regularly now to get feedback from volunteers. For example, along with Ms Leon, Mr Manson, Mr Parry and others, I meet with volunteer representatives approximately every six to eight weeks to get their feedback directly to me on issues of concern. The chief officers, the commissioner and others meet with volunteer representatives on a regular basis as well, to get their feedback on issues of immediate concern. For example, we have just gone through a very major vehicle procurement process. Some \$6½ million has been provided by the government to replace approximately 35 to 45 vehicles. Volunteers have been centrally involved in giving advice and comment on what they need in a vehicle.

DR FOSKEY: That is volunteers. This was broader.

Mr Corbell: It is largely volunteers in that document, because it is RFS.

Ms Leon: This is more the ESA one that she is talking about.

Mr Corbell: I beg your pardon; it is other ESA as well. There are more established mechanisms for paid staff, and I am happy for Ms Leon and the commissioner to go into that, but I am just highlighting the efforts we go to to engage with volunteers. That is because they are the largest part of the workforce, to put it that way, and they are the most diverse part of the workforce. Often, they are the most difficult to engage with, because they are volunteers: they come in and out and they are not there nine to five or 24/7 in the same way paid staff are when they are on paid shift and so on. Those are the measures we take.

The sort of exercise that was undertaken by Yellow Edge was in response to a very large incident that involved everybody. I think that was entirely appropriate in the circumstances, but it is wrong to characterise it as such—that we do not do these sorts of feedback exercises and debrief exercises as a matter of routine. The ESA does.

DR FOSKEY: I wonder if you could provide at least a representative sample of those to the committee.

Mr Corbell: A lot of these are informal. It is not a case of having a consultant's report; a debrief after an incident or after a training exercise can routinely simply involve the people involved getting together with their commanding officers and talking about how it went.

DR FOSKEY: That is different from this.

Mr Corbell: The only difference is that this document involved the use of external consultants to write it up.

DR FOSKEY: And we have it in our hands; that is the big difference.

Mr Corbell: A lot of these learnings occur in a much more organic way. It is not always a bureaucratic exercise; nor should it be. There should be a flexible process of feedback and learning that occurs continuously within an organisation. It does not need to be detailed in the form of a written document like the one you have before you on all occasions.

THE CHAIR: Do you have any information in writing about the issue Dr Foskey is talking about?

Mr Corbell: Absolutely; we can provide it.

THE CHAIR: Thank you.

Mr Corbell: I will just ask Commissioner Manson to expand a bit further on that point.

Mr Manson: Just very briefly. After any significant road accident or fire brigade incident, there is a formal debriefing process which is managed internally, and similarly with ambulance. With the Rural Fire Service and SES, after a fire or a storm, there is a formal process. It is usually documented; those documents are held. We now contribute our lessons learnt to a national database of lessons learnt, managed, I think, by the Australasian Fire Authorities Council. With the Mount Clear fire, for example, there was a debrief after that. I have provided you with a newsletter which has the lessons learnt from that fire—which went out in the newsletter to all brigades.

What is different in this circumstance, with this report, is this. I think we know a lot about the circumstances leading up to 2003. We are not in that situation any more. We are far better prepared, as an organisation and a community, to respond. Hopefully we will not need another report like this one for the next 50 years if we undertake the processes we have. Our emergency operations senior officers meet fortnightly, as I have mentioned; these sorts of matters are discussed, and lessons learnt and gap analysis are done on a fortnightly basis.

THE CHAIR: Thank you. I want to ask several other questions. I think the appropriate officer is Mr McGuffog, who runs the—

Mr Corbell: Perhaps if you ask the question, we will make a judgement about that.

THE CHAIR: I think I am entitled to ask a witness a question. By all means, minister, you can comment and add to it.

Mr Corbell: I would like to know what the question is before you call Mr McGuffog.

If you have questions about the RFS—

THE CHAIR: Yes, I do.

Mr Corbell: Mr Parry is the Chief Officer of the RFS and he would be very happy to try and answer your questions.

THE CHAIR: Mr Parry may well be able to answer these questions as well. Mr Parry, I have a document here from Mr Carter to a person—from the organisation—who wrote of some concerns. He sent an email on 7 January 2008. Mr Carter replied on 15 January. He stated, “I note over the next month or so three of the 10 RFS based staff will move on to new jobs and that various others have left the ESA in the last year.” I want you to tell me how many left and what positions those three—plus the ones who left in that previous year—actually filled. And finally, on that question, have those positions now been filled? I think it goes back to the time of Mr Ross. I think he would have been the first. A number of staff left. Then Mr Carter refers to three staff leaving in the new year.

Mr Parry: There were three staff members from the Rural Fire Service who resigned. One was the volunteer liaison officer; one was the operations officer. I am just trying to think of the third one. The other was handling mainly equipment and facilities. When you say “ESA”, you mean other people as well, obviously.

THE CHAIR: The Rural Fire Service.

Mr Parry: Going beyond that into the—

THE CHAIR: No, the Rural Fire Service based staff—the headquarters staff, I understand. There were the three which you have just referred to, plus others who left in the previous year.

Mr Manson: I might just provide you with—

THE CHAIR: If you could provide just what those positions were, when they left and whether those positions have actually been filled.

Mr Manson: There are two pertinent matters here. One is the full-time budgeted equivalent staff positions for the RFS—10 at the time. It is now 10.3. The RFS had 14 staff on its books when I arrived.

THE CHAIR: That is right.

Mr Manson: I allowed them to continue that to get through a backlog of work. A number of staff who were seconded from TAMS went back to their agencies. Three staff ultimately resigned. Two were from the RFS. The other staff member had transferred across to our fleet section. He was not actually with the RFS when he left, and he left for a variety of reasons. He was pursuing other interests. Out of 10 staff, as I understand it, two resigned to take up better offers—better pay and better positions.

THE CHAIR: What about the staff who left the previous year? Clearly that has been

mentioned in the letter. We have had evidence in relation to, I think, nine out of 13 or nine out of 14 staff leaving.

Mr Corbell: As Mr Manson has just said, it is very important to clarify this point. The RFS have only ever been funded for approximately 10 positions. As Mr Manson said, they actually had more than that establishment in their headquarters for a period of time.

Mr Manson: Yes, and that was largely bad management by the people at the time. They were running well over budget that year and the year before, which contributed perhaps to the \$5 million overspend. When I came on board, I allowed them six months to take those staff who did not have formal positions and go back to their original agencies, thereby allowing the RFS to get on with some urgent jobs and finish off that business. Staff who were either seconded or paid for from grant funds, who were temporary staff in the agency—because they left and went back to their agencies, that is not a resignation; that is just normal management of the budget. Two staff have resigned; they took up better jobs in other places.

Mr Corbell: In relation to those vacancies—

MR SMYTH: When they leave they take with them a great deal of experience, don't they?

Mr Manson: As I said previously, there are some 2,000 volunteers who are trained, there are 300 professional firefighters, and there are another 100 odd staff in the agency—all who make up our emergency response. I am not dependent on one or two staff in the RFS for the entire incident response. If I was relying on two—

MR SMYTH: I did not ask that. I simply said, “When they leave, they take a great deal of experience with them.”

Mr Corbell: Indeed, but Mr Manson is putting it in context.

Mr Manson: I am not reliant on that. A normal campaign fire might run for a week or two weeks in the mountains. That is multiple shifts. I am not dependent on one or two staff. I do not like to see knowledge and experience go out the door, but those positions have all been filled quickly. They have been backfilled by very experienced people, some from New South Wales RFS. There is in the community the capacity, and a good capacity, to fill those positions quickly. And that has happened; they were filled immediately.

MR SMYTH: When they left, have they all done exit interviews?

Mr Manson: Two of them. Only two staff have done exit interviews.

MR SMYTH: Only two?

Mr Manson: Yes.

MR SMYTH: All right.

Mr Manson: They were all offered exit interviews, but only two chose to take up our offer.

MR SMYTH: You seem to be saying that the staff that did leave left because they had better offers and better money to go to.

Mr Manson: That was certainly one of the reasons.

MR SMYTH: Was there any dissatisfaction expressed at their leaving that the service they were leaving was not running according to how it should be run.

Ms Leon: This perhaps goes to the issue that the minister and the committee have had an exchange of correspondence about—the provision of the exit interviews. The minister indicated that those interviews are provided on a confidential basis. I offer exit interviews to all the staff of the agency when they leave. As the minister indicated, there is some desirability about encouraging people to participate in that process by not having what they say aired more publicly. We use the content of exit interviews to inform our internal deliberations. We add it to other metrics that we rely upon, such as the regular staff survey, to ascertain what improvements we need in management, culture and so on throughout the organisation.

Exit interviews usually consist of a whole mix of things that people have to say. Some of them are good; some of them are bad. Some of them are the reasons why they were leaving; some of them are just by the by. There are risks about relying on any one statement at any particular exit interview out of context.

Without wanting to damage the process of confidentiality of exit interviews by going into too much detail, I can say that, of the exit interviews that I have seen from the two staff that have been referred to, their comments about the organisation were largely positive but they did have some issues of concern. That is pretty normal in exit interviews.

THE CHAIR: Mr Parry, did you receive any exit interviews over the last 12 months?

Mr Parry: Yes.

THE CHAIR: How many?

Ms Leon: That is the two.

Mr Parry: The two that have just been referred to.

THE CHAIR: Let him answer the question. Mr Parry, how many did you receive?

Mr Corbell: The question has been answered.

MR SMYTH: There are two from RFS. Are there others?

Mr Parry: Sorry, could you repeat that?

MR SMYTH: I think that what they are saying is that there are two from RFS. But you run a larger proportion of the agency than just RFS.

Mr Parry: Yes. I have taken exit interviews from people outside the RFS as well.

THE CHAIR: How many have you received since 1 July—how many from the RFS and how many from other parts of your organisation?

Mr Parry: I think in total I have about five.

THE CHAIR: Who did you receive them from? Do they come direct to you or do they go to someone else first?

Mr Parry: I actually conduct the interviews.

THE CHAIR: I appreciate that the minister has indicated—he and Ms Leon—that they are not providing those exit interviews. We did indicate that we would ask some questions on them. In terms of those five you say you received, could you detail, say, the three main areas of concern? If there were three main areas of concern in those exit interviews, what were they?

Mr Parry: I cannot say that I have gone back over them in recent times. There were concerns about lack of communication, including lack of communication between those particular people and me. There was some criticism of management styles. There was some criticism on the basis that people did not feel that they were being valued within the organisation.

THE CHAIR: You mentioned problems with communication. Were there any particular problems with communication? You talked about management style. What particular problem was identified in relation to management style?

Mr Corbell: Mr Chairman, I have to say I think you are now venturing into some of the more specifics around the exit interviews. Given the very small number of them and the fact that the RFS is still a very small community and people know who has left, I think you are really trying to get into a level of specificity that I really cannot agree to for the reasons that I and Ms Leon have just gone to some pains to explain and which I think are largely accepted by the committee. So I do not feel it is appropriate to get into the level of detail you are now going to.

Mr Parry has, as has Ms Leon, sought to outline the general areas of concern and issues that are raised, but if you are asking for more detail than that, you are really getting into the specifics of the individual's circumstances and, as we have just discussed and I thought agreed, we are not going into that level of detail.

THE CHAIR: I hear what you are saying, minister, and I am very mindful of ensuring that not anyone is remotely fingered, but might I say I do not regard that as a particularly specific question. I think it is fairly general. It is reasonable. I would accept, though, that if I delved too much deeper than that, there might be some problems in terms of what we have agreed on. I press the question, minister.

Mr Corbell: I am sorry, Mr Chairman.

THE CHAIR: I press the question,

Ms Leon: Can I answer from perhaps a more whole-of-department and whole-of-ESA point of view about this?

THE CHAIR: We have five exit interviews here, Ms Leon.

Ms Leon: Yes, I know, but that is five interviews out of a staff of something like 500.

THE CHAIR: I think it is about 13 that we are talking about, aren't we?

Ms Leon: No, there are not five out of the 13. I think Mr Parry has indicated that the five is across the whole span of his responsibilities, which also includes the fire brigade. I, as a manager, would have—

THE CHAIR: Perhaps Mr Parry can elaborate slightly on that to make sure that we are talking about the same thing, Ms Leon.

Ms Leon: I think you did say that.

THE CHAIR: Mr Parry, would you like to do that?

Mr Corbell: Mr Chairman, the committee has asked how many exit interviews were conducted amongst RFS staff. The answer has been given. It is two. You also then asked Mr Parry, "What other exit interviews have you received?" He has answered, "In total, five."

As you would be aware—or as you should be aware—Mr Parry is not just responsible for the RFS. He is also the chief officer of the Fire Brigade, and he has a range of other responsibilities as well and a range of other staff that report to him as well. He has answered—

THE CHAIR: I am sure Mr Parry can speak for himself.

Mr Corbell: I am just clarifying, Mr Chairman—

THE CHAIR: No. He can clarify that.

Mr Corbell: I think you are being mischievous.

THE CHAIR: It is not for you to make suggestions like that, attorney. I have asked a pretty simple question and I think that Mr Parry can answer it quite effectively.

Mr Corbell: Mr Chairman, I can assure that much more grievous things have been said about me in public hearings, and if you do not like it, reflect on how sometimes committees deal with ministers in this place.

The answers the committee are seeking have been given. You asked how many exit interviews were provided by staff departing the RFS. The answer to that has been clearly given. You then asked how many other exit interviews in total, including RFS, have been given. The answer to that has been given. It is five. As Ms Leon says, it is five out of a paid establishment of 300 to 400.

THE CHAIR: Minister—

Mr Corbell: It is five exit interviews out of a paid establishment of 300 to 400. I think Ms Leon makes a very valid point.

Ms Leon: I should say also that I have—

THE CHAIR: Minister, I have asked a very simple follow-up question to Mr Parry in relation to these five exit interviews. He answered my first question. There are three areas of concern, two of them being communications.

Mr Corbell: Yes.

THE CHAIR: and one of them being in relation to—I think it was management.

Mr Corbell: Yes.

THE CHAIR: I asked what particularly, in relation to those two areas, the concerns were. It is a very simple question. I think he would be able to give me a very simple answer to that. I do not see the need for anyone to prevaricate in relation to something as simple as that. So, with the greatest respect to you, I would like that question answered.

Mr Corbell: Again, as I have said to you, Mr Stefaniak, and as I thought we had agreed—the committee and the government, I thought, were in agreement that it is not appropriate to go into the detail of the exit interviews because they are provided on a staff-in-confidence basis where staff are encouraged to express their views so that they can be used to—

THE CHAIR: Minister—

Mr Corbell: If I can answer your question, Mr Stefaniak.

THE CHAIR: Well, please do so quickly.

Mr Corbell: Therefore, Mr Stefaniak, if we want to retain the integrity of that process, we need to assure staff that what they say in an exit interview is not going to be broadcast around the whole of the territory; otherwise people just will not do exit interviews. That is the reason why, Mr Stefaniak, we have agreed, I thought, that we would not go into the specific detail of those exit interviews, and that is my answer and the government's answer to your question.

THE CHAIR: Well, Mr Parry, I certainly do not intend delving deeper than that. I think they are simple questions. They do not go into great detail. Clearly, we have a

problem here. We have a number of witnesses who said there are significant morale problems. These have been flagged in terms of what people have been told by people who have left the organisation. I think that is still a fairly simple question.

I do not intend going so deep that we are remotely likely to finger anyone, Mr Corbell. I think it is important to keep the confidentiality of these people. But, clearly, if the thread coming through these interviews was, one, a problem with communications and, two, a problem in relation to management or management style, I would just like a little bit of elaboration on that so that the committee can appreciate what the problems are and then we can move on to something else. I press the question, Mr Parry.

DR FOSKEY: I have got a supplementary to this.

THE CHAIR: No. I have not got an answer to that question yet.

Mr Corbell: Mr Stefaniak, I am sorry. I have answered your question to the best of my ability. I have explained to you why I and my officers cannot go into any further detail in that regard.

THE CHAIR: Well, I have actually asked Mr Parry the question.

DR FOSKEY: Can I ask a supp? There are other ways of skinning a cat, Mr Stefaniak.

Mr Corbell: Mr Stefaniak, I have answered. As I have said, I have tried to answer the question to the best of my ability on that, but, as we have just discussed, there are a range of issues that mean that the confidentiality of staff-in-confidence processes should be respected. You are asking for a level of detail which, given the very small number of people involved, could result in those people being identified. I am sorry, but I cannot agree.

THE CHAIR: Attorney, they are confidential, are they not? We are stressing the confidentiality of that. We appreciate that.

DR FOSKEY: Can we have our supps, please, Bill? There are other questions around this.

MS MacDONALD: Bill, come on.

THE CHAIR: Accordingly I just press that with Mr Parry. If he is not going to answer it, if you direct him not to answer, then—

DR FOSKEY: He is not going to answer. Let us move on.

Mr Corbell: As I have said to you, Mr Stefaniak, I and my officers have attempted to answer those questions as best we can without disclosing the confidentiality of the information provided by departing staff.

Ms Leon: Can I also just add that there are a range of frameworks by which I, as the

responsible chief executive, keep a good eye on the management of staff throughout the organisation. Every two years we conduct a whole-of-department staff survey. All the executives and all the staff with management responsibilities below them are required to have achievement and development plans. There is an annual reporting process on those, out of which any management problems or departmental issues are identified and addressed. In addition to that, all the executives of the department are subject to 360 degree feedback, so that any deficiencies their staff identify in them are able to be reported up.

I think that range of measures does give us a whole suite of information and management tools to address any concerns that staff might have with their leadership. That material that comes from exit interviews is a supplement to that, but it is, of course, not nearly as complete as the whole-of-organisation staff surveys and performance feedback mechanisms that are in place.

THE CHAIR: Minister, I do not regard what you are doing as remotely satisfactory. Mr Parry is in an invidious situation. I note the time. I will take that up with my committee colleagues. I think it is perhaps one of the problems in terms of part of this inquiry that does vex us to some extent. I note Mr Parry's difficulty there and your attitude to that. You are his minister. I will shelve that question for the time being and we may revisit that.

Mr Parry, might I ask: are you the only person who does the exit interviews or are there other people in your organisation who would do exit interviews, certainly with RFS staff?

Mr Parry: No, sir. I have been conducting the exit interviews on a one-on-one basis.

THE CHAIR: Right. Are there any officers in your organisation who do exit interviews or who would receive exit interviews and maybe pass them on to you or to other senior officials?

Mr Parry: Yes, sir. The Fire Brigade do exit interviews for people that are leaving the service.

THE CHAIR: Yes.

Mr Parry: I do not sit in on them. If there are any relevant features that come up through that, I would expect that Deputy Chief Officer Barr would inform me of any outcomes that need to be followed up.

THE CHAIR: Does anyone else do the exit interviews in the Rural Fire Service? Is it just you who does all those in relation to RFS staff?

Mr Parry: As far as I know, it is just me.

THE CHAIR: Just you? No-one else?

Mr Parry: Not that I am aware of.

Mr Corbell: I think he just answered that.

Ms Leon: Can I also add—

THE CHAIR: Do you receive any documents from anyone else in that organisation in relation to exit interviews before you conduct them?

Mr Parry: Before I conduct them?

THE CHAIR: Yes.

Mr Parry: No, sir.

Ms Leon: There is also an online exit survey option available throughout the department. If people wish to provide their exit feedback without sitting down with anyone, they also have the option to do that.

THE CHAIR: Are there any supplementaries on that?

DR FOSKEY: Yes. Well, I am going back to staff issues. Minister, thank you very much for providing the report on preparedness for the 2007-08 bushfire season. I gather that it was written at the beginning of the bushfire season, so it does not tell us exactly whether some of the issues it raises were resolved. Can I just pop a few of those in front of you right now?

First of all, there is an indication that there were problems with staff shortages due, the report says, to requirements to utilise leave. I am just wondering if that problem was overcome. What do you mean by “requirements to utilise leave”? Do you mean they have built up—?

Mr Manson: Perhaps I will answer that, minister.

Mr Corbell: Yes.

Mr Manson: When I did a leave survey of the RFS, nearly all of the staff there had excessive leave, some with three or four months in excess of the government standard for maintaining leave. Some of this had been built up as a result of 2003 and attendance at inquiries and so forth.

From a manager’s point of view, for occupational health and safety reasons I was not prepared to go into a third fire season with staff who had not had leave, some of them, for two and a half or three years. I directed the chief officer at the time to manage the leave back to a reasonable level. As a consequence, a significant number of the RFS staff took July-August and some of them into September to get their leave balance down.

As a consequence of that, I also asked the deputy chief officer at the time, Tim McGuffog, to prepare a report. Each year he prepares the preparedness schedule, which is a large spreadsheet with a huge list of actions to be done. Tim provided that to me and we discussed—

THE CHAIR: When was that? When did he provide that?

Mr Manson: It would have been September—early September.

DR FOSKEY: September 2007?

Mr Manson: Tim provided that to our fortnightly operations group with a range of concerns that a number of things were going to fall behind. I approved an extra staff member, some assistance from the SES to do equipment checks—

THE CHAIR: Could you provide that document to the committee, Mr Manson?

Mr Manson: Yes, certainly.

THE CHAIR: That September document from Mr McGuffog.

Mr Manson: Yes.

DR FOSKEY: We have that. You mean the spreadsheet that goes with it?

THE CHAIR: The spreadsheet and the concerns he raised. I take it that was just before the fire season started?

Mr Manson: It is, if you like, an annual checklist which they have to go through and make sure that all things are done effectively. Mr McGuffog provided that to me with essentially the list of issues which might fall behind if we did not do something. We did something; we provided extra staff and resources from SES fire brigade and a full-time staff member to catch up. They did that very successfully. By 1 October or November, all of those jobs were done.

For example, the fire towers need an annual inspection. Normally, that is done by RFS staff. This year, it was done by our maintenance staff, who are fully qualified to do that job. They took some engineers with them and did it. So it was really about making sure that we got there; we had a checklist, and when Tim raised the gaps we filled them.

THE CHAIR: Could we make sure that we have those documents? If we have some, that is fine, but I would like to see those.

DR FOSKEY: We have got most of them. There was a concern that there were not enough remote area firefighters. There was a hope that there would be 50 by the time the fire season was really on, and I note there were 26 at the time.

Mr Corbell: I don't think that document said there were insufficient remote area firefighter teams.

DR FOSKEY: Unfortunately, there are no page numbers on the document, so I have not been able to cross-check.

Mr Corbell: Could you refer me to where it says that because I do not think it does say that.

DR FOSKEY: I would love to find it; I am trying.

Mr Manson: Perhaps while we find that—

Mr Corbell: There was no suggestion that there was a shortage. Unless you can point out to me where it does say that, Dr Foskey, I have to correct you.

DR FOSKEY: Well, I am trying.

Mr Manson: I think we have 26 fully trained firefighters, or perhaps more, which were available. The figure of 50 that you mentioned is a target vision that I discussed with the remote area team at Jerrabomberra station when we were looking at how we would spend the government's initiative in the budget to improve our remote area fire-fighting capability over the next year or so. I had discussions with New South Wales RFS and National Parks—our neighbours—and we set a visionary target of trying to have 50 people remote area trained over the next year or so, to form the ACT part of a regional comprehensive base to be able to do remote firefighting. So that is where the figure of 50 comes from: it is a visionary target set by the remote area team and me. It is in no way set as a requirement; it is set as what we think would be a good target within the brigade to support ourselves and our neighbours.

THE CHAIR: Is your question a supplementary, Mr Smyth?

MR SMYTH: It is along the line that Dr Foskey is following.

THE CHAIR: That is a supplementary. Ms MacDonald has some on a different area. Ask your supplementary.

MR SMYTH: Mr McGuffog was responsible for detailing the preparedness for the fire season?

Mr Manson: There is a responsibility in the act for the commissioner to provide advice to the minister, as there is for the Bushfire Council to provide its independent advice. In the preparation of that advice, I asked the deputy chief officer to prepare a report, which he did, and you have got his full draft report. I summarised that somewhat.

MR SMYTH: The committee does; I will get a copy later.

Mr Manson: So I asked him for that, and then I put other considerations. I talked to the Fire Brigade and other people to make the final report. While the RFS provides some information, the Fire Brigade and the SES provide logistical support. So by the time my rolled-up report goes, it is on the basis of consideration of advice I might receive from the Bushfire Council and from Territory and Municipal Services on their preparedness and our own internal preparedness. This forms a very significant and vital part of advice to me in preparing my report.

MR SMYTH: Mr Parry, who had input to the report that you gave to the commissioner on preparedness for the fire season?

Mr Parry: I do not know that I actually prepared it at all. I think he said that Mr McGuffog prepared it.

THE CHAIR: Perhaps Mr McGuffog could answer that question then. Could you come forward, Mr McGuffog?

MR SMYTH: Could Mr McGuffog give us a rundown on what he puts into the report and how it is provided?

Mr Corbell: A copy of the report has been provided to the committee.

THE CHAIR: No, I think the question was about who had input; it was quite specific.

MR SMYTH: Reports are reports. I would like to know what preparation was put into the final document. Is there a problem with that?

Mr Corbell: Reference is made to RFS's understanding of its capability and issues in the field as reported by brigade captains and RFS staff.

MR SMYTH: Is Mr McGuffog allowed to tell us what the brigade captains said?

Mr Corbell: It is outlined in the report.

THE CHAIR: He was asked to add input. Mr McGuffog, would you just come forward and answer that question?

Mr Corbell: No.

THE CHAIR: Are you going to refuse to allow that? It is a very simple question.

Mr Corbell: I am just trying to clarify exactly what is required, Mr Stefaniak, because what Mr McGuffog, as deputy chief officer, put in his report has been given in total to you.

THE CHAIR: That is right, and Mr Smyth asked who had input into what was put into his report. I would have thought that is—

Mr Corbell: The answer to that is the staff of the RFS, brigade captains and others.

THE CHAIR: Surely, he is capable of answering that. He is the man on the spot. You might have missed someone, minister. I really can't see the problem.

Mr Corbell: Mr Chairman, I am the responsible minister and I have given you the answer.

MR SMYTH: Mr Manson, were you given any contrary advice that we were not prepared for the fire season?

Mr Manson: No, I think I provided advice previously that the commissioner's operations group meets on a fortnightly basis. There is a high level of debate there and a high level of questioning of all sorts of things. I might question whether the aircraft-helicopter fuel is in place. It is a question that I asked last year, for example. There were some gaps in that information that was provided to me and we fixed the problem. So I do serious questioning from my own personal checklist and experience, as do the other members around that table from ambulance and fire brigade. It is a cooperative effort to make sure that we test each other to make sure we are ready. I had no contrary advice. There were some gaps. I asked Mr McGuffog for a schedule of how he was going with his preparation; he provided that. He provided me with advice on the gaps. The whole of the agency sought to assist him to fill the gaps.

THE CHAIR: Could we have that schedule, if we do not already have it?

Mr Manson: Yes, I am going to provide that schedule to you.

THE CHAIR: Thank you.

MR SMYTH: You have been with us for two complete seasons?

Mr Manson: Yes.

MR SMYTH: Were we better prepared for the season that has just finished than the previous season?

Mr Manson: I think our level of preparation was good on both occasions.

MR SMYTH: That is not the question I asked. Were we better prepared this season than last season? Was it relatively the same?

Mr Manson: I think it has been the same. I think the organisation was well prepared last year and was well prepared this year.

DR FOSKEY: What about the—

MR SMYTH: In terms of management—things like incident control and AIMS accreditation—how many officers in the brigade are AIMS accredited?

Mr Manson: I do not have the exact figures in front of me. Mr Parry might know those.

MR SMYTH: Are you AIMS qualified?

Mr Manson: Myself, yes.

DR FOSKEY: Can I go back to my question please?

MR SMYTH: Is it still valid?

Mr Manson: I am not sure. My original validation was some time ago and the rules change a bit. I do not take a role as an incident controller anymore; I am an administrator.

MR SMYTH: Mr Parry, how many officers are AIMS accredited?

Mr Parry: From the Rural Fire Service, 66. There is an AIMS course going on as we speak, and there is a further upgrade course that I will be participating in over this weekend, on Saturday and Sunday.

MR SMYTH: Is there a system in place to check that people's accreditation will continue?

DR FOSKEY: Mr Smyth has gone to a different area.

THE CHAIR: Dr Foskey still has a question in relation to—

DR FOSKEY: Yes, I would not mind getting back to my original question.

THE CHAIR: We can pursue the additional matter shortly. Minister, I note you did not want Mr McGuffog to answer that question when I did require it, so we will also have a look at that later.

DR FOSKEY: Having found the relevant part of the preparedness report, it says:

The ACT currently has 26 fully qualified remote area firefighters. This season—
and it is very specific and not quite as aspirational as you indicated, Mr Manson—

it is proposed to increase the numbers to around 50 personnel. This has been allowed for through a special budget initiative.

That sounds as though it was going to happen, so what happened?

Mr Corbell: I think your assertion was that there was a shortfall. It does not say that, Dr Foskey. In relation to what happened, I am very happy for Mr Manson or Mr Parry to answer the question.

Mr Manson: I might refer this question to Mr Parry because I am not familiar with exactly how many people have gone through the entire new training program to make up the other 24 personnel. Perhaps Mr Parry can advise for exactly how many people out of the 24 extras we have actually managed to achieve formal training.

DR FOSKEY: You were just dobbed in, Mr Parry.

Mr Parry: I am advised that there were 26 on the books at the time. It has subsequently gone up to 35, based on re-accreditation for winch training.

DR FOSKEY: So it did not get to the 50. Is that still aspirational for this season?

Mr Manson: It was always an aspirational target. There are two elements to this. One is that the training is rather arduous and complex. The second is that we need to have willing volunteers who wish to undertake this particular activity. So that is our target. We will continue to try to achieve that target, and I think we will. I think there are enough young and enthusiastic members to undertake this work.

DR FOSKEY: I do not think it would be too hard to sell. It sounds like fun in terms of the kinds of skills that are involved. I think it would be quite attractive to me.

Mr Corbell: I will invite you to try out the fitness test, Dr Foskey—

DR FOSKEY: No.

Mr Corbell: and see how you go.

DR FOSKEY: I did not mean people like me, Mr Corbell, I meant for all those other—

Ms Leon: I was concerned when I saw that the level was “more than arduous”. Arduous seems hard enough.

THE CHAIR: More than arduous.

DR FOSKEY: Yes.

Mr Manson: I think we will get there.

DR FOSKEY: There are people who are attracted by those things.

Mr Corbell: Indeed, they are.

THE CHAIR: Ms MacDonald, you have some questions?

MS MacDONALD: Yes. I should say that I am not one of the people who are actually tempted—

THE CHAIR: No one expects you to do the course.

MS MacDONALD: to go into more than arduous or even arduous, thanks very much.

DR FOSKEY: You are?

MS MacDONALD: I am not. Minister, I know that Commissioner Manson and Ms Leon were present this morning when Mr Dunn appeared. Did you happen to hear any of the testimony given by Mr Dunn?

Mr Corbell: I heard most of it, yes.

MS MacDONALD: Mr Dunn made comments in his testimony this morning, as you might be aware, about insincerity by the government with regard to changing from an

authority to an agency. He made a number of comments. I was just wondering if you could care to comment in response to any of the things that Mr Dunn said this morning.

Mr Corbell: Well, Mr Dunn's views are his own, Ms MacDonald. I note that Mr Dunn has not been commissioner for a number of years now and therefore his level of awareness or understanding of what is occurring within the organisation is necessarily somewhat dated, and I think he acknowledges that himself. At least I would hope he would do so.

Look, I will not get into Mr Dunn's personal views. Those are a matter for him. All I would say is that a number of the claims that were made today are not quite the case, particularly those matters relating to FireLink. In relation to FireLink, Mr Dunn, I think, made the comment that there was a business case developed for FireLink.

MS MacDONALD: Yes.

Mr Corbell: That is not what the Auditor-General found. The Auditor-General found that there was insufficient consultation with end users in the development of the statement of user requirements; that the authority's consideration of risk for the FireLink project was inadequate; that the procurement process failed to demonstrate clearly that the project would achieve value for money and, further, that the authority did not follow the ACT public sector management standards and guidelines to ensure that the principles of merit and procedural fairness were adopted in the employment of temporary contracted staff to lead new ICT projects, including FireLink. So the Auditor-General refutes many of the claims that Mr Dunn makes, and I must say I find it concerning that Mr Dunn asserts that there were no problems with the management of the project, given what the Auditor-General has found.

MS MacDONALD: The FireLink project was also discussed. It was highlighted that there was supposed to be a trial of four months but that there was a fire incident to the south of Canberra and that FireLink was trialled as a result of that. He said it was somewhere between seven to 10 days after the trial had commenced and that that was sufficient time—I am sorry; that would be to misquote him—that there was not the money there to actually further trial the project. Did you want to further comment on that?

Mr Corbell: Yes.

DR FOSKEY: Can I just add that I think he felt it was an adequate test, as well as there being insufficient money.

THE CHAIR: Yes.

MR SMYTH: What he actually said was that the hourly rate for the use of the system was allocated some money and that money was used for the full length of the hourly rate and therefore what was set out to be achieved was actually achieved. But I am sure the minister has an answer.

Mr Corbell: Well, I do. I simply draw members' attention to the Auditor-General's

report. The Auditor-General found that the four-month trial was, in effect, reduced to eight days.

DR FOSKEY: That is right, because of the situation—

Mr Corbell: It was going to be a four-month trial, which was reduced to eight days, and it was subsequently declared a success. The Auditor-General in her report found that there were deficiencies in the scoping, planning, procurement and management of the project. As a result, the overall management of the project was neither efficient nor effective in delivering the intended outcomes to meet authority and agency operational needs. The Auditor-General found that there should be a requirement for all major ICT and other projects to be supported by a rigorous business case, including cost-benefit analysis of alternative options.

In her view, the procurement process failed to demonstrate clearly that the project would achieve a value for money outcome for the territory. The consideration to support a local and innovative company and the urgency of the proposal appeared to outweigh other considerations, including value for money. The authority's consideration of the project was inadequate. In particular, the authority generally underestimated the level of risk associated with delivering a complex ICT project, especially given the developmental nature of the proposed system. The statement of user requirements included in the FireLink contract did not include specific and measurable performance standards against which the system could be assessed or by which the performance of the contractors could be monitored.

What is quite clear is that the Auditor-General finds that the authority did not work out sufficiently how it was even going to measure success. What were the user requirements? How were they going to measure whether or not the technology chosen would meet the user requirements? The Auditor-General found that even before the trial the authority did not know what to look for in declaring whether or not the trial was a success, let alone then declaring success after only eight days into a four-month trial. So I think the committee should have regard to the Auditor-General's quite unambiguous findings in that regard.

THE CHAIR: Minister, Mr Dunn, along with a number of other witnesses, was very strong in terms of lamenting the abolition of the independent agency, as a result, it seems, of the functional review and the new structure being put in place. Do you think you may well have made an error in terms of getting rid of what many people seem to have seen as an effective structure and replacing it with something that is far more problematic?

Mr Corbell: Well, it was not an effective structure because it blew its budget by between \$3 million and \$5 million in two consecutive years. It delivered failures such as the FireLink project. It was not an effective structure. We have damning reports from the Auditor-General to say it was not an effective structure. As I have said to you—

THE CHAIR: This committee also has considerable concerns, minister.

Mr Corbell: To answer your question, Mr Stefaniak, because it is a serious

suggestion that you make—

THE CHAIR: Yes, it is.

Mr Corbell: the operational independence of the authority is still enshrined in law and guaranteed under the Emergencies Act. In my opening statement in the first session at which I gave evidence before the committee I outlined how our emergency management governance and structure now operates. I outlined specifically in detail where the chief officers and the commissioner have their powers protected under the law so that when it comes to operational matters they have complete authority.

It was the right decision to change the structure to ensure that there was also financial and management accountability because clearly, under the previous structure, there was not. You heard it again from Mr Dunn today. What you heard from Mr Dunn today was not the approach of a responsible chief executive. What Mr Dunn said today was, “I could not do my job properly because I did not get all the money I asked for.” That is essentially the argument he—

THE CHAIR: We will have a look at what he said, minister and see if we agree with your interpretation

Mr Corbell: That is essentially the argument that Mr Dunn made today. There was no recognition on the part of Mr Dunn in his evidence today that the government had given him a task and a budget to do that task and it was his responsibility to deliver that task according to that budget to the best of his ability.

The approach Mr Dunn took, instead of trying to do that, was to say, “Well, this is my task and I do not care how much money I spend even if it means blowing the budget.” No other public service agency is allowed to operate like that. Why should the ESA be any different? The obligation on any chief executive is to do the best of their ability within their budget. Unfortunately, the attitude seems to be “we just spend like there is no tomorrow; the money will come because we are just doing what we need to do”.

That is not rigorous management. That is not a management approach that is endorsed anywhere in the public sector in this city or in the commonwealth or in any other public sector agency in the country. It is an irresponsible attitude and it is a cop-out. It is a cop-out because it basically says, “If I cannot do my job with the resources I am provided with, it is somebody else’s fault,” rather than trying to manage your budget responsibly and looking at how you prioritise to deliver the best possible services within the budget allocation that is provided.

Let us remember that Mr Dunn was operating in an environment where his budget was increasing dramatically. He was not operating in an environment of budget cutbacks. He was operating in an environment where his budget increased in the order of approximately \$30 million. It doubled. That, Mr Chairman, I think needs to be kept in mind.

THE CHAIR: Dr Foskey?

DR FOSKEY: I just want to explore the new structure with you. We were given a copy of this one of the papers you handed around. It has got a few boxes and—

Mr Corbell: Can you just tell me what that is titled?

DR FOSKEY: It is called “The ACT Management Structure in a Declared State of Emergency”.

Mr Corbell: Yes. I am familiar with it.

DR FOSKEY: I do not know if this is a—

THE CHAIR: I think that is what would happen in the event of a major emergency.

DR FOSKEY: That is right.

THE CHAIR: That is what that document refers to.

DR FOSKEY: That is the latest iteration—

Mr Corbell: That is correct.

DR FOSKEY: or the one that we have received.

Mr Corbell: Yes.

DR FOSKEY: I have to say that to me it is quite a confusing document. I wonder if you have any more detailed other documentation which indicates how it actually does work. By the way, has this structure been tested yet?

Mr Corbell: This structure is regularly exercised. As I indicated to you in my previous evidence, we have tested these arrangements, including at the ministerial level and at the cabinet, security and emergency cabinet level on numerous occasions in a range of scenarios, including simulated terrorist events, simulated pandemic outbreak and simulated power failure occurrence. We have tested this structure in a range of exercises.

DR FOSKEY: Except a real, unexpected emergency.

Mr Corbell: Well, we have not had an emergency of the scale that would warrant the full activation of those arrangements. There has been a level of activation of some of those arrangements for a number of incidents in the city, but we are fortunate, Dr Foskey, that we have not had an incident of the scale that would warrant the full activation of those arrangements.

DR FOSKEY: So you are confident that this is a robust structure and anybody in each of these boxes would understand exactly how they can act? Obviously the arrows are going in two directions, which is good—communication needs to go both ways—but who responds to whom? I am not an expert in organisational structure, but I just wonder if you have got other documents that make it clearer how the chain of

command goes. If you do, I would appreciate them being put in front of the committee.

Mr Manson: Perhaps I can assist you. That document is, I guess, the overview document. It does lack detail, but it is really meant for those people who are regularly using the document. The players that will be in those boxes have been exercised well. The Isomex exercise undertaken fairly recently was a major exercise which exercised all of structures, including the Chief Minister and the security cabinet and so forth being actually in the room and involved in an exercise. That structure is typical of the structure used right around Australia, so it is not new or different from anything that we used.

There is a document that goes behind that—the emergency plan and its subplans. I would be more than happy for either I or one of my planning staff to take you through just how that works. I think it is important that Assembly members understand that process and that document. I would certainly make people available or even myself.

THE CHAIR: People might take you up on that. Mr Smyth, you had a couple of supplementaries. I note the time.

MR SMYTH: Yes, a final one in relation to the review of the existing arrangements. There is an agreement that volunteers and you will come up with a set of review guidelines. When will that review be completed?

Mr Manson: The captains group, back in December, agreed on a slightly different change of arrangements to the one we had initially agreed on back in May last year. That agreement, the new agreement, the new arrangement, which was put forward by the captains to me, is very well progressed. We have had a bit of an independent consultant facilitating, a person from Canberra who was actually directly impacted by the fires; so he has some empathy with the organisation. That process is well advanced. There have been meetings with stakeholders, meetings with brigades.

My expectation is that by mid-July we will have a final business plan, which will be in a form where we will be able to use that as the interim document while we probably have a three-month full consultation period. But my expectation is that we will have a business plan in the next three to four weeks which addresses all of the issues that largely are being raised here by some of the volunteers.

There are two areas of success in that project. One is that we have identified some things which are easy fixes or intermediate fixes, which are happening now and should be finished by August or September, preceding this season; and then there are some longer term issues about management and communication activities for the brigade. I am heartened that the brigade has identified a number of things about its business and how it wants to go forward; so we will be facilitating that. By the end of July I will have a comprehensive business plan for the RFS made by the captains and the staff.

THE CHAIR: A final one for me and it is supplementary to Dr Foskey's. On this one I am not overly concerned who answers it. It might well be one for you, minister. Minister, are we at a strength to comfortably deal with a medium event, say a 10 to 20-kilometre-front fire, sustaining units in the field for more than 48 hours?

Mr Corbell: I will ask Mr Manson or Mr Parry to answer that question.

Mr Manson: I am glad you have embraced climate change, because, if 20 kilometres is a medium event, then a 60 or 100-one must be a big one. I have dealt with fire fronts of that size on many occasions. If it is coming from Yass, I would like to see us doing a little bit more strategic work on the ground with our farmers and neighbours on those plans that are being put into place through version 2 of the bushfire plan.

We do have the capability and we do have the arrangements in place with our interoperation with our neighbours around the ACT. We have full commitment of the national coordination system to provide us with aircraft and support should such an event occur. I am more than convinced that, if I do the actual numbers on the competencies of senior staff that we have in the ACT—and I did this exercise recently in looking at the AIMS courses that we are running—the ACT has never had this high a level of competent experience in prevention and big fire events ever; so the ACT is probably better off than most of our neighbours in terms of high-level experience and competence at the senior level.

THE CHAIR: Any questions on that from either of you?

MS MacDONALD: I think we are overdue for lunch.

THE CHAIR: We are overdue. Thank you. The committee will adjourn until 2 o'clock. If we could get those documents. We will also look at those other issues that I raised. I thank you for your attendance here today.

Mr Corbell: Thank you.

Meeting adjourned from 1.07 to 2.00 pm.

ZISSLER, MIKE, Chief Executive, Department of Territory and Municipal Services
McNULTY, MR HAMISH, Executive Director, Environment and Recreation,
Department of Territory and Municipal Services

THE CHAIR: Thank you very much, gentlemen, for your attendance. You have got the yellow card; you know it pretty well; it will speed up the proceedings a bit here.

Mr Zissler: Thank you very much.

THE CHAIR: You have both had a chance to read the yellow card. Do you understand the privileges implications of the statement?

Mr Zissler: Indeed, yes.

THE CHAIR: You both do, yes. For the record, I move:

That the statement be incorporated in Hansard.

The statement read as follows:

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the Resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it.

Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing.

THE CHAIR: I do not mind who answers this. Gentlemen, what is the role of TAMS in terms of the identification of bushfire fuel loads and preventative planning?

Mr McNulty: TAMS is the single land manager now for unleased territory land that is not required for development. We manage all the unleased territory land. So our responsibility is to prepare a bushfire operational plan, under the strategic bushfire management plan, which includes assessment of risk and a list of hazard reduction works for that year. We also provide a parks brigade, which is a bushfire response crew.

THE CHAIR: And where is that based?

Mr McNulty: There are a small group of staff who are dedicated to bushfire work. The rest are people who do normal land management duties most of the time; then, during the bushfire season, when they are on stand-up, they go to depots where the fire appliances are located and wait there during the day.

THE CHAIR: How many park rangers are there currently, and was there any change to this number after the restructure of emergency services in 2006?

Mr McNulty: I do not have the number of actual park rangers with me but I can take that on notice if that is all right.

THE CHAIR: Could you, please, and provide that?

Mr McNulty: Yes.

THE CHAIR: And take on notice whether there was any change to that number after the restructure.

Mr McNulty: Yes.

THE CHAIR: Have the roles and responsibility of TAMS as a land manager changed since that restructure?

Mr McNulty: Yes, they have. In fact, prior to 2006, there were a number of land managers in the territory. ACTPLA used to manage land; Environment ACT/Forests used to manage land when they were outside of TAMS; and urban services, as it was at the time, used to manage land. The situation now is that TAMS as a single land manager manages all the land in the territory. That is everything from Garema Place, the little park in a residential street, to Namadgi national park; it is all managed in the one area now.

THE CHAIR: In terms of rural land managers, in your opinion, gentlemen, are they equipped well enough for bushfire in terms of information, preparations and resources and what could actually be done to assist them in their preparations?

Mr McNulty: I believe at the moment our staff are well equipped, well resourced and well trained for the bushfire tasks they have to undertake.

THE CHAIR: And what tasks are those?

Mr McNulty: Preparation of the bushfire operational plan, that fuel load testing and the actual response to fire incidents if and when they occur.

THE CHAIR: Over the last bushfire season, what tasks did your people actually provide? It was a fairly quiet fire season, but what tasks did your personnel actually provide?

Mr McNulty: The major task our staff do for bushfire-related activities during the year is the hazard reduction works in the BOP, which varies from hazard reduction

burns; physical removal of bushfire hazards, which is the hand-removal of hazards; and slashing. In various locations we also use grazing, but clearly we manage that; we do not do it. So there are a range of activities our staff do to reduce bushfire hazards. We also do a program of load assessment, which then feeds into the development of the BOP.

THE CHAIR: I have seen grazing mentioned in one of the documents which we were provided with yesterday. Grazing is used as a method. A number of people have said it is a very good method, and certainly it has been done over many years. Whereabouts currently is grazing used as a method in the ACT, for the purpose of hazard reduction and bushfire reduction?

Mr McNulty: I would need to take on notice the exact locations.

THE CHAIR: Did you want to ask any questions at this stage?

MS MacDONALD: Not at this stage.

THE CHAIR: In terms of Brindabella national park, we have had some testimony from several people, but Mr Wayne West, whose place is in the ACT, stated that bushfire fuel loads are higher just over the border now than they were in 2003, according to New South Wales National Parks. I would like to ask you: what do they look like from your perspective here in the ACT?

Mr McNulty: I do not think I am qualified to answer that question. I would need to take that on notice and get the advice from our bushfire management team on that.

Mr Zissler: Just to clarify that question, which side of the border, the ACT—

Mr McNulty: The New South Wales side.

THE CHAIR: No, the New South Wales side, actually. Whilst we have had a fair bit of evidence from various people in relation to our loads, it was mentioned, I think by Mr West, that in New South Wales they are higher just over the border; in fact, higher than they were even in 2003; and that obviously directly impacts into the ACT, given that the McIntyres Hut fire seemed to cause a huge amount of damage and ran from New South Wales into the ACT in 2003. If you could do that?

Mr Zissler: We will take that on notice. I am being mindful that it is a challenge for us to comment on New South Wales land management strategies. If we can provide that advice we will.

THE CHAIR: How often do you actually meet with your counterparts in New South Wales to carry out planning of bushfire prevention, especially in Brindabella national park, with our shared border there?

Mr McNulty: Our bushfire people meet regularly with New South Wales to plan responses to issues and to discuss hazard reduction management issues because there are cases where the hazard reduction things overlap the jurisdictions. Clearly, the border is a line on that; so we need to manage across that line effectively. There are

frequent meetings with our New South Wales counterparts.

THE CHAIR: Would you be able to find out how many or do you know how many?

Mr McNulty: Not off the top of my head, no.

THE CHAIR: Is it once a month, is it ad hoc or are there any set meeting times?

Mr McNulty: I believe it is more than ad hoc but I need to get formal advice on how many times—say, in a year?

THE CHAIR: Yes. In fact, over the last 12 months, that is a good period.

MS MacDONALD: Sorry if I missed this while you were answering that question, but what is the level of cooperation from the New South Wales people?

Mr McNulty: As far as I am aware, our people have a good relationship with the people from New South Wales. I was having a look around at some of the works across Mount Franklin Road, and there was a person from New South Wales who was going through the maps that they have. So I think there is very good cooperation.

THE CHAIR: Mr West also told us that the New South Wales bushfire management plan for the Brindabella national park has only just been ratified this year; prior to that, apparently, there was no strategy for bushfire management west of Canberra. What input has TAMS had to that plan, if any? You say you do have these meetings, but what input have you had in relation to their bushfire management plan just over the border for the Brindabella national park?

Mr Zissler: Again, I think we will take that on notice. There are regular meetings. I am absolutely sure we have had input, but I will confirm the quantity of that input.

THE CHAIR: Again, it would be particularly helpful.

Mr Zissler: It is very highly operationalised input, though.

THE CHAIR: Again, if you look at that over the last 12 months especially, I think it could be helpful.

Mr Zissler: Sure. I think it is worth saying that a lot of the cooperation is done at a senior officer level on the ground, critical to the whole risk assessment of any parcel of land. Particularly on the borders, they actually stood in the paddock, having a look around and assessing what the risks are. There are a whole number of elements to that risk assessment. So decisions are based on that whole area of land and the risks perceived there. Then the decision about whether it is best to use a prescribed burn, whether to hand-remove hazards or to slash or to do something else, is made very much on a site-by-site specific basis and mapped out in some detail.

THE CHAIR: When you say hand-remove hazards, what sort of hazards would you normally hand-remove?

Mr Zissler: It could be as simple as logs across track ways; it could just be an area where a burn may not be a good idea because of environmental issues: it may be a riparian zone; there may be an endangered species or at least a species of animal or flora at risk, and they will decide, rather than put a burn through there, to remove it or do something else. Again, it is very detailed and very localised planning.

THE CHAIR: In the last 12 months have you cleared a lot of these fire trails? One of the biggest problems identified after the 2003 fires was neglect of fire trails probably going back 20 years and the fact that where there were fire trails crews could not get in because they were totally overgrown.

Mr Zissler: An element of our bushfire operation plan is maintaining fire trails and creating new ones if it gives us better access.

THE CHAIR: Have you created any new ones in the last 12 months?

Mr McNulty: I do not think we have actually created any new ones. There were some preliminary assessments done of a number of proposed fire trails in Namadgi national park and the lower Cotter area. Subsequent to that PA, it has been decided that two of those will go ahead and two will not.

THE CHAIR: Have any gone ahead since the 2003 bushfires?

Mr McNulty: That I do not know.

THE CHAIR: Could you find out?

Mr McNulty: Yes.

THE CHAIR: But you have plans for two to go ahead?

Mr Zissler: Correct.

THE CHAIR: Whereabouts are they?

Mr McNulty: Can I take that on notice?

THE CHAIR: You are doing a lot of that. All right.

Mr McNulty: I do not want to provide the wrong information.

THE CHAIR: That is fine. I would much rather get accurate information.

Mr Zissler: We have a very extensive range of bushfire trails. There were only four recommended; I think it was the McLeod report that recommended them. There were recommendations around these four tracks. We have looked at it very carefully and said, “We have decided to proceed with two and not with two others because of environmental and heritage concerns.”

THE CHAIR: Could you just detail—again take it on notice—where the two you

have decided not to proceed with are.

Mr Zissler: Sure, absolutely.

THE CHAIR: And why.

Mr Zissler: Indeed.

Mr McNulty: I can tell you now why we are not doing them.

THE CHAIR: Yes.

Mr McNulty: The reason we are not doing it is because of the environmental impact. The scale of the works that would be required to provide the fire trail in that geographic landform was just too significant; the impact on the environment would have been too large. In response to that, we look at alternative means of reducing the fire hazard in that area, whether it is putting a trail in somewhere else, putting different burns in or whatever it is. The fire trails could not be sustained on an environmental basis.

THE CHAIR: Why not?

Mr McNulty: I can get the details.

THE CHAIR: One of the criticisms made after the 2003 fires was that environmental concerns were raised as a reason to not do a lot of things yet a hundred years of environment got burnt out in many instances and we will not see some of those trees for another hundred years. It is like cutting off your nose to spite your face. I would be interested as to how you make that value judgement and what the basis is.

Mr McNulty: It is a balance.

Mr Zissler: I think it is fair to say that we undertook extensive consultation on the two that we decided not to proceed on, which did include local landholders, fire managers, the environmentalists, heritage experts and Indigenous cultural experts. There was no simple decision made that we would not do it.

THE CHAIR: I would be interested to see—I appreciate that you seem to have consulted well, which is good—just what the views of those groups were.

Mr Zissler: Indeed.

THE CHAIR: Whether there were opposing views and you had to make a choice or whether the vast majority of people you consulted with felt that there was no need to go ahead.

Mr Zissler: We will certainly do that.

THE CHAIR: Do you have any process for reassessing decisions like that? Trails are pretty important.

Mr McNulty: Those decisions are only quite recent. On that basis, we are not reassessing at the moment. As new information becomes available, I guess we could have a look at that in the future, but at the moment the situation is that they will not be going ahead.

THE CHAIR: Coming back to the Brindabella national park, is there any individual memorandum of understanding for the Brindabella national park between the two jurisdictions of ACT and New South Wales?

Mr McNulty: Not with TAMS. I am not sure if there is with ESA. ESA may have some agreement with New South Wales that we are not aware of. I do not know.

THE CHAIR: Could you find that out?

Mr McNulty: I could try and find out, yes.

THE CHAIR: So definitely not with you. If there is any other agency, that would be helpful. Prior to the bushfire season of 2007-08, the year we are just coming out of, what was the joint plan that you and New South Wales had to carry out preventative work, particularly in Brindabella national park, which lies on the edge of the ACT? Was there a joint plan?

Mr McNulty: No, there is not a joint plan. New South Wales have plans for New South Wales; the ACT has plans for the ACT. We discuss the interface issues, obviously, but they are not joint plans per se.

THE CHAIR: So the interface is discussed but they are separate?

Mr McNulty: Yes.

THE CHAIR: In that particular year, are you aware of what level of cooperation there was? Were there any issues in relation to that?

Mr McNulty: I guess that goes back to your question about the number of meetings we had.

THE CHAIR: Yes.

Mr McNulty: Perhaps I can answer that in the context of that answer, if that is all right.

THE CHAIR: All right. You might have answered this one already, but what plans are there for a fire on the border? You said that there is no joint plan. If there is not, how do guarantees that the vulnerable approaches to the ACT are protected come into play? Is there anything in place to prevent a repetition of 2003 when we had that McIntyre's Hut fire?

Mr McNulty: It all hinges on our interaction with New South Wales. If I can answer your last two questions in the context of the meetings and what happens and what is

discussed, perhaps that would be the best way to deal with it. I do not mean to be difficult, but the meetings are held at bushfire management group level, not at the senior executive level.

THE CHAIR: Sure.

Mr McNulty: So I am not aware of all the details of those meetings.

Mr Zissler: I think it would be fair to say that, as the land manager, we have first response. If smoke goes up on our land—and of course we are responsible for all unleased territory land—we are the first respondent. We would send our immediate response team to the site and they would make an assessment. Very quickly, though, once we understand that assessment, we involve ESA and we defer to them. They have overall responsibility for a broader fire front; we are just the first respondent.

The relationship between New South Wales and the ACT is really the mandate for ESA rather than us. Operationally, as Mr McNulty advised, we will meet and discuss coordination, particularly around bushfire prevention strategies and how we might mitigate those, but if it did become a wildfire we would defer. We hand responsibility over to the ESA to coordinate our response; we then support them.

We are the first respondent—I must be very clear—but, given that we have only got a very small brigade, it would very quickly overwhelm us and become an ACT broader responsibility.

THE CHAIR: I have a few more questions in relation to the TAMS aspect; Ms MacDonald has got some; and I have a couple of others in relation to something from last time that you might be able to help us with, Mr Zissler. From a TAMS perspective, talking about total fire bans and fire towers, what is the modus operandi on a total fire ban day from a TAMS perspective?

Mr Zissler: We will give you an official response on notice but, again, Emergency Services declare a fire ban or otherwise; then we have various states of preparedness. We get advised of what tomorrow is going to hold. There are discussions and then we stand up to various levels. Again, who mans towers and at what time is a decision made by ESA.

THE CHAIR: How many fire towers are there and what are the operational protocols for manning fire watchtowers?

Mr Zissler: I believe it is three, but I will confirm. I am sure there are three. Again, ESA determine the fire preparedness, and they are responsible for standing people up for the towers. We may provide those people on request, but it is their decision to stand people up to that level.

THE CHAIR: Three? I thought there were more. Could you check that?

Mr Zissler: I will check that.

Mr McNulty: We will check that.

THE CHAIR: I thought it was about nine and that we were meant to have 15. There are all sorts of figures. I might be thinking of something else.

Mr Zissler: There are three major ones that I am aware of.

THE CHAIR: Three major ones.

Mr Zissler: I will confirm that. There is a triangulation exercise.

THE CHAIR: And you people actually man them?

Mr Zissler: Our staff may well man them on request.

THE CHAIR: Does anyone else man them, to your knowledge?

Mr Zissler: ESA and the Rural Fire Service may well staff them as well—the volunteers. The fire towers are based on a very simple triangulation exercise. There is a chap at the top of a tower with a set of binoculars. He sees some vertical smoke; he radios that in. They have got basically a dial and they map it by triangulating. That gives you on the map a very good place to go. It is fairly simple; it is not high tech at all. There is smoke in the north; someone else—

THE CHAIR: Plotting water, resections or whatever.

Mr Zissler: Correct. It is down to degrees and very precise, but it is fairly simplistic—“there is smoke on the horizon” statements.

THE CHAIR: Okay.

Mr Zissler: We are happy to get the exact number.

THE CHAIR: Thank you for that.

Mr Zissler: There are three major towers we concern ourselves with.

THE CHAIR: I think you mentioned the operational protocols you have now. Do those protocols differ from those of previous years and are you satisfied with your existing protocols in terms of manning those fire watchtowers?

Mr Zissler: Again, they are stood by ESA. If asked, we will support them, but it is their protocol. I am very comfortable with that. In the most recent season, we have had no major concerns.

THE CHAIR: Is that because there have been no fires?

Mr Zissler: The last season was a good season; there is no doubt about that.

THE CHAIR: Yes.

Mr Zissler: But there were days when we stood people up and there were people in the towers. On some days it would have been our people; on other days it would have been others.

THE CHAIR: Are you aware of any issues on 3 October last year, when there was a total fire ban and questions were raised about the number of TAMS staff available and the time for which the tower was manned? I would appreciate any thoughts you have on the questions that were raised then. I think it was something about them not being manned until noon.

Mr Zissler: I think I know what you are alluding to but I must check that date and give you a precise answer. I will take that on notice.

THE CHAIR: It was when there were issues about towers not being manned, and not being manned until a certain time—

Mr Zissler: Correct, and I will—

THE CHAIR: and fires happening before then—

Mr Zissler: That is right. I believe it was a day when we stood people up at about midday.

THE CHAIR: Yes, that is right.

Mr Zissler: I will give you that exact response on notice. I need to confirm the details.

THE CHAIR: I suppose I want to know what steps you have taken to ensure that those sorts of problems do not occur again.

Mr Zissler: I will take that on notice.

Mr McNulty: I guess the challenge for us is that, if people are stood up at midday, those people will generally be dispersed throughout the territory doing their normal duties. So to stand them up at midday, we have to get them back and get them to the appropriate depots where the fire appliances or the fire towers are. So it is much simpler when we know the night before what the stand-up requirements are going to be.

THE CHAIR: Ms MacDonald, do you have a question?

MS MacDONALD: I think Dr Foskey was the one who had lots of questions in this area.

THE CHAIR: I will try my best to remember what Dr Foskey had some concerns about. Hopefully, she will be here shortly to elaborate on those questions. There was one area that I know she was concerned about, and whoever was here last time simply could not answer it and said, “That’s Chief Minister’s.” TAMS has a fairly limited area of responsibility and there are a lot of areas which are under the control of Environment ACT, which is effectively Chief Minister’s area rather than

John Hargreaves's. Mr Zissler, I think your benefit is that you cross a large number of areas, including that one.

Mr Zissler: Indeed.

THE CHAIR: One of the areas was Googong Dam. We have responsibility for that.

Mr Zissler: Indeed.

THE CHAIR: But that was not a TAMS responsibility; that was Environment ACT's, I understand. What protocols were in place from an Environment ACT perspective in terms of those areas that Environment ACT has responsibility for? How do you, wearing that hat, Mr Zissler, ensure that any fires are quickly attended to? What steps do you take in planning for eventualities and contingencies in those parts of the ACT and our other areas of responsibility like Googong, where Environment ACT has responsibility?

Mr Zissler: Notwithstanding maybe some pretty good advice, Territory and Municipal Services is one department. Inside that department we have a number of former agencies which get described variously. Environment ACT, as an entity, does not exist. We have Parks, Conservation and Lands, which is a division, and a single land manager. While at times there is ambiguity between which minister has responsibility for the urban parks, the non-urban fringe and the non-urban environment, as far as we are concerned, we have a single land management and a single bushfire assessment management team. We have a number of people who are bushfire-ready at any one time. Irrespective of whether it is Googong, Brindabella, Namadgi or Canberra parks reserve, we respond in a united, single structure. I will refer to some numbers for you.

THE CHAIR: Certainly.

Mr Zissler: We might have provided this in a letter, but I will restate it. Currently, in the Department of Territory and Municipal Services, there are 142 fully trained firefighters who are fit and ready for the purpose. Nine of these are dedicated within the fire management unit, so nine are full-time fire management unit personnel, and they operate across the entire department. Fifteen operational staff are located in dedicated fire crews, with 12 seasonal firefighters as well. So we also pick up seasonal work.

Among our broader staff, we have those 142 who are fully trained. When we advertise a role in one of those many areas, and it is very broad across the department, a requirement of employment will be that you are prepared to be fully fire-ready. So there is a fitness component to that and a training component to that. When you are employed, whether it be as a ranger or to do some other task—an arborist or whatever the role is—if that is a dedicated position, you have to be fire ready. You understand that on employment.

Those numbers are current; they do ebb and flow slightly because clearly some people become unfit. There are a number of reasons why people become unfit—age or injury; pregnancy is a good reason why people are no longer fit for service. So the

numbers do ebb and flow slightly. We then manage those during the season in particular by picking up our casual seasonal firefighters. Of course, we can also augment that by going to other casual pools. So about 140 to 150 is the norm. As I say, it is 142 at present. They are managed by the bushfire management unit, who do all the strategic assessments and risk assessments. They look at loadings. We take weather advice. We go to ESA; we coordinate a lot with them, and they will set the annual bushfire operation plan.

Mr McNulty: The one advantage of having that single land manager is that, rather than having a number of bushfire operational plans covering land in the territory now, for all the land we manage there is one BOP. You have consistent standards and a consistent approach, and it is a much better outcome than having a lot of different groups trying to achieve similar outcomes but in different ways.

Mr Zissler: And that means we are much more flexible.

Mr McNulty: Yes.

Mr Zissler: In the past, where you have had this interface about why it is Environment ACT's, DUS's, as it was, or ACTPLA's land, where you have had those sorts of bumping issues about whose land it is, there is now no ambiguity. I am responsible for all the land that is unleased, whether it be national park or a reserve just down the road from here, and there is clarity about that.

THE CHAIR: For how long has that been the situation?

Mr Zissler: Since Territory and Municipal Services was created, just under two years ago.

THE CHAIR: Was that including the time when the ESA was still a statutory authority, or is that under the current new arrangements?

Mr Zissler: At the same time that TAMS was created, I believe that is when the statutory authority disappeared. Again, as you know, there was a strategic review of government. With respect to the major outcome for urban services, Environment ACT, the lands managed by ACTPLA and other things like stadiums and tourism, it was decided at that point that they would be amalgamated into a single municipal local government function. At the end of the day Territory and Municipal Services has very much a local government feel about it. We do picking up of litter and catching stray dogs, all the way through to our roads management. There is then a cascading effect with state functions, which is the roads management—the Road Traffic Authority. So we are the single land manager just as a local government would be.

We believe it is actually better now than in the past because at the end of the day the buck stops with me. I cannot sit here and say, "Show me the map; no, that wasn't our land." There is ambiguity with New South Wales, and I took your earlier questions on notice. There is ambiguity on the fringes now with New South Wales. As far as unleased territory land is concerned, it rests with me, Mr McNulty, and then the bushfire management strategic team. We take full responsibility.

THE CHAIR: With that structure that you operate under, it is logical that you do not bump into those problems regarding whose land is whose.

Mr Zissler: No.

THE CHAIR: You are responsible for the lot. Would it matter particularly to you if the ESA was a stand-alone statutory authority or within a department? Is that a totally irrelevant consideration in terms of your structure?

Mr Zissler: It is not a consideration. What is important to us is the relationship between our strategic and our operational people and the relationship they have with their counterparts in the entity, whether it be independent or not.

THE CHAIR: Whatever it may be.

Mr Zissler: It is irrelevant. The relationship is critical, but what status they have is irrelevant.

THE CHAIR: What about ACT forestry?

Mr Zissler: Again, they do not exist as an entity any more. Territory and Municipal Services is the single land manager and all those things are absorbed into it. While some of the staff still have badges and logos, that is about pragmatism regarding uniforms expiring.

THE CHAIR: Are there people within the department who are still responsible for what forests we have in the ACT?

Mr Zissler: Yes, indeed. We are responsible for those as well.

THE CHAIR: And do those people have fire-fighting skills?

Mr Zissler: Yes, absolutely.

Mr McNulty: They are part of the 142 that Mr Zissler referred to.

THE CHAIR: One of the criticisms that we have heard on occasions, and which could certainly be levelled at any government, was the diminution of trained people in that area with fire-fighting skills. We certainly missed that in 2003.

Mr Zissler: Indeed.

THE CHAIR: It had been going on for years and obviously there are probably even fewer now because we have fewer forests. Do we have fewer or have you actually got—

Mr McNulty: No. The area of land we have to manage is still the same. Some of it is in a different state of vegetation, if you like.

THE CHAIR: Yes.

Mr McNulty: One of our responses when we formed TAMS was to recognise that we had lost some people through that process and we needed to rebuild our fire capacity, which is why we designated 150 positions as fire-ready positions and why everyone who occupies one of those positions will have to be fire ready and fire trained. At the moment, as Mr Zissler said, there are 142 people in those positions; there are a number of people who may have occupied those positions before they were designated as fire positions who cannot be fit. We have said that that is fine but that the next person to occupy that position will have to be fire fit and fire ready. That is all about rebuilding our capacity and making sure we have got enough trained people to fill our rosters and meet our obligations under the MOU with ESA.

Mr Zissler: I think it is worth stating that we have got two annual documents which are critical. Every bushfire season we have to have a bushfire operation plan which covers all unleased territory land. We have to submit that to the emergency services authority and the commissioner—and the commissioner has to sign off on that—and to the Bushfire Council. If they have a criticism of it, they obviously write back to me and say, “We are not satisfied you are doing enough of this or enough of that.” I need you to respond to that. If there are constraints about a budget or if we do not have enough bodies or whatever the issue is, I will need to either address it with them or refer the matter to government for consideration. That has never occurred. In the last two years, our bushfire operational plans have been signed off by the commissioner. That is the first document.

The second document is the MOU between us and ESA. That specifies, if you like, both the financial resources and the equipment and availability of our resources. We make available those 142 people to them should it go beyond our day-to-day operations. That is that point that we are the first respondent. It is our land; we should manage it appropriately, and we do so. If it goes beyond our capacity and becomes a broader emergency, we make all those people, equipment and resources available to Emergency Services. That MOU is another document that is very critical.

DR FOSKEY: Do we have a copy of that, chair?

Mr Zissler: Yes.

Mr McNulty: I believe we have provided a copy to the committee.

DR FOSKEY: We have one?

Mr McNulty: I believe so.

THE CHAIR: Yes.

Mr Zissler: We provided you, it is my understanding, with the bushfire operation plan for 2007-08.

Mr McNulty: All the BOPs.

Mr Zissler: We produced all the BOPs. We have got our copies here. The strategic

bushfire management plan for the ACT and our MOU—we have provided those previously, as requested.

DR FOSKEY: The draft strategic plan—

Mr McNulty: No, the current one.

Mr Zissler: The current one.

THE CHAIR: Yes.

DR FOSKEY: All right.

THE CHAIR: Yes, it is a different document.

Mr Zissler: We are working—

THE CHAIR: These people have been very helpful.

Mr Zissler: We are now working on the next fire season. We are already in detailed planning for the 2008-09 bushfire operational plan. Of course, behind that, discussions about the MOU are being prepared. The risk assessments, the long-range forecasting—people are out there walking around and deciding what mitigation strategies we should be doing now. When the bushfire season is declared, our BOP will be executed, assuming the commissioner agrees to it and subject to them and the Bushfire Council agreeing. We will deliver on that as per that requirement.

THE CHAIR: Dr Foskey and Ms MacDonald are here but I have one last question. What are the challenges you face? For example, some of the evidence we have heard is that the heath country that has developed—the very thick bracken—over a lot of the ACT as a result of the 2003 fires is a real nightmare and that even experienced firefighters are scratching their heads as to the best way to deal with it.

Mr Zissler: Yes.

THE CHAIR: Is that a challenge you face? What are the particular challenges you face in terms of ensuring that the ACT can be as fire ready as possible from your perspective?

Mr Zissler: From my perspective, the critical issue at the high-level strategic level is making sure that every member of my staff has responsibility for bushfire management and dealing with it when there is a crisis—that they are as ready as we can make them. There is the risk assessment and understanding, whether about bracken, dead trees or keeping trails maintained. Keeping maintenance up to those is critical and can be a challenge. We are talking about a very large piece of land and you have to go around that on a regular basis and understand it.

THE CHAIR: Yes.

Mr Zissler: We have got good people on the ground who know that. The challenge is

how you address those and what is the right priority. Risk assessments are critical. We do those risk assessments; we discuss those with ESA; and then we determine what is the priority order. That is a challenge, because people have different views. Different land managers will have different views about what is high risk versus another sort of risk. The challenge is doing enough. We are as fire ready, if I can say that, as we possibly can be. There are no guarantees.

The weather today is reasonably inclement; I am sure it is very wet out there in the bush. But if someone is determined enough, they will start a fire which will cause us grief. As you know, of the fires that occur every year, some are from lightning; we are aware of those. Some happen by accident. Very often we hear about people with chainsaws; whatever they are doing, they make mistakes and they have accidents. And of course we have people who intentionally go out there and start fires. There are no guarantees, but I am very confident that my people, 142 today, are as ready as we possibly can be.

THE CHAIR: Ms MacDonald? No? Dr Foskey?

DR FOSKEY: If I ask a question that has already been asked, just tell me that. I do not want to waste your time.

THE CHAIR: Thanks.

DR FOSKEY: One of the things that has been of interest to me and that I have learned through this inquiry is how much of the resources lie with TAMS. When we talk about firefighting, we seem to think ESA. That has been important learning for me. At lunchtime, we looked at a schematic plan of line of command in the case of a catastrophe.

Mr Zissler: Please, no; I cannot read it.

DR FOSKEY: I think you are meant to read it by colour.

Mr Zissler: It is very pretty, I am sure.

DR FOSKEY: It is blue; it has got several tones of blue. I cannot see TAMS in here. I am just wondering how you fit in—which box you think you belong to, if not all of them.

THE CHAIR: Can you comment on that plan and what, if any, responsibilities you have? I understand that it is in the event of a major emergency.

Mr Zissler: Indeed. I refer to the ACT management structure in a declared state of emergency. I will work from the top to bottom, if I may. The security and emergency management cabinet meeting, which is SEMC, is led by the Chief Minister, and all other ministers are present at that. In most cases, I would also be attending that meeting to support one, two or three ministers. The TCC, the next box down, is the territory crisis committee; that is held at the territory crisis centre. Again, I am a member of that. Whether it be a bushfire or some other natural disaster or otherwise, I would be stood up for the TCC.

DR FOSKEY: Could you tell us who else is on that?

Mr Zissler: Most chief executive officers would be. I say that carefully; it depends on the disaster. For most of them, TAMS is involved. Whether it be a major bushfire, a flood, a weather event, a motor vehicle accident or a building collapse, TAMS is most likely to be there. You may find other chief executives. Health would be there routinely. You probably would not see the chief executive of education there unless schools were involved. It is really the line agencies.

DR FOSKEY: Yes.

Mr Zissler: Certainly there are very few stand ups of the territory crisis committee which I do not get to—sadly. Going to the next tier down, you have got the POC which is the police operations centre. We would have a senior officer there. As soon as a crisis occurs, we stand up an officer who will go to the POC. I have got a security management team as part of my department. Of that, about five are trained to work in the POC. Most recently, we had one of my senior officers in the POC for the torch relay. The emergency coordination centre is led by the joint operations commander. Again, we are likely to have a senior operations officer in there, depending on the event.

I will again use the torch relay as a very simple example. We had someone in the ECC who looked at road management—opening and closing roads. It was fairly simple for that event, but in most disasters—whether it is fire, flood or other events—roads are opened and closed. Then there is one to the right, the ICT, incident management team. Again, we would be likely to have someone there.

Mr McNulty: We provide incident controllers on a roster into the incident command team.

Mr Zissler: Yes. And we have a number of liaison officers. The last light blue box of the third tier down, the incident site—again it would depend on the incident. What is important in there is that there is a forward commander. It will depend on the event—whether it be police or fire; indeed, it could be one of our people if it is a bushfire.

DR FOSKEY: How does that decision get made—about who should be in charge?

Mr Zissler: It will depend on the event. For example, if it was a bushfire in Namadgi park, I would expect that it is most likely that my captain—who is Neil Cooper, who I think the committee will know—will be the incident commander. Clearly, if it is an urban fire in a house it will be an urban firey. If it is a large motor vehicle accident or a tourist incident, it will be the police. It is really a decision made on the event base and is risk assessed.

We defer to the proper authorities. In most incidents the police take command first unless they say it is not their business. Even in bushfires, sometimes the police take command, particularly if there is a suspicion of arson—deliberate. They will take control of the scene at source if that is the case. But it is very much done on an incident-by-incident basis.

DR FOSKEY: And that is not potentially conflictual? That certainly used to be the case.

Mr Zissler: I do not believe so. It could be a counter-terrorism exercise or a flood. One of the large exercises last year was about energy—losing electricity in the territory. The torch relay was a practical exercise. We meet on a regular basis with an exercise and we manage all events based on who is the appropriate person in charge. I have yet to be in an area where there is a problem. I will leave it at that.

DR FOSKEY: Okay. I am thinking some years back.

Mr Zissler: It is about relationships. There are the chief executive officers of all those key departments. Renee Leon, who is the Chief Executive of Justice and Community Safety, in most of these incidents with the Attorney-General and the minister for police takes the lead. I will defer to her. And clearly, if it is appropriate, I will take the lead. We are a very small territory; we do not have room for egos. We have to get on with the job.

DR FOSKEY: That would be a good motto, wouldn't it?

Mr Zissler: I describe us frequently as a Cinderella agency because we are the ones who always do the clean-up as well. We acknowledge the police, the fireys and the ambulance—they have their role—but often when that is all over we are the ones behind, opening and closing the roads, picking up the dead trees, removing the vehicles, sweeping the road and filling in the potholes. Whatever it is, we are the ones afterwards. That is no denigration; it is a very important role. I am very proud of the work we do.

DR FOSKEY: I am looking at the bushfire preparedness for the 2007-08 season—the document that we were given yesterday. You have no doubt seen this.

Mr Zissler: I am not sure of the document you are referring to, I am afraid.

DR FOSKEY: The chief executive of the ESA provided this to the Minister for Police and Emergency Services in September 2007. It is a statement of how prepared we were for the bushfire season. A section relates to TAMS, so I am sure that you have had a contribution. At that point, the MOU had not been completed but I take it that it has been now.

Mr Zissler: Yes it has been.

DR FOSKEY: Did I hear you mention 150 firefighters?

Mr Zissler: Can I just point out that that is before the fire season—the MOU.

DR FOSKEY: Yes, that was September.

Mr Zissler: That report provided—yes. The fire season started on 1 October. It was executed prior to the fire season, as was the bushfire operational plan.

DR FOSKEY: Does it need to be revised prior to the next fire season?

Mr Zissler: Yes, annually.

DR FOSKEY: So it is an annual occurrence?

Mr Zissler: Every year, we prepare a bushfire operation plan and an MOU. This time of year—May, June, July, August, September—we are working on the bushfire plan for next season, obviously. About late August, maybe even July, we present that to the commissioner. He and his team will go through it and discuss components with us, and we will finally agree on a bushfire operation plan. The commissioner and the Bushfire Council will endorse that prior to the season. Likewise, the MOU which cascades out of that will then be prepared and again executed for the beginning of the season. Sometimes it has been two days into the season, but the intent is to execute it prior to the season.

DR FOSKEY: And how many personnel did you say you had?

Mr Zissler: I have answered this one.

DR FOSKEY: One hundred and fifty, is it?

Mr Zissler: We currently have, as of today, 142 fully fire trained. But that does vary because of seasonal requirements. Indeed, we have people who come off that roster because they are not fit for service—pregnancy, broken legs, arms—and people leave us and go elsewhere. The number does fluctuate but it is about 150. That is our stated goal. Today, it is 142.

DR FOSKEY: And you maintain and crew a variety of appliances as well?

Mr Zissler: Correct.

DR FOSKEY: Are they counted separately from the ESA?

Mr Zissler: Yes.

DR FOSKEY: They are?

Mr Zissler: They are ours.

DR FOSKEY: Someone else might ask you for a list of those but it probably would not mean much to me.

Mr McNulty: The MOU specifies the equipment we provide and the number of resources we provide.

Mr Zissler: And that is exactly what the MOU is about. It is saying, “What do you have? How do you provide them? How many staff? How many pieces of equipment? What is the funding base?” It is a very explicit document about what we do, how we

provide it, when we provide it, what our stand-to requirements are and indeed what happens if we breached it.

DR FOSKEY: There is an MOU with Roads ACT as well, I notice, in this document, a separate MOU.

Mr Zissler: I am not aware of a separate MOU.

DR FOSKEY: It says that this MOU has been signed off and it is in place for this coming season and covers such things as the use of heavy plant and the procurement of heavy plant.

Mr Zissler: That is the same. That is embedded in the same memorandum.

DR FOSKEY: So that is embedded in that MOU?

Mr Zissler: Indeed it is. As you can imagine, some of this plant and equipment is very large, very costly and very expensive. So we use it throughout the year for a whole range of routine maintenance services. During the bushfire season, it is available for bushfire. We also have arrangements with civil contractors for these very large bulldozers and scrapers. We have arrangements within the guidelines that name the company where, if we say, “We have now stood up, there is a bushfire,” they will make them available to us because clearly there is a greater need.

DR FOSKEY: I have one more question at this point in time. One of the things that we have heard a lot about here from Mr Pratt, in particular, has been the degradation of parts of Namadgi by extreme fire and by what I could only understand as heath lands, from his description. That is areas of land where pretty much nothing else grows but that woody weed that people call heath.

However, I came across a ranger—your chief ranger, I think—at an event and I took the liberty of asking him about that. He basically did not know what I was talking about. I am interested now to know whether we do have tracts of land where the fire was so hot that the soil burned as well, all the humus and everything in the top layer of the soil. It is just to get a sense of the truth of that. It led to dire predictions. Can you put me right, please?

THE CHAIR: You might have to take it on notice.

Mr Zissler: I will answer at the high level; then we will come back with some more specifics, if I may, on notice. Clearly, the 2003 fires and other fires had a fairly devastating impact on the territory and Namadgi national park; and certainly there were large areas which were devastated beyond simple remediation. The challenges that presents are: you want very quickly to get anything to grow there to stop the soil degradation; and, to be quite frank, anything that stops the dirt washing away is better than nothing. However, over time some of those—and I use the word very loosely at the moment—weeds become invasive and a challenge for us. In terms of what you describe as heath or heather, I am not sure specifically—

DR FOSKEY: Call them woody, bushy weeds.

Mr Zissler: We will call them woody, bushy weeds. Yes, we are aware of the challenge of those woody weeds. But importantly, in the first instance, we wanted to make sure we did not lose too much soil and degradation. As you appreciate, large parts of the northern half of Namadgi are part of our water catchment and, as you are aware, we had significant water-quality challenges flowing into the dams because they became fairly turbid and it took a number of months, probably years, to settle down to an acceptable level. And critical to that is having something growing there that holds the soil in place. We do have to go back progressively and manage that. Again, you have got to also understand that, if you go through and treat it too heavily, you take out any chance of the native flora and fauna coming through as well; so you have got to be very mindful of that.

I was fortunate enough to be in San Francisco in February. It was not a great time of year to be there, but we went to the Golden Gate Bridge national park which is just north of the Golden Gate Bridge, if you know it. They had a devastating wildfire, as they describe it, there in the early 1990s, which indeed mirrored ours in many ways. It took a lot of the national park out; a lot of the people who lived on the fringe lost their homes; and lives were lost—a greater tragedy than here, I must say.

The interesting thing—I think that was the early 1990s—was that they were very proud of the fact that 10 years on, when I actually was in the national park, how basically nature had taken over again. But they had similar challenges about woody weeds—I use that word loosely—and indeed other things coming in to what was fairly native before. What was encouraging was that the strategies they used there and continue to use are common strategies that we are using here and now.

I am sure you have talked to people about—again, I am not the expert here—mosaics, where you look at the entire land mass you are trying to mitigate, and, instead of just going through and blasting or burning off a front and creating light barriers, you go through and treat it like a patchwork quilt; you treat different patches in different ways so that you end up with a mosaic pattern; and you break up fire fronts. This was a strategy they used there and that is the broad strategy we are using here. It means you rotate around those patches and you get to them every two, three, four years and you treat them so that you break up the opportunity for a fire coming through as a major front.

I will say it again, though: there are no guarantees. There are no guarantees that these things will not happen again; all you can do is mitigate, risk assess, use sensible pragmatic strategy, have the right people on the front line. I am very clear on that. We have got today 142 and I am very satisfied we are as fire ready as we possibly can be, given everything we know. Circumstances change all the time. But today we have the best possible resource in place.

DR FOSKEY: The weather is helping too.

Mr Zissler: It is, thank you.

DR FOSKEY: But what about the large tracts of heath lands? Any comment? How many hectares? Any hectares?

Mr Zissler: We will find out.

Mr McNulty: I am not aware of any. I would be inclined to defer to my rangers than say anything on the subject. So if you have been told it is not—

DR FOSKEY: If you could get me something on notice.

Mr McNulty: Yes, absolutely.

DR FOSKEY: That conversation was pretty anecdotal.

Mr Zissler: Indeed.

DR FOSKEY: That will do for me for now.

THE CHAIR: We will see what you actually have on notice then. Any further questions? Would you send anything that you have taken on notice to Robina Jaffrey, the committee secretary?

Mr Zissler: Absolutely.

THE CHAIR: Any further questions of these gentlemen?

DR FOSKEY: No. I do not know what I have missed.

Mr Zissler: If I may, chair?

THE CHAIR: Yes.

Mr Zissler: There are a whole range of questions there. Are you comfortable if we put that in a sort of one-omnibus response that picks them all up or do you want 20 questions answered? I think most of them overlap.

MS MacDONALD: Just do it as one, yes.

THE CHAIR: You have got all the questions there; just answer them, yes.

Mr Zissler: We have got all the questions; we are very happy about those. We will put together one answer that covers all the issues.

THE CHAIR: Robina will send you the proof as soon as she gets it.

Mr McNulty: That would be great.

THE CHAIR: You will have all the questions there and you can answer them all and send it all in one job lot.

Mr Zissler: I think it is one job. I think most of them overlap.

MS MacDONALD: It is possible and indeed probable that the answers will kick out more questions from us.

Mr Zissler: Where we are not clear on something, for example, the number of acres that may be under woody weed, we will note it was a question and we will come back at a later date.

THE CHAIR: You will see it in the transcript.

Mr Zissler: I will try to get as much as I can to you as quick as I can say and then there are ones that may take longer. I will advise you what that really means.

THE CHAIR: Thank you very much for your attendance. The public hearings are concluded for the day.

Mr Zissler: Thank you very much.

DR FOSKEY: I think this is our last public hearing, is it not?

THE CHAIR: Quite conceivably, yes.

The committee adjourned at 2.56 pm.