



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Reference: [Review of Auditor-General's report No 5 of 2013:
bushfire preparedness](#))

Members:

MR B SMYTH (Chair)
MS M PORTER (Deputy Chair)
MS Y BERRY
MS N LAWDER

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 17 OCTOBER 2014

Secretary to the committee:
Dr A Cullen (Ph: 620 50142)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

WITNESSES

BARTLETT, MR TONY AFSM, Private capacity.....68

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the Committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. 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; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 9.32 am.

BARTLETT, MR TONY AFSM, Private capacity

THE CHAIR: I formally declare open this public hearing of the Standing Committee on Public Accounts inquiry into Auditor-General's report No 5 of 2013: bushfire preparedness. In accordance with the committee's resolution of appointment, all reports of the Auditor-General stand referred to the public accounts committee after presentation. The committee has established procedures for its examination of referred Auditor-General reports. The committee considered Auditor-General's report No 5 of 2013 in accordance with these procedures, and resolved to further inquire into the audit report.

The terms of reference for this inquiry are the information contained within the audit report, and whilst the terms of reference are the information contained within the audit report, the committee's inquiries are specifically focused on three areas: elements underpinning strategic readiness for bushfire prevention and preparedness. the farm firewise program, and implementation of the audit recommendations.

On behalf of the committee I welcome you, Mr Bartlett, and thank you for your time today. The format for the hearing will be an oral presentation for about 10 to 15 minutes, after which the committee will ask questions. We have until 10 o'clock for this part of the discussion.

I remind witnesses of the protections and obligations afforded by parliamentary privilege, and draw your attention to the pink-coloured privilege statement before you on the table. Could you confirm for the record that you understand the privilege implications of the statement?

Mr Bartlett: Yes, I do.

THE CHAIR: Thank you, Mr Bartlett. Could I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes, as well as being webstreamed and broadcast live. Mr Bartlett, would you like to commence with your oral submission, and thank you for attending this morning.

Mr Bartlett: Thank you for giving me the opportunity to come before the public accounts committee. I have an Australian Fire Service Medal, so I am entitled to say I am an AFSM. I am making this submission as an informed member of the Canberra community, and, as you will see in a moment, with a strong vested interest in fire management. I want to declare that I am a member of the ACT Bushfire Council but I am not making this submission as a member of the Bushfire Council.

With respect to my background, I have been actively involved in forest fire management and fighting for more than 35 years. Before 2000 I worked in Victoria in the land management agencies and became one of the most experienced senior forest firefighters in Victoria.

I moved to Canberra at the end of 1999 to take up the role as director of ACT forests, so I was involved in the 2001 fires and then the 2003 fires. I was actively involved in

the coronial process. If you have ever looked at that, you will see my name mentioned in many places. The coroner was kind enough to say that I did a lot of good things and that, if other things that I had recommended had been taken up by others, maybe things would not have happened the way they did. At the end she made a recommendation that a little task force be set up with four people on it, and I was one of those people. In the end the government decided to ask the Bushfire Council to do the monitoring role, which is fine. That is my background.

In the coronial process I gave a very detailed statement, and then a submission to the coroner, with about 35 recommendations, and almost all of those recommendations ended up in one way or other in the coroner's recommendations.

In terms of presenting to the committee today, I am really most interested in two of the three terms of reference, the one on strategic readiness and the other one a little bit on the audit recommendations—mostly the first one. There are four issues that I want to cover. I will start by saying that in my view the situation in relation to both fire preparedness and management in the ACT is streets and streets ahead of where it was before 2003. Enormous improvements have been made to the strategic planning, the capability and the operational implementation of fire management programs by the land management agency.

Having said that, because it was such a significant event for me, I do keep a very close eye on things, and there are a few things that I am worried about. I see signs, as I have seen in other jurisdictions, of what happens when 10 years after a fire have passed, and people start to forget about some of the key lessons. I want to dwell on those four related issues.

The first one is the personnel that are appointed to manage incidents when you have the worst possible bushfires, what are called level 3 incidents. The coroner made recommendations about the importance of having people that were properly trained and experienced in implementing large wildfires and also that there should be accreditation of these people.

This is an issue that I have been watching very carefully over the years. After the fires, even after I finished working for the ACT government in 2005, I continued to volunteer as a level 3 incident controller, for which I was well qualified, and to mentor other young people. In recent years, although I continued to volunteer, my offer has not been taken up, which is fine. It is a while since I have been involved actively in fire management; nevertheless I still think they are important things.

At the moment I am very worried that many of the people who are nominated to perform key roles under level 3 incidents do not have the appropriate training and experience, and that none of them are properly accredited. I think that after 10 years this is quite a worrying situation. You may have already read it, but if you look at the royal commission into the 2009 Victorian black Saturday bushfires, some of the people who were appointed as incident controllers and in key incident management roles on the first day of that fire were nominally appointed and accredited by senior people but did not have the right experience. The royal commission found that they were way outside their level of experience. This is a commonly recurring theme. While I understand that the ACT is a small jurisdiction, I think a lot more could be

done to make sure we have the right qualified people.

The second issue is fire on public land. As I said, in my view the fire management programs on public land now are in pretty good shape. I commend the ACT government for maintaining and increasing the budget for fire management on public land. This has been a longstanding issue about whether there are enough funds. It is an expensive business but the converse is that, if you do not do it properly, it is also very expensive for different people. So we should start with that very positive statement.

The processes that were used to develop the strategic bushfire management plan, the regional fire management plans and the annual bushfire operation plans are very robust. I have some roles in those, but I do want to commend the people there.

One of the recommendations I made to the coroner was based on my experience working in Urban Services at the time of the 2003 fires. It was really important that senior management in the land management department had skills in and knowledge of fire management. At the time of the 2003 fires I was an SES officer in Urban Services, and I was the only person there that knew and understood fire. That made it very difficult to make progress on a lot of the land that I was not responsible for. I made that recommendation and the coroner picked up on it, but this is something that I am personally very worried about. I see a number of things happening in TAMS now that make me believe that the senior people do not understand the importance of fire management. This starts to undo the whole fabric, in my mind, of the ACT being confident that all these things will be in place.

Managing fire programs is an incredibly complex and difficult job. There is not always the option of doing everything by the absolute letter. When the day is right for burning, you really have to be able to muster the troops and get the programs done. So it needs good, strong leadership.

I also made a recommendation to the coroner about the importance of the fire management unit—setting up a unit with people who were dedicated to looking at and overseeing the fire management program. That is still in place, although a few years ago there was an effort to disband that unit, and I was one of the people that fought to make sure that that did not happen. But it is always, in my view, on thin ice while the senior managers in TAMS do not fully appreciate the importance of fire management.

I made recommendations about prescribed burns and the need for a good, strong strategic burning program. I am very satisfied with the level of work that is being done by the land managers at the moment. They have done the biggest burn in the last couple of years that has ever been done in Namadgi national park to my knowledge. It was done in a way that did not threaten any environmental values and it had strong community support. Those are exactly the sort of programs we need.

The second element is strategic access, maintaining tracks. A lot of work has been done and funded by the ACT government to upgrade particularly the Mount Franklin Road and Stockyard Spur, which were important access tracks in 2003, on which we had no capability to deploy heavy machinery. All of that has been fixed. The Mount Franklin Road is almost finalised now. So that is a really positive thing.

Again, I see signs of things creeping in. I am aware at the moment, for instance, that, as I said, fire management is an expensive program. Efforts have been made to adopt more innovative technologies such as using flail mowers to maintain all the vegetation along these strategic tracks. I am aware at the moment that a contractor has been brought from Victoria to do that work and has been stood down for several weeks because of inability and lack of leadership to get the proper planning processes sorted out. So every time bureaucrats, in my view—speaking as an experienced fire manager—spend more time arguing about how to get these things done and not actually implementing the programs, they are the things that, when you start stacking all those blocks together over a period of time, undermine the confidence that the territory is well protected. I will still say I believe it is well protected, but I am seeing these as warning signs.

Once you lose contractors, there are not a lot of people around Australia who can do this sort of work. If they go away because they are trying to earn money, and you hold them up for a few weeks, they will probably never come back and work for you again. That has been my experience in managing forestry contractors over the years.

With respect to the urban interface, I want to talk about that briefly. After the fires—and I will leave some copies of this paper, if you like—I put a fair bit of effort into documenting, particularly around the suburb of Duffy, what the impact of the fire was on the urban areas, what the setback distances were and what the proximity to vegetation was. That is published in a scientific journal. Since then I have been actively involved in all the processes of reviewing setback distances, bushfire-prone zones and so on.

Just last night I was looking at the latest maps again. I have to confess that I do not know whether these are final yet, but one of the points I made during the public consultation process for the strategic bushfire management plan version 3 was that the current footprint for the bushfire-prone zone in Duffy does not match what actually happened. It is really important, and if you overlay the two maps—I am happy to leave this as well—you will see that basically around Duffy it is largely a two-house-wide buffer. In places four or five houses deep were burnt in 2003. That is what I wrote about. So I raised that issue. It has not been fixed.

Coincidentally, the place where I live in Deakin, near Red Hill—and I will talk about the actual circumstances there—they have nine to 10 houses deep from the interface. In Duffy, if they are going to be threatened by fire, it is going to be a fire burning under a hot north-westerly wind coming straight at the suburb. We know that is what happened in 2003. In Deakin, on the worst fire days, the fire is going to be blowing away from those houses. You might occasionally get a fire under a south-easterly wind but it is going to be nowhere near as severe as the 2003 fires. Red Hill actually burnt in 2001 and no houses were threatened at all in that process.

I am questioning the scientific logic. I will certainly be raising this issue again through formal processes. I am not against the zone. I think the zone is really important. Equally, it is very important to get it right and make it defensible from a scientific point of view.

The last point I want to make relates to other issues. Some signs make me start to

worry about whether we are on top of all these things. One of the points that I made in the public submission to the strategic bushfire management plan No 3 was that the plan did not recognise the national bushfire management policy statement which was developed under the COAG process and which is signed off by the Chief Minister of the ACT as an acceptable policy.

I recommended that that be incorporated in the introductory bit as part of the things that we are complying and consistent with. It is largely focused on public land fire management. I had a discussion via email yesterday with the commissioner about why that had not been incorporated after it was recommended. He emailed me back saying that he did not believe it was an appropriate policy. It worries me when the commissioner does not recognise something that the Chief Minister has signed off on that the ACT agrees with that policy. I am sure all of you understand policy documents. Each jurisdiction then implements them in accordance with their circumstances and so on. I do not understand why we have this sort of stand-off about, “Well, because this is under one ministerial council, we’re not going to recommend that one,” or something like that.

I will stop there because maybe you have some questions and some other issues might be able to be teased out through your questions.

THE CHAIR: Thanks for that, Mr Bartlett. I have got a couple of questions to start with. How many level 3 incident controllers should the ACT have to conduct a campaign fire?

Mr Bartlett: I have always maintained that what we need is sufficient to be able to mount competent incident management teams on a two-shift basis for two level 3 incidents. In 2001, which was not as bad as 2003, we had several large fires burning in different parts of the ACT. If you just have one team, you are not going to have enough. So the answer to your question is this: for incident controllers, to do that, you need four—a minimum of four. Someone might be sick; that is always a danger. So you probably need one spare. Gradually you can bring people in, but the critical thing with all big fires is the first day. You really need to be reasonably self-sufficient on day one, in my view. That would mean four to five people for each of the key roles.

THE CHAIR: At this stage, you are concerned that the level of experience and accreditation is not satisfactory?

Mr Bartlett: I believe that is the case. I have been trying to see the evidence of that, but I have not been successful in getting any evidence yet. I have been raising this issue personally for several years now, because I am worried about it. I have offered to mentor people. I know that I developed my skill by some other experienced people taking me under their wing; I think that is what really needs to happen.

THE CHAIR: The second question from me is this: how important is it that the fire management unit is properly staffed and resourced inside TAMS?

Mr Bartlett: It is critical. It runs a \$10 million a year budget. I have not counted the number of activities in the bushfire operations plan, but there are hundreds and hundreds of activities. Each one has to be properly planned and then resourced, and

sometimes you have multiple activities running. You might be clearing a road somewhere while in another area you are getting ready for a burn, or implementing multiple burns on one day. I think that TAMS actually has the right number of people. I am just concerned about the level of experience and particularly the leadership issue in that unit at the moment.

THE CHAIR: And the leadership issue is what?

Mr Bartlett: That the leader of the fire management unit has been sidelined for now five to six months out of the unit. He is still not back in his position. In my view—I am happy to say this, and I could be challenged by anybody—if that person was in place, we would not have had this problem we have got with the flail mower at the moment. That person would have known that they needed to get a permit from ACTPLA or whatever before that could start. When you act inexperienced people in there, mistakes start to happen. That is my personal view.

THE CHAIR: You are saying a flail mower, are you—

Mr Bartlett: It is like a big slasher, but it has chains. It spins around, and it just macerates and mulches up all the vegetation along the side of the road. You use it on the side of the road—going up to Piccadilly Circus or somewhere like that.

THE CHAIR: What was the problem there? This gentleman was brought up from Victoria and then was not used for several weeks?

Mr Bartlett: Because nobody got the correct permits. Because I am no longer in the ACT government, I do not fully understand exactly how it works, but it is either from ACTPLA or from the environment and conservation people in the other department—directorates or whatever they are called these days.

THE CHAIR: All right.

Mr Bartlett: Not every activity requires a permit. This is an issue that needs to be sorted in revisions to the Emergencies Act so that if something is approved via a strategic bushfire management plan and then through the proper planning process, there is not some other process, like happened with the Mount Franklin Road, where there was more than a year of delays and a million dollars spent with different bureaucrats arguing with each other about whether this upgrade of the Mount Franklin Road was environmentally acceptable or not.

THE CHAIR: Thanks for that. Ms Porter?

MS PORTER: Thank you very much. With regard to the experience that you talk about, particularly with the level 3, is this experience something that can be handed on if the person has not experienced a wildfire?

Mr Bartlett: Yes, sure. First of all, it is really important that they do the proper training courses. This sort of thing cannot be just done by the ACT; they really need to attend nationally run training courses. Then, what happens elsewhere is that the—

MS PORTER: Training courses such as Mount Macedon?

Mr Bartlett: You might learn how to be a level 3 incident controller, planning officer or operations officer. There are formal training courses that people can be put through so they understand what they are supposed to do.

MS PORTER: The ones that are run out of Mount Macedon?

Mr Bartlett: They are run out of a range of places, but Mount Macedon is one of them. What normally happens is that people are given L plates, as it were. They might start off on level 2 incidents. With level 3 incidents, by definition, there are quiet ones and ones like 2003. Even the 2001 fires would have been defined as a level 3 incident, with an FDI, fire danger index, of 38, if I remember correctly, whereas in January 2003 it was just over 100. There is a difference. You can gradually learn, particularly if you are mentored by other experienced people. That is the way I learned to be an experienced person when I was in Victoria.

MS PORTER: On another tack, there is a lot of comment in the auditor's report about the readiness or otherwise of the CFUs or how they are being worked with. What, in your opinion, would be the number of people, full-time equivalents, that would be needed to manage the number of CFUs that we have at the moment—or the number of team leaders and about 1,300 volunteers?

Mr Bartlett: That is a hard question for me to answer, because I am not closely involved in what they do to manage them. But it is similar to what I was saying with the fire management unit. I would definitely agree that it has to be supportable: you need the right number of people to make that effort effective. If you have not then all the money you spend on the rest of it is really wasted.

I meant to mention it when I mentioned the maps. What first of all occurred to me is that I know there is a CFU located a few streets away from my house, but there are none in my street. Now my street is one of the ones designated as bushfire-prone areas. My wife said last night when I pulled this map off the internet: "What does that mean for us? Should we be in the CFU or something?" I said, "I do not think there is one in our street."

Perhaps the answer to the question is that all that issue about the CFUs, which I think are a very important element of the whole firefighting strategy, needs to be re-looked at if we are now declaring all these zones. They were put there after the 2003 fire on the basis of where people thought the worst threats were. I have not seen the diagram that goes with where they are all located, but I suspect it would not match this new footprint.

MS PORTER: Is the CFU that you are talking about in your suburb?

Mr Bartlett: Yes; it is located at the top of Strickland Crescent.

MS PORTER: Do you know how many streets it covers?

Mr Bartlett: No. No-one has ever come to my door. I live within 100 metres of Red

Hill. Nobody has ever come to my door, put anything in the letterbox or talked to me about CFUs. I am sure the people in the street two streets away know what is going on, but I do not know anyone in that street.

MS PORTER: For your information, I think on 7 or 8 November there is going to be a CFU day right across the ACT.

Mr Bartlett: Right.

MS PORTER: And we will be doing wide—

MS LAWDER: It is the 8th, Saturday.

MS PORTER: The 8th; there you go. We are both CFU volunteers.

Mr Bartlett: I will tell my wife to look out for it.

MS PORTER: Thank you.

THE CHAIR: Ms Lawder.

MS LAWDER: In your opening statement you said something like, “I see things in TAMS that make me think senior people do not understand fire management.” They might not have been your precise words but words to that effect. Can you expand on that? What kinds of things are you talking about?

Mr Bartlett: Lots of things. Some of them might seem innocuous, but when I came to the ACT it was really obvious to me that the ACT, pre 2000, was very insular. They did not send people to interstate meetings and conferences and so on.

In recent times I have seen—because this is an activity that is planned through the bushfire operations plan—people’s approval to go to these conferences knocked back, even after it was an approved activity signed off by both the head of TAMS and the commissioner. Last year they only achieved 75 per cent of their target of sending people to training and conferences. That makes me worry. I understand. I have worked in government. Sometimes you have to tighten belts and all those things, but the point is that you can probably do that for one year. You should not stop getting people to understand and learn from the experiences of what has happened.

I also know that one of the senior fire management people in TAMS went to look at the escaped fuel reduction burn in Margaret River that burnt some houses in a park area. This is one of the issues why the person is suspended, because he took the initiative while he was in Western Australia to go and have a look at that, and then did not get his official travel approval extended by another couple of days. In my view, if people at the senior level of fire management really understood what the people were doing to benefit the territory, they would not take action like that. So they are some of the things that I am quite concerned about.

THE CHAIR: Ms Berry.

MS BERRY: No, I do not have any questions, thank you.

THE CHAIR: The strategic bushfire management plan 3 was tabled in the Assembly in the last sitting. It would appear that that has all now been authorised.

Mr Bartlett: Sure.

THE CHAIR: And one of the things in that, and one of the things in the report, is the need for a list of assets to fight fires. For level 1s, there will always be enough assets?

Mr Bartlett: Yes.

THE CHAIR: In your opinion, for the levels 2 and 3 fires, do we have enough assets to meet the need?

Mr Bartlett: Apart from this issue that I have just talked about, the CFUs now we have changed the rules about what is bushfire prone, I am reasonably comfortable that overall the assets are pretty good. The one issue that I have been worried about over the years was big tankers that can carry a lot of water. I have made various noises about that, but at the moment that issue is okay. The second issue that is okay-ish at the moment, but there are worrying signs about it as well, is the small, four-wheel-drive suppression units. Again, it comes down to vehicle specifications and whether they are safe to carry the water load that they put on them.

But these are a critical part of the overall fire suppression facility, because you cannot always get big, heavy trucks into all places. So the ACT needs, or any fire service needs, a combination of all these things. If you lose access to one particular type then, collectively, something has got to be done about it. That would be an issue that the ACT alone could not solve but, by working with their colleagues in other fire services, they would have to somehow come up with even a single, purpose-built vehicle, but I cannot imagine a time where the fire services are working in rural areas, and certainly in some forested areas with steep tracks, if they have not got access to four-wheel-drive vehicles with water tanks on the back, then we are going to be in big trouble.

The other area that is always a difficulty is access to big bulldozers, and I keep a very close eye on this one as well. There are two types of bulldozers needed in a fire-fighting fleet. One is the small ones that get put on a truck and are rapidly moved around, and the others are the big ones that make roads and things like that, that when the going gets really tough and it is steep ground, you need access to one of those within 24 hours.

As to the small one, I am very comfortable we have got it well covered. As to the big one, it is hit and miss each year because, with those things now, you are reliant on them being on a road job somewhere. Those people may or may not have experience at going down steep slopes like those in the Brindabellas or somewhere like that. But that is a common issue in many jurisdictions. I am in touch with many of my friends working in other states, particularly Victoria, and they are getting harder and harder to source.

MS PORTER: Just as a clarification, you mean to actually purchase, and—

Mr Bartlett: No, not purchase them, but when you want one, you have got to have in mind some sort of contract that they can be deployed straight away. And you have to have confidence that the operator of that machine is able to cope with both steep terrain and fire flames burning up towards their bulldozer and so on, which is not normally what you experience when building a freeway or something or other.

THE CHAIR: And just to finish, aerial assets?

Mr Bartlett: I think it is better than it was. I think we are part of the national program. One of the recommendations I made to the coroner related to having the facility to be able to put out fire retardant. I regularly ask about that, and I am told that the capacity is there. I have never seen it at Canberra airport. I have not seen it used in operational mode, but it is an important element as well.

There are things that they just do not understand the way I would. If you are dropping water from a helicopter, that will have an impact for a very short period, one or two minutes. If you drop fire retardant, it gives the firefighters an opportunity to work against the line of fire retardant that has been put out for a period. So they are different techniques. You put out fire retardant generally with a fixed-wing aircraft or with helicopters.

THE CHAIR: We might close there. Thank you for your time this morning.

Mr Bartlett: That is fine. Do you want me to leave some copies of this paper?

MS PORTER: Yes, that would be fantastic, thanks very much.

THE CHAIR: We will collect those, and members can then have a look.

Mr Bartlett: Do you want my two maps as well?

MS PORTER: Yes, please.

THE CHAIR: That would be very kind.

Mr Bartlett: Okay.

THE CHAIR: I do not think you have taken anything on notice, so we will skip that bit. There will be a transcript provided when we have had it done. If you could look at that, if there are any suggestions you would like to make, to correct any failures in the transcript, we would be appreciative of it. Thank you for your time here today, and I now declare this part of the hearing closed.

Mr Bartlett: Thank you.

The committee adjourned at 10.03 am.