

**COMMUNITY DEVELOPMENT AND JUSTICE  
STANDING COMMITTEE**

**INQUIRY INTO THE STATE'S PREPAREDNESS  
FOR THIS YEAR'S FIRE SEASON**

**TRANSCRIPT OF EVIDENCE  
TAKEN AT PERTH  
MONDAY, 29 OCTOBER 2012**

**SESSION ONE**

**Members**

**Mr A.P. O’Gorman (Chairman)  
Mr R.F. Johnson (Deputy Chairman)  
Ms M.M. Quirk  
Mr I.M. Britza  
Mr T.G. Stephens**

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**Hearing commenced at 11.01 am****McNAMARA, MR KEIRAN****Director General, Department of Environment and Conservation, examined:****DANS, MR PETER****Director, Regional Services, Department of Environment and Conservation, examined:**

**The CHAIRMAN:** Good morning, gentlemen. We are just going to allow the cameras for a couple of minutes while we read the official bits and that. But before we ask any questions, we will ask the cameras to leave. First of all, thanks for coming in this morning. The Committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as a contempt of Parliament. Have you completed a “Details of Witness” form?

**The Witnesses:** Yes.

**The CHAIRMAN:** Did you understand the notes at the bottom of the form?

**The Witnesses:** Yes.

**The CHAIRMAN:** Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**The Witnesses:** Yes.

**The CHAIRMAN:** I introduce the committee: Rob Johnson is the member for Hillarys, Deputy Chair of the Committee; Margaret Quirk is the member for Girrawheen; and Ian Britza is the member for Morley.

Before we go into questions, I ask the cameras to leave the room, please. Gentlemen, before we start throwing questions at you, do you have any opening comments that you would like to make?

**Mr McNamara:** Thank you, Chair. I will make only very brief opening remarks based on pages 9 and 10 of our submission to the inquiry, which we provided on Friday of last week. It is always the case that bushfire seasons are challenging, and we expect the one ahead of us to be challenging. Having said that, the Bushfire Cooperative Research Centre in its Australia-wide analysis has essentially forecast that the 2012–13 bushfire season is one with above average potential in terms of bushfires; they have not categorised it as more extreme than that terminology. We have had some below average rainfall over recent months and through the winter that has resulted in dry conditions. We have relatively high average fuels across the south west and other parts of the State. We have had a spring period during which prescribed burning achievement in the South West has been limited due to the weather conditions primarily.

Notwithstanding that, as we go into the 2012–13 bushfire season—indeed, it is a season that has already started in terms of the fires that we have already experienced in the South West and elsewhere in the State—I can say that there is a lot of progress that has been made, in my view, against the inquiries and the lessons of fires of recent years. There is absolutely no doubt in my mind that there is an improved cooperative relationship, particularly between ourselves and FESA, that should stand us in better stead going forward. The budget increase to the Department of Environment and Conservation in the 2012–13 Budget improves our capacity and capability going into this season and, indeed, FESA has also had a budget injection that improves their capacities. So, a bushfire season is always something that we go into knowing that it will be challenging, but I

would take the view that we as a department and the state as a whole continue to improve preparedness and we are better placed than we were at this time last year.

**The CHAIRMAN:** Keiran, before we get on to any questions, can I just ask about the two firefighters who were injured in Albany? What is their current state of affairs; how are they going?

**Mr McNamara:** The current situation is that one lady remains in intensive care in Royal Perth Hospital and faces a difficult situation—a very difficult situation. The other lady, who resides in Walpole, is also in Royal Perth Hospital in the burns unit but is in a stable condition.

**The CHAIRMAN:** It is a very sad situation and we pass our thoughts on to them and keep them in our minds.

**Mr McNamara:** Thank you.

**The CHAIRMAN:** In your opening statement you basically told us how you think you are better prepared this year for the bushfire season. Rob has already tipped me and said he wants a question.

**Mr R.F. JOHNSON:** I am a relatively new member of this committee, as you are probably aware. I did note, in a lot of the paperwork that has been given to me, some correspondence between this committee and yourself dated 24 September where the committee requested that when you attend this hearing you provide it with a copy of any departmental submissions and responses to the Noetic Solutions Pty Ltd reports on the Margaret River and Nannup bushfires of November 2011. I just wonder if you have brought them with you.

**Mr McNamara:** Chairman, the Noetic reports are being progressed through the State Emergency Management Committee, of which I am a member, in terms of that committee providing advice to the government. DEC participated fully in contributing to the analyses that were done by Noetic through workshops, through provision of all our fire operations guidelines and any other requests that were made for assistance. What I have brought today—I have multiple copies here—is the letter that I signed to the State Emergency Management Committee secretariat, dated 17 September 2012, which includes DEC's initial responses and comments against the 58 lessons in the Ellensbrook post-incident analysis and the 33 lessons in the Milyeannup post-incident analysis. Our input, along with the input of other relevant parties, is being consolidated by the State Emergency Management Committee secretariat for advice to government.

**Ms M.M. QUIRK:** Director General, can I just get a bit of an idea of the time frame of this? My understanding is that the Noetic report went to the Public Sector Commissioner on 22 June. When did your Department first see it?

**Mr McNamara:** My understanding is that the reports were commissioned by the Department of the Premier and Cabinet. The Department of the Premier and Cabinet would, I think, have been the recipient of the reports, not DEC.

**Ms M.M. QUIRK:** I understand that, that is why I said it was 22 June; that is when they received it. What I want to know is: what is the first communication with your department in which you received a copy of that report?

**Mr McNamara:** My recollection is that we received some working drafts of those reports to comment on at different times. Mr Dans may be able to elaborate, but in terms of the final Noetic report, I do not have the date on which the final Noetic report was submitted. It was not submitted to our Department. But what I have given you is the commentary that we have provided once the final reports were referred to us for input. But Mr Dans may be able to elaborate.

**Ms M.M. QUIRK:** No, I want to ask you because you are a member of the State Emergency Management Committee. When was the first time that that report went to the State Emergency Management Committee?

**Mr McNamara:** I do not have that date at my disposal today.

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**Ms M.M. QUIRK:** If you could provide that by way of supplementary information, that would be great. Has it been considered by the State Emergency Management Committee more than once?

**Mr McNamara:** The State Emergency Management Committee has had several meetings in recent months, including a meeting last week. Most of the work up to that period has been done through agencies providing input to the secretariat, but the response to the report is currently being finalised by the SEMC for transmission to the government with the aim of this week. But I cannot tell you without reference to minutes of SEMC at precisely which meetings it discussed that.

**Ms M.M. QUIRK:** You can go away and do that and provide us with supplementary information. Is there a date that the State Emergency Management Committee has to report to government by?

**Mr McNamara:** The State Emergency Management Committee has been asked to report to government through the Minister for Emergency Services by 31 October.

**Ms M.M. QUIRK:** All right, so that is Wednesday. So, it sounds as if it is not going to be in the position to do that, because you will have a final meeting, presumably, to incorporate all these comments.

**Mr McNamara:** No; that is not the case, as I understand it. I have provided commentary to the State Emergency Management Committee secretariat and the secretariat is seeking through out-of-session consideration following a meeting last week to finalise that report for transmission to the Minister for Emergency Services by the due date of Wednesday this week.

**Ms M.M. QUIRK:** And it is then up to him, is it, or to the Premier to get it to cabinet?

**Mr McNamara:** As I understand it, the State Emergency Management Committee reports to the Minister for Emergency Services. My understanding is that the SEMC will report to the Minister for Emergency Services who will then determine the Government's handling of the SEMC advice on the Noetic reports.

**Ms M.M. QUIRK:** All right. Now just quickly on this, also, have you briefed the minister as to the various stages that this report is at and the contents of the report?

**Mr McNamara:** I obviously take that as reference to the Minister for Environment.

**Ms M.M. QUIRK:** Yes, sorry—your minister.

**Mr McNamara:** I have kept the Minister for Environment regularly briefed and informed throughout the course of this year across the totality of the Keelty reports and the progress of the Noetic process and analyses.

**Ms M.M. QUIRK:** Just from your perspective, I am just a bit puzzled—members of the public get something like three weeks to comment to Noetic and I think that was over the Easter period, your department has effectively had from June until October to comment. Do you think that is a satisfactory state of affairs?

**Mr McNamara:** We did not run the Noetic process; it was deliberately designed as an independently run process, independent of us as the agency which was responsible for the two fires that resulted from prescribed burn escapes. So, clearly, it was done independently of us. The process that was followed is not one that I have much comment on, other than that we were given adequate opportunity to provide input to the development of their reports. Then once Noetic produced their draft reports, there was a period of consultation with agencies to make sure that any errors of fact and so on were sorted out before the reports were finally accepted by the Department of the Premier and Cabinet.

**Ms M.M. QUIRK:** So, without me being too hysterical about this, there is every prospect we will commemorate the year anniversary of the Margaret River fires without us having seen this report.

**Mr McNamara:** I do not wish to comment on that. I have advised the committee that the Minister for Emergency Services is due to receive the SEMC advice in respect of the Noetic reports on

31 October. It is a matter for the minister and the government as to how they subsequently handle the release of the Noetic reports and the SEMC advice.

**The CHAIRMAN:** Can I ask you: over the past 12 months or so, how many actual bushfires or prescribed burns have FESA and DEC exercised together?

**Mr Dans:** There has been one major state-level exercise undertaken since the 2011–12 southern bushfire season, and that was last Tuesday.

**The CHAIRMAN:** Can you describe what a statewide exercise is?

**Mr Dans:** A statewide exercise is a scenario-based exercise that deals with a notional series of bushfires and has operational phases at district, regional and state levels, if you like, so there are regional level bushfires and their management arrangements, reporting up to state-level operations, or state-level command.

**Mr McNamara:** May I make one brief remark about exercising in respect of fire? There are a range of hazards and potential emergencies that this State faces, and I believe there are something like 24 or 25 that are recognised by SEMC as requiring Westplans in respect of responses to those potential emergencies. Some of those, such as tsunamis and others, happen very infrequently. Fire happens frequently, and I take the view that there is a degree of exercising inherent in numerous responses to bushfires. The Albany fire of recent weeks was one that involved local government, DEC and FESA. After the two major fires of November last year, we had a six or so week exercise up in the Gascoyne of major fire across 800,000-plus hectares, which was a fully collaborative exercise across that entire period of time, so exercising in real fire is a constant feature of the way we go about our business.

**Mr R.F. JOHNSON:** You have a target for dealing with fuel loads throughout the whole of the state, and I think I am right in saying that you virtually have never been able to reach that target that is set. Can you tell what the situation is in relation to that at the present time?

**Mr McNamara:** Thank you. The submission that we have provided gives some details in respect of the question that has been asked. We do not have an area target on a whole-of-state basis, but we do carry out prescribed burning on a whole-of-state basis. What we do have is a notional target for the area of land that the department manages in what is called its three South West forest regions. That is roughly from Lancelin to Denmark, if you draw a line between the two and go south west of that. There are two and a half million hectares of DEC-managed land in that area, and that is about 46% of the total land area in that South West region—what we generally call the South West forest regions. There is a graph on page 4 of our submission that shows the achievement against that target over some 40 or so years, and there is a gradually declining trend in that achievement.

If you go to the top paragraph on page 5 of our submission, while the target has not been met in most individual years, on average, 83% of the target has been met over the past 20 years in the South West, and in the last six years that achievement in the South West has averaged about 74% of the target. So sometimes we get told, “You’ve only achieved it once in 20 years”; those average figures give you a better picture of achievement rather than how many individual years the target was met or exceeded. As is illustrated on page 5, in the graph at figure 5 of our submission, we do face an ageing fuel profile in the South West forest regions as a result of that level of underachievement of the prescribed burning target, which has a predominantly weather-related cause in terms of drying conditions over recent times. Mr Dans may wish to elaborate.

**Mr Dans:** Prescribed burning has definitely become more complex over the past decade, with rural subdivisions and the inevitable sprawl outwards from town sites and the like. There have been various stages over the past decade or decade and a half of smoke management issues; DEC faced a Supreme Court action from about 2004, with smoke management concerns in grape and wine producing areas of our south west, and there have been periods of quite strong community concern

at smoke impacts of prescribed burning, which have had to be managed by the department and the governments of the day.

**The CHAIRMAN:** Is this the best fuel load data that you have that tells how bad the build-up is? Have you got a database of this or is that it?

**Mr McNamara:** If you take that together with figure 6 on page 6, we have comprehensive mapping for the lands that we manage of age of fuel since last fire, and we have a good scientific understanding of relationships in terms of age since last fire and fuel loads and so on, particularly for jarrah and karri forests, but less so for some of the heathland-type environments.

**The CHAIRMAN:** But you are saying you have more than two million hectares with fuel load of seven years plus—is that what I am reading? I am just making sure I am reading it correctly.

**Mr McNamara:** I am not sure where you—

**The CHAIRMAN:** Figure 6, fuel age distribution, and the red areas on that map say seven years plus, and that is 2.1 million hectares, according to the legend.

**Mr McNamara:** Yes, in the legend. Sorry; I was just trying to track where that was.

**The CHAIRMAN:** I am just trying to make sure that I am reading it right and I am not reading it backwards.

**Mr McNamara:** I think you are reading it correctly, and I would just make the point that it is, for example, only in the current year that, for example, the area burnt in the Mundaring–Pickering Brook–Karragullen fire of 2005 has slipped over into the seven years plus, so there are some significant areas that have been added into the seven-year plus relatively recently, but that are not excessively old fuels.

**Ms M.M. QUIRK:** I gather that while the government was establishing the Office of Bushfire Risk Management, there was a moratorium on prescribed burning?

**Mr McNamara:** Not quite; the government has continued to maintain its support right throughout for prescribed burning as a primary fire mitigation tool in the south west.

**Ms M.M. QUIRK:** That is not what I am asking.

**Mr McNamara:** When the Keelty report was released on 23 February 2012, there was a suspension by the government of prescribed burning by DEC within five kilometres of town sites and rural subdivisions, and there was obviously the requirement that we attend to, particularly, Keelty recommendation 2 in respect of improved risk management across all prescribed burning.

**Ms M.M. QUIRK:** Did that impede your prescribed burning targets for this year?

**Mr McNamara:** On our achievement, rather than target?

**Ms M.M. QUIRK:** Yes. Well, capacity to achieve the target.

**Mr McNamara:** I will ask Mr Dans to answer that.

**Mr Dans:** The approval of DEC's proposed risk management arrangements for prescribed burning in the 2012–13 spring and autumn seasons was finalised with the Office of Bushfire Risk Management in the latter part of August and the first half of September. At that time, there were still some reasonable winter rains, and I think that —

**Ms M.M. QUIRK:** I think that was a yes or no question.

**Mr Dans:** Perhaps a very, very minimal impact; there may have been one or two burns, or the commencement of one or two burns, not the completion of one or two burns, that may have been delayed marginally due to the fact that we had not quite got through the approval process with the Office of Bushfire Risk Management—less than 1,000 hectares.

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**Mr McNamara:** There has been some impact, but our judgement is that, relative to weather, it has been a minor impact, and clearly after what happened last November and the Keelty report, the community and the Government expected that we would reassess our risk management processes and get those right before we continued with business as usual.

**Ms M.M. QUIRK:** You have mentioned fuel load. Keelty recommendation 1 talked about the need for a State fuel load database. You have given evidence that you are experts, if you like, in relation to your lands, but clearly there will be situations where you have private land abutting your land, so for you to do your job properly, it is really necessary to have a broader level of information. That is one recommendation that is just not being pursued at all. Is that correct?

**Mr McNamara:** It is not correct that it is a recommendation that has not been pursued at all.

**Ms M.M. QUIRK:** Sorry, it has been stalled.

**Mr McNamara:** The submission we have given you attaches the stakeholder update coordinated by the Department of the Premier and Cabinet, which has the state of play against all the recommendations of both Keelty reviews. We do not have the lead role on addressing that issue of quantifying and developing strategies for managing fuel on land that is not ours under the CALM act to manage. We are participating in the work that has been coordinated through DPC and the Office of Bushfire Risk Management to get that all-of-landscape tenure blind approach; we are contributing to that work, but we do not lead that work.

**The CHAIRMAN:** What does that involve from your perspective? You have large tracts of land that come right up to farmlands and even town sites. What is your contribution? How do you envisage that you work with the Office of Bushfire Risk Management to get to that level where you have the database?

**Mr McNamara:** I will ask Mr Dans to elaborate but our contribution, to start with, is the answer that I gave earlier about fuel age. We have good knowledge of fuel age of the lands that we manage, and at any time we have a forward-looking, six-season, three-year prescribed burn program, which we revise each six months, so it is always forward-looking over three years. We have participated in working group-type discussions around how to advance that sort of knowledge and capacity on a whole-of-landscape basis, in a tenure blind approach. We cannot speak for land that we do not manage, but we are fully contributing into processes, as I say, with DPC and FESA and OBRM to address that issue.

**The CHAIRMAN:** I think the point is you have been doing this for decades; you have a process, and a good process, but other areas do not seem to have that process. So, is your process transferable to those private lands, relatively easily? Even if it is done through another department, are you handing the process over, saying, “This is how we do it; the best we can achieve is the seven-year mark, which seems to be the amount”? If you have—I think you said 40 years in your introduction—

**Mr McNamara:** I said we have 46% of the land in the South West.

**The CHAIRMAN:** Sorry; it is 20 years I have read in this, then, because it is a substantial amount of time you have been collecting fuel load data. Is that transferable to FESA or to local government or somebody else that can actually get the information on the private land so that we have a full picture, as per Keelty’s recommendation?

**Mr McNamara:** The 40 years comes from, I think, the map of prescribed burns, but we have data going back to the 1960s that is quite comprehensive. The methodology that we use is, theoretically, easily transferable to any other landowner; there is nothing rocket science about what we do in terms of knowing the age since last burn. The challenge is that the other 54% of the land in the South West is in numerous holdings—other government agencies, local government, private landholders and private companies. It is the task of consolidating that into a meaningful database and addressing it that is the challenge. We have the advantage of being a significant consolidated

land manager. The information for other parties is diffuse, and that is the challenge that is before the state, and one that the Office of Bushfire Risk Management, in particular, is seeking to address via taking what we do but also taking the tools of remote sensing and so on to roll out that sort of knowledge on a tenure blind approach.

**Mr R.F. JOHNSON:** Has your agency been subjected to the efficiency dividend and the cap on FTEs?

**Mr McNamara:** Yes.

**Mr R.F. JOHNSON:** Can you tell us where your savings are—what they amount to in monetary terms and where the savings are being found?

**Mr McNamara:** The efficiency dividend is published in the 2012–13 *Budget Statements* and in 2012–13 it is \$3.75 million for DEC. The details of the way that is being applied, as I understand it, are to be published in the midyear review. The more recent corrective measures announced by the government that relate to FTE's, associated savings and some procurement savings—we are working through those at the moment, but the situation is that in bringing in that FTE ceiling, the government was particularly cognisant of bushfire needs and was cognisant of the seasonal nature of our workforce. The situation is that the increase in resources that flows from last year's budget, in respect of extra fire personnel and capacity, is being protected in that process.

**Mr R.F. JOHNSON:** What did that increased amount to? You told us earlier that the agency had received extra funding in this last year's budget, but since then we are told that you are subjected to—is it a two per cent efficiency dividend? Is it two per cent per cent for your agency? I mean, it varies from agency to agency, but is it two per cent?

**Mr McNamara:** The \$3.75 million in the *Budget Statements* is the two per cent efficiency dividend.

**Mr R.F. JOHNSON:** So you have an increase on one hand, how much is that?

**Mr McNamara:** The increase across four years of the 2012–13 —

**Mr R.F. JOHNSON:** No; sorry, just this year.

**Mr McNamara:** The increase for 2012–13 for fire preparedness in the recurrent spending is \$5.8 million, plus \$1.5 million in capital.

**Mr R.F. JOHNSON:** And you are going to lose three-point something million dollars in —

**Mr McNamara:** We lose \$3.75 million, but what we have clearly done is find the \$3.75 million worth of savings in areas that do not affect our fire capacity.

**Mr R.F. JOHNSON:** Can you tell us where those areas are—what you have identified so far? There was a general feeling, I can say, that these amounts that were going to be saved by different government departments were going to be available from 1 July; they had to be identified by July 1, which was some months ago. So, I believe that most agencies have tried to find those savings and would have had them identified. You must have found those savings if they are going to be in the midyear review. What I am asking is: have you found those savings; and, if so, where are they?

**Mr McNamara:** They are across a range of areas. Given how far we are into the year, of course we have worked through that issue with our minister. My understanding is that is a matter that the government will include in the midyear review. What I can say is that to achieve two per cent we have taken a range of measures and I will give you a couple of examples. We have applied a one per cent efficiency across all our cost centres throughout the state and challenged them to find that administratively and in other ways. We are consolidating management planning functions across marine parks and our terrestrial national parks to gain efficiencies. We are changing the focus of the Perth Observatory to achieve extra efficiencies. So, there is a variety of measures across the department that will deliver the \$3.75 million saving.

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**Mr R.F. JOHNSON:** Are there any savings you have had to identify in relation to bushfires?

**Mr McNamara:** No.

**Mr R.F. JOHNSON:** In relation to prescribe burning or fighting those?

**Mr McNamara:** No.

**Mr R.F. JOHNSON:** In training?

**Mr McNamara:** No; we have received extra funding in fire management and those are quarantined from the reductions going on. The situation with the efficiency dividend is that we have obviously targeted areas that do not expose us to increased risk in terms of front-line delivery. I am the director general of a department with a range of responsibilities. It is challenging, obviously, to meet those efficiency requirements that the budget requires, but we are protecting the fire function in doing so.

**Mr R.F. JOHNSON:** I realise that and obviously, I think, from this committee's point of view, we want to ensure that there are going to be no cuts to the area of fighting bushfires, and also, as my colleague said, in training, which is essential in that particular area.

**The CHAIRMAN:** Can I ask about your FTEs? What is your FTE allocation and is it filled at the moment? Have you any jobs sitting vacant that will not be filled because of the cuts?

**Mr McNamara:** I have to break that down a bit. The FTE ceiling for DEC in the last financial year was 1,965. Our average staffing complement across the year, because we have seasonality, we have external funding and so on, was 1 924. The budget papers for 2012–13 show an increase in our FTE ceiling to 1,993. So, 1,993 is the published figure. The recent corrective measures that the government has taken to cap the FTE ceiling at current levels for departments will have the effect of reducing that 1,993 by 17 because we have a number of unfilled vacancies in a range of areas. But, in doing so, as I indicated earlier, the Government has acknowledged the special circumstance of both bushfire and seasonal employment, and we do have the capacity to put on the extra 52 FTEs provided for in the budget for fire purposes.

**Ms M.M. QUIRK:** This is a nice segue. Either if you save the status quo or you have some additional FTEs, and we will go into that in a minute, the bottom line is that in September of last year a report came out from Integral Planning—or it did not come out, I think you had access to it—which stated —

The department is at breaking point in relation to workload and roster demands — most of the key players are committed to a minimum of three weekends in every four outside of their high volume job requirements.

This time last year, really, the department was described as being at breaking point. It seems to me that to overcome that problem you are going to have to interject a lot more resources into it. As I understand it, the senior executive talked about this in about September last year; we have heard evidence previously of that. Can you explain why it is that you did not bring this to the minister's attention until February, which was after the Margaret River fires?

**Mr McNamara:** There is a mix of questions and comments in there and I will try to take them in turn. The report prepared last year and finalised in February this year, which you referred to, does use terms like “at breaking point” and I do not disagree with those. The Department has been severely challenged in terms of its capacity to respond to major bushfires. If you go back to the Ferguson review, which followed the Boorabbin coronial report, you can see in that that there were comments to that effect. The work that was done by Integral that you refer to was a deliberate follow-up by us to what we knew anyway, but also what Mr Ferguson clearly pointed to.

The Keelty report on the Margaret River bushfire clearly alludes to the same sorts of pressures and concerns, and that was handed down in February this year. At the time that you refer to of

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September last year, clearly we were in budget preparation mode for the 2012–13 Budget process and in the fire submission we put to government or to the minister for budget consideration, we made the human capacity of the department our overriding consideration in light of those findings and related ones. They were reinforced. Clearly that was in train in the budget process and the Keelty report on the Margaret River Fire came down in February 2012.

We briefed our minister clearly about those issues and the minister, and previous ministers, were well informed about the Ferguson findings and about the Keelty findings, not only by the Department, but also from Mr Ferguson and Mr Keelty personally and directly at the relevant times. The matters that were referred to in the Integral report were essentially more operational for the department to pick up in its succession planning and its staff development and capacity building. The issues that generated the Integral report were well known to ministers and there was not really any particular need for the Integral report to be provided to the minister when he was already well briefed on both Ferguson and Keelty, and indeed, when he was very well briefed on our budget submission, which, as I have indicated, results in us being able to put on 52 extra personnel compared to last year specifically for fire. Going back to the comment, I acknowledge the breaking point comment; we face a very difficult situation every year. The Government has recognised that by funding 52 extra people.

**Ms M.M. QUIRK:** You are a very experienced public servant, Director General. You have been around and you have served under a number of ministers. I find it extraordinary that you have a report in your possession, which is discussed at senior executive level, which uses inflammatory language, although in your words it is really just summing up what had been in previous reports, and you do not choose to make it known to the Minister. That seems to me quite extraordinary.

**Mr McNamara:** With hindsight, I agree there would have been preferable to give that report to the Minister as well. What I can say is that it was finalised as a report in February this year, even though it had been around in draft form before that. It became known —

**Ms M.M. QUIRK:** It was in that Department prior to Margaret River and had been discussed.

**Mr McNamara:** And action had been taken on it prior to Margaret River in terms of us putting advice and a submission to government in the budget process for increased fire resources.

**Ms M.M. QUIRK:** Can we just quickly talk about the fire resources? You talk about 52 firefighters—

**Mr McNamara:** No; I said 52 staff.

**Ms M.M. QUIRK:** Staff, sorry. You have a position where some of those are seasonal, would you agree?

**Mr McNamara:** Yes.

**Ms M.M. QUIRK:** Some of them have little or no experience, some of them, effectively, have other jobs to do within the Department, but can be made available at a crisis—would that be a correct summary?

**Mr McNamara:** Not of the 52, no. I might ask Mr Dans to explain the make-up of the 52 and the existing complement of staff that they add to, which includes both dedicated fire staff and staff who have other duties.

**Mr Dans:** We concluded the 2011–12 financial year with about 74 dedicated fire management staff across the state. With the new budget allocation we got through the 2012–13 Budget process, we will add another 26 dedicated fire management staff, taking that number to 100 across the State—that is dedicated fire management offices. In terms of front-line firefighters, last year in the south west of the state, which is where most front-line firefighters are based, the Director General referred to the line between Lancelin and in and Denmark—south west of that line, essentially—and there is

actually a map of that region in the submission. We had last year 267 front-line firefighters, we expect —

**Ms M.M. QUIRK:** Of whom there were a number who were unfit.

**Mr Dans:** There were 17 who were not deemed —

**Ms M.M. QUIRK:** So that takes it down to 250.

**Mr Dans:** — fit for front-line firefighting duties, but they did have roles in fire management. They might have been reloading water bombing aircraft or they might have been operating fire spotting towers and the like. In terms of being on the front line in the trucks, in the smoke and in the flames, for one reason or another they were not able to do that. So there were 267 last year. An additional 19 onto those will take it to 288 for this year. We expect to have those all in place by 1 December of this year.

**Ms M.M. QUIRK:** That deals with, if you like, the raw bodies, but there is the issue of experience. A lot of the experienced firefighters who understand fire behaviour are ageing and so you are losing a great pool of experience and that is something that has certainly been identified in other reports. What measures are you taking to ensure that there is a consistent level of expertise and experience?

**Mr McNamara:** Mr Dans will elaborate, but if I can lead off by saying that obviously there is turnover in an organisation, and we are not alone in the public sector in terms of some of the challenges with the age profile of the staff in the department. I still look around the south west in particular, elsewhere in the state and amongst our level 3 incident controllers and I see outstanding people each with several decades of experience in fire. I see in our fire management services branch the same and I see in our science division the same.

We are challenged by the issue you raised—I accept that—but the extra resources that the government has given us this financial year are deliberately designed, in part, to address that issue through the 26 extra permanent fire-dedicated professional staff. But I will ask Mr Dans to perhaps elaborate briefly on the development program we are deliberately putting in place to grow the fire leaders of the future.

**Mr Dans:** Yes, I referred to 26 new dedicated fire; 14 of those are part of what we are calling the fire management development program. This is taking some of the recommendations out of the—

**Ms M.M. QUIRK:** So they are the incident controllers rather than the firefighters—

**Mr Dans:** They are the dedicated fire management officers, yes. The idea is that they will fast-track their experience and fast-track their development so they can move in and fill some of those gaps in a succession sense, if you like. For those particular 14 positions our intention is to move those around relatively frequently, rather than appointing an officer to a position in a town where they may just stay there for a decade or so; so we wish to move these particular officers around perhaps every two years so that they get the broadest range of experience in different fuel types and in different fire behaviours and those types of things. Those experiences are what builds our next cohort, if you like, of senior fire managers.

**Ms M.M. QUIRK:** But you would concede there is a deficit now, and you have not yet been able to address that fully?

**Mr Dans:** We have the resources in the 2012-13 Budget to make a significant go at addressing the succession issues that we knew we had, and that were illustrated by —

**Mr McNamara:** Can I just say, though, that we have five pre-formed teams of around 65 people, all led by a very capable level 3 incident controller and with very competent people filling other senior roles in those teams. Increasingly, we have teams that are made up across agencies; it is not just a matter of what DEC has. I should not name individuals perhaps, but John Tillman, for example, is a FESA officer based in Manjimup, and he still performs a role as an incident controller

leading one of the DEC pre-formed teams. We are getting increasing crossover, if you like, of capacity between the organisations, and that is part of the improvement that been progressively made in recent years.

**Ms M.M. QUIRK:** He is a DEC person who has jumped ship, if you like, so he is probably not a good example.

**Mr McNamara:** He does happen to be one who was trained by us.

**Ms M.M. QUIRK:** In this letter to the State Emergency Management Committee, you talked about the Noetic report identifying the number of processes that need to be addressed to improve performance. So it seems to me that there were things about which the committee found DEC wanting, and just from my quick look at the report since you handed it to us this morning, both training and incident management seem to be an issue, as does the location of the incident control at Kirup—that seems to be a problem. We have identified, through other means, that maps are a problem; people did not have adequate maps. Perhaps you can identify some of the issues you are addressing following this report? Communications looks like it is another one; timely alert, getting local government onside soon enough—all those things.

**Mr Dans:** A range of those lessons, if you like, in the Noetic report perhaps run parallel to a lot of the recommendations and findings that Mr Keelty made in his special inquiry report. But certainly one parallel is that DEC's main fire management centre in its Blackwood district is Kirup, and as a matter of course we managed, initially, the Margaret River fire and the Nannup fire from the Kirup office. When it was determined that that was not the most appropriate place to be, the incident management team relocated to Margaret River, and that is the nature of the report—the lesson there in Noetic's report. That was also paralleled—I think it is recommendation 7—in Mr Keelty's report, and we are actually examining the utility of our Margaret River work centre for that to be, I suppose, enhanced such that it can be a location to manage a level 3 or 2 fire from that location.

**Ms M.M. QUIRK:** I notice it is your letter, Mr McNamara, so when you were alluding to the issues identified, what were you referring to?

**Mr McNamara:** Whereabouts in the letter, please?

**Ms M.M. QUIRK:** It is paragraph 4; the first page at about the eighth point 8. It reads—

Inevitably, a range of issues have been identified ... that need to be addressed to improve performance within DEC ...

I am just wondering what they are?

**Mr McNamara:** I think in your initial scanning of the report and the question you asked, you pointed to those generic issues.

**Ms M.M. QUIRK:** Did I miss any, for example?

**Mr McNamara:** Of significance? I do not think so. They are clearly difficult and fast-developing situations. We had the two prescribed burn escapes that became significant fires simultaneously; we were fighting another significant fire down in the Denmark area simultaneously, and we had, if you like, the normal load of fire activity broadly throughout the south west. So the lessons pointed to—as I said at the start, there are a very significant number of those; 58 in the Ellensbrook one and 33 in the Milyeannup one—if they are grouped thematically, incident coordination, rapid response, communication, timely information to communities, and use of local knowledge are some of the themes that clearly come through.

**Ms M.M. QUIRK:** These things take us by surprise, and there are things that crop up that you do not necessarily know are going to happen, but when there are things identified like not the proper maps or possibly communications between local government brigades and DEC not being optimal,

that is all stuff that needs to be worked on before the event. Given these are recurring themes that have been recurring in report after report after report, is that not a matter of concern?

**Mr Dans:** I think the comment with respect to maps was that there was such a rapid upscaling of the number of resources—there was a deployment of bush fire brigade resources from around the south west, from the metropolitan area and like, and there was perhaps a less than structured deployment of those resource. Some of the resources suggested that they did not have maps, so that the deployment of those resources onto the fire line was not structured as it was; as a consequence, some of them did not have maps. That was the origin of that particular comment.

**Mr McNamara:** But I am also aware, for example, of an instance where feedback provided to Noetic, through their interaction with the volunteers, included a complaint that a volunteer resource that turned up was not deployed immediately. Well, the person in charge from DEC at the time needed to ask very basic questions about the experience of that particular volunteer resource or brigade in a forest situation, and their capacity before they were deployed. There are lessons from previous fires about inappropriate deployment of people in respect of their particular skill base.

The volunteer brigades are highly valued, but they can be variable in terms of the type of landscapes and ecosystems they have worked in. Our staff member was exercising a proper duty of care, which was taken by another party as a delay and not, sort of, being responsive to what they wanted to do in terms of rapid deployment. So there are some things like that that come through in these reports that need to be considered in context.

**Mr R.F. JOHNSON:** I think that is very similar to what happened at the Kelmscott–Roleystone fire, where a unit, as I understand it, was making themselves available but they were not used for the purpose up there because there was some danger of some chemical spill somewhere else that eventuated. There was a lot of criticism at the time that they were not being used, so it sounds very similar to the one you are putting forward today.

**The CHAIRMAN:** So should that actually form part of the training for these volunteer fire brigades? Because if they do not understand why they are being held back, then they feed it out that, “We were there but they did not use us.” Surely that should be taken into consideration in training so that they do understand it?

**Mr McNamara:** Yes, there is a lot of rapid deployment, and there are different and rapidly escalating situations where intelligence from the front line back to incident control is a challenge. That is the inherent nature of what goes on in a rapidly escalating situation. I would agree that any resource that is deploying to a fire needs to understand that it needs to be deployed in accordance with the incident structure and the strategy that has been applied, and clearly the incident control team and the controlling agency have a duty of care to everybody who is deployed. You need to match capacity and experience with the task.

**The CHAIRMAN:** I am going to give Ian the nod to ask a question, but I am going to leave you in the hands of the member for Hillarys as deputy chair because I have to be somewhere else.

[Mr R.F. Johnson took the chair]

**Mr I.M. BRITZA:** In light of the fact that we have some concerns in several areas, we are facing what many are saying will be a very, very hostile summer. How well think do you think our state is ready and prepared to tackle what appears to be something we are not really looking forward to?

**Mr McNamara:** In my earlier remarks I commented that every fire season is challenging. I do not like to use language that goes beyond the professional advice I have in terms of catastrophic or extreme outlooks. The Bushfire Cooperative Research Centre talked about above-average potential in the south west of the state, which is significant; I am not trying to downplay it at all, because there will be occasions when we face extraordinary circumstances, and if we get too many ignitions on those occasions, then we are challenged. What we have said in our submission, effectively, is that we are better resourced than last year, we have better interagency arrangements than

previously, and FESA is better resourced than last year. I will not speak for the volunteer capacity because that is really FESA's bailiwick—I understand they are appearing later.

If I go back to last year: on Wednesday, 23 November we had the Milyeannup and Margaret River fires, and we had other fire activity elsewhere. By the Saturday of the following week we were still going full bore at the Milyeannup fire, before we brought it under control on, I think, the Saturday. That is about 11 or 12 days straight. We were at the end of our capacity at that time. If there had been another major fire or if we had not controlled the Milyeannup fire on the day we did, we would have been in trouble. So we had a fundamental position where, in terms of our capacities, we had two major campaign fires over many days and multiple shifts, which eventually challenged us, so that is logical.

We actually had a Victorian colleague over for several days in that second week doing the pre-planning to deploy 150 people from the eastern states to come and help us, in the same way we have gone and helped the eastern states and the US and Canada in the past. So at the end of the day if you have too many fires, logic and commonsense tells you that you ultimately run out of home-grown capacity, and interstate deployment is available to us. We have not had to go to that point, but we were right on the verge of it last November–December.

**The DEPUTY CHAIRMAN:** With the Margaret River fires, I think the problem many people foresaw there was that you had about seven or eight prescribed burns going at any one time, and as I understand it some of them were left to burn overnight without being supervised adequately. Do you think it is responsible to that have many prescribed burns going at once in that sort of area, particularly with the weather conditions as they were at the time?

**Mr McNamara.** I do not wish to re-run the Keelty review, but we had multiple fires not in the Margaret River area—multiple prescribed burns not just in the Margaret River area, but across the district including the forests. That in itself has not been an unusual situation, and having to go back to the one burn for multiple ignitions over a period of time is also far from unusual. Mr Keelty clearly pointed out that the risk assessment and the risk management needed to be significantly improved; that is the whole thrust of his report and it is the thrust of recommendation 2 of his report in particular. We have devoted all of this year so far, since that report was handed down in February, to that task in particular, both ourselves and working with the Office of Bushfire Risk Management, and utilising the expertise of the bushfire CRC. I might just ask Mr Dans to explain how our prescribed burns plans in the future have some extra planning and contingency features that specifically address Mr Keelty's recommendations.

**Mr Dans:** We have reached agreement, as I mentioned earlier, with the Office of Bushfire Risk Management, on the risk assessment and risk management framework that will be in place for spring 2012. That may be fine-tuned as we go into autumn and as we learn from the existing process that is in place. In essence, it involves a much more detailed analysis of fire-spread scenarios under various weather events and weather conditions that might eventuate, and it provides a much finer grained detail of particular assets outside of the burn boundary that could perhaps be affected, should a burn escape. Those are the two key elements. There is a lot of other work going on behind the scenes to fine-tune some of DEC's fire operational guidelines and procedures to bring them into line with the risk management approach that we have now adopted.

**The DEPUTY CHAIRMAN:** Were there any ramifications for any personnel involved who were employed by DEC in relation to the criticisms that Keelty levelled in his report in relation to those fires down there in the South West?

**Mr McNamara:** I think that can be answered in two ways—in three parts, actually. The first is that Mr Keelty gave particular attention in his report to pointing out that the people involved were seeking to do the right thing and protect the community, and he made a particular point both in his report and his public statements on the report's release to not attach blame at the level of individuals and thereby promote any criticism of individuals. Secondly, the Government and the Premier have

made very strong statements about support for prescribed burning and support for the people in our agency who do a very difficult and very challenging job and do it as best they can. The third element really goes to the way some individuals in particular have been treated in the community and by the media, and there has been a targeting in that respect that has had adverse impacts on individuals.

**Mr Dans:** Those are very real considerations for us going forward. We have illustrated that we hope to have in place by 1 December, 100 dedicated fire management staff and in the south west 286 front-line firefighters. We also have another—

**Ms M.M. QUIRK:** Minus the 17.

**Mr Dans:** Sorry?

**Ms M.M. QUIRK:** Or are the 17 unfit officers back on deck?

**Mr Dans:** It varies. There may be some up and down among those, but they will be involved in fire management. You have broken my chain of thought there, member.

**The DEPUTY CHAIRMAN:** She does that to me frequently!

**Ms M.M. QUIRK:** That is presuming he has got one, but we will not go there. Sorry, in terms of the impact on the personnel.

**Mr Dans:** There are another 500 DEC employees who do not have fire as a line item, if you like, in their job description but who put forward and volunteer their services in DEC's fire management effort. They undertake roles in its management teams and support roles—it might be as simple as helping out in catering and running meals and all those types of things. A large number of those people questioned their ongoing involvement, as did a large number of our dedicated fire management staff in response to the treatment that the director general referred to that had been dished out to some individuals.

I stress the point that there are only 100 dedicated fire management officers in DEC. DEC takes its fire role from the fact that it is a land manager. It is not, as such, an emergency response agency; it is a land manager. That is where we are involved in fire, but we are resourced and have the capacity to manage fires on our lands. As I said, we draw on those 500 others, and many of them questioned their ongoing role as a response to the treatment that some DEC staff have received over the past few years.

**Mr McNamara:** I have said this before publicly—the personalising of criticism is a serious concern because you have to ask yourself: who will do the job in the future when it needs to be done?

**Ms M.M. QUIRK:** But this Noetic report, for example, does not name names; it talks about systemic problems that you have the capacity to address.

**Mr McNamara:** The Noetic report takes the standard approach of post-incident analysis, which is a no-blame, lessons learnt approach.

**Ms M.M. QUIRK:** We had a hearing down in Margaret River some months ago and there certainly was an issue that one of the staff members who, I think, was publicly named and criticised as not having sought any counselling. What mechanisms do you have to address issues like that?

**Mr McNamara:** There is another parliamentary committee report about the effect of traumatic incidents. We will be involved in the government's response to that. As we indicated at that time, we have peer support and mentoring types of arrangements. We have counselling services and we are adding to that chaplaincy services. In terms of the recent Albany incident, we have devoted an enormous effort to those services and not only to our own staff, but also to the families of the injured staff. Mr Dans may wish to elaborate, but in terms of the particular reference you made to a staff member, you cannot necessarily compel people to take up what is on offer to them, but I can

assure you that it is on offer and I can assure you that every effort is made to encourage people, some of whom are reluctant because they think they do not need that support, to take that support.

**Mr Dans:** To follow on—

**Ms M.M. QUIRK:** Unless those issues are addressed, there is an issue about their ability to stay in their current positions, I would have thought, because the post-traumatic stress may well impact on their capacity to do their job.

**Mr McNamara:** I am sure that can be the case.

**Mr Dans:** Absolutely. The Director General mentioned we are in the process of recruiting a chaplain into DEC now. Following the recent Albany bushfire, the chief executive officer of FESA made available FESA's chaplaincy services, which were taken up by DEC and put to extremely good effect. We learnt plenty after our response to the Margaret River bushfire in terms of staff support and we threw significant resources at our response following Albany. Very much largely for those reasons that I just referred to about people's uneasiness about their fire management roles in DEC, it was absolutely mandatory that we put in place the best response we could. I think we have learnt a lot.

As I said, we do not rely solely on external employee assistance providers; we have our own trained peer support network, and we utilised that to the full in Albany. We also used external assistance providers and the FESA chaplaincy through those three layers of support, if you like, and it worked exceptionally well, and will continue to work well. A significant resource has been dedicated to it and will be required for the coming months.

**Ms M.M. QUIRK:** Director General, can I just take you back to the Margaret River fire and in particular the finding of Keelty in February that said, effectively, that DEC was the cause of the fire starting and also to the Noetic report, which I presume, not having read it, obviously, but there is the assumption that it proceeds on the management of the fire and does not necessarily deal with issues of liability. Would that be a correct assessment? Part of its terms of reference did not include any question about whether DEC was negligent or legally liable for the fire; is that correct?

**Mr McNamara:** I am not a lawyer but no-one denies—we certainly never denied from day one—how the fire was caused, but the questions of liability and negligence rest in the area of the State Solicitor's Office and RiskCover. I think it is for RiskCover and its minister through Government to make any statement in that area; we are not entitled to do so.

**Ms M.M. QUIRK:** When you say you are not entitled to do so, is that an instruction from the minister that you are not permitted to comment on these issues?

**Mr McNamara:** I am privy to legally privileged advice in that area and—

**Ms M.M. QUIRK:** I am not asking you for advice; I am just asking you whether the terms of reference of that report included any findings in terms of liability—

**Mr McNamara:** The Noetic reports?

**Ms M.M. QUIRK:** Yes.

**Mr McNamara:** My recollection of the Noetic reports is that they do not go in that direction at all. My minister has not given me any direction on prohibition of liability or negligence; it is a matter on which our interaction is with the State Solicitor's Office and RiskCover and carriage of public statement on the issue rests, as I understand it, with RiskCover and the government minister representing RiskCover—sorry, responsible for RiskCover.

**Ms M.M. QUIRK:** Does the State Solicitor take instructions from DEC or from RiskCover in this case?

**Mr McNamara:** I would have thought both.

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**Mr Dans:** I think it was RiskCover.

**Ms M.M. QUIRK:** Has advice been sought from DEC—you do not have to disclose the nature of the advice; I accept what you are saying, which is that it is privileged—as to its liability or otherwise from the State Solicitor or any other lawyer?

**Mr Dans:** No, I do not think we have.

**Ms M.M. QUIRK:** Are you aware of whether RiskCover has sought that advice?

**Mr Dans:** I believe they have.

**Ms M.M. QUIRK:** Are you privy—I do not want to know what the advice is; that is a matter for the ministers to have to disclose publicly—do you believe RiskCover has received that advice? Is it your understanding that advice has been received, or have you sighted that advice?

**Mr McNamara:** I have seen State Solicitor's advice, which is, essentially, as I understand, advice for RiskCover to take on board and act on.

**Ms M.M. QUIRK:** Do you recall when you saw that advice?

**Mr McNamara:** Off the top of my head, I cannot give you a date, but I would imagine—it is weeks ago, but I do not have the date at my fingertips.

**Ms M.M. QUIRK:** Is that something that went to the State Emergency Management Committee?

**Mr McNamara:** That is not an issue that is within the ambit of the State Emergency Management Committee and it has not gone there.

**Ms M.M. QUIRK:** Thank you. I am asking these questions because the residents of Margaret River have been waiting for this Noetic report for a long time. You say that its release is outside of your control, but you accept that when it is released, there will be some level of disappointment if there is no assessment of DEC's liability or otherwise in relation to starting those fires.

**Mr McNamara:** The Keelty review clearly addresses the start of the fire. The Noetic post-incident analysis for Margaret River is about the management of the fire—

**Ms M.M. QUIRK:** Yes, but you would accept, although you say you are not a lawyer, that the management issues are what goes to negligence—whether the Department was negligent?

**Mr McNamara:** I do not think so.

**Mr Dans:** With the Ellenbrook fire, the Noetic report focussed on the operational response, not the cause. Mr Keelty did that in his special inquiry.

**Ms M.M. QUIRK:** Yes, but the causation, as you know, is not enough to necessarily establish negligence. It would be necessary to establish that the department acted inappropriately and did not exercise due care and so those very things do go to management. I can give you one example: Starting a prescribed burn and then walking away from it—that would be one indicia if that was out of the normal practice or did not show due care or attention to conditions; that very well might amount to negligence, I would have thought. Surely that report, which deals with the fire's management does touch upon negligence issues.

**Mr McNamara:** All I will say is that the cause of the Margaret River fire is clearly and fully addressed in the Keelty review. The focus of the Noetic review is on the operational response to the fire. Your initial question as to whether the community might be disappointed upon the release of the Noetic report and the Government's response to it as to whether the community might be disappointed about a lack of finding or comment on issues of negligence and liability is a matter that I cannot comment on other than to say that the Noetic report analyses operational issues and the government, separately, if you like, through RiskCover, is in a position to make whatever comment is warranted in respect of those negligence and liability issues. It is not a matter that is necessarily tied to the Noetic report.

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**Ms M.M. QUIRK:** I notice in the Noetic report there are some issues on some information being released such as radio bulletins, communications, so generally there being a problem with flow of information. Would you accept—is that an accurate summary?

**Mr McNamara:** Sorry, I did not quite—accept what?

**Ms M.M. QUIRK:** There were some issues that were clearly raised about communications, disseminating information to the public, liaison with bush fire brigades and, if you like, to put it in a general term, communications generally, whether that is to the public, local government, bush fire brigades.

**Mr McNamara:** If you would like to characterise, I think, the lessons of both Noetic reports into a number of categories, one of them is the communications issue.

**Ms M.M. QUIRK:** One of the issues was the StateAlert and the radio bulletins. StateAlert was run by FESA so we will talk to them about that. But the radio bulletins—the information provided would have been provided by DEC to media in terms of what was happening.

**Mr Dans:** That is correct. DEC was managing the incident in the initial stages. They would have been providing the bushfire advices up through our public affairs branch. We would have been providing information from the incident management team to the public affairs branch and out to the ABC and across to FESA simultaneously.

**Ms M.M. QUIRK:** Have you made any changes in that regard as a result of this report?

**Mr Dans:** The main issue is the ferocity and the rapid rate of escalation of both fires in the early stages. There is an inevitable lag between—by the time an incident management team gets the information, emails it or faxes it or whatever it is they do to get stuff to Perth and then it gets across to the ABC and it is read out, it could be perhaps 30 minutes old.

**Mr McNamara:** There have been changes in that space between us and FESA, I think involving police and others as well, through the public information group that works through the State Emergency Management Committee. DEC has always relied on a system that involves the incident controller signing off on media statements and advices as they go out. That has the potential to introduce some extra lag or delay in information getting out. We have always highly valued, if you like, the accuracy of the information in terms of having the incident controller vet the information before it goes out. FESA operates a little differently to that and work is being done between the two organisations to harmonise the system that is used to make it a bit faster but without sacrificing accuracy.

**Ms M.M. QUIRK:** In terms of recent events in Albany, I am a bit perplexed. We might need to ask FESA about this. That initially was a fire run by the City of Albany?

**Mr McNamara:** The fire started on private land and was responded to by both local brigades and DEC, but the City of Albany was the controlling authority.

**Ms M.M. QUIRK:** FESA was the one putting out alerts in relation to that fire? Are you aware of that or not?

**Mr McNamara:** That is my understanding. DEC was not.

**Ms M.M. QUIRK:** That is fine. There were more than two firefighters injured but two were seriously injured. What time was that?

**Mr McNamara:** Clearly there are investigations going on in terms of the Albany fire and I do not wish to pre-empt those in any respect but —.

**Mr Dans:** It was about 3.05.

**Mr McNamara:** I was about to say that, but there is a limit to how much we can say. It was shortly after three o'clock.

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**Ms M.M. QUIRK:** Would you be concerned that at 3.18pm FESA is putting out an alert saying there is no risk to either lives or property when this was some 13 minutes after, in fact, a number of firefighters have been injured? In fact, that alert stayed up until quarter to seven.

**Mr McNamara:** It is not for me to comment on the latter part of your question. We were not in charge of the incident and not in charge of the information being made public and, clearly, there will be a full review of that incident to learn from those things. As for an advice going out at 3.18 that was not cognisant of the incident of about 3.05, frankly, it is not surprising because the incident happened 25 or so kilometres east of Albany.

**Ms M.M. QUIRK:** The primary thing is getting the firefighter welfare. I understand all of that.

**Mr McNamara:** What people were focused on were the lives of the people injured. It is not surprising that that updated information would not have fed into the incident control team and into a public advice in the period that elapsed between 3.05 and that statement going out.

**Ms M.M. QUIRK:** But you would hope that will be something, for example, that will be addressed in the inquiry?

**Mr McNamara:** I would certainly expect that it would be, but there is clearly always the potential if not the likelihood that—there is the reality that information relay may take some time. Once again we are in country where phone coverage and so on are not uniform.

**Ms M.M. QUIRK:** All right. Now I do not want to trespass on that because you say that it is part of an independent inquiry. I think Mr Buswell told the *Albany Advertiser* or something that there was going to be an independent inquiry. Are you aware of the details of that or anything about that? I think your deputy director general also said something shortly after the incident.

**Mr McNamara:** He said the fire would be looked at independently in the course of the media interview he did at the hospital on that first weekend. What has happened is on several fronts. We, as a department, clearly want to understand what happened for our own purposes and to input to the formal inquiries. So, we have examined it from our own perspective and talked to our own people. We have also had Dr Neil Burrows, who is a leading bushfire scientist, go down there and reconstruct the chronology and the development of the fire and he has worked with FESA and the police arson squad in terms of the start and the cause of the fire. They are the lines of inquiry that we have undertaken ourselves.

WorkSafe, because employees were seriously injured, is conducting an investigation and our staff are providing input and assistance to the inquiries that are being made through that course. There is also, I think, a major incident review rather than post-incident analysis, so a higher level, if you like. Once again, we were not the controlling authority for the fires so we have not initiated that ourselves, but it has been initiated and Mr Dans might elaborate on that.

**Mr Dans:** FESA have engaged an independent consultancy company to undertake a major incident review.

**Ms M.M. QUIRK:** Who is that company; do you know?

**Mr Dans:** Leading Emergency Services, I understand.

**Ms M.M. QUIRK:** Where are they based? Do you know anything about them?

**Mr Dans:** I do not know a lot. I understand they are Victorian-based, I think.

**Ms M.M. QUIRK:** That was not subject to a tender or anything that you are aware of?

**Mr Dans:** I am not sure. That will be a question for FESA.

**Mr McNamara:** We have been consulted in the approach that they are taking, but they are the commissioning body as far as I understand it. We are not commissioning that review. We will participate in it fully, but we are not the commissioning organisation.

**Ms M.M. QUIRK:** Are you aware of any time frames on any of that?

**Mr Dans:** I understand a representative of the organisation will be in Albany this week.

**Ms M.M. QUIRK:** But in terms of when it needs to be concluded by?

**Mr Dans:** I am not aware of the time frame but ideally something like this would be short and sharp.

**Ms M.M. QUIRK:** You have an interest obviously. You do not want your highly traumatised staff and not just those who were injured but those who were around it—as we know, with post-traumatic stress disorder a number of people who might appear incidental are quite often impacted by such an incident. What measures are you taking to protect staff so they are not questioned and questioned again about the same event, which might add to their problems?

**Mr Dans:** The support arrangements I referred to earlier that we have in place with our in-house peer supporters, employee assistance providers, chaplaincy services from FESA. We are talking our staff through what lies ahead. As we referred to, there is a WorkSafe investigation and a major incident review. So, it is basically reassuring our staff as to what those particular investigations are seeking to reveal and helping them through their participation in those—

**Ms M.M. QUIRK:** Is there any capacity, for example, of not having them having to duplicate giving their evidence in talking to these separate investigations?

**Mr Dans:** I suppose the objective of the WorkSafe investigation and the major incident review will be slightly different.

**Ms M.M. QUIRK:** Just a couple of things. I am mindful of the time. The Forest Products Commission annual report came out last week and there was some criticism, some complaints, that they said they were taking a lot of time having to undertake firefighting duties, and that is presumably assisting DEC from time to time; is that correct?

**Mr Dans:** Yes.

**Mr McNamara:** They participated in both our pre-formed teams and our front-line crews according to their capacity in different parts of the South West and indeed they were in the Albany fire.

**Ms M.M. QUIRK:** They were saying that their capacity is somewhat depleted and being stretched at the moment.

**Mr McNamara:** I saw those remarks and I did not study their annual report in terms of the quantification of that matter in any detail, but they have made the statement, as I understand it, that there is some impact on their core businesses given the functions that they have. But, having said that, through last summer the General Manager of the FPC, David Hartley, and indeed Minister Redman himself, made it very, very clear to the FPC that they were to provide the assistance that was necessary to protect the community.

**Ms M.M. QUIRK:** So they have not directly expressed those concerns to you?

**Mr McNamara:** Other than in very general terms over the years, they have not expressed a particular concern about recent times or in respect of what they put in their annual report. For example, I will use the Albany case of the other week to illustrate the point. The fire started on some private land and immediately next door the asset that was at threat was a pine plantation and then Two People's Bay Nature Reserve next door to that. So the DEC–FPC response—the DEC response, which includes FPC capacity, to be more correct—we self-deployed immediately because two of our high priority assets were at threat—a pine plantation and Two People's Bay Nature Reserve. They were also protecting their own resource.

**Ms M.M. QUIRK:** Now, you have given evidence about the additional capital expenditure appliances and trucks and what have you that have been provided to better respond. Are there some issues about deploying all of that equipment because you need to staff them? I gather there is a

formula for less experienced and more experienced person on each crew. Does that mean there are times when that equipment is idle because you cannot get the relevant experienced staff to operate them?

**Mr Dans:** We have a solid contingent where we can staff all our appliances in the south west of the state. There is no question there. Ideally we would have a greater body of experience and a greater ratio of experience to lesser experienced officers in trucks. But that is a reflection that the resource industry has—a number of DEC employees have left our employment to move into the resource industry and that is indicative of a lot of organisations across the state. But I think with the new resources that we have received through the 2012–13 Budget we will hopefully be able to build and stabilise that ratio so that we have a two experienced to one less experienced ratio in our workforce.

**Ms M.M. QUIRK:** Currently now is that possible? Can you send out every appliance that you have got with the right number of experienced personnel on them?

**Mr Dans:** I could not give you a—

**Ms M.M. QUIRK:** I think the Director General is saying no.

**Mr McNamara:** No, I am not saying, no.

**Ms M.M. QUIRK:** What are you saying?

**Mr McNamara:** I am asking Peter.

**Mr Dans:** I cannot give you a definitive answer. I will have to go back and crunch the numbers.

**The DEPUTY CHAIRMAN:** I have a few very quick questions before we conclude. Has DEC undertaken any review of the bushfire operations of similar agencies in other states and what we could be doing better here in Western Australia?

**Mr McNamara:** We have not done a review as such in any formal sense. But there is a very high degree of collaboration and camaraderie across the fire agencies in Australia—the land management agencies in fire. We participate fully in the Australasian Fire Authorities Council, the forest fire management group and the bushfire CRC. So there is a high degree of interagency learning in that sense.

**The DEPUTY CHAIRMAN:** Has DEC provided any input into the Government's climate change strategy in terms of the impact on being able to complete prescribed burns?

**Mr McNamara:** Yes, DEC has, because the climate change function rests with DEC. So the climate change strategy, which was released by the Government last week, is something where DEC took the lead role in developing that strategy for the government's consideration. Its finalisation and release was announced by Minister Marmion last week.

**The DEPUTY CHAIRMAN:** But in particular in relation to being able to complete prescribed burns?

**Mr McNamara:** The strategy is a high-level enabling strategy. It is not a detailed strategy for adaptation in every individual sector. It is really up to DEC and FESA and so on to mainstream climate change into our own thinking and our own science and our own projections, and I believe we are doing that, and so is FESA.

**The DEPUTY CHAIRMAN:** In relation to prescribed burns?

**Mr McNamara:** Absolutely.

**Ms M.M. QUIRK:** Identified in the Noetic report in relation to both Margaret River and Nannup is the issue that there might be required legislative change. Can you explain what that might be?

**Mr McNamara:** Sorry, but I would need to find the specific reference to jog my memory.

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**Ms M.M. QUIRK:** It is reference 21 in the Milyeannup report, and I think it is also in the Margaret River report. Anyway, I am sure Mr McNamara is more than capable of answering this.

**Mr McNamara:** That is an observation by Noetic, and the government response needs to be awaited.

**Ms M.M. QUIRK:** Yes. It is recommendation 39 in the Ellensbrook report, I think

**Mr McNamara:** I do not have Milyeannup No 21 open in front of me. It is a recommendation that is directed at FESA. I assume, without having the report in front of me, that it goes to the point of being able to somehow better commandeer and direct the allocation of resources that might be owned across multiple parties. But I would need to refresh my memory with the actual report.

**Ms M.M. QUIRK:** Well, we will ask FESA. But my understanding was that the previous legislative reforms dealt with that.

**Mr McNamara:** I do not know which particular reforms you are referring to.

**Ms M.M. QUIRK:** The ones where FESA can take over incident control.

**Mr McNamara:** I think that will probably be addressed in the government's response. Clearly, we have resources, volunteer brigades have resources, various private entities have resources and FESA has resources. It is about command and control when there is an incident, and the incident controller having direct control over the deployment of all of those resources without somebody saying, "Oh, no, that's mine and I'm going to use them differently". Clearly we do not operate that way. Your resources become the resources of the incident controller. I do not know whether legislative change is warranted. But that is Noetic's observation, and it might be that they do not fully understand what is in place.

**Ms M.M. QUIRK:** Given that DEC was the incident manager, what were the circumstances that led to that observation?

**Mr McNamara:** I do not recall without going back to read the Noetic report.

**Ms M.M. QUIRK:** We will look forward to that in due course.

**The DEPUTY CHAIRMAN:** Thank you again very much for your evidence before the committee today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within seven days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence.

**Hearing concluded at 12.34 pm**

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