COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

SELECT COMMITTEE ON THE RECENT AUSTRALIAN BUSHFIRES

Reference: The recent Australian bushfires

MONDAY, 28 JULY 2003

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SELECT COMMITTEE ON THE RECENT AUSTRALIAN BUSHFIRES

Monday, 28 July 2003

Members: Mr Nairn *(Chair)*, Mr Adams *(Deputy Chair)*, Mr Bartlett, Mr Causley, Ms Ellis, Mrs Gash, Mr Gibbons, Mr Hawker, Mr McArthur, Mr Mossfield, Mr Gavan O'Connor, Mr Organ, Ms Panopoulos and Mr Schultz.

Members in attendance: Mr Hawker, Mr McArthur, Mr Nairn, Ms Panopoulos and Mr Schultz

Terms of reference for the inquiry:

The Select Committee on the recent Australian Bushfires seeks to identify measures that can be implemented by governments, industry and the community to minimise the incidence of, and impact of bushfires on, life, property and the environment with specific regard to the following.

(a) the extent and impact of the bushfires on the environment, private and public assets and local communities;

(b) the causes of and risk factors contributing to the impact and severity of the bushfires, including land management practices and policies in national parks, state forests, other Crown land and private property;

(c) the adequacy and economic and environmental impact of hazard reduction and other strategies for bushfire prevention, suppression and control;

(d) appropriate land management policies and practices to mitigate the damage caused by bushfires to the environment, property, community facilities and infrastructure and the potential environmental impact of such policies and practices;

(e) any alternative or developmental bushfire mitigation and prevention approaches, and the appropriate direction of research into bushfire mitigation;

(f) the appropriateness of existing planning and building codes, particularly with respect to urban design and land use planning, in protecting life and property from bushfires;

(g) the adequacy of current response arrangements for firefighting;

(h) the adequacy of deployment of firefighting resources, including an examination of the efficiency and effectiveness of resource sharing between agencies and jurisdictions;

(i) liability, insurance coverage and related matters;

(j) the roles and contributions of volunteers, including current management practices and future trends, taking into account changing social and economic factors.

WITNESSES

Committee met at 9.57 a.m.

CHAIR—I declare open this public hearing of the House of Representatives Select Committee on the recent Australian bushfires. Today's hearing is the ninth one of the inquiry and is part of the committee's program of hearings in and visits to different parts of Australia. Last week in Wodonga we heard some evidence relating to the recent fires in the Victorian high country. Today and tomorrow in Buchan we will continue with this area of inquiry. At this point I would like to advise those in the gallery that before the conclusion of today's hearing, after we have heard from the listed witnesses, there will be an opportunity for others to come forward and make statements that will go into the record of evidence. Anyone wishing to do so should approach the committee's secretariat. The committee will be holding hearings in Ballarat on Wednesday and in Hobart on Friday. A visit to Western Australia will then bring the main part of public evidence gathering to a conclusion. Before we call our first witnesses this morning, I would like to welcome the local federal member, Peter McGauran, to our inquiry and give him an opportunity to welcome the committee and others to this hearing here today.

Mr McGauran—On behalf of Omeo and district, indeed, the high country and the wider Gippsland community, I wish to offer the committee a warm welcome—'warm' being the operative word—and to extend our thanks that you have actually decided to visit Omeo and, tomorrow, Buchan, in the conduct of your inquiry. It is a very important demonstration to the local community and communities further afield that you are prepared to visit the areas most ravaged by the disastrous bushfires and to hear from those directly affected. People in areas such as East Gippsland feel that too often decisions are made without regard to their own input. That, no doubt, will be a recurring theme in the evidence you will take here and elsewhere: decision making was far removed from people on the ground with local experience and local knowledge.

The Tambo Valley has endured a horrific decade with the collapse of wool and other commodity prices and the spread of OJD, followed by drought, devastating flood and now bushfire. You will find from your own experiences in the time you are here and from the evidence you witness that people are very resilient and are very determined to continue to live and work here. But the bushfires came when the community—the farmers especially—were extremely vulnerable economically and even psychologically. You cannot underestimate the damage the bushfires caused, even though there are signs of recovery—slowly but surely. The questions for you are whether the devastation could have been avoided, at least to some extent; whether it should have been as widespread as it truly was; and who is responsible, what negligence occurred and where and by whom. Those are matters that the community anticipates, with confidence, will be addressed by the report of the committee in due course.

It gives us great encouragement to see the members who make up the committee. You, Mr Chair, the member for Eden-Monaro, represent a large rural constituency, as do all of your colleagues: the member for Hume, Mr Schultz; the member for Indi, Ms Panopoulos; the member for Wannon, Mr Hawker; and the member for Corangamite, Mr McArthur. The constituents of Eden-Monaro, Hume and Indi suffered grievously from the bushfires, with the constituents of Wannon and Corangamite suffering to a lesser extent. So committee members well understand the constant threat bushfires pose as well as the damage they cause to their communities. On behalf of everybody, thank you for being here. It is a significant event in the high country and does much to reassure people that governments and parliaments will listen and, more importantly, that they will act once your report is delivered. Thank you.

CHAIR—Thank you very much, Peter. We are pleased to be here, as we have been pleased to be in all the other locations that the committee has been in so far. Something that makes this inquiry stand out is the extent of the submissions that it has received from the people on the ground: the volunteer bushfire fighters, the farmers, the land-holders—the people who were there during the bushfires and were particularly affected by them. On behalf of the committee I would like to say that I think it has been very encouraging that we have received such extensive evidence from the people who really know and saw what occurred. That, I suspect, will be quite significant when it comes to finalising reports and recommendations. I understand that we may hear further from you later today as part of the public forum.

[10.04 a.m.]

ROGERS, Mr John Kevin, Mountain Cattlemen's Association of Victoria

RYDER, Mr Harry John, Special Projects Officer, Mountain Cattlemen's Association of Victoria

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I advise you that these hearings are formal proceedings of the parliament. Consequently they warrant the same respect as proceedings of the House itself. It is customary to remind witnesses that giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. We have the submission from the Mountain Cattlemen's Association of Victoria, which has been authorised for publication and therefore forms part of our evidence. It is a very comprehensive submission. You are to be congratulated on the way in which you have gone about putting that together in going out to a variety of mountain cattlemen and covering a range of topics in the questioning. That has been very useful for the committee. You are invited to make some brief opening remarks before we move to questions from the committee.

Mr Rogers—If I may, I would like to go back in time: my family came to the local area where I live—Black Mountain and the Wulgulmerang district north of Buchan—in March 1903, so we have been here for 100 years. We have been running cattle in the bush ever since. In those days, of course, every man had to look after himself, so the only way we could protect ourselves from summer bushfires was to do our own fuel reduction burning. It was the most important item on the year's work agenda. As soon as suitable burning weather became evident in autumn and spring, we would drop everything and go burning, often burning around the margins of the settlement. The district I live in is a long narrow district, bordered by crown land—be it national park or other crown land—on three sides. This went on for probably 60 years. We more or less did our own fire protection work.

In 1939 we were saved by fuel reduction burns that my father and other local cattlemen had done. Again, in 1952, we were very busy for some weeks. It was all hand tools and hard slog in those days, but we were able to keep fire out because there were no enormous fuel build-ups. Again, in 1965, a similar thing: we were very busy for a couple of weeks, but because of no enormous fuel build-ups adjacent to the settled country we were able to control the fires. Since 1980, when we were told in no uncertain terms that there would be no more fuel reduction burning done by the locals—anybody who lit a running fire on any public land would be prosecuted—burning by the locals has ceased. Ever since then fuel has been building up and this year, 2003, it was in just one hell of a mess. Departments have made feeble efforts to do fuel reduction burns, with much urging from us locals, but they have been far too little, far too late in the year and only very small patches—absolutely useless in the face of the fire that we have just witnessed.

On 30 January this year the whole of my district was wiped out by fire: five houses were lost and there were enormous stock losses and, of course, many hundreds of kilometres of fence destroyed. I know it is easy to lay blame on people, but we really are blaming the management of the public lands adjacent to our properties. Fire just roared through this enormous 20-30 year

fuel build-up and there was absolutely no way it could be stopped. I think in the future there just has to be some input from local residents, local fire brigades and local cattlemen into the management of these public and crown lands, and we must have some input into the fuel reduction burning side of it.

I will move on to the actual fire now. A few days before we were burnt out on the 30th, a large base camp was established half an hour's drive to the south of us. Twenty or more fire trucks were assembled there. We were told that a fire truck would be at every household to help us in our crisis—that was when we knew it was coming. We were also told by the controllers that there would be no risk of any fire being in our district until Sunday, 2 February. We locals were very sceptical about that.

On the morning of 30 January there was a terrible forecast for gale-force, north-westerly winds, so I and a few others went out to see exactly where this fire was. We drove about 25 kilometres out and saw that it was in the valley of the Buchan River and we knew it was going to be there that day. We drove home and made final preparations, putting cattle in yards and so forth. Fire tankers were familiarising themselves with the area, but the controller at the base camp called all of the fire tankers back to have lunch and be briefed. It must have been a long lunch, because they were still there at 2 o'clock that afternoon. By half past two or quarter to three, spot fires were starting to ignite in our paddocks. At 3 o'clock we got a phone call—the last phone call before the phones went out—to tell us that we were on our own. They said, 'There'll be no fire tankers; we're sorry; good luck.' So it was on. However, most of us got through it. Nobody was injured or killed. It was a miracle that they were not.

There must be local input by the local brigades in the control of these fires and the suppression of them. I must say that, after the fire, the marvellous help that we got from people—organisations, service clubs, the churches and everybody else—was just overwhelming and we can never thank them enough.

CHAIR—Thank you, Mr Rogers. Mr Ryder, do you want to make some opening remarks?

Mr Ryder—Yes. The Mountain Cattlemen's Association of Victoria represents licence-holders who graze cattle on public land around the mountains of Victoria. It was formed in 1971 and it presently represents the interests of about 70 families. Grazing licences of our members are issued under both the Forests Act and the National Parks Act. Mountain cattlemen were impacted upon by the recent national park fires on both on their licence areas and their home properties, which are generally in close proximity to the national parks.

The general experience was that the cattle that were in the mountains at the time of the fire fared better than those on the home properties. The cattle in the higher mountain leases were grazing on a sward that was kept green by the fact that it had been trimmed short in the previous season and it was in fact at the peak of its growing season. The fire was hottest in the Alpine National Park in the areas that were not grazed by cattle, particularly the mountain forest and the closed heath land. On the Bogong High Plains there was a strong contrast between the way the fire behaved in grazed areas and in equivalent vegetation types and aspects that had not been grazed. An example of this is clearly shown in the photograph on page 4 of the appendix to our submission. Did the committee get a copy of the photos?

CHAIR—Yes, thank you.

Mr Ryder—They show how a fire entered a grazing exclusion plot at the head of Middle Creek on the Bogong High Plains and burnt around the inside of the fence on the drier, heavier fuel load that had been produced by 12 years of excluding cattle and cool burns. We totally refute claims made by individuals and organisations that cattle grazing leads to an increase in flammable woody shrubs and thereby increases the fire risk. This is totally at odds with long-term observations of cattlemen, whose thoughts are supported by Dr Alan Wilson's scientific review of the matter. The lack of fuel reduction burning—in effect, the total exclusion of fire in Victoria—has allowed fuel to build up to where it was at the beginning of January.

Dr David Pakenham, who has worked for 45 years as a professional bushfire researcher with the CSIRO and Monash University, stated in his submission to the Victorian fire inquiry that reducing the dry sclerophyll fuels to an average of one-quarter will reduce the fire intensity and damage to one-sixteenth. Offering grazing licences to adjoining land-holders to graze a buffer zone that abuts their farmland may encourage some to enter into the practice for the benefit of the wider community. Most of the public land that abuts freehold land has become rancid and unpalatable due to the long exclusion of fire. Its feed value is negligible. Reintroducing grazing to the edge of the forests would need to be positively encouraged, rather than having run-holders constantly harassed and maligned by bureaucrats and the conservation lobby for the service they provide.

Members were totally dismayed by the way that agencies failed to tackle the fires aggressively in the initial period when the fires were small and the weather was relatively benign. The Victorian national parks service is now back into its comfort zone of trying to discredit cattle and have them removed from the park. The Mountain Cattlemen's Association of Victoria would urge policy makers involved with the management of public land to draw up management plans for fuel reduction burning which would increase cool burning significantly. It should be acknowledged that funding needs to be increased in direct proportion to the increase in fuel reduction burning programs. It should be acknowledged that well-managed grazing can assist in fire management by controlling regrowth, and grazing should be recognised as a method of reducing fuel loads. Wherever appropriate, grazing should be used as a management tool and incorporated into fire management plans. Grazing provides the state government with revenue, as opposed to burning, which is a direct cost to the taxpayer.

Education programs should be developed in conjunction with management plans to educate the community on the need for fuel reduction burning and how to cope with smoke. Josephine Flood states in her book *Archaeology of the Dreamtime*:

> One of the aborigines' most important artefacts is one that is largely invisible to the archaeologist: fire. Much of the vegetation encountered by early white settlers in Australia was not natural but artificial: an Aboriginal artefact created by thousands of years of burning the countryside... Aborigines never put out their fire.

CHAIR—Thanks very much for those opening comments. Can I ask for a bit of clarification. In the Mountain Cattlemen's Association submission you list a number of land-holders and their total lease area and a couple of other aspects about the percentage that was burnt. Is the actual lease area that we are talking about the lease over public land that you have? It does not include your normal cattle grazing areas outside those alpine areas?

Mr Ryder—No. That is the actual area shown on the grazing licence—the number of hectares.

CHAIR—Mr Rogers mentioned that in 1980 you were told that there would be no more fuel reduction by the locals in this region. Who gave that instruction at that time?

Mr Rogers—At that time, it was the NRE, the Department of Natural Resources and Environment in Victoria. I have no doubt it was backed up by Parks Victoria.

CHAIR—Were you told that there would be ongoing fuel reduction done by the department? Were you told, 'Don't you guys worry about it any more. We'll look after it'? Was that the way it went?

Mr Rogers—They are almost the exact words they used, yes.

CHAIR—So is there any formal process now by which the locals can make application for areas adjacent to or around your licence areas to be fuel reduced?

Mr Rogers—The only formal consultation we have with them is through our local fire brigade. Every year, about this time, we have a meeting with the DSE, the department of sustainability, as it is now. We urge them to do fuel reduction burning. We warn them what is going to happen and so forth. This has been going on for years, but they just ignore it and say, 'Leave it to us, boys. It'll be right.'

CHAIR—So would you call the process now a bit ad hoc?

Mr Rogers—Very ad hoc.

CHAIR—You said that some areas had had some burning but not very much was burnt when it was done. Do they involve the local CFA brigade in those burns or do they totally control it themselves?

Mr Rogers—It is totally controlled by themselves. They often say to us that they lack the resources to do as much as they would like to. We offer to do it for them, but they do not want us doing it.

CHAIR—Has there ever been any explanation as to why they would not utilise the volunteer resources that are available? Presumably it would give them an opportunity to do training as well.

Mr Rogers—Yes, I would have thought so. I think they think we are a bunch of cowboys and we are not capable of doing it environmentally correctly.

CHAIR—But they are fairly keen to involve you once there is a wildfire going. Would that be correct—that they are happy to have the resources when there is a wildfire going?

Mr Rogers—Yes. When any lightning strikes start a fire in our area, yes, we are called on.

Ms PANOPOULOS—I am very pleased that in your submission you note that mountain cattlemen for the first 50 years of grazing adopted the burning regime of the Indigenous people. I wanted to make that point because last week we had some very cynical commentators come up from Melbourne to the committee inquiry in Wodonga. They thought that mountain cattlemen and farmers from my electorate had conveniently adopted an attitude towards Aboriginal burning only recently. I think it is important to put that on the record, and I thank you for putting that in your submission. You also make the statement in your submission:

In the period September-October 2002 there were many days in which burning could have been safely undertaken.

We have heard a lot of hearsay evidence and a lot of opinions that over the two years preceding the fires there was limited opportunity to conduct controlled burning, cool burning. What is that statement based on? In your opinion, what are the appropriate conditions for cool burning?

Mr Rogers—In September-October 2002, there was in my area an illegal fire lit at an elevation of about 4,000 feet. Parks Victoria and DSE, in their wisdom, went and put it out, but there were probably 250 hectares burnt. They were there patrolling it for some days and then it snowed and it rained and it got too cold for them so they had to go home, and of course it put the fire out. In the spring of 2002, there was ample opportunity in our area for very good fuel reduction burning.

Ms PANOPOULOS—I know you do not have a diary in front of you but, as a rough estimate, what proportion of days would have been appropriate for burning? Was it half the time, 25 per cent?

Mr Rogers—There were many days. It was quite a dry spring. In that higher country, there were many days when it could have been done quite safely and adequately.

Ms PANOPOULOS—You do not want to make a rough estimate?

Mr Rogers—Probably six to 10 suitable days.

Ms PANOPOULOS—During how many days was the burning actually conducted?

Mr Rogers—I think it burnt over a period of three days.

Mr McARTHUR—Mr Ryder, was there any formal response by government, DSE, CFA or anyone to Mr Jim Commins's comments in 1997 about the possibility of this fire catastrophe?

Mr Ryder—There was no formal response that I have any recollection of. I believe they would have just dismissed it as 'more of that same stuff from those cattlemen'.

Mr McARTHUR—So it is an interesting statement in light of what happened in 2003?

Mr Ryder—Very much so.

Mr McARTHUR—The second matter is that in your submission you talk about the Dederang fire brigade and you say that when the fire started you asked a dozer to attend one of these fires. You state:

The reply was that the dozer was first to go back to the department to be decontaminated, a task taking some 6 hours.

Could you tell the committee what you mean by 'decontaminated'?

Mr Ryder—I believe that process was for the purposes of allegedly having any germs that might have been in the forest at one particular fire removed from the dozer before it went to another section of forest, but the second fire was not actually in the national park—it was still back in the state forest. The dismay that a dozer was off the job for six hours on day 1 of this fire episode is understandable—it is totally astounding.

Mr McARTHUR—What are they actually doing? Are they taking the weeds off the tracks?

Mr Ryder—Whether it is weeds or plant viruses, I do not know, but surely some means could be devised where it could be steam cleaned or washed with chlorine or something in the field rather than having to be off the job.

Mr McARTHUR—So there were six hours during which the dozer was not available to fight a fire?

Mr Ryder—Yes, and it was only a very small dozer.

Mr McARTHUR—Did you find that a bit surprising?

Mr Ryder—I find it totally ridiculous.

Mr McARTHUR—You say in your submission that Stuart Hicks said:

It was my concern along with most other locals, in the first 3 days of the fires, with unseasonably mild weather, i.e.: wind being mostly southerly, nothing was being done to extinguish the fires. On day 2 I attended a fire directly below our alpine grazing run on Mt Fainter.

The evidence we have heard from other witnesses is that nothing was done—and it is confirmed by this submission—to put out the fire during the first 24 hours or on the first two days. Would you care to add a comment to that?

Mr Ryder—Probably to say nothing was done is a bit inaccurate. Where crews were sent out to small fires, they scratched a track around with a rake hoe. Their protocol was that they could not back-burn from that line or they could not get a dozer to enhance the line and then back-burn from it. Subsequently, almost without fail, those little fires all became big fires.

Mr McARTHUR—So the methodology of approaching the lightning strike or the fire in the first instance was with rakes, not with a dozer?

Mr Ryder—Yes.

Mr McARTHUR—What is your comment on that?

Mr Ryder—It was obviously unsuccessful.

Mr McARTHUR—What was the rationale for using rakes as opposed to using a dozer to create a back line or to contain the fire?

Mr Ryder—I would suggest that it would have been to create less of an environmental impact in the national park.

Mr McARTHUR—What was the environmental impact of the fire once it got away?

Mr Ryder—That is quite obvious. The land degradation effects that have subsequently flowed from the fire are probably a million times greater than would have occurred if they had put a D4 around a 10-hectare fire.

Mr McARTHUR—You spend a fair bit of time in your submission talking about Judge Stretton's comments on the 1939 fire where Judge Stretton suggests that the cattlemen were the cause of the fire. You argue quite strenuously that that was not the case and that lightning strikes are prevalent in this part of the country. Would you care to add to that argument?

Mr Ryder—Clearly, this whole episode was as a result of lightning strikes. A shortcoming in the findings of the Stretton royal commission was that lightning was barely mentioned as a source of the fire. The human hand was blamed far more than nature.

Mr McARTHUR—And you are confirming that lightning is very much part of the activity here in the Bogong High Plains?

Mr Ryder—It is very much so. This whole episode was started by a band of lightning coming into the mountains down towards Mansfield and moving through in a north-easterly direction. Subsequently, all the fires basically joined up.

Mr McARTHUR—We have heard a lot of comment from other witnesses about fuel reduction programs. From the point of view of the cattlemen's association, would you say that cattle grazing in the high country creates a fuel reduction activity of considerable merit in terms of potential fire outbreak?

Mr Ryder—I absolutely endorse that statement. It is obvious on the Bogong High Plains—referring to the photos in our submission—where cattle were not grazing for 10 years and the fire burnt up inside the boundary of the plot and stopped at the fence line on five sides of the plot. The fire entered from the sixth side on the steep edge. Cattle are what made the difference in that case. On a larger scale, the north-eastern end of the Bogong High Plains had cattle taken off it in 1991. Photographs and observation show that basically the whole of the Mount Nelse range grassland burnt comprehensively. Where the cattle grazed on the southern end of the Bogong High Plains the fire was confined to the timbered country and the closed heath land areas.

Mr McARTHUR—You have got tangible evidence that, where grazing took place, the fire had less impact and, where grazing was removed, the fire was of horrific proportions?

Mr Ryder—Yes, there is absolutely evidence that—

Mr McARTHUR—You have got photographic evidence and you have got on-the- ground assessments of that that your association stands by very strongly?

Mr Ryder—Yes.

Mr SCHULTZ—Mr Ryder, I refer to page 8 of the MCAV submission, particularly your comments about the activities of fire crews. I want to read to you part of what you had to say and then ask you to comment on that. On page 8 you say:

Resources were everywhere but on the Bogong High Plains. Environmental constraints on the use of bulldozers seemed more important than stopping the fire.

Would you like to comment on those two issues?

Mr Ryder—That particular incident related to a fire on the Bogong High Plains. It would have been 10 days to a fortnight later than the initial fire that went across and came on into Omeo. For so many years we have had drummed into us the environmental importance of the alpine grasslands and herb fields and why there should be no cattle grazing there. When a fire did reignite and start creeping around in some heath land up there, it was reported to the fire agencies. The immediate response was that there were no resources and that there would not be any other resources, that they were otherwise deployed. Subsequently some of us cattlemen and people from Southern Hydro went with private equipment and spent two days wrapping it up and patrolling it for a number of days afterwards.

Clearly it was not a priority for the National Parks to put any resources into putting that fire out. We almost felt they wanted it to burn, by the total lack of resources that were allowed to come there. Possibly, with the subsequent pressure to remove cattle grazing from the burnt areas since, it is reasonable to ask the question: would they have been happier if it all burnt? There was a block of about 4,000 hectares where the main cattle grazing area—the grassland—did not burn at all. There was additional country that probably would total in excess of 5,000 hectares, counting the unburnt land in the mosaic pattern in adjacent areas, that was not burnt. So we do ask the question: was it deliberately not combated in order to get the cattle off?

Mr SCHULTZ—What you are saying in effect is that, despite the local knowledge and the concerns of the locals on the ground, despite the fact that there was an obvious concern raised by locals that those fires would break out in that particular area, resources were denied. Is that what you are saying?

Mr Ryder—That is what I am saying, yes.

Mr SCHULTZ—I move to the issue of back-burns. Is it true to say that it is common practice in fighting fires that back-burns are conducted in the middle of the night and early mornings when the air is cooler and there is a lot more moisture in the air? Having asked that question,

would you like to elaborate on the comments that you make once again on page 8 where you say:

Clearly backburns need to be conducted through the middle of the night then stopped by 4-am to allow to subside before the day begins to heat up. This was not practised much and virtually every fireline was breached using the DSE preferred option of afternoon backburns and skeleton crews overnight. Instructions to CFA strike teams to NOT initiate backburns needs to be revised.

Would you, as a practical volunteer firefighter, like to elaborate on your comments?

Mr Ryder—There is not much more I can add. Having been captain of a local fire brigade for six years, I perhaps have a little bit of credibility to make that statement. They were clearly my observations as to what was going on. I do not think there is much more I can add.

Mr SCHULTZ—Can I refer you to the submission and, more specifically—and I do not know whether you can comment on this—to the comments made by the president of the MCAV, Simon Turner, on that particular page with respect to fire agencies taking too long to get serious about attacking the fire. He referred as an example to aircraft not being deployed early in the day. By the time they were allowed to fly, the smoke levels were reducing visibility, thereby restricting those aircraft in being effective in terms of dropping retardant or water on those fires. Would either of you gentlemen like to comment on that particular aspect?

Mr Rogers—Over in my area—and of course the fire was on an enormous scale by then as it was getting near the end of the fire, and we copped it on the last bad day there was, actually—there were very limited opportunities for aircraft to bomb fires or even fly along the fire edge to find out where it was. Early in the morning was an opportunity, but what Simon says is right: they were not despatched until later in the day and then it was pointless because they could not see anything. In our area, I was talking to some of the aircraft people afterwards. They tried to get up to us to see what was going on, but the wind and smoke drove them back and they had to turn back.

Mr SCHULTZ—So the delay resulted in adverse conditions, making it important for the aircraft to do work that they would have been able to constructively do had they been allowed to get into the air earlier.

Mr Rogers—Exactly, yes. On the morning of the 30th, when we were burnt out, it was calm. The wind did not get up until probably 11 o'clock in the morning. Then it was too late; nothing could be done. The wind was so fierce that it blew in windows of fire trucks and graders and so forth—just enormous intensity.

Mr SCHULTZ—Finally, there was an observation made by Mr Stuart Hicks that a bulldozer working in a particular area was instructed to go back to the depot to be 'decontaminated', a task taking some six hours. I would presume that meant that the bulldozer, after working in one area, had to go back to the depot and be washed down and decontaminated before it could go into another area. As he put it, that task took some six hours and it 'could have been at the next fire within two hours'. Would you like to make any comment or can you make any comment on that particular aspect?

Mr Rogers—Mr McArthur has already asked that question.

Mr SCHULTZ—Stewart asked that, did he?

Mr Ryder—Yes, that has been touched on.

Mr HAWKER—Can I first of all congratulate you on your submission. I think it is very comprehensive, and certainly a lot of time and effort has gone into it. I want to draw together the points that have been raised by my colleagues. In the interviews that you did you talked repeatedly about trying to warn people for 20 years about what was going to happen. One comment—I think it was yours—was:

I did not express any concerns about vulnerability to fire. It would have been futile ...

You obviously felt frustration. Then when the fire occurred you felt:

These lightning strikes could have been contained and controlled in the first four days if Parks Victoria and DSE in the Northeast had listened to locals.

Then, in response to my colleague, you said that you almost felt that they wanted it to burn and the possible reason was to deliberately get the cattle off. I just wondered whether you feel that there might have been another reason to let it continue to burn—namely, to try and catch up the backlog of all of these warnings and of nothing being done? Do you think there is a possibility that DSE and Parks Victoria might have thought, 'Here's our opportunity to catch up and let nature do what we couldn't do.'

Mr Ryder—I would not like to comment too much on that. A casual observer could flippantly make that remark.

Mr HAWKER—You have not had any conversations, private or otherwise, with people within Parks Victoria or DSE who might have felt that way?

Mr Ryder—I do not think they would be having that conversation with me if it was their intention.

Mr HAWKER—Mr Rogers, would you like to comment?

Mr Rogers—I cannot really comment, but I have heard some second-hand stories that one Parks Victoria person was heard to say, over in the Mitta Mitta Valley, 'Let the bloody thing burn—it won't matter anyway.'

CHAIR—We had evidence in Wodonga that there was supposedly scientific evidence, which is apparently is going to be provided to the committee, that grazing can in fact increase the fire hazard rather than decrease it. Is there a single example that you are aware in your region where a fire may have burned more intensely in grazed country than in non-grazed country?

Mr Ryder—No, there is not one single example that I can think of.

CHAIR—Mr Rogers, do you know of any examples?

Mr Rogers—No, it is actually the opposite. The grazed country where my cattle graze is more timbered country with few open areas. But it burned only very quietly through the grazed land—it did not even burn the leaves on the tops of the trees at all.

CHAIR—Thank you very much once again for your very comprehensive submission and your evidence this morning. We greatly appreciate your input into the inquiry.

Mr Rogers—Thank you for hearing us.

Mr Ryder—We appreciate the opportunity to be here.

CHAIR—Thank you.

[10.43 a.m.]

McCORMACK, Mr Bryan James (Private capacity)

McCORMACK, Mrs Leanne Faye (Private capacity)

SCOTT, Mrs Margery Isobel (Private capacity)

STRANG, Mrs Elizabeth Anne (Private capacity)

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that these hearings are formal proceedings of the parliament. Consequently, they warrant the same respect as proceedings of the House itself. It is customary to remind witnesses that giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Mrs Scott and Mrs Strang, we have your submission, which we greatly appreciate. That has been authorised for publication and forms part of the evidence for the inquiry. Do any of you wish to make opening statements before we proceed to questions?

Mrs Strang—Yes, I would like to make an opening statement. My mother—Mrs Scott—and I own Hinnomunjie Station on the Mitta Mitta River in the Omeo Valley. It has been in the family for approximately 80 years. Mr and Mrs McCormack live on the property and manage and look after it for us. Very simply, we are here today because a bushfire started in the national park, our neighbour's property, and nothing was done to put out that fire, not even in the early stages when it was small, despite there being times when we felt this could have been done. It was not actively fought on this neighbour's land but was left to burn. Over a period of 19 days, the fire became huge and out of control. On 26 January, when the fire swept out of the government land and onto the private property, the firefighting authorities abandoned the people in our valley. There was not one CFA or DSE unit in our area of the valley to help protect our property or that of all our other neighbours—the houses, thousands of head of stock, fences, grazing land and bridges.

This negligence in letting the fire burn has caused terrible personal trauma to Mr and Mrs McCormack, us and very many others. The severe damage to our property—approximately 90 per cent of the pasture burnt, 150 kilometres of fencing and 12 cattle—has had a devastating financial impact on our business and it will take years to recover. The same neighbour who let the fire burn accepts no responsibility for the damage to other people's property and the consequences of that and does not even behave as a good neighbour and share the cost of repairs. I find this totally unacceptable. It is incomprehensible to me. We have made this submission because we feel so very strongly that the government must be forced to fight fires actively on their land, especially in the early stages, and to change the management of the forests to reduce the fire danger. It is their responsibility, and I understand that it is their responsibility according to the law. Something must be done to prevent others suffering in the future as we have done this year.

CHAIR—We appreciate that, and thank you for coming along. I know that, even six months after the fire it is still not easy for people to talk about the horrific experience that they have had. We really appreciate the fact that you have been able to do that for us. Swifts Creek is where the ICC, the incident control centre, was for the region. Could you explain for the record where that is in relation to your region and whether there are dramatic differences in topography and the likely weather patterns there compared with where you were?

Mrs McCormack—On the day of the fire, we were rung up at a quarter to 10—we usually get our phone call at half past seven or eight o'clock—and I said to them, 'How come it is so late? We have had strong winds since half past seven, coming from the north.' They said, 'Oh, we have got no wind down here.' And I said, 'It is coming from the north,' but every time we told them that they would not listen to us. Within half an hour it was on our back doorstep. I rang up for help and by this time we had a spot fire at the turnoff at the valley and we could not get any help at all. So we—the 17 houses down in the valley—had to defend ourselves.

CHAIR—So in effect the local knowledge that you had on the ground was ignored.

Mrs McCormack—We had virtually no local knowledge, because it was all outsiders.

CHAIR—But you had the local knowledge. What I am saying is that the local knowledge was not listened to.

Mrs McCormack—No. We told them for the three weeks, 'It is going to come from our way and it is going to hit Omeo.' And they said, 'No, it won't, no it won't.' When we asked for a fire engine at one stage they said, 'We cannot get one as we have got to protect Benambra and Omeo because our natural resources are coming from there, so we cannot help you guys.'

CHAIR—How far away is Swifts Creek?

Mrs McCormack—About 45 kilometres.

Mr HAWKER—Thank you for your submission. I want to follow up a question I asked of the previous witnesses. We have seen this massive build-up and we have heard people year after year saying that there is a time bomb here. As you said in your opening remarks, Mrs Strang, no efforts were made to put the fires out in the first few days when they occurred, and when you really needed help it was not there. I wonder whether you have any reason to believe that there was a deliberate policy to let that fire keep burning to try to catch up for all those years of failing to do the fuel reduction that everyone was saying should have been done.

Mrs Strang—I do not know about that. You can perhaps always suspect—but I do not know that.

Mr HAWKER—Does anyone else have any comment on that?

Mrs Scott—I think you would have to expect that that must be the reason why they have not done anything about it.

Mr HAWKER—Mrs McCormack, you were talking about the weather and you said that it was severe.

Mrs McCormack—There were strong winds on the day it came through.

Mr HAWKER—Yet you were getting reports to the contrary.

Mrs McCormack—They told us, 'We've got no wind down here but it won't be there to your place for ages,' but within half an hour it was on our back doorstep.

Mr HAWKER—Do you have any reason to believe there might have been some problems with the quality of weather forecasts?

Mrs McCormack—I do not think it is really that. I just do not think they really wanted to listen. When we had a fire down the Mitta, they had a containment line and it was burning up to the containment line. My husband and another local down there kept monitoring the fires. No-one else was going down, so they monitored it day and night. This particular day the fire was heading towards the eight-mile loop. We rang them up and said, 'Can you get a slip truck or something down there to put it out?' They said, 'No, it will burn itself out.' But within a couple of hours it had jumped the containment line and gone up to the thickest part of the bush, and it was gone again. They could have at least stopped that one, but they said, 'No, it will just burn itself out.' That was what they actually said to me.

Mr McARTHUR—I read your submission very carefully. Would you like to give us a personal assessment of the trauma that this fire caused your family and everyone involved with the station? It seems to me that you have lost everything. Was it the fire that started in the national park that totally destroyed your property?

Mrs Strang—That is correct. The fire started in the national park and caused all this damage to us. As you can imagine, the waiting period from knowing when those fires were first seen and dealing with that build-up of fear and worry about what was going to take place, particularly for my mother and I to have the responsibility of other people as well, we found quite debilitating. When the fire came it was disastrous. Of course, this continues afterwards for such a long time. To financially rebuild the business when it has been so devastated is very difficult and takes many years.

Mr McARTHUR—You have lost 150 kilometres of fencing, which nobody will help you repair. You have lost your pastures, you have lost some cattle and you are in the middle of a drought. It has been quite catastrophic from your family's point of view.

Mrs Strang—It has. We were not in the middle of a drought before the fire came. We had pasture and sufficient reserves of hay available to us to get us through. It is normally a normal to dry period, but immediately the fire struck from 26 January we had to feed every animal on that property until we could make arrangements to sell off what stock we could—we sold stock for lower prices than they should have been sold because they were sold early—and then we had to find agistment. We used up all our conserved feed that we had available, and then we had to try and find agistment. The cost of feeding, transporting stock and agistment—all the extra costs involved with securing the stock that were left there—has been enormous.

Mr McARTHUR—Other witnesses have said that it would have been relatively easy to put out the fire caused by lightening strike in the early stages. Would you agree with them on that, from where you stood on your property?

Mrs Strang—I would think so. It seems commonsense to me when something is small.

Mr McARTHUR—Mr McCormack, what do you think?

Mr McCormack—My opinion is that it could have been put out. I have heard different stories of how it was let go, that it should have been put out and that it just got bigger and bigger until they could not handle it. We sat at home for three weeks watching it. It was three weeks before it hit the house. We saw the first lot of smoke, and we sat there and watched it go across the gully down below us. We kept saying it was going to come from the north but no-one would take any notice—we knew nothing.

Mr McARTHUR—Other witnesses have said that you had pretty benign conditions for most of the time of the fire and that there were only a couple of bad days. Are you really telling the committee that if you had been allowed into the parks with your equipment you could have put it out in the first couple of days?

Mr McCormack—If you had the equipment you could have put it out with the south wind blowing. We could have made a big difference on days like that; but when it turned to the north it just kept coming.

Mr McARTHUR—So your experience in the area confirms the view that you had benign conditions over the 50-day period, apart from two bad days?

Mr McCormack—There were some bad days, and there were some good days when it would burn slowly. Some days you did not have wind at all.

Mr McARTHUR—But not of the 1939 characteristics?

Mr McCormack—I do not know much about that one.

Mr McARTHUR—You refer in your submission to the policy of 'Let it burn and protect lives and assets'. Would you care to add to that comment?

Mrs Strang—That seemed to be our understanding of the policy that was in place. I find that is basically flawed—protecting lives, of course, is of the utmost importance—in relation to protecting assets. Your house seems to be classed as an asset but not your business, your pasture or your animals—everything that is your business.

Mr McARTHUR—Or your fencing. How did you ascertain that to be the point of view of others? Was it by the outcomes?

Mrs Strang—Yes; by exactly what happened and by speaking with other people it became our understanding.

Mr SCHULTZ—Can I at the outset compliment you on the courage it has taken to come here to give evidence before this committee. Regardless of what people might think, it is very difficult and we understand that. We just want to give you a bit of confidence by saying that we are here to listen to you and to take on board the very serious concerns that you are raising on behalf of yourselves and your community. Page 2 of your submission indicates to me that, after the fire came out of the crown land, you were basically left on your own, as residents, to look after it and that no assistance was offered to you at all. Is that true?

Mr McCormack—That is dead true.

Mr SCHULTZ—Would you like to elaborate on that and about any frustrations you had in trying to get the authorities to assist you and to heed the warnings that you were giving them about the dangers you were facing?

Mrs McCormack—It makes you so wild when they keep telling you that they have 3,000 firefighters and 80 bulldozers, and you see nothing. Swifts Creek would ring you up and say, 'We've updated. We've got so much more of this and so many more dozers and aeroplanes.' We saw nothing. We saw one lot of fire-engines the day before the fire came through. We had a spot fire down at Sandy Beach, and we rang them up and said, 'We've got a couple of slip tankers on; can we go down and fight it?' Their response was, 'No, we'll go down and we'll assess it first.' We waited. Five fire-engines and two bulldozers went down. They left at two o'clock in the morning. The fire was not out—it had gone over the bank or something—and, when the wind came up, that is where our fire came from. We had it from the north, east and west and then we copped it back from the south on the same day as well. We copped it in four directions. Every time we said to them, 'It's going to come from the north,' they would say, 'No, it's not.' I said, 'What can we do?' We watched the flames and the fire. We are right near what they call Mount Blowhard. You can get up there and see right around the side of it. We could see the whole lot. We could see it as clear as day, the day before when all the red flames were there, and we knew we were going to cop it. But we could not tell anybody—no-one wanted to listen.

Mr McCormack—The day the fire came up there it was just like a jet coming up the valley. We could not see anything for smoke; we could just hear this roar. There was me, Leanne and the two kids. We had the two kids locked in the bedroom down the front, which has six-foot windows. We told them to stay there, but if it got away from us we would get them out and go out into the paddock.

The fire just went straight over the top of the house. It got so hot on the side of the house that you could not stand there. I told Leanne to get around the other side, and we went around the other side until it went across us. There were about 30 feet of ash and a 30-foot flame above it, so it was about 60 feet high. You could not see a thing and you could not do anything. It got too hot to stand there until it went past. We had all the spouting full and we were housing the house down. Then it went through, and we thought we were right. But it turned around and came back from the south, so we got it again. And it is one thing I never ever want to see again in my life; no way.

Mr SCHULTZ—The aftermath of that traumatic experience of yours is, as I understand it, that you have been placed in a position where you have suffered financially. Certainly, you lost a lot of infrastructure which nobody has yet offered to assist you with. Having said that, what are

your thoughts with regard to the evidence that this committee has heard that paid DSE and Parks Victoria staff were openly boasting about getting up to $3,600 per week in overtime? What do you feel about those sorts of issues? How does that make you, and volunteers, feel about the whole issue of trying to put fires out?

Mr McCormack—Why should the DSE, Parks Victoria and everyone else be out there collecting great high wages and big money when the CFA volunteers come in and get nothing for it? Why is that? They are doing the same job; they are standing beside the other blokes doing the same work.

Mr SCHULTZ—What are your thoughts on the other evidence we have received about those same employees working from nine till five and then going home or changing shifts?

Mrs Strang—It just does not seem appropriate to fighting fires. They do not stop overnight.

Mr SCHULTZ—That is the answer I was looking for. Fires do not wait for anybody, and the normal practice, as I understand it—and correct me if I am wrong—is that you go into the fire and work until you put the fire out.

Mrs Strang—Yes. And the more effort that is put into it early on the better the result, I am sure.

Ms PANOPOULOS—Thank you for being here today. I want to pick up on a couple of points you made in your written submission and ask you to explain them. You talk about 150 kilometres of fencing being lost. What is the approximate cost of replacing that?

Mr McCormack—It works out at about $3 a metre.

Ms PANOPOULOS—My maths is very poor. I am not going to calculate that.

Mrs Strang—I am sorry, but I do not have the actual figure in front of me. I have not calculated it—

Ms PANOPOULOS—We will extrapolate that.

Mrs Strang—but I can certainly tell you that later.

CHAIR—It comes to $450,000.

Ms PANOPOULOS—Thank you.

CHAIR—Maths is my strong point.

Ms PANOPOULOS—You also mention in your submission that, as we have heard elsewhere, there was funding available only to build dog-proof fences and that you were given specifications of what would constitute a dog-proof fence.

Mrs Strang—That is correct. We applied for that help, which has been given.

Ms PANOPOULOS—You have said that the specifications you were supplied with were not correct. Who supplied you with those specifications?

Mrs Strang—The DSE supplied those.

Mr McCormack—The big book that came from the human resources people had the dog-proof specifications in it.

Ms PANOPOULOS—That was a DSE booklet?

Mr McCormack—I got the first one from Lakes Entrance, and I had to get the right ones from the DSE or NRE later on. We had started the fences and done about half a kilometre with the specifications which came from the human resources turnout from Lakes. Then one of the DSE inspector blokes came out, had a look at the fence and said we had done it wrong.

Ms PANOPOULOS—What was the name of the publication from which you got the initial specifications for the dog fence?

Mr McCormack—I cannot remember.

Ms PANOPOULOS—Was it a government publication?

Mr McCormack—Yes. It was from the DSE, but it had been handed out to everyone.

Ms PANOPOULOS—Would you be kind enough, at some later stage, to provide the title of that to the committee?

Mr McCormack—Yes, I can provide both of them if you want them.

Ms PANOPOULOS—Okay. Were you at all penalised for starting with the incorrect specifications?

Mrs Strang—No, but we had to correct it. We had to redo that work.

Mr McCormack—I had to run two more hot wires, which meant six hot wires going through that fence instead of four.

Mr McARTHUR—So you had to redo the whole fence because they gave you the wrong instructions?

Mr McCormack—I had to run two more hot wires through that piece of fence.

Mr McARTHUR—Of course, they helped you out with the cost, didn't they?

Mr McCormack—No, thanks.

Ms PANOPOULOS—In your submission, you say:

On further investigation as to the allocation of these funds, we have been advised by the East Gippsland Council that the money is to be spent ... on congratulatory events for volunteers.

Are you aware of any of those congratulatory events having been held locally, using government funds?

Mrs Strang—I do not think we know of the actual events, but it was a conversation my mother had with the shire.

Ms PANOPOULOS—Have you received any bushfire recovery money?

Mrs Strang—No.

Ms PANOPOULOS—Did you make applications for it?

Mrs Strang—Yes.

Ms PANOPOULOS—Was that from the state bushfire recovery fund?

Mrs Strang—Yes. We have received a stock containment grant.

CHAIR—If you did some hazard reduction burning on your own property and it got out of hand and burnt into the national park, what would be the consequences of that?

Mr McCormack—We would not be sitting here!

Mrs Strang—I would hate to think. I am sure we would be held responsible for it.

CHAIR—Are you aware of whether you would be prosecuted to recover the costs of fighting the fire on public land?

Mrs Strang—I am not aware of that, but I would be worried that it would be so.

CHAIR—Whereas, if it starts in a national park and comes onto your property, as far as you are aware there is no legal redress for you?

Mrs Strang—No, that is correct.

Ms PANOPOULOS—An issue which has come up and which is one of the terms of reference for this committee is insurance. Are you able to get insurance to cover the sort of financial disaster you suffered recently?

Mrs Strang—We certainly have some insurance, but it will not cover the extent of the disaster.

Ms PANOPOULOS—What proportion of the damage would it cover?

Mrs Strang—Perhaps a half.

Ms PANOPOULOS—In dollar figures, what would you estimate to be your current and future loss? You have already said that it is about $450,000 for the fencing.

Mrs Strang—It has probably cost us at least $350,000 in feed, agistment and early sales, and that will continue on in future years.

Ms PANOPOULOS—So it is about $350,000 for feed and about $450,000 for fencing?

Mrs Strang—Yes.

Ms PANOPOULOS—What cost do you estimate for re-establishing your herd?

Mrs Strang—I cannot give you those figures at the moment.

CHAIR—Further on the insurance issue, we have had various evidence in relation to insurance for fencing. It would seem that some landholders insure fencing or only partly insure it or insure internal but not external fencing. What is your experience with that? Are there different rates of insurance depending upon the risk of the fencing, in that exterior fencing adjoining national parks may be seen as more at risk than internal fencing, for instance?

Mrs Strang—No, I am not aware that there is a different rate for that.

CHAIR—So your policy is just a policy covering fencing generally?

Mrs Strang—Yes.

CHAIR—As there are no other questions from my colleagues, I again thank you for coming and telling your story and for providing us with a submission. Getting and understanding real-life experiences is very important for this committee as part of its deliberations. Thank you for your evidence. We appreciated it.

[11.12 a.m.]

PANOZZO, Mr Peter John, Representative for North-East Victoria, Timber Communities Australia

CHAIR—Welcome, Mr Panozzo. I know you were here earlier when I read out the part about giving evidence, so I will not repeat that. We have the submission from the North-East Victoria body of Timber Communities Australia. We have previously had a submission from the national body of Timber Communities Australia as well. Your submission has been authorised for publication and forms part of the evidence for the inquiry. We thank you for that. Would you like to start off with some opening statements before we have some questions?

Mr Panozzo—Yes. I have been a member of Timber Communities Australia since just after it was formed. I have worked in the timber industry for 23 years, at Mount Beauty Timber, which has now shut down. I was made redundant on 20 December, so over the period of the fires I had a lot of time to suss things out. I even volunteered to try to fight the fires, and I was refused. Having lived in the area for 30 years, I know just about everybody. I have set up a guided fishing business and it is in its fifth or sixth year. I have been trying to diversify: I knew that my job was going to be on the line sooner or later and therefore I started up this business.

As a community member, I am very concerned about what transpired over the fire period and also what led up to it. The main thing that I am very concerned about is that the community was not involved with the fighting of the fires. One of the local industries there, Southern Hydro, was involved in the fighting of the fires. Over this next 45 minutes, I would like to highlight some of the feats that they did and a lot of the inadequacies of Parks Victoria and DSE.

Mount Beauty is a community of around about 2,000 people, including those in the outlying districts. There are a lot of resources there. It is a very dynamic little community. Access time from Mount Beauty to the fires in the Bogong complex would have been less than two hours. Since the SEC's inception that whole area was managed as an asset until Parks Victoria took over the majority of the former works protection area of the old SEC. In a nutshell there was no reason whatsoever why those fires got out of control in the east Kiewa River and the west Kiewa. That whole area has an extensive track network all through it, which was put in by the old SEC for fire suppression and asset maintenance. National Parks took over that area in the early 1980s. Until the 1990s a certain section was set aside for timber production. Since Parks Victoria took over, the whole track network has been left to deteriorate. The only areas that have not been left to deteriorate have been any infrastructure that was critical for the operation of Southern Hydro's operations. Parks Victoria have let everything else get run down.

I am an avid deer hunter, fisherman, trail bike rider and mountain bike rider. I get to go through all that country a fair bit in the course of my different pursuits. Since I came to Mount Beauty in 1970 I have seen that country slowly, progressively, get thicker and thicker with the fuel build-up. There are areas there which I have hunted for the last 20 years. When I first started hunting in them, you could walk through them quite freely. Mind you, there were a fair few blackberries. There are no blackberries there now but there were before the fire. In some of the

gullies that I have hunted in over the years, towards the end you had to get a branch and throw it over the blackberries to try to get across the gully.

If it were not for Southern Hydro and their bush crew or their outdoor crew, I honestly reckon that Mount Beauty would have been a lot worse off. There was a lot of media hype about Bright, saying that the fires were very close to Bright. At Mount Beauty the fires were on the highway, just above the houses. We sat there for a month. I am a member of the Mount Beauty mountain bike club. The club was going to have the mountain bike nationals in Mount Beauty. The area that we run our races on is owned by Southern Hydro. It is a parcel of private land that goes to the top of Mount Beauty itself. We watched the fires burn all around Big Hill and Mount Beauty. We thought, 'Great, it is going to be saved, we can still have our nationals.' But Parks Victoria and DSE and others appeared to let the fire just burn all over Bogong and down Little Bogong, down to the east Kiewa. One Sunday afternoon the winds turned and she jumped across; Mount Beauty was under serious threat.

In the end, Big Hill went up, virtually in one day. I want to highlight one little thing there. In my capacity of being unemployed at the time, I moved around a bit. I have a trail bike and I went up to what we call our race site, which is on the top side of Mount Beauty behind the old chalet. I thought I would go for a bit of a ride along the newly formed firebreak that was put along from the land they call Hollonds' to Simmonds Creek. I started going along the track, and when I was just below Mount Beauty's main water supply I saw water bubbling out of the ground where a dozer had been. I thought, 'It looks like the water supply has been hit,' so I went back down to see my mates who operate the water treatment plant just across the road from my place. I said to Ritchie, 'Hey, you've got a break in a pipe in up there,' and he said, 'Effing what? How long ago?' I said, 'Half an hour ago,' and he said, 'We've only just fixed that.' So they had to go back and repair it. That seems quite serious to me. Here was a town of all timber houses with a fire circling the southern part of the town and our water supply had been broken. There was no communication with the locals—nothing. I think it is important to highlight that.

The day that the lightning struck I was with a journalist from *Fishing World* magazine down on the Kiewa River, just below the Bright turn-off. It was about 9.30 and it started getting black, dark and thundery. As the front was going across there was a little rain—but not much—and a lot of lightning. Michael, my acquaintance, said, 'Do you reckon we should be out here?' We had our fly rods with us, so I said 'We'll keep our rods down.' We lowered them and just watched, and I saw an almighty bolt of lightning hit just behind the township of Mount Beauty. A little later on we saw two bolts hit over on Little Arthur and Mount Arthur. Then the whole front slowly went away. Within 20 minutes I noticed a pall of smoke coming up from the forest. I was so confident that the fires would be put out that I said to Michael, 'It won't be long before the Southern Hydro guys have that put out.' It did not happen. Where those fires were on Little Arthur is virtually encompassed by tracks.

We went into the bakery and had lunch, and then we went up to Mountain Creek and fished that. I knew there was a fire still going, because I could see a bit of smoke over the back of Little Bogong. At five o'clock, or thereabouts, my wife phoned me and wanted to know where I was. I said, 'I'm on Mountain Creek. We've just about finished.' She said, 'What are you doing up there?' and I said, 'Fishing.' She said, 'There's a fire up there!' I said, 'No, there's not. It's over on Little Bogong.' She said, 'Well, it's on the news.' As we were coming out of the creek to the vehicle we looked up the road and there it was—another fire up there.

I just cannot believe that the fire got out of control. I had to take Michael up to Falls Creek that evening. On my way up I looked over at Little Arthur and saw the smoke still coming up. There was no indication of any vehicles going up there, no activity and no planes. On my way back down, I looked up to my left and saw a pall of smoke up on Bald Hill. I thought, 'Ugh.' When I got back home, my wife said, 'There's a fire up on Bald Hill,' and I said, 'Yeah, I saw that.' And the rest of it is history. It all just slowly went along. As I walked around over the next four weeks I talked to crews and people, mainly from Southern Hydro because I know a lot of the guys in there. The airstrip is just across from the sewage farm near my place. I was going down there and talking to them, and a lot of stories came out. Southern Hydro guys were containing the fire; DSE guys were letting it go.

CHAIR—Sorry, what was that?

Mr Panozzo—The DSE guys were letting it go. Well, they were not keeping it. Southern Hydro actually had it contained up on Bogong Creek saddle. It was contained; it was not out of control. Southern Hydro swapped over with the DSE guys. When the Southern Hydro guys came back the next morning, it had jumped the line. Southern Hydro contained it again, as far as I know, and then that night the same thing happened and it went up Quartz Ridge and up into Bogong. From then on it was away.

For a town like Mount Beauty it was quite devastating, not only because it caused a lot of stress—it was not as though the fire just came along and that was it—but also because it was burning all around. Then there was another added worry, and that was when Beechworth went. Everybody knows that when there are southerlies, they are usually cool; fires do not usually roar. When they are the hot northerlies, yes, it is a worry. When Beechworth started to go we were really worried because it could have easily have come straight down the mountain range, across the paddocks and into Mount Beauty. Mount Beauty is a town with a lot of elderly people—they retire there—and there was a lot of stress and angst amongst the community there.

Like I said, Mount Beauty had a mill and it was a major source of employment. Over the years we have had our resource taken away and locked up in the parks. It was on the pretext that it was to protect it. None of it is protected; it is all gone. The majority of that timber that is burnt now was 1939 regrowth and also logging regrowth. There is stuff up there that could possibly be milled and Timber Communities Australia feels strongly that that is a resource—it is no good to any animals now; it is dead timber—that the state of Victoria cannot afford to waste. It cost us so much money to fight those fires.

CHAIR—Thank you for those opening remarks. You mentioned the water pipeline being cut twice. Who would have broken that pipeline?

Mr Panozzo—That was a bulldozer driver putting in a containment line, a firebreak.

CHAIR—A bulldozer driver working for whom?

Mr Panozzo—DSE.

Mr McARTHUR—Why did he not report the break in the line?

Mr Panozzo—Ritchie did not say anyone had reported it. I must admit that on top of where the water was coming out there was a rock about a foot across with a little bit of red tape draped over it, so they might have been going to report it—but it is a pretty important thing.

CHAIR—You said you were made redundant in December. I presume that was a result of the washout from the RFAs. You were working for a timber company, were you?

Mr Panozzo—Yes, that is right. The reason I was made redundant is that Mount Beauty Timbers accepted the state government's voluntary licence buyback. That came about because the state had to reduce its sustainable yield by about 39 per cent or 30 per cent.

CHAIR—You said you offered yourself as a volunteer but were refused. Who did you offer yourself as a volunteer to?

Mr Panozzo—I offered myself to the CFA. There was no way I was going to help Parks, not after what I have been through for 20 years, mate.

CHAIR—Presumably when you were working for the timber company, you were involved in activities such as fire hazard reduction and those sorts of things for firefighting?

Mr Panozzo—I was part of firefighting crews when Mount Buffalo went up in 1985.

CHAIR—Was there a reason given for the fact that you were refused as a volunteer this time?

Mr Panozzo—No; I went up to the truck as they were fighting and I said, 'Look, you don't want a hand?' They said, 'No, don't worry about it.' I have since found out that as a result of Linton they have to be qualified.

CHAIR—So it is likely that you were refused because you did not have the so-called right qualifications.

Mr Panozzo—I would say more than likely. I just want to add that a fire is a war scenario; just remember that.

CHAIR—What is your recollection of the weather conditions for, say, the first two days after the lightning strikes?

Mr Panozzo—When the lightning actually hit, the front came in and it was quite turbulent—you saw that fantastic formation that just rolls in under each other. There was a little bit of a wind as it came in, but then the rest of the day was calm.

CHAIR—So, from your experiences from firefighting when you were working in forestry, the conditions were fine for attacking those fires?

Mr Panozzo—It would have been perfect. One other thing I would like to add to that is that when those lightning strikes happened, there are two fire towers—one on Big Hill and one on Mount McKay—and as far as I know both of them were unmanned. They have not been manned for a long time.

Ms PANOPOULOS—You have spoken about the importance of fire trails that have been maintained for Southern Hydro. Can you give any specific examples of the firefighting effort in and around Mount Beauty being hampered because of inaccessible tracks?

Mr Panozzo—The main fire trail is the Big River fire trail that goes from behind Rocky Valley out through Mount Nelse, Tim's Lookout, down into Big River and up on to Bogong Creek saddle, where it branches off—there is one called Little Bogong track that goes on to Moncrief—so it encompasses all around the side of East Kiewa. We rode that two weeks before Christmas on our mountain bikes and the cattlemen had just taken their cattle up there. There was a group of 20 of us and quite a few of those people were members of the chamber of commerce in Mount Beauty—it was their first time up there—and they were commenting on how badly the track was overgrown.

Ms PANOPOULOS—But during the actual fighting of the fires, during those seven weeks in January and February, are you aware of any specific instances where, for example, the containment line had to be pushed further out to a major road or a particular firefighting effort was hampered because of inaccessible tracks?

Mr Panozzo—No, all I know is that the dozers basically went along those tracks to fix them up so that vehicles could get through on them and also try and make a containment line.

Ms PANOPOULOS—You said before that you spent quite a bit of time riding around speaking to people, finding out what was happening on the ground. I have heard a few stories as well from Mount Beauty, but I want to ask you whether you heard of any particular stories or instances regarding the different treatment of volunteer firefighters on the one hand and paid firefighters and office workers from the local incident control centre on the other hand?

Mr Panozzo—One thing I do know is that in the control centre, which was set up in Southern Hydro's offices, the day shift and the night shift were two different entities. When the controller came on for night shift, I was told, he had virtually the shits with the other person and said, 'No, we're not doing this; we're doing that,' and there was a complete change of operations virtually.

Ms PANOPOULOS—Are you aware of the story that was doing the rounds in Mount Beauty that the volunteer firefighters who had come from all parts of Victoria were actually removed from their motel accommodation and put into a camping ground to make room for the office workers from the incident control centre?

Mr Panozzo—No, I am not aware of that.

Mr HAWKER—I want to follow up on the burnt mountain ash as a resource. Has any effort been made to try and get that timber and reopen the Mount Beauty mill?

Mr Panozzo—No. They have made efforts to salvage some of the timber over in Mitta. At Mount Beauty, they have not. But there is a bit of a problem there. The state has had to reduce the sustainable yield, and the reason they have done that is because they locked up so much. Virtually everything they locked up is now burned. We cannot really open up a mill on a sustainable basis if that resource is not there. The timber that is there now would have to be processed, but it can be kept underwater. However, I do not think that the state government

would give back a licence after having just paid everyone out with redundancy packages and all that. But that does not mean that the timber cannot be salvaged, because the timber can be salvaged and those remaining licensees can utilise that.

Mr HAWKER—You talked about Southern Hydro controlling the fire, whereas in your opinion DSE just let it go—I think they were the words you used.

Mr Panozzo—Yes.

Mr HAWKER—Do have any reason to believe that this could have been a deliberate tactic to let it burn in order to allow nature to catch up for 20 years of not doing control fuel burning?

Mr Panozzo—You could read lots of things into it, but I would say yes, because they are all paid workers. They are not firefighters. They are paid DSE workers. They were from fisheries, wildlife and other places. They were a group of people brought in. I am not knocking those people, but the organisation brought those people in, and they are supposed to have a level of firefighting ability before they can go in there. I want to highlight something about the department: if they are so good and if they have the firefighting abilities, then why the hell did they put Southern Hydro in charge of a lot of their operations in the Mount Beauty area?

Mr HAWKER—I do not know the answer. Of those people who you know were involved, did anyone have the feeling that this might have been a deliberate way of allowing those fires to continue to burn because the weather appeared to be cool?

Mr Panozzo—You only have to look at the start when the lightning struck. They had planes sitting on Mount Beauty airstrip—just sitting there. I get the impression that they did. But there are other factors. I have to admit to that and give them the benefit of the doubt. But you have heard time and again what has been coming out. I have been reading a lot of emails and correspondence from people, and some, like the National Parks Association, are trying to discredit all the common people who are bringing forward this evidence. Parks do not have proper funding to manage it. If they cannot manage it properly, how the hell can they manage a fire when one starts?

Mr HAWKER—You said the National Parks Association is trying to discredit other people—local people I presume. Could you expand on that?

Mr Panozzo—Yes. They have a brochure out at the moment saying that people like myself and those in the general community who are going to these public hearings are trying to get the whole national park scenario reversed. That is utter rot. We are trying to get some decent management plans put in place. We have gone from one extreme to the other. We need to come into the middle. To achieve that, Parks Victoria and DSE have to involve the local communities and listen to the people. I have made submission after submission to management plan things and stuff like that, as have other people, but you never see those things come in. What they want to do is what they want to do. They just have too much power.

Mr HAWKER—Do you have a copy of that brochure handy?

Mr Panozzo—No, I do not, but it is around. I tried to download it off the Internet the other day but it did not work. If you are looking for it, it shows a couple of symbols—a four-wheel drive with a cross through it and cattle with a cross through it and all that. Not only that but they are also asking for donations to help fight this whole cause, and yet they are funded by the state or federal government.

Mr McARTHUR—Could I ask one question in relation to the former SEC and their ability to fight and control lightning strikes in the territory under their control over a 20-year period. Would you like to comment on that? Other witnesses have suggested that they kept the area under their control free of fire, although there were a number of lightning strikes. Could you confirm those circumstances as you see them?

Mr Panozzo—I have a piece here that I will read out to you. It will probably answer most questions. It reads:

There were three lightning strikes around at 10 a.m. It could have been attacked from the ground within two hours, provided that the access tracks were passable. In the past, the former State Electricity Commission, who had control over the area, would have been straight onto it and people from the local community would have been mobilised—for example, millworkers, machinery and volunteers. In the past, the former SEC had control over the area where the three lightning strikes hit. Since the devastating 1939 bushfires, the then SEC had protected its assets from wildfire by maintaining a very competent and skilful forestry work force, along with a network of fire and management trails throughout what was their works protection area.

Since the late 1980s, what was the SEC's works protection area has been taken over by Parks Victoria and, except for infrastructure that is critical for the day-to-day operations of what was the SEC and is now owned by Southern Hydro, has been left to deteriorate because of lack of management funds. Southern Hydro maintains a small but highly skilled outdoor work force. This work force operates in all extremes of weather and conditions—for example, bushfires and blizzards—and therefore have an extensive knowledge of the area concerned. The works protection area that was managed by the SEC was also a wildlife sanctuary.

I think that the government should seriously consider setting up a firefighting training centre with Southern Hydro at Mount Beauty. The reason I say that is that over the years the former SEC have developed a lot of knowledge in their operations in that area—in firefighting, maintenance and so on. The guys who are working for Southern Hydro now—the field group—are getting on, and I feel that that knowledge will be lost. I think it would be a shame if it were lost.

Mr McARTHUR—Is that quote that you read out by yourself?

Mr Panozzo—They are my quotes.

Mr McARTHUR—Thank you.

Mr SCHULTZ—Mr Panozzo, I would like to ask you a couple of questions with regard to the aircraft that were sitting on the ground at the airport. Were they aircraft such as Air Tractor 802s and Dromaders?

Mr Panozzo—Exactly.

Mr SCHULTZ—Were they fitted out with the capacity to drop up to about 2,000 or 2,500 litres of retardant and/or foam or water onto these fires?

Mr Panozzo—They were designed to drop retardant, yes.

Mr SCHULTZ—Were they called upon in the early stages of the fire? Why were they sitting there?

Mr Panozzo—That is a good question. I do not know why they sat there. It was a lovely day. From the airstrip to where the fires were, it was no more than five minutes. They would have been up, on top, drop it, and down. They would have had those fires 80 per cent contained and then the ground crew could have got in there by that time.

Mr McARTHUR—So you are saying that there were perfect flying conditions, the visibility was 100 per cent, and yet these aircraft were not used in the early suppression of these fires?

Mr Panozzo—Yes. That front went through and, as far as I recollect, it cleared out—it fined up.

Mr SCHULTZ—Thank you very much.

CHAIR—Thank you for your submission and evidence today. It was very comprehensive, particularly across the region you were able to observe during that period. It was very useful additional evidence. I should mention that the committee visited Mount Beauty some weeks ago on an inspection. With the things that you were able to tell us, it was useful having been there to have a look a few weeks beforehand.

Mr Panozzo—Regarding the question before about their control centre: one thing I was told was that at that control centre—you mentioned it, Sophie—it was not like it was a war zone; it was just a normal day. They had chocolates and chips in one of the offices, and they were just helping themselves and walking around, 'Yap, yap, yap.' I mean, it was a war zone. Southern Hydro crews did 22-hour stints before they were relieved.

CHAIR—Thank you.

Proceedings suspended from 11.46 a.m. to 11.57 a.m.

SLADE, Mr Charles Edmond Rolfe (Private Capacity)

CHAIR—Welcome. Would you like to add anything about the capacity in which you appear today?

Mr Slade—I appear in a private capacity but I am a reporter for Channel Nine News. On a couple of occasions and during one full week I had to cover these bushfires. I formed various impressions of what was going on that upset and distressed me.

CHAIR—We thank you for being able to appear before us this morning. We do not have a submission from you. You were here earlier when I read the aspects in respect to evidence and this inquiry. Would you like to start by outlining your experiences that you would like to pass on to the committee and then we will have a few questions.

Mr Slade—I recall it was early January, I was sent off to one of the first bushfires down near Bairnsdale. We flew down in a helicopter, refuelled and then went to film what was, according to the first the DSE press release, a fairly serious and dangerous fire that was threatening various businesses and communities. We went down there in good faith. It actually took us quite a while flying around to find this supposedly significant and dangerous fire. We stayed in the air for about an hour, filming aerials. We landed; I recall I went and did an interview with a DSE gentleman at an incident centre in Bairnsdale. We flew back and did what we have to do quite often: I did a story but did inform my newsroom that I thought this was quite a lot of ado about not a lot, but if they wanted a story they could have it.

The next morning I came in to work; I started at 7 a.m. My chief of staff said, 'Can you just check out what is happening down there to see if we need to go down again.' I said, 'On the evidence I saw yesterday, I am fairly sure we don't have to but I will do that.' I have a lot of experience in the media—I have been in this business for 23 years—so instead of ringing media people, who are generally referred to as spin doctors with various organisations, I try to talk to people on the ground. So I rang local police stations and CFA unions who said, 'No, everything is pretty calm.' I told my chief of staff that my impressions yesterday had been confirmed by people on the ground that morning.

About 10 minutes later there was an urgent public address system call for me to go to the desk, and the chief of staff handed me another quite alarmist press release from DSE. This would have been about 7.45 in the morning. He just said to me, 'You had better get down there.' I said, 'I think we should take this with a grain of salt,' but I was sent down there. We flew down fixed-wing at some expense and we got to the airport. We were met by the DSE people, who said, 'Listen, it is a bit of a problem. The terrain is a bit inaccessible. I am sorry, we cannot get you in there, but we will take you in just to give you a media briefing.' I could not get any fresh pictures and could not get anywhere near what was going on. We went in and did an interview with a gentleman—I forget his name. Standing next to him was—forgive me for referring to them as this but I deal with them every day—a spin doctor. I was given an interview and told we could not get any pictures and that we would have to go back to the airport and it was suggested that perhaps we could use the pictures we had got the day before.

There was a bit of a hiatus and our camera crews went off across the road to get some coffees. I said to this woman, 'Can I have a word with you, please,' and she said, 'Why?' and I said, 'I am just a bit concerned that what you were telling us yesterday and particularly what you are telling us today bears absolutely no relation to what is going on down here. While I am happy to do my job and I know we all have to play this game, I am finding this particular incident a bit beyond the pale.' She was very defensive, but I pushed her. I said, 'What is going on?' She eventually confided in me. She said, 'We are caught up in a huge'—and this was her term—'political battle that is going on between DSE, Parks Victoria and the CFA about bushfire management. It is about who is responsible for what and who gets credit for what, but, most importantly,' she said, 'it is all to do with funding.' I said, 'I think you are playing a very dangerous game. With what has happened in the last two days you are certainly insulting my intelligence. I do not appreciate it and I think you should be very careful about what you do.'

So we flew back to Melbourne. I was told—this is the way it works—that I had to file a story, so I did. Occasionally when I am protesting about a story that I do not think is genuine, I do not put in what we call a piece to camera; I do not brand it. So I did not, but I filed a story that night, the nature of which was that the big threat the day before had become a bigger threat that morning but the situation had been saved and DSE had triumphed.

This is how I was to learn things were going to develop from there on, because the way these things work is that, when they start managing an operation like this, they know that, for instance, DSE headquarters in Melbourne can pump out a press release early in the morning that has fairly alarming information in it. It is, unfortunately, very often duly regurgitated on early radio by people who are not there; they are at desks in Melbourne talking about things that are happening hundreds of kilometres away and taking them at face value—which happens, I find, far too often. Once that information has been repeated on a couple of radio stations, it may be picked up by a TV breakfast program. If something is said often enough it becomes true, and they know this and this is how it works.

I was not involved in the bushfires for about the next 10 days, but I know my colleagues were—not just from us but from all sorts of radio and TV stations. The coverage of this bushfire emergency got increasingly alarmist, but there were, certainly from our point of view, absolutely no pictures to support that. Nobody was getting anywhere near this crisis up in the high country. During that time I had to go, as I recall, to two media conferences held by DSE in Melbourne, where there was a particular gentleman who was handling all their briefings. I was getting increasingly offended by the way that the media was being manipulated. At one stage, the concerns of the communities up here about the lack of back-burning were being raised and these were being dismissed and ridiculed. I then started making comments at work about the possibility that we were being sucked into portraying a situation in a way that was not necessarily accurate. Those comments angered my superiors, and I got a few browbeatings for being a cynic. I was told that this was what was going on and this is how we should cover it. About 10 days into this process, I said, 'With all due respect, I do not think at this stage that this is the biggest bushfire in 100 years,' as DSE by then had dubbed it. I said, 'I think it is the biggest back-burn in living memory.

Anyhow, despite this I was then dispatched—it was about the third week of this process, I suppose; it was late January or early February—to go up to the Ovens incident control centre. I went quite reluctantly and expressed my concern at work—I said that I did not want to be a party

to this farrago anymore. But once again, with the way the business works, I was ordered to go—so I did. I got up there and found much the same thing going on: the whole thing was being incredibly carefully controlled around this incident control centre. I have never had the experience, covering these things before, of the media being so totally controlled and denied access to fire fronts. In the five days I was up there, the only flames we got to film were where we were taken, under careful escort by media people, to places where DSE or CFA would put on a little back-burn, a staged back-burn. That was it.

But those of us up there at that time and those who had been up there the previous week were under enormous pressure from Melbourne newsrooms—be they newspaper, radio or television—to send them graphic pictures of this giant terrifying bushfire that was ravaging north-eastern Victoria. Of course, we could not get the pictures because we could not get access, and they seemed to be handling this bushfire in fairly remote, inaccessible areas. I also told my newsroom when I was up there—and once again I was accused of being cynical—'This has become not only the biggest back-burn in history, but it has become "Save a town a day,"' because, each day, DSE would seem to nominate a community that was under enormous threat and, lo and behold, by that evening that community had been saved and this was another triumph for DSE.

This went on for several weeks and it became an issue between me and my employers. It also became an issue between me and some of the other members of the media, because they were happily—and, I thought, perhaps naively, perhaps gullibly—regurgitating information. A reasonable amount of the reporting from the north-east of Victoria was people regurgitating information that was fed to them by their newsrooms in Melbourne, which was information fed to them by DSE, so the whole thing became a self-serving vicious circle. This, as I say, caused me significant distress and I tried very hard, for my self-respect and reputation, to tell the story as accurately as I could up there, although this did cause some issue with my employers, who felt that I was perhaps not treating this as seriously as I should be and not as seriously as the rest of the media were. I said: 'That is for the simple reason that I think you guys are all being given the wrong impression down there. We are being led up the garden path. There is more going on here than meets the eye. There is some other sort of agenda and I find it very uncomfortable.'

I remember there was a day very late in the piece when I was interviewing a DSE person at Ovens and I was talking about the fact that during that week they were forecasting a front to come through with, as we call it, welcome rain. When I interviewed this gentleman, with the media minder ever present behind him, I was told, 'Oh no, it is a very, very weak front—if it does get here—and we have no information it is going to be containing any rain, so we wouldn't want you broadcasting that.' That was another cause of concern for me. I ultimately discovered, from a source I cannot mention, that in those areas up in the north-east the weather forecasts were being doctored—that is the politest term I can think of—to maintain the level of fear, the level of concern, the level of threat, and to play down the prospects of any relief. That was the final straw for me. I thought that was quite unbelievable.

Anyhow, I was sufficiently angered and distressed by this entire experience that when I got home, after talking to my wife, who tried to talk me out of it, I wrote a three-page effective letter of resignation, outlining the information that I am giving to you now about what had gone on and, in the broader sense, how the media had been manipulated—by DSE particularly—to present a particular set of circumstances which I thought was clearly at odds with what was actually happening. I formed the impression during this time—this was my personal impression,

just from what I had to do—that somebody somewhere had made a decision, because of the lack of back-burning over recent years, to let this be actually a huge back-burn, doing a lot of work that should have been done but dressing it up as a bushfire crisis and a heroic effort to save townships and people.

Sitting here now, I am reasonably firmly convinced that, were this committee or someone else able to access documentation, conversations or email at high levels in DSE, Parks Victoria or CFA, you might find some information pertaining to how this whole situation back in mid-January and early February was managed, engineered, massaged or whatever it may be. What distressed me at the time—and distresses me in retrospect—if that is what happened, is that it was a very high-risk strategy which caused, as you see here today and in the other hearings, a great many people a great deal of distress. In my opinion, the people who may have done this are not taking responsibility for what may have happened. But, as I say, I say that as somebody who has reasonable experience in this industry, and it caused me great distress, and it has obviously caused many other people a great deal of distress.

CHAIR—Thank you very much for that. From the people you have spoken to and from what you observed, is it your view that, particularly in the early stages, rather than the authorities involved adopting a 'let's get the bushfires out' mentality, they adopted more of a 'let's have a bushfire and see how we can manage it' mentality?

Mr Slade—I think a situation occurred which was capitalised on. It was about in the middle of this time period in Victoria that the Canberra disaster happened. I do not know, but I think that may have in some way encouraged or fortified the policy that was being followed down here to, in one sense, avoid a similar catastrophe, while being aware that a similar catastrophe would occur unless an awful lot of back-burning was done, with priority for lives and assets in the process. It would seem they said, 'For God's sake, we do not want anybody to get killed and it looks terrible when houses get burned down but, apart from them, let this thing run its course.' That is the very strong impression that I formed of how this was handled and how this whole thing was managed out of offices in Melbourne, be they political or bureaucratic.

CHAIR—Given what you have said and observed, would you accept that ultimately it was a pretty major bushfire? It managed to grow into a fairly major bushfire. There is no question about that at the end of the day.

Mr Slade—In the end a lot of land was burned, a lot of stock was lost and a lot of people were given a terrible experience. But, as I say, I formed the impression that it was a high-risk strategy to catch up on a lot of work that had not been done.

Ms PANOPOULOS—I am particularly interested in what you have had to say, because most of it covers incident control centres in my electorate. I am sure that it is no comfort to you to know that a few other people, including myself, were given the run-around and the spin by these incident control centres. During approximately what time period were you covering the fires in north-east Victoria?

Mr Slade—I do not have my notes with me, but I think it was early January down in Bairnsdale and it was about a week or ten days later that these lightning strikes occurred. I was in Melbourne for the first week or ten days of this growing crisis, albeit having to do the odd

press conference with DSE in Melbourne. Then I was sent up to Ovens, as I recall, in late January or early February. We found ourselves in really quite an extraordinary situation, where journalists in the field were actually having information and even scripts taken from DSE press releases dictated to them from production desks and newsrooms in Melbourne. At the other end, the people in the field were given so little access and so little information that there was little choice in reporting this story except to report it the way DSE wanted it reported.

Ms PANOPOULOS—Do you feel comfortable telling us which news services essentially used DSE press releases as their own scripts?

Mr Slade—Nobody was reporting them as scoops. Everybody, basically, was predominantly getting a single line of information. As I say, when it grows from radio to TV to newspapers it becomes—what is the expression I am looking for?

CHAIR—Self-fulfilling.

Mr Slade—Yes, but it becomes accepted knowledge that this is what is happening, because everybody is saying it. The fact that it came from one source—

Ms PANOPOULOS—It is like the emperor who had lovely clothes.

Mr Slade—Yes.

Ms PANOPOULOS—Did you ever raise any of your concerns with anyone from DSE?

Mr Slade—On day 2 I did, and I was given a rather frank answer which at the time I kept in the back of my mind and mentioned to various people at work. This is the first time I am saying it publicly. There is a huge political battle going on between DSE, Parks Victoria and CFA which is to do with responsibilities, to do with credit and mostly to do with funding.

Ms PANOPOULOS—After day 2, did you receive any media releases from the so-called spin doctors regarding the volunteer firefighters? We have heard in some evidence of significant amounts of money given by the state government to have these big thank you and celebratory functions. Did media outlets receive releases on those?

Mr Slade—After the process?

Ms PANOPOULOS—Yes.

Mr Slade—Oh, yes. We were all coming back up to Beechworth and Bright and doing various celebratory and congratulatory staged media occasions. Once again, because I did not go back up, I observed these at a distance with some degree of what I like to call scepticism, which I think is a journalistic virtue; my colleagues call it cynicism, which they do not think is a virtue.

Ms PANOPOULOS—You will fit very well into the north-east if you have a healthy bit of scepticism!

Mr HAWKER—Mr Slade, thank you very much for that—it was quite devastating. You mentioned your concern about the doctoring of weather reports and you gave one example about trying to maintain fear when a possible rain front was coming through. Have you had any further evidence to back up that quite serious concern you raised?

Mr Slade—At the risk of disappointing the committee and because of the necessity of protecting a source, I cannot tell you anything more, but the information I received shocked me. It was said on the basis of strictest confidentiality and I am sorry but I cannot really enlarge on it. But it confirmed a suspicion I had while I was up there that there was a disconnect between information being pushed out in Melbourne and the information actually up here at the fire front.

Mr HAWKER—You have talked about the management, the stage management almost, of a very high-risk strategy—the 'biggest back-burn in history' and the 'save a town a day' type of thing. You mentioned the fact that you are a very experienced reporter of public affairs, and I think we all have a lot of respect for your reports. In your experience, would you say, on the basis of what you have said so far, that this is the sort of material that requires a royal commission to extract the truth?

Mr Slade—I chatted to you earlier about what your powers were and I gather that state governments and bureaucrats are declining to give evidence to you. I assume you are talking about what the process is to ensure that happens and to ensure that you can access the documentation that I think must have flown around those organisations, at high levels at that time. I have absolutely no doubt that in the meantime I—along with my reputation—am going to be castigated. But I think that is the only way you are going to access this information, because I became aware, in a variety of ways that I have outlined to you, that something strange was going on at very high levels in politics and bureaucracy. I do not think anyone really wants to talk about it. At the end of the day, to protect that situation, people such as the lady who gave evidence here earlier have been devastated and I do not know what recompense they are ever going to get, because for them to get recompense somebody is going to have to admit responsibility. I cannot produce the proof, but there was certainly enough personal anecdotal evidence, to me, to support what I am saying to you today.

Mr HAWKER—So it could be that more than just a parliamentary inquiry is required; it could be that we need a judicial inquiry or a royal commission?

Mr Slade—I would take your advice on that because you would know better what powers you need to access that sort of information. I would love to admit that I am wrong, but I have never ever been involved in a story that involved so many spin doctors and media minders. It was astonishing. They seemed to be coming out of the woodwork everywhere and pushing a particular line. They were very careful with the people you were occasionally allowed to interview and what they were allowed to say. You could not go anywhere without being escorted. It was quite extraordinary.

Mr McARTHUR—I have been involved in a number of inquiries like this and I have to say that this inquiry is unusual in that we have received over 450 high-quality submissions and the public hearings, such as this one in Omeo, have been very well attended by members of the public. I observe, however, that there are no submissions from the state governments of Victoria, New South Wales or the ACT and there are no submissions by Parks Victoria, DSE or the CFA. I

wonder if there is any correlation between the sort of evidence you are putting before the committee and the attitude of those authorities and those governments, in that they do not wish to enter into any discussion on the recent bushfires.

Mr Slade—I think you can draw your own conclusions, as I have. I think they are not unrelated and not coincidental.

Mr SCHULTZ—Mr Slade, correct me if I have got this wrong, but you have just told us that the media was manipulated by the drip-feeding of carefully contrived stories, which, it would appear, gave inaccurate descriptions in some detail as to what was actually occurring at the fire fronts: in other words, the public were deliberately deceived by the DSE and the CFA spin doctors, as they have been described. Would that be an accurate overview of your view?

Mr Slade—I would use the word 'embroidered'. You can see a benign thing in that, because if what I am outlining here was in fact taking place obviously it was a high-risk strategy. They had to keep the people in the town being saved that day and the people who lived nearby—in Swifts Creek or wherever it may have been—on alert. They had to maintain, for several weeks, this level of fear and alarm and a sense of imminent danger, because that would help them carry on with what I think they were doing in the background. So communities were encouraged to be alert and alarmed for several weeks while this scenario was, I believe, being played out. Obviously it would have been dangerous if they had not embroidered it and people had relaxed or become complacent. So I think it was a two-part strategy. You can look at it benignly in that sense, but obviously it also caused a lot of people a great deal of distress and alarm. When I was up there I could tell that everybody was on edge about what was happening.

Mr SCHULTZ—Would you agree that what you are saying paints a very serious picture in terms of the way in which your colleagues in the media have been deliberately manipulated—like chooks being fed wheat—at the expense of their professional commitment to inquire into and undertake a story professionally at arms length from any influence by outside agencies?

Mr Slade—Sadly, this is not an isolated incident. You gentlemen would know as well as anybody that these incidents happened on an almost daily basis. I would say that half of all news generated by radio, television or newspapers these days comes off press releases. Press releases are put out by people who want a particular situation to be covered in a particular way. But this, to me, was the most glaring example, in terms of what was at stake, that I have ever come across.

CHAIR—You mentioned that you felt there was an internal exercise within the Victorian government going on between Parks Victoria, DSE and CFA. Which of those departments do you believe was doing the most to take control of firefighting and related activities?

Mr Slade—There is no doubt in my mind: it was DSE, and it was all about money.

CHAIR—Thank you very much for your evidence today. We appreciate it. I know that in the position you hold it is not often easy to come forward, but we certainly have the aim of getting right to the nub of the evidence right around the country as far as the most recent fires are concerned. Your evidence will be useful in that sense, and we very much appreciate it.

Mr Slade—I hope it helps, and I would love to be wrong.

[12.26 p.m.]

PENDERGAST, Mr Robert George (Private capacity)

CHAIR—Welcome. Do you have anything to add?

Mr Pendergast—I am an original landowner up here. I was born and bred and have lived here all my life.

CHAIR—I believe you have been here during the proceedings this morning so I will not read the formal guidelines again. The committee has received your submission and authorised it for publication. What you have put in that submission forms part of the inquiry's evidence. If you wish, please make some opening remarks. Then I will give my colleagues the opportunity to ask you questions.

Mr Pendergast—About the only thing I could say in my opening remarks is that, as I say, I have been here all my life and I have seen the bush deteriorate. The disaster we had in the area had been 60 years in the making, because for half of the later years there has been no fuel reduction burning, whereas during the early years there was plenty of it, and it kept the danger down. Actually, the cattlemen got blamed for a lot of things they did not do. Also there was one thing that made this year's fire different from the 1939 fires: nobody seemed to be bothered with putting this one out for a long time. I have been fighting fires since early 1960—I fought fires with the old Forest Commission—and I have seen some absolute stuff-ups in firefighting. With a fire, the object then was to get in as quickly as possible and turn around and get the bloody thing out. We used to have bulldozers and at times they were lighting back-burns and telling us to hurry up—that they were right behind us. Yet nothing like this happened this year when it should have happened.

CHAIR—This aspect—not attacking the fires early on—is certainly coming through loud and clear in the evidence we have been getting, not only here in Victoria but also with the fires in Kosciuszko and the fires outside the ACT. This was probably the biggest bushfire you have had here for some time. At which point in time did you see the culture, let us call it, change? It seems from evidence given to the committee that the whole bureaucratic culture seems to have changed, going from a 'let's get the fire out fast' culture to a 'let's have something to manage' culture. When did these sorts of things change, do you believe?

Mr Pendergast—I am having a little trouble hearing at the moment.

CHAIR—There now seems to be a mentality of not getting in and putting the fire out. What seemed to happen this time is that things were let go for a period. Have you seen that sort of mentality, or that culture, gradually develop? If so, over what period have you seen this change take place?

Mr Pendergast—I think over the last 10 or 15 years it has become more and more like that. Put it this way: the green element and Parks have an attitude where they want everybody out and everything in. It has got worse and worse. I agree with the gentleman who spoke before me;

some of the things he said are very true. The attitude of Parks was that they were more concerned with telling people that they could not back-burn. They even told one bloke to shift his vehicle back onto the road, because it was on the grass. That was out near Mount Pinnibar.

I attended quite a few of the forums after the fires, at Wodonga, Mount Beauty and various other places. I spoke with people who were burnt out and who had big problems with fires, and that is where the information I put in my submission came from. It was very troubling to find the DSE—which I call 'department of scorched earth'; I think that name fits well—doing everything possible to create problems for the rural people who were trying to manage this fire. DSE were not managing it; they were too busy driving round and laughing at the farmers trying to put out fires on their properties and save their fences. What did they do when they were asked, 'Why the hell don't you give us a hand?' They just laughed, said 'We haven't been told to do that,' and drove off. So you cannot tell me that the attitude has not been building up over years, as you said.

CHAIR—In what way do you think the good local knowledge that people like you and others have ought to be utilised by these departments?

Mr Pendergast—They were not interested in listening to locals. They did not want local knowledge. That occurred when they shifted the old local DSE bosses out of their chairs and put people from Melbourne in. The old bosses knew the bush; they knew how to control fires. The new DSE people much preferred it if the locals did not go near the fires. I was once sent a message, when I had a D8 in doing fire trails, that I was not allowed to go to a certain place. I never received the message, because it was sent via a local, but if I had received it I would have completely ignored it. I get very upset over this at times, because we lost and awful lot of stock and property.

CHAIR—In these fires?

Mr Pendergast—In the fires, yes.

CHAIR—What did you lose, personally?

Mr Pendergast—We lost 200 head of cattle, between me having to destroy them or them being burnt to death. There were 23 in one heap that literally exploded. We were not quite the worst hit. A local by the name of Peter Faithful lost more cattle. We lost about 3,000 acres of pasture and 40 kilometres of fencing. And what did we get out of the government? Nothing. They do not give a stuff about us.

CHAIR—And, in your case, the fire came out of the park and onto your land?

Mr Pendergast—Yes. I made one mistake: I admit now that I should have put a match in it when we put the fire trail in, because then we would probably have stopped the firestorm. My offsider and I were in the middle of a firestorm. With commonsense you do not have any problems saving yourself, but if you panic you have had it.

Mr SCHULTZ—Mr Pendergast, on page 1 of your submission you say that the DSE and Parks:

Kept fire bombing aircraft grounded when conditions were ideal to control spotfires and fire fronts the aircraft were controlled from Melbourne office.

Can you elaborate on that for the committee?

Mr Pendergast—With pleasure. It has happened on several occasions, but the main occasion that I saw was when we had come in just before the fire came through west of Benambra, hit Omeo and so forth. With the weather conditions, you had visibility of what we call—I am a multi-engine pilot, by the way—CAVOK. Visibility would have been 10 kilometres or better. There was nil cloud, there was no smoke and the fire started spotting. There were places where I could see spot fires from Benambra down into what they called the Toke Gibbo Range and all through there where the fire came in from. The aircraft were kept on the ground; Melbourne would not allow them to fly. This happened on quite a few occasions.

The pilots objected very strongly; they wanted to go and get out. There were four aircraft to start and get into these spot fires. They refused to allow them. They sent one aircraft to go to a hot spot in the middle of a fire over at Tallangatta. I do not think he got there; I think he finished up telling them exactly where they could fit the situation. That happened repeatedly. It is unfortunate that one of the pilots did not put a submission in—he may have but I do not think so. They were forever being sent to areas that were already reasonably safe. I know that the local bloke, Mick Gribble, turned around and told them where they could go and that he was going to try and save his own town. He set to work and ignored instructions. I think he had an assistant there too. That was where we had a terrible problem. The use of aircraft could have saved untold troubles. I heard of an instance where the Premier went up to Mount Beauty and they called the aircraft across there, put on a massive demonstration to satisfy him and then they all came back again. They did not bother doing any firefighting; they were not allowed to.

Mr SCHULTZ—Were they agricultural aircraft such as Airtractor 802s and Dromaders that had been substantially modified at considerable cost to dump large payloads of water and/or retardant onto fires—specifically altered in structure and designed to do precisely that?

Mr Pendergast—That is correct. They were fully set up and modified to the specifications of the then NRE, so there was no problem there. They had fuel; they had everything there—plus an awful lot of hangers on.

Mr SCHULTZ—Am I right in saying that those aircraft are particularly effective early in the day when the moisture and the weather are suitable for backup and aerial bombardment with that sort of payload? Correct me if I am wrong, but I understand those aircraft carry about 2,000 litres of water and/or retardant. Is that correct?

Mr Pendergast—I know this much: the Dromaders are over the 12,500 pound weight limit. I think they hold around 3,200 litres, which is an awful lot of retardant. I will tell you that if you are underneath it, it hits a bit hard. But yes, that is quite correct. They are fully capable and, if they had used them as they should have been used, would have made a vast difference. I attended a Mount Beauty forum after the fire, and the old-timers over there were completely ignored when they spoke; they were completely ignored by DSE. One old chap who was about 84 got up, and some young bloke of about 20 told him that they did not want him. The

contention was that if the firebombers had been used, it would have made a vast difference in those few lightning strikes out at Mount Beauty that were the cause of the main problem.

Mr SCHULTZ—Thank you very much.

Mr McARTHUR—Why do you think DSE and Parks let the fire burn for three days without doing anything?

Mr Pendergast—I do not think they bloody well knew how to put it out.

Mr McARTHUR—So they let it go?

Mr Pendergast—Correct.

Mr McARTHUR—And they did not try?

Mr Pendergast—That is right.

Mr McARTHUR—Why do you think the fire control centres were set up 60 to 100 kilometres away from the fire front? What was the rationale for doing that?

Mr Pendergast—From what I can see of that, they liked to have a lot of fire trucks and vehicles parked around their depots. There was one instance where a certain member from the DSE forum was asked about that. He was asked where the fire was and whether Bairnsdale was safe, and he turned around and said: 'Oh, it will be right. We have 60 trucks in Bairnsdale.'

Mr McARTHUR—Are you suggesting that might give them good coverage, as we have just heard a recent witness talk about?

Mr Pendergast—They were not concerned about the farming community.

Mr McARTHUR—You cannot give any reason why you would have these control centres so far away from the front line?

Mr Pendergast—No. Your control centre should be at the fire front or within a few kilometres of it.

Mr McARTHUR—And that has been the traditional practice—to have the control of the fire very close?

Mr Pendergast—Very close, yes.

Mr McARTHUR—So why would there be a dramatic change in that time-tested procedure?

Mr Pendergast—I think the best thing would be to ask the head of the DSE.

Mr McARTHUR—They are not giving evidence at the moment. You say that there were no night crews to control the firebreak. Could you help the committee with your understanding of that situation?

Mr Pendergast—Yes, I can. They used to fight during office hours. I think I mentioned that in there. You would get the breaks in, they would pull the men out, a few locals would go in and try to maintain the fire front when it got near the breaks. Unfortunately, until the latter end of it you just did not see DSE or Parks. The CFA used to assist a fair bit at night. They were assisting with a night crew at times. But the old fire act was that it was a 24-hour battle. You were at war; you were not having a summer holiday in the mountains.

Mr McARTHUR—So why did the DSE not work during the night? Was that part of the protocol or policy?

Mr Pendergast—It must be, because they did not most of the time. So it must be their policy now.

Mr McARTHUR—What time did they start the next day?

Mr Pendergast—They seemed to arrive around eight o'clock.

Mr McARTHUR—Did they have breakfast before they started or did they have breakfast on the job?

Mr Pendergast—I think some of them had breakfast on the job and some of them had it before they left.

Mr McARTHUR—What time did they finish?

Mr Pendergast—They were usually gone by about half past four if they had not been called in before that.

Mr McARTHUR—So it meant the fire line was not controlled from half past four until eight o'clock the next morning.

Mr Pendergast—Yes. A lot of the fire lines were not controlled.

Mr McARTHUR—Unless it was by volunteers and local fire brigades?

Mr Pendergast—Yes. That is correct.

Mr McARTHUR—You guys would not be too happy about that.

Mr Pendergast—Our guys were not happy in the least.

Mr McARTHUR—Thank you.

Mr HAWKER—Mr Pendergast, you mentioned on page 2 of your submission that local people were threatened with fines or jail if they tried to back-burn. Who did the threatening?

Mr Pendergast—A gentleman from Parks and also some of the DSE people. God Almighty, you have got to fight fire with fire.

Mr HAWKER—What sorts of fines and/or jail were they actually saying—

Mr Pendergast—They were talking of jail and massive fines and things like that, for lighting a fire on a day of a total fire ban. Then again, I think under the law it says that a fire must not be left burning on the day of a total fire ban, so why the hell weren't they doing something about that?

Mr HAWKER—Thanks.

Ms PANOPOULOS—Mr Pendergast, thank you for being here today. With regard to these fines for illegal cool burning, did you or any of the farmers you know make any appeal to local council or any politicians for assistance?

Mr Pendergast—Do you mean for back-burning?

Ms PANOPOULOS—Yes, when you were told by DSE that you would get fined—

Mr Pendergast—Yes. There was one instance of a local CFA bloke out there at Benambra who was controlling it. He applied to do a back-burn to the north of Benambra, which would have saved a lot of hardship. They ummed and ahed for two days.

Ms PANOPOULOS—Who is 'they'?

Mr Pendergast—The head office, I presume, down at Swifts Creek.

Ms PANOPOULOS—The DSE?

Mr Pendergast—The DSE—well, you never know which one they are trying to get control from. It just seemed to be a run-around. He said it was over two days. By the time they gave the approval, it was back to hot winds and it just was not safe.

Ms PANOPOULOS—Did you ever try to enlist the support of your local council or local members in trying to get permission?

Mr Pendergast—Quite honestly, I think the local council and local members were keeping their distance until things had cooled down a bit.

Ms PANOPOULOS—What would you estimate would be the cost of the fires to your farm? What is the damage bill?

Mr Pendergast—There would not be much left out of a million dollars.

Ms PANOPOULOS—You said very early on in your address that perhaps you should have lit a match and should have burnt some of it down. I know that in my neck of the woods, just over the mountains in the north-east, there has been such disillusionment with the professionals running the CFA and with the departments that there is a growing trend for CFA volunteers to organise in less formal—shall I call them 'vigilante'—brigades, because they want to be in a position to protect their farms in the future. Have those feelings and that development also occurred on this side of the mountains?

Mr Pendergast—Yes, to a certain extent, definitely. I think the biggest problem with the CFA is that it has been a bit regimented and a few things like that. The priorities with the farming community are back to front. I have heard on several occasions where they went in and said, 'We are here to save your house.' The house is not an asset to a farmer. His herds, fencing, pastures, machinery sheds and hay are his assets, not the damn house. Yet they were not interested in protecting those assets. I did hear an instance of how true it is involving a gentleman over at Mitta Mitta. He more or less threatened to shoot his cows if they did not save his herd. The attitude everywhere seemed to be: 'We are only here to save your house.'

Ms PANOPOULOS—You also mentioned earlier that the aircraft were not used and they were taken over across the mountains for when Mr Bracks came across to have a bit of a display?

Mr Pendergast—Correct.

Ms PANOPOULOS—You may recall that at the time there was quite a bit of publicity, with nice smiling photos of a handsome, early middle-aged man. It was supposed to create a nice warm and fuzzy feeling. Do you believe that, in the whole effort to fight these fires—and we heard what Mr Slade had to say about the publicity trying to focus on the congratulatory aspect, which was deserving but was at the expense of the real issues behind the scenes—there are state employees, DSE workers, who are afraid to say what is really going on? Do you think that there are local government representatives and state politicians who are too afraid to take on the state government, because Mr Bracks appears to be such a nice, smiling face and popular?

Mr Pendergast—You are quite right, yes.

Ms PANOPOULOS—Can you elaborate, please?

Mr Pendergast—I am quite sure that the government employees have been gagged over these fires, because two or three of them have spoken to me about the matter.

Ms PANOPOULOS—What have they said?

Mr Pendergast—They have said, 'We can't tell you such and such.' One bloke said to me, 'I can't tell you what to do, but for God's sake sue Parks.'

Ms PANOPOULOS—And that was a DSE worker who said that to you?

Mr Pendergast—Yes, that was a DSE man. There is inter-rivalry in it, but a lot of the older hands who knew the system were pretty disgusted with the way the fires were treated. They were

treated more as a joke than as a serious problem. Also, I had several people from Shepparton ring me on several occasions in reference to where the fires were because, they said, they more or less had a media blackout over there. They could not get any information whatsoever. I think the gentleman from Channel 9 was pretty accurate in what he was saying. We had two reporters there, including a photographer from the *Age*. One of them had just come back from Afghanistan. I was told—and it was common knowledge; everybody was talking about it—that the DSE sent up two police officers to remove these two gentleman from the fire station at Benambra because they were too busy putting fires out.

Ms PANOPOULOS—Do you have any other examples of local government representatives perhaps not being as forceful in getting the right answers and getting some action as they should have been?

Mr Pendergast—No, you have really got me there, because after it was over I did get a bit of sense out of some of them. They then became very helpful. Disposal of stock was one thing they helped with. I did tell the shire president—or the mayor or whatever they are called nowadays—that he was two weeks too late doing something about it. Unfortunately, that occurred with quite a few things. One thing I will bring up is that after the fires the DSE had roadblocks put in everywhere. There were truck loads of hay waiting at Bruthen to get up to the livestock that were left without feed, because people who were burnt out did not have anything. Those trucks were held up at Bruthen by DSE. They would not let them through, yet they were letting other things through—I suppose that was their biscuits and cups of tea. They refused to allow the hay through, and the excuse was, 'It might catch fire.' The fire was not anywhere near the bloody road up as far as Swifts Creek from Bruthen. Why the hell couldn't they have come through in a convoy with a couple of tankers? But, no; it was two or three days they kept the trucks waiting there. The RSPCA should have stepped in on matters like that, because that is cruelty to livestock.

Ms PANOPOULOS—It is. Thank God for people like you who are not intimidated by Mr 'Hollywood' Bracks, Mr Pendergast. Thank you.

Mr HAWKER—Mr Pendergast, can I just come back to a point you made to Sophie. You said the police were asked to remove two journalists. Is that right?

Mr Pendergast—Yes, that was what I was told.

Mr HAWKER—Can you just expand on that a little?

Mr Pendergast—I was not there when it happened, so I cannot expand really.

Mr HAWKER—Where did it occur?

Mr Pendergast—It occurred out at Benambra. The two reporters from the *Age* were travelling around on the fire trucks and doing firefighting with them. As I said, the cameraman had a hose in one hand and a camera in the other hand, that sort of thing. The CFA did accredit the two of them as accredited firefighters at the end of the show, but for some unknown reason they did not want reports being put in—this is my feeling—of just how bad things were, because

it would not have looked very good for them. And it did not look very good with some of the stuff that the *Age* published.

Mr McARTHUR—So you are confirming the Channel 9 point of view that they did not want information from the fire front?

Mr Pendergast—I think that is definitely right—that is probably the reason why. It was the locals that stood up on their dignity out there and more or less told the police to get the hell out of it.

Mr McARTHUR—What was the final outcome? Were the journalists allowed to stay and report?

Mr Pendergast—They stopped. The locals would not let them go.

Mr McARTHUR—And they were allowed to report factually what they saw?

Mr Pendergast—Yes.

Mr McARTHUR—Those reports were not processed by DSE, were they?

Mr Pendergast—That is more than I could tell you.

CHAIR—I think I should just clarify that the evidence that we got was from an individual, not from the Nine Network as such. Mr Pendergast, thank you very much for your evidence this afternoon. We very much appreciate it. As I said to witnesses earlier on, we know the difficulty even talking about some of this, even six months afterwards, for people that had such huge losses and are still battling with it. We appreciate that and your evidence in the submission.

Mr Pendergast—Could I just mention one other item?

CHAIR—Sure.

Mr Pendergast—One is buffer zones around private property. We should be allowed to clear outside our boundary fences up to 50 metres wide, because the way the legislation is going now is shocking. I think, with the legislation rules, there are two things that are endangered in Australia—one is the environment and the other is agriculture.

CHAIR—Thank you very much again for your evidence. You had plenty of supporters in the gallery today. Just before we suspend proceedings for lunch, I should say that, as I mentioned, we have had our federal member here all morning and I should recognise that the state member for this region—Craig Ingram—has arrived here today as well. I remind people that we will have an open forum at 3.15, which will give anybody else an opportunity to provide evidence to the committee—either people that may have made a submission but were not a listed witness, or other people that may not have made a submission. If you want to speak, please let the secretariat know. Thank you.

Proceedings suspended from 12.59 p.m. to 1.53 p.m.

GRANT, Mr Robert George, Member, Wild Fire Task Force Inc.

WARD, Mr Fred, Public Relations Officer, Wild Fire Task Force Inc.

CHAIR—I welcome our next witnesses. Do you have any comments to make on the capacity in which you appear?

Mr Grant—I am representing Mr Stewart Stastra here today, assisted by Mr Fred Ward. Mr Stastra has been under stress for quite some time over these issues and regretfully he also has within his family a terminal illness. Mr Fred Ward was here during the 1939 fires.

Mr Ward—I am the publicity officer of the bushfire task force, which was formed in 1994 by Jack Treasure of Dargo, a well-known identity in the Mountain Cattlemen's Association. It is a pleasure to be here today, and I congratulate you on what you have done so far.

CHAIR—We have Mr Ward's submission and Mr Stastra's submission. Both have been authorised for publication and form part of the evidence, so we thank you for those. Would you like to make some brief opening remarks before we move to questions?

Mr Grant—Yes. I will go back to input in 2001. In 2001, as a member of the Victorian Farmers Federation and assisted by Paul Weller, as a bushfire task member in accompaniment with Mr Stastra and Mr Ward, and assisted and convened by our independent member, Craig Ingram, we held a forum advising, based on our knowledge of fuel reduction burning and interfaced farming with national parks, that we were heading into a very dangerous time. After consultation with DPI and DSE members, we had input from Tony Edgar, the Victorian regional manager; David Tainsh, one of the fire reps; John McDonald in Bairnsdale; another crew that were known within the Omeo and Benambra area, which included Ben Rankin and Brian Cotter; and also, at one of our other farm forums we had after that, Mr Steve Henry, who was stationed at Orbost.

In a methodology that I have known for 36-odd years now, at our interface with the national park there was a variation in floristic values by mosaic fuel reduction burning. We had spoken to Professor Peter Cullen, Professor Barry Hart, Dr Phil Cheney, Dr Kevin Tolhurst, Dr Bruce Lassich, Dr Ron Grose, Dr Laurie Norman, Dr Eurgan Shaeffer, Dr Nick Somes, Monash University, Melbourne University, Arthur Rylah Institute and CSIRO about our concerns regarding the management by National Parks, DPI and DSE at that time. Further on and getting into the 2002 season, another meeting was convened at Wy Yung, where some of the DPI staff gave us a bit of spin doctoring, whiteboarding and a pointer system. We were assisted at that meeting by our independent member, Craig Ingram. Philip Davis and Peter Hall were also present at some of the farm fora we had.

We do not want to lay blame on anyone, but nevertheless we could see that under those systems we were not getting what we might say was much ground laying. We were not branded pariahs at that stage, but we felt we nearly bloody had leprosy. Nevertheless, as things evolved, down the track we tried to make contact with some of the areas of influence, which included the Bureau of Meteorology and some of the crew areas that were being looked after. We got to know

them as 'tent villages', although some of the tent shapes were like igloos. That was a bit of a strange thing. Nevertheless, there were many crews held in areas of Dargo, Swifts Creek, Delegate River and naturally other areas we did not visit.

We thought it was very strange that these crews stayed there on a day-to-day basis when we and CFA members, with the knowledge of day-to-day reports from the Bureau of Meteorology, had volunteered to go to these fire areas—we could see by driving there that the fires were not pluming or crowning day after day and that they could have been night-raked. On five occasions I got in touch with Dargo and said we could go to the area of Birrigan, Mount Phipps and Dogsgrave. In the inversion of cool air from four o'clock in the afternoon, we could see that the fire line at ground level was sometimes only two or three feet wide. You did not have to be much of a rocket scientist to realise that those fires could have been night-raked. They would not then have headed in an easterly direction through Brookville, Cassilis and back in and around Omeo for the second time. We were denied that approach, and that seemed very strange to us.

The other thing that seemed very strange to us, with the knowledge of the prescriptions of flora and fauna guarantees, was that the very guidelines that they set to protect them went out the window. At riparian and stream level of those distributing streams that run to the Bundar, the Mitta Mitta, the Dargo, the Wonnongatta and the Snowy, that methodology went out the window. That, to us, was a total spinaround from the very existence of the staffing of those departments that supposedly looked after that. Yet, if you had one of those flora or fauna situations in your land or your interface, there would be a protection area on it passed down to local government where that had to be looked after. The looking after of those situations gave more vertical fuel. In coming to these areas from Hotham through to Suggan Buggan, it was clear that in many areas the fire fuel load along the roadsides literally obliterated fence after fence, took the feed from the farmers and in a lot of cases killed the farmers' stock. That was a situation in which it was very hard to understand the way they tried to control those fires, if in fact in a lot of cases they did try to control them.

I rang up the Bureau of Meteorology for day-to-day weather forecasts over many, many weeks. Thank God we had west to south-west winds. I would then ring up the fire controls closer to the alpine areas and ask them what the weather was like on that day. It appeared to be a bit of a contradiction to what I could get from my brother-in-law at the Bureau of Meteorology. Then I would be told that the planes could not get up and see the fire fronts because of the smoke. Yet I could get in my ute or my wife's car and drive up to Dargo and approach Mt Birrigan, Brookville and Cassilis to see the fires in a clear atmosphere with high visibility. So I cannot understand how that information would be passed that the planes, even if they flew slightly south of those east-west divide lines, could not see the fire on those given days. That, to me, was very strange. In light of that, I do not know the procedure that should be taken, but in fairness I can only say that there should be a royal commission into what occurred. Whether we call it spin doctoring or hoodwinking, in a lot of cases we feel that it has occurred.

CHAIR—I wish to clarify the contradiction you referred to with the weather report. You said you could ring up your brother-in-law—

Mr Grant—Yes. He works for the Bureau of Meteorology.

CHAIR—So you would get a view from him, and you are saying that that was different to what was being said on the ground and that prevented planes from getting in the air et cetera?

Mr Grant—Yes. If I rang RAAF base Sale and asked what the weather forecast was for the day, was there any variation or were there be any different winds coming through and then I rang the control region they would say it was a totally different situation to the one actually given by the Bureau of Met. So there was a contradiction there. I would presume the Bureau of Met, under those circumstances, would have finetuned their predictions given that it had to be very accurate on the day to sustain the life of the people who were perhaps at the fire front and to give a clear directive to the people who perhaps might have been the next to receive that fire.

CHAIR—Thank you. I wanted to clarify that. Do you have anything else you want to go through before we go to questions?

Mr Grant—Only further on the situation that has occurred in the porphyry and basalt regions, usually at higher altitudes, with alpine and subalpine species. Alpine ash is not one of the eucalypt species that coppices. Perhaps it is fairly common knowledge that fire of medium intensity will kill it yet it will regenerate seed. When you look at the junctions of porphyry and basalt you see you have different geographies and different climates. Fuel reduction must come into effect, whether or not it is through ruminants—cattle, at this stage, by mountain cattlemen—or mosaic fuel reduction burning, to look after the national estate. When the 1939 fires came, the people from Creswick went nearly over to Goolengook and Errinundra to cut alpine ash as value added timber. Some of those trees had diameters of five, six and seven feet. Some of us that are older might remember logs coming down one to each log truck. The methodology to sustain that system, which usually has porphyry on one side and dry sclerophyll forest abutting it on the southern side, is not occurring.

Surely, in the last 100 years they should have woken up to the fact that there is some form of management that is not correct, then and under current systems. Back in the early days it was Indigenous knowledge or knowledge that was passed on, but the management process now must alter. The impact of cattle is minimal. Of all the reports I have seen from other areas, I have never seen either the rabbit or the samba deer mentioned. The samba deer alone are in there for 12 months of the year. At this stage of the population, they might outweigh the cattle threefold. They are in there for 12 months of the year and, under current licences, the cattle are in those areas for perhaps only three months. So you can multiply or divide by four for weight alone. The hooves of samba deer penetrate the ground four times deeper than the average sized cattle. Cattle are herbivores but they are more of a 'grassivore'—to use a slang term—whereas, samba deer are, in the true sense, a herbivore. Anyone who has shot samba deer would have seen the diameter of some of the herbage in their gut which can be as thick as my fingernail. Also in some of these areas where there are leguminous plants with seed pads , the samba deer are very mobile with their lips and they can pluck the seed pads and spread them.

You might know that the seeding of English broom is very much like an acacia seed. They continually spread that. They will also spread the seeds of what is called kerosene plant, bitter plant and hop bush. So the ratio of grass that protects our alpine areas enhanced by cattle is being continually eroded by sambar deer, yet they do not differentiate. They say, 'Well, there is herbage damage there,' but they do not role model it as to what type of animal is creating that.

The other one is—and I do not know how long you have got to ask me about it—what the rabbit did to those areas in the alterations, say, from the 1850s perhaps until 1951, when the myxoma virus started to deplete rabbit numbers. But it was open grassy woodland in a lot of places before the rabbit got in there. On the eastern side of the Snowy, we can quote the Taylors from Nimmitabel and Cooma, who from the Barry Way down to the Charlie West run at the basin east of Buchan ran 7,000 cattle in open grassy woodland, and that north-south line runs nearly along the Yalmey Track. Today if we look at the vegetation mix we see that it is totally different.

When we go back to dry sclerophyll forest and look at the Mitchell River National Park, from the Glenaladale pump station to Tabberabbera, we see that the Parker estate ran 7,000 merino wethers there. That is only a narrow strip of land between the Tabberabbera Road and the Mitchell River. So people say that the vegetation was wall-to-wall scrub and explorers, such as Howitt, had to cut their way through it. I would say they only cut their way through very little strips of it but it might have taken quite a few weeks because that would have been the ash, fern and vine areas of the temperate rainforests that they had to walk through. I think, in modelling the prescriptions today, things are pretty well out of whack and perhaps they should have listened to some of the experts from the turn of the century and up until now. Thank you.

Mr HAWKER—Mr Grant, the chair asked you earlier to clarify that point about the weather forecast. You may have heard earlier today that Mr Slade mentioned that he believed that weather forecasts may have been doctored—I think that was the word he used.

Mr Grant—Spin doctored?

Mr HAWKER—No—just that the weather forecast issued in Melbourne and the one that was used locally were not the same. Could we have your views on that?

Mr Grant—I rang up on quite a few days when I was alarmed that at the control areas we could not be accepted as night crews to rake out, when we could see that five of us could have gone along and raked out the three lightning strikes above Madison Track and Danes Track, which were at Birregun, Dog's Grave and Phipps. We continually looked at those and, knowing the weather forecast, we could then drive up in an audit of that forecast and see that, yes, visibility was very clear; and fire was down at ground level—yet that was not what we were getting from control. If they were smoked out, that would indicate to me that on the southern side of that divide there was a northerly wind. That was not the case. So there was a contradiction between our visual knowledge and the knowledge imparted by the Bureau of Met, DPI, DSE and CFA.

Mr HAWKER—You also said that flora and fauna guarantee methodology—I think they were the words you used—

Mr Grant—Yes.

Mr HAWKER—were thrown out the window. What particular areas or plants are you talking about here?

Mr Grant—If they are unique and to be protected, there are certain prescriptions to protect them. One would be that wildfire would take out a lot of the arboreal species, being the phalanger group mainly and also nesting birds that use hollows in those riparian areas.

You would also know that, at a time of year when it is hot summer and there are drought conditions, those birds and animals frequent at a closer level to those riparian areas; so if they do not protect those areas at that time of the year, the fire wipes them out. I can state that it took from the 1965 fire up until about the last 10 years for those arboreal phalanger species in the low sclerophyll forests, from the snowline down to Glen Aladale—which is the alluvial fan of the Mitchell River—to fill the gap. The 1965 fire was not as extensive as this 2002-03 fire was.

Mr HAWKER—Do you know now whether those phalangers have been wiped out, or are there still some around?

Mr Grant—I would say that in those areas they have been nearly bloody obliterated. It took from 1965 up to perhaps 10 years ago for them to fill that gap, so if they did not have the same numbers in these regions it could take longer this time. Even with people employed to look after those systems, it is not occurring.

Mr HAWKER—You mentioned that, if I get it right, grazing pressure from sambar deer is something like three times what the cattle have been—

Mr Grant—Per annum. I quoted that.

Mr HAWKER—How accurate is that statement?

Mr Grant—I would say that it is very accurate. If you ask any person who goes through the bush with a knowledge of animals, they will honestly convey that. I will not spin-doctor it.

Mr HAWKER—How much control of those sambar deer is going on at the moment?

Mr Grant—Privately or by government departments?

Mr HAWKER—Both.

Mr Grant—I would say that private systems would be responsible for the regulation of sambar deer—being what I would class as a feral animal in an environment where it should not be. As to government controls on those areas, I do not know.

Ms PANOPOULOS—Mr Ward, thank you for your submission. There are a couple of questions I would like to ask. In your submission, you say that in 1994 you formed, together with others, the Bush Fire Task Force. After that, the group talked about the growing threat of fire and no-one would listen to you and to this group about the growing threat of fire. Who did you try to speak to about this? Did you try to speak to any government officials or people from the DSE or anyone else?

Mr Ward—It is very difficult for me, at my age and with the restriction of bad hearing, to quite understand what you are saying, but I gather that you are talking about the formation of the

Bush Fire Task Force. That was formed on the Dargo High Plains by Jack Treasure. Jack Treasure is one of the graziers of the high plains. My position is that I am a veteran of the 1939 fire here at Omeo, and I saw the destruction of half of the town in one violent firestorm. Since then, I have constantly worked in the vicinity of the alps. In 14 years there, I was in charge of snow removal and, during those 14 years, I worked on road construction.

In that time, I was able to observe a massive increase in fire fuel. This is what concerned me most of all as publicity officer of the Bush Fire Task Force—the massive increase in fuel generated by the 1939 fire. I would like to say at this point, if you can understand me, that the 1939 fire completely overruns this one as far as action went. This fire was quite mild in comparison to the 1939 fire, which was completely devastating, mostly in this area. This whole area that I know so well was taken up into the forest crown and it became a raging crown fire, which obliterated all the timber and killed all of the snow gum and all of the alpine ash species.

Ms PANOPOULOS—You said in your written submission that after the 1939 fires the regrowth was about 80 per cent over and above that which existed before the 1939 fire.

Mr Ward—I stand by that.

Ms PANOPOULOS—Do you make that statement from your personal observation?

Mr Ward—I would like to try to explain to you now the difference between the two fires. One was a completely devastating fire and the other one was a very serious fire which was allowed to spread beyond the point of control on three days. There were only three days of that whole fire period that I saw to be uncontrollable. Prior to those three days, there was ample time to have got that fire under control on Mount Buffalo and on Feathertop also.

Ms PANOPOULOS—With your experience, did you try and warn anyone about the build-up of fuel?

Mr Ward—Could you say that again, please?

Ms PANOPOULOS—Over the years, have you tried to warn people about the build-up of fuel?

Mr Ward—Since the formation of the Bush Fire Task Force in 1994 I have done nothing but concentrate on trying to warn people of the approach of this fire—

Ms PANOPOULOS—Which people?

Mr Ward—but I tried to warn them that this fire would be a total annihilation of the forest and the wildlife, similar to what happened in 1939.

Mr Grant—Which people did you advise?

Mr Ward—I advised all the people I could contact. I advised various scientists, most of whom supported me. One officer of the CSIRO took me on a tour of the alps so I could show him what I had written about: my description of the 1939 fire. He was interested in the fire effect

at Omeo because I had told him that the fire had appeared behind this town in the form of a sudden explosion of fire across the whole face of Mount Mesley. It obliterated half of the town instantly. I understood that that fire was due to accumulation of eucalyptus gas generated from the fire front which had collected over the lee side of Mount Mesley. It ignited when the fire front reached the top of Mount Mesley.

Ms PANOPOULOS—Did you warn anyone from the government?

Mr Ward—At that time, I did not warn anybody that this was approaching, because I was not aware that it was approaching. My brother and I were working on a bridge job and at three o'clock in the afternoon we decided to go home because it was pitch dark.

Mr Grant—Excuse me, Fred, but the question is whether this time, in 2002-03, you advised any government departments of the pending trouble. Is that the question you want to ask, Sophie?

Ms PANOPOULOS—No, I mean since 1994.

Mr Grant—Since then, and leading up to the 2002-03 fires.

CHAIR—I think the question is: since 1994 has Mr Ward warned government?

Mr Ward—At the beginning of the last fire the Bush Fire Task Force had gone into recess. I was not able to warn anyone, beyond writing to the local paper and the *Weekly Times*. One of my letters was printed in the *Weekly Times*, if you are interested. I was able to warn them of the impending possibility of a catastrophic wildfire because of the drought conditions.

Ms PANOPOULOS—What about before that?

Mr Ward—With the help of Mr Grant we held two forums at which we discussed this. I spoke at both those forum along these lines, in an effort to warn people. I found it was completely hopeless to warn people. I believe that one of the problems was the fact that our convener was a member of the Mountain Cattlemen's Association. There was a feeling amongst the public, I thought, that we were a branch of the Mountain Cattlemen's Association and had a pecuniary interest.

Ms PANOPOULOS—Was fuel build-up discussed at those meetings?

Mr Ward—You will have to say that again.

Mr Grant—Sophie has asked: were those questions and your answers regarding fuel build-up pointed out, from your point of view, to government departments?

Mr Ward—I will refer to the National Party member who is present, Mr McGauran. I sent Mr McGauran a detailed letter about the fear that I had. He was good enough to produce that in parliament. I felt that little notice was taken of his submission. I have a copy of his speech and a copy of *Hansard*.

Ms PANOPOULOS—Thank you.

Mr Ward—I am very grateful to Mr McGauran for that. Mr McGauran will be able to tell you what year that was. I cannot remember.

Mr HAWKER—Mr Grant, in your opening remarks you said that on five occasions when the fires had started you offered help and it was refused every time. What reasons were given for that?

Mr Grant—No reasons whatsoever. There was total lockjaw, if I might use a slang term. The response to our requests was to totally ignore what we felt should be done in those areas.

CHAIR—Thank you very much once again for your submissions and your evidence this afternoon. We very much appreciate the first-hand knowledge and information that you have been able to give to the committee.

Mr Grant—Thank you, Gary.

Mr Ward—Thank you.

[2.29 p.m.]

SMITH, Major Russell Leigh (Private capacity)

CHAIR—Welcome. You have been here all day so you know the formal proceedings to do with evidence. We have your submission, No. 87, which is authorised for publication and forms part of our evidence. Would you like to make some opening comments before we proceed to questions?

Major Smith—Thank you. I will try to avoid going over what is in the submission, because you already have that, but I have some additional thoughts. I have talked about—and I think about—problems. Public land management, which includes fire management, in the Alpine National Park and in the state forests seems to be managed as a separate entity—that is, it has nothing to do with those who live on that land, surrounded by it or adjacent to it. It is forgotten that these public lands are in fact our lands and are managed on our behalf by two state departments—DSE and Parks Victoria. The public lands around here are both the glory and the curse of the high country—the glory because of their natural beauty and the environment, and the curse because they are a sanctuary and breeding ground for just about every known noxious feral flora and fauna except pigs, which we do not have here yet, but I guess time will tell.

Lack of management also impacts very much on fire danger. If the land is not managed properly as an asset for all of us—for multi-use, or as much multi-use as we are allowed—it becomes a major firetrap. But, as I have just mentioned, it is a sanctuary for the breeding of feral flora and fauna, which provide additional fuel on the ground. It also appears to me that no risk management is undertaken by the principal departments—that is, DSE and Parks Victoria. I am talking about risk assessment to work out the dangers of not doing specific things and, when something like the recent fires happens, to work out how one manages that particular risk, and to work out what the risk was, when those fires were started by lightning back in early January up around Bogong, Saddle and Razorback, of leaving them to go for those days until they expanded.

It seems that the departments that have assumed responsibility for emergency services forget that firefighting, specifically, is an inherently risky business. The approach seems to be that, the moment there is any risk to anyone, firefighting ceases. In fact, I personally saw very little firefighting being done by departmental people whatsoever. I would like to draw a quick analogy about riskiness and emergency services. In and around the British Isles is an organisation, run by Trinity House, called the Royal National Lifeboat Institution. If they reacted to risk the same way as our departmental people do, every time a storm blew up in the Irish Sea, the English Channel or the Atlantic they would all go straight back to bed and say, 'Bugger anyone who gets in danger tonight, because it is too dangerous for us.' That is not what emergency services are all about. They are about highly trained and motivated people getting out there and doing the job for which, on one side, they were being paid an incredibly large amount of money and for which, on the other side, they were giving up their earning capacity to look after assets that should have been looked after by those who were being paid.

It seems to me that there is at times almost an arrogance that the Alpine National Park and state forests are not our land—that is, the people of Victoria's—but belong specifically to those who are charged to manage them on our behalf. There are so many proscriptions against what we can do in the park, yet the departments are allowed to do it without any apparent sense of responsibility at all. If I grow noxious weeds and vermin on my place, I can get hammered fairly hard. But, as mentioned earlier, it is a sanctuary. Allowing the development of literally tens of thousands of acres of highly volatile blackberry briar, English broom, St John's wort et cetera to be added to the fuel load on the forest floor helped propel this fire to even greater dangers.

With respect to fire management, it seemed to me—and I have some background in these wider sorts of things—that there was absolutely no idea how to set up an incident control centre or, to use another term, an operations room. No-one seemed to have any idea about the resources of the Australian defence forces or, when they did come in, how to use them. They had no idea of the reasons for or the uses of a telephone tree. In my area we set up a telephone tree two years ago. The first time it needed to be used, the incident control centre had no record that it existed and did not know who we were. The people on the telephone did not know where we were.

CHAIR—Can you explain the concept of a telephone tree for the record?

Major Smith—It is a contact. Let us look at Bundar. There are nine telephones within the valley, and there is a central, or first, point of contact who gets passed information on what is happening and what is likely to happen. They pass that on to the next person. Rather than all the telephone lines being engaged at the one time, information can be passed in a systematic way down the line so that everybody within that area on that telephone tree has the latest information on what is happening. We set this up some two years before the fire, and it was not known about. Not only was it not known about but the people at the incident control centre did not know where we were. They had absolutely no idea where we were, and that is a bit sad. It is, after all, only some 75 kilometres away.

It has been mentioned by many people but it is worth mentioning again that there was an apparent requirement for paid fire controllers from DSE and Parks Victoria to adhere to public service working hours and practices. Not only that but the changeover times for crews were three hours different between the DSE and the CFA, so either there were two crews on duty—one from DSE and one, or however many there were, from CFA—or there was a gap of three hours. Crews did not change over on the ground. They had to drive back to a central point, be that either Omeo or Swifts Creek, and then drive all the way back out again—nonsense, but, oh goodness me, how very Sir Humphrey-ish.

There seemed to be a lack of communication between the CFA and the incident control centre. This is only an opinion, but I think that for quite some time the CFA were deliberately left out of the loop. This was DSE's fire, and no-one else was going to be allowed to interfere with it. In the recovery phase, it was almost a case of 'Bugger them; we must look after the areas that were not burnt out.' Someone asked questions before about congratulatory or celebratory functions. Yes; it was nice to know that the smoke affected grapes at Rutherglen were thought so highly of. It has only been in the last couple of weeks that there has been some fire recovery money coming into this area, and that borders on negligence. It is almost criminal negligence.

It has always concerned me that people in this district, farmers and small businesses, were reduced almost to a state of penury while those who have the responsibility to manage the land and to manage the fire on our behalf did very nicely financially. It seems there is a conflict of interest. Those responsible for management and therefore the prevention of the fire, or the lowering of the risks of the fire, were those who financially benefited from the fire. One does wonder about that.

It is worthy of mention that the areas north of the Tongio Gap, the old northern areas of the Omeo shire, are included in fire weather warnings for East Gippsland. Weather that applies in East Gippsland is automatically applied to the old shire boundaries of the Omeo shire, which is really in the north-east. That is one of the reasons why weather reports we heard about the fire up here were totally different from what the weather was. We live in a different weather area from those south of the Tongio Gap.

I have certainly put that in writing for the DSE and the CFA. It was brought up—probably to the extent that it became boring—on an almost nightly basis for the incident control centre. We were being told that there was no wind, as was mentioned in earlier evidence, when it was blowing a gale up here. It had, in fact, been raining down in East Gippsland and that is what was being referred to here. It is nonsensical that the Bureau of Meteorology has very specific weather forecasting areas which are not adhered to for this particular part of the world. We exist as a geographic absurdity, and that is very sad.

Mr HAWKER—Thank you for your comprehensive submission. In your submission you said:

In my area the public lands are breeding grounds for almost all known noxious/proscribed flora and fauna which 'invade' private land from these sanctuaries.

I think in your opening remarks you said that something like 10,000 hectares of land was affected. Was it hectares or acres?

Major Smith—I do not remember saying anything about hectares or acres.

Mr HAWKER—Sorry, I must have misheard you. You submission continues:

To name a few, feral dogs, feral cats, feral goats, (no pigs - yet) blackberry, St John's Wort, sweet briar, broom, Patterson's Curse ...

Could you give us some sort of estimate of the extent of this invasion of feral weeds and animals?

Major Smith—If you live adjacent to the national park or state forest, everything that is mentioned there will come onto your property. That is just the way it works. Unfortunately, and I am not trying to be smart, boundaries or fences are not recognised by feral animals and they come across them.

Mr HAWKER—What effort is made by Parks Victoria or DSE to control these pests?

Major Smith—If you jump up and down long enough then they might come out and offer some spray under something called the good neighbour policy. They will provide you with some chemicals if you will go out and do the work, but you do not get much chemical and we are talking about literally millions of acres infested with blackberry, briar, St John's wort et cetera. It is almost an impossible task. However, it is an ill wind—or in this case an ill fire—that blows no good. Most of the burnt out areas are now bereft of noxious weeds. It is a clean slate. It will be interesting to see if the department can keep it that way. I would not like to be hanging by my fingernails waiting to see the outcome.

Mr HAWKER—You said that you have lived here for nearly 20 years. Have you noticed any change—apart from post the fire—in the amount of area affected by these weeds or feral animals?

Major Smith—Rabbits are always with us. It depends on the season as to how bad they get, but in our part of the world they are pretty bad most of the time. In terms of the public lands, blackberries in particular precluded entry into huge areas of the national park. I am not talking about the icon areas; those areas where you get lots of visitors—skiers, for example—are kept almost scrupulously clean. But once you get out of sight of the most popular areas, it is impossible to get through some of the creeks and rivers in that area—you just cannot move; bulldozers could not get through. We are talking about a watercourse—and I have one which has powered my hydro system for many years—that never gets any wider than about 18 inches which had blackberry thickets 50 metres wide and 20 to 30 metres high. Those blackberries were feeding off that natural watercourse. This occurred right throughout the high country—up beyond the Glen towards Wombat, Mount Wells and Sunnyside you could not leave the highway for blackberries.

Mr HAWKER—I turn now to the issue of fire management. You said that you had the impression that DSE owned that—or words to that effect—and the Country Fire Authority, which I think is supposed to be the authority to fight fires, was being excluded. Could you expand on the basis on which you made that statement?

Major Smith—Firefighting on public land—national parks and state forests—is a DSE responsibility. CFA look after private land and private assets. CFA were certainly left out of the loop locally. Our CFA captain, who is sitting behind me somewhere—probably looking daggers—might get up at the end of the public forum and be able to expand on this. It was stated that they were not being included in briefings and were not getting the information from the incident control centre, which was only 25 kilometres away. Yet they were being told where they could and could not go in exactly the same way that DSE crews were taken out of areas where those on the ground said it was safe to do something but someone sitting at the top of an ivory tower somewhere said that it was not safe and questioned the veracity of the person looking at the fire: 'You don't know what you're talking about.' At the local level, CFA were left out of the loop. You heard earlier what happened at Benambra. The CFA there totally ignored the instructions coming out of the ICC and saved Benambra. If they had done as they were told, Benambra would most probably have been lost. That is not just anecdotal.

Mr HAWKER—You made one other interesting point about what you describe as a conflict of interest for a paid firefighter. Is that simply an observation or is there something more to that?

Major Smith—If there is more to it, I do not know, because I have never questioned at the highest levels. If you have a responsibility to manage something and what you are responsible for managing is suddenly involved in a major conflagration, and you are responsible for the suppression, control or extinguishment of that fire and are being paid to do so, why would you want to rush it? Goodness! It is the difference between a contract price and working by the hour—seriously! There were big dollars being paid out, we have heard anecdotally. Someone came up with a figure today—

Mr HAWKER—The figure given to us last week was $3,600 extra a week.

Major Smith—Yes. Goodness me! That is money for jam, especially when you are not allowed to fight the fires. There is a bit of cricket, a bit of tucker here and there—doing very nicely—and for only eight- to nine-hour days. Goodness!

Mr SCHULTZ—Major Smith, referring to the firefighting management section of your submission, you mention that your community set up two telephone trees for the passage of information. Approximately when was that set up?

Major Smith—It was either in late 1999 or early 2000. We did it in a meeting that we held at the Blue Duck, famed in song and legend—you have been there, Alby—and we had attendance with advice from CFA. It was done with the assistance of the CFA as a community fire set-up, because we knew and had been told that, given our relative remoteness, we would not be able to be assisted in a fire situation. If I may add something to that, we still pay the insurance fire levy which goes to help pay for the fire service that we are told we cannot have—there seems to be something not quite balanced there.

Mr SCHULTZ—So three years down the track of you installing those telephone trees, the incident control centre obviously did not know that those telephone trees were in place, as I understand your submission.

Major Smith—That is correct.

Mr SCHULTZ—Would you say that that was brought about because of the change of personnel within the department—the personnel were legitimately not aware of the telephone trees, because the original information had not been recorded and therefore was not available for them to check up?

Major Smith—The ICC was run by the DSE, not by the CFA. The telephone tree was set up by us through the auspices of the CFA. Somewhere along the trail there had been a collapse of communication, and I could not comment where—I just do not know.

Mr SCHULTZ—I suppose the point that I was trying to make was that that is an indication of the professionalism of the particular departments who should have been well aware and had a record of the telephone trees that were set up in view of a possible outbreak of fires. That was my reason for asking.

Major Smith—It was not called the 'Department of Scorched Earth' for nothing.

Mr SCHULTZ—The other point that I wanted to make on that bit was about when you were talking to the ICC, who denied all knowledge of the telephone tree. In your submission you said:

> The individual at the ICC had no local knowledge and refused to provide information on the Feathertop fire (to my W and closer than the Bogong fire which was to my N) as it was in another 'fire control area'; it took some time to get the individual oriented to where various locations were, however this situation continued until 17 January when a 'dummy spit' concentrated minds somewhat.

Would you like to elaborate on those particular comments? I am assuming that the dummy spit was from you and that you let them know in no uncertain terms what you thought about their lack of knowledge of the area et cetera.

Major Smith—I drove down to the incident control centre at Swifts Creek, which was being guarded by security services to prevent us going in—God help us!—and explained where things were. The people on the telephone initially did not have maps in front of them. They were not local; they did not know where we were. I had to get one of them to actually get a map and, putting his finger on particular points, to measure the distance between where I was and where the Bogong section of the fire was. Then, keeping his finger on my location and going roughly west to Feathertop, he compared the distance between the two and saw that Feathertop was a lot closer. That was the direction the wind was starting to come from; therefore the interest was greater. Why in God's name would we telephone somewhere else when it was so much closer? They should have had the information there. It appeared that they did not at that stage have the information on the Feathertop fire, and it was all part of the one area.

Mr SCHULTZ—Also in your submission you say that on Tuesday, 21 January there was a five kilometre an hour south-east wind blowing, you requested the ICC to start a back-burn into the national park and permission was refused as it was a national park and it was their decision, not yours, to make. Because of your local knowledge, and knowing the amount of fuel that was on the ground, you made a deliberate decision to start back-burning along your west, north-west and eastern boundaries to the extent that that back-burn was instrumental in stopping the fire from going any further.

Major Smith—That is not strictly true. It stopped the fire from consuming me when it came through. It provided a very good barrier, but of course further down the valley the fire came in from the north and from the west-south-west and almost completely devastated the area from just a couple of kilometres further down from me right through to the Omeo Highway.

Mr SCHULTZ—Following that decision by you and the outcome of your decision, was any threat made to you by the authorities about possible action being taken against you?

Major Smith—Not that I am aware of. It was almost a dare, but no, no-one said a word.

Mr SCHULTZ—Finally, could you tell the committee about the fireballs that were preceded by flying embers and burning blackberry canes which were transported hundreds of yards. Could you describe that sort of situation as a result of proliferation of blackberries and other noxious weeds in the area?

Major Smith—The blackberry pretty well exploded. If you had watched any television during the recent Iraqi set-to, you would have seen some fairly interesting shots of tracer going through the night. That is what it looked like. It was carrying it several hundred yards. Everywhere it touched, of course, it just ignited more: it was more blackberry and of course burning dried cowpats, which do it almost as well—they drop bits off every time they hit the ground. We had winds gusting to 80 knots—that is 160 kilometres—and that was on a day on which they were forecast to gust to perhaps 70 kilometres an hour. That is a big difference.

Mr SCHULTZ—In your own words, could you describe the organisation of the ICC and the government agencies and the disaster that that organisation or lack of organisation created for the community and in relation to the fire itself?

Major Smith—I think I said that, the way I see what happens, every time we have a major incident the wheel is reinvented. We don't have maps; we don't have enough pencils. Are there enough seats for people to sit on? Do we have enough protective units around so that we are looked after in case the fire comes down here? I do not know—but I would very much doubt it, based on the outcomes at the time—that these things are practised. Over at, say, Swifts Creek and perhaps over at Mount Beauty or somewhere else there could be boxes that sit within the local DSE or Parks Victoria office which contain the infrastructural requirements to set up an incident control centre. You would then know that you have got pencils, maps, telephone trees, extra telephones et cetera rather than starting from scratch.

The left and the right hand never seemed to know what the other was doing. It took well over a week before anyone with any local knowledge came on to the telephone tree calling system, and I think that that was just someone who actually spoke very well. It was just to keep me quiet, because I got bitchy every time and said 'Hey, we are not located at Dargo; we are actually to the north-north-west of Omeo. Look at your map.' That is why we need to know these things. There was just no idea. There was just no administrative organisational concept. I mentioned things about shift changes and what have you. It is absurd. There is no idea of how to run an operation. Someone was here before who said it was a bit like a war zone. I am not even going to get into that.

The organisation for something as disastrous as our fires needs that sort of operational control. It needs someone who is not there to boost their ego, not there to increase their bank balance, who will actually take charge and make decisions. Even bad decisions are better than no decisions at all, or constant changing of minds: 'We are going to give you a crew. No, they are taking them back because it is too dangerous.' When you have been told that you are not getting anyone, you set up your system at home in such a way that you take responsibility and you can operate it yourself to protect what you consider to be the major asset. In my case, because I am not a farmer, it is my home. When someone turns up and says, 'Hey, here I am. I am Fred the fireman and I am here to help you,' you look at it a different way. You can go further afield. You might be prepared to take people out a bit and show them around. Then you turn around and they are gone, so you have got to withdraw back to plan 1. When this happens three times in one day, you tend to get a bit terse. The suggestion is that they should go away, go somewhere else—because you are better off in fact by yourself. I have a smallholding and it was set up, I think, well enough to look after by myself. But this thing of in and out, in and out because someone 60 kilometres away does not believe the people on the ground is nonsensical. It is in fact exacerbating what could be a disaster; it is making things worse.

Mr SCHULTZ—What you have described to us is an absolute lack of forward planning for a major disaster. More importantly—I would be interested in your response to this as a former member of the Defence Force—is it right that there would appear to have been a lack of basic prerequisite planning for an operation in relation to this particular disaster?

Major Smith—Yes, very much so. From what I saw, there can be no question about that.

Mr SCHULTZ—So there was no planning, nobody knew what they were doing, therefore the disaster—

Major Smith—That is what I saw, yes. There may have been something sitting in Melbourne, but it certainly was not reflected on the ground here.

Mr SCHULTZ—Thank you very much.

CHAIR—Can I clarify one answer you gave to Mr Schultz? You mentioned that the ICC was being guarded.

Major Smith—There was a security chap out the front saying, 'You can't go in there.'

CHAIR—When you say 'a security chap', do you mean a staff member of DSE or CFA?

Major Smith—I have no idea. He had 'security' on a badge.

CHAIR—So he was from a security firm or from security within the department perhaps.

Mr HAWKER—Was he armed?

Major Smith—I have no idea. I just told him to go away.

Mr SCHULTZ—So they were actually locking out people with some knowledge from coming in to assist in the operation?

Major Smith—That appeared to be the intention. I only heard him say, 'You can't go in.' I just kept on going, and I do not know what happened then.

Ms PANOPOULOS—I want to ask for some clarification on your written submission. You talk about public land in your area and the lack of official fuel reduction. For the record, can you please describe the area you are talking about?

Major Smith—What it looked like?

Ms PANOPOULOS—No, the actual geographic location of it.

Major Smith—I live about 19 nautical miles north-north-west of here—that is, go out to the Blue Duck, turn left and go another 10 kilometres. It is at the end of the Bundarrah Valley, which is relatively narrow and not particularly long. I have the last property on the western side. Going

to the Bundar headwaters and then moving over to the Cobungra headwaters as well, in living memory there has been no fuel reduction. Certainly none has been done very close to me at all, ever.

Ms PANOPOULOS—You also make the statement that there were hundreds of tonnes of litter.

Major Smith—To the hectare. In extensive areas you certainly could not take a horse through. In places it was difficult to walk through. There was well over a century's worth of fallen trees and, with the rubbish and growth that accumulates in amongst fallen logs, hundreds of tonnes is not fanciful thinking.

Ms PANOPOULOS—You spoke, and it is also in your submission, about the north-east geographic weather forecasting region and your attempts to get everything north of Omeo included in the north-east geographic area. Over what period have you been speaking to what authorities to get this changed?

Major Smith—I have written for the last three years. I have been speaking with them for about 15. It is such a simple thing that one would have thought that it was a decision even a simple person at the Melbourne headquarters of the old DNRE could have made. But it does seem to be terribly complex.

Ms PANOPOULOS—You have also made statements that information coming out of the ICC was either wrong or non-existent. Is there any other information that is not in your written submission that you would like to add as supporting evidence for that statement?

Major Smith—There is lots of detail but it is really the principle. Occasionally it did work well, but it was not unusual to get five to 10 minutes of information on what was happening throughout the whole of the fire area when, obviously, every specific telephone tree needed the information in detail for their area. They needed 15 or 20 words on the overall situation and to know if there was a threat coming and from which direction. But it was a standard, set script. Those telephone calls, I might add, would come through at any time from eight in the morning. The latest—or earliest—one I got was at 1.30 one morning. One wondered what else they had to do. I mean, that is impossible.

I appreciate that you cannot run things like clockwork, but people cannot sit by a telephone—certainly when they are by themselves—for days on end waiting for the latest information to come through. I must say the ABC local radio out of Sale was superb. Once they picked up, they did an excellent job. As did Telstra Country Wide, through Peter Ward and, would you believe, the TXU power company. They put up power poles to get power back to Benambra quicker than I thought was humanly possible. I once ran a military unit whose job it was to do that, and I thought they were good, but they had nothing on TXU when they pulled the finger out. They really were very good. There were some organisations that did a superb job.

Ms PANOPOULOS—That is good to hear. You have also made the following statement, which you cite as one example of stupidity:

... the refusal of Parks Victoria to allow water from the Glen Wills and Benambra mines to be used for firefighting because of the fear of pollution ...

Was that water ever used later on in the fires?

Major Smith—Not if there were Parks people around. I am not aware that it was used, but it was wanted.

Ms PANOPOULOS—By whom?

Major Smith—By ordinary people who were up there.

Ms PANOPOULOS—Do you mean volunteer firefighters?

Major Smith—Yes. There were also, at one stage, some DSE crews with slip-ons from outside the area who needed to refill their little 400-litre tanks. They were not allowed to do that. Pollute a national park! If you have recently been along the Omeo Highway, you would note that with the recent rain literally hundreds of thousands of tonnes of fire debris has been dragged down from hillsides that are sterile from the intensity of the fire. It has blocked off the highway several times and gone down into what used to be pristine alpine rivers. We cannot do any of these things but, as I said, it is the department's arrogance of believing that it is their land and they can do whatever they want, and they do.

Mr McARTHUR—Can I go back to Alby Schulz's remark about your decision to back-burn in the national park. Were there two possibilities—that you could have spent three months in jail or that you could have been burned out—with that decision?

Major Smith—It was as simple as that. The conditions on the 21st were perfect for doing a back-burn.

Mr McARTHUR—But you were acting illegally in back-burning in a national park and you could have been put in jail. Did you contemplate that possibility?

Major Smith—In a way, I was thinking, 'I wonder if they'd dare.' It would have been an interesting court case.

Mr McARTHUR—That is the legal position, is it not?

Major Smith—Indeed it is. There is no question about that.

Mr McARTHUR—So, in protecting your own property on that occasion, you had to make that difficult decision between spending a bit of time in Barwon prison or protecting your own property?

Major Smith—That was not part of the reason, but I take your point. It had to be done. It was as simple as that.

Mr McARTHUR—So you took the obvious commonsense view of doing a back-burn to protect around your property and that decision ended with a positive and favourable outcome to you. So the fact that you did undertake an illegal act on Parks land has never been challenged?

Major Smith—No, although I have seen some consultants from Parks who were checking on the heritage aspects, if there were any Aboriginal middens that may have been disturbed by the fire, and to check if trees were safe before opening up areas to the public. That is all we have seen from DSE or Parks Victoria since the fire.

Mr McARTHUR—Could you share with the committee the key features of how you were able to save your own house? You obviously put a fair bit of effort into self-protection and self-preservation prior to the fire arriving. What do you think were the key factors in maintaining your dwelling in the face of such adversity?

Major Smith—I live right on the Bundar, so water is no problem. I cleared pretty well right around the house. I keep grass down. I do not have cattle to graze and keep the grass down, so it is kept slashed low. I have fire breaks right around the place and control lines within the property. I have fire pumps sitting on the ground and sprays on the roof. But the most important thing was the decision to stay and defend. Once I had made the decision to stay and defend, that was it. So everything had to work, if it came through in a nasty way.

Mr McARTHUR—Again, what would have happened if the authorities had said to you that you had to leave the dwelling?

Major Smith—For a start, they cannot in Victoria. Even if they had said that I have to, I would have sent them on their way. I had made the decision to stay and defend. If they were not going to defend it, I was.

Mr McARTHUR—So the key psychological decision of having been prepared to stay and defend your house and property was a key factor in your final outcome?

Major Smith—Yes. That was the key factor, but I must also say that, as part of our community effort, CFA had provided experts who came up and looked at all the properties of those who wanted them to in Bundar and beyond to provide guidance and advice. Given that the CFA could not come out because of the distance, and the risks and threats would have been greater where the population centre was, they provided valuable guidance and advice on the things to do. Most of it was pretty well commonsense, but for people who were very new to the area and ex-city, it was essential that they had that advice and guidance.

CHAIR—Just to get this clear, was the person in charge of the incident control centre called the incident controller?

Major Smith—I would assume that is what he was called, amongst other things.

CHAIR—Who was he or she was an employee of?

Major Smith—DSE.

CHAIR—Was the deputy incident controller from the CFA?

Major Smith—I would not think so. Polluting the purity of DSE? Unfair!

CHAIR—Thank you. We appreciate your evidence here today. The next part of the afternoon is the open forum.

[3.18 p.m.]

McGAURAN, Mr Peter, Federal Member for Gippsland

CHAIR—Welcome.

Mr McGauran—Thank you for the opportunity for me, as well as my constituents, to speak in this open forum. It is, I am sure you will agree, a very valuable part of your gathering of evidence with a view to making recommendations and a much anticipated report. It has been a harrowing experience for a number of the witnesses before you today to recount their losses and the trauma of the fires, and I wish to thank them for their personal courage in doing so. It will be very helpful to your deliberations and your final report. We admire them enormously for appearing today as well as for their own efforts to remake their lives and businesses following the devastating losses, which puts an even greater weight on the shoulders of parliamentarians to make sure that it does not happen again in the way it did earlier this year.

There is one theme common to all of the presentations, and that is the importance of listening to local people. Land-holders have warned for years that the virtual nonexistence of fuel reduction burning would lead to catastrophic fires and that there would be a devastating impact on individuals and communities. When better health allowed him, Fred Ward, whom you heard from earlier today, was a prolific letter writer. For more than a decade, locally and throughout the state, he warned of the build-up which would one day lead to a devastating fire of the kind we saw. In the early days, about 1993 and 1994, state authorities would respond to his letters to the editor by way of local media. They stopped answering him, yet he continued. In the end, Fred and many others were more or less preaching to the converted, but those in authority were not listening. The simple fact is that Fred and others were right and the public land managers were wrong.

What is needed? I am convinced, like most if not all of those in this hall, that direct community involvement in the management of public land is a crucial first step to achieving the fuel reduction burn targets set by government. I am now convinced that governments will not reach their fuel burn targets without the involvement of local people. They have had the opportunity. Every excuse known to man, whether technical, environmental or philosophical, is put up for why these targets have not been met. Let the locals do it for them. What I envisage is not an advisory body so much as a decision-making body made up of locals. Give them the power. Of course work with public servants and on the basis of scientific protocols, but give local bodies budgets and the power to decide when and how to achieve the fuel reduction targets set by government.

I fear very much that, if we have local involvement just in a catchment management authority model, they will be purely advisory and can so easily be overturned by local or Melbourne bureaucracy. At present, there are layers of bureaucracy—the shire offices through to CMA staff, DSE and Parks Victoria workers—all involved in deciding on fuel reduction. It is little wonder that there is no firm direction or, it seems, really the skills necessary to actually enact the burning. It is one thing to set a target; it is another thing to achieve it. I am the first to concede that it is not easy. It takes a lot of skill to burn off without causing a major fire by accident. But

what is missing is community involvement in the decision-making process. I am confident that a community based board would not have allowed the build-up that contributed so dramatically to the 2003 fires to occur.

Currently, decisions are made in places and by people very remote from the communities that are affected the most. Traralgon and Bairnsdale based staff are taking orders from Melbourne. They do their best to involve the community but, without a formalised structure of community input, their efforts are ad hoc at best. There is great support within the community for more direct community involvement in the management of public land, but not in a tokenistic way. It must be a decision-making body which employ locals with the sort of knowledge, experience and background that you have witnessed today to carry out the burning off. Employ them. The people who have appeared here would very happily work for those few days a year necessary to achieve the targets.

Without direct community involvement, public land management in East Gippsland will continue to flounder in an adversarial environment of mistrust and local resentment of policies that directly impact on the livelihoods of people. Removing the top down, government knows best mentality from public land management is essential to building a better relationship between local communities and public servants. As has been said many times today and elsewhere in your hearings, fires do not respect artificially created boundaries or fence lines. Private land is being adversely affected not just by bushfires but by the neglect of public land. Local communities need to be more involved in what is happening on their next-door neighbour's property—crown land.

In conclusion, in years to come the burnt bush will recover and pastures will be restored when good seasons return. While the memories of the 2003 fires and those that occurred before them will diminish, they must leave a legacy of improved public land management in Gippsland and elsewhere throughout the state and nation. We have the knowledge and the capacity to involve the community in better management practices. It remains to be seen whether we have the collective will to make it happen.

Mr McARTHUR—How would you handle the plethora of state legislation that, it seems to us in the committee from the evidence of other witnesses, is the impediment to the reduction burning? All the witnesses have indicated to us that, apart from the bureaucracy, it is the large number of acts in relation to endangered species et cetera that is the major problem facing the fuel reduction burn. How might you overcome that difficulty?

Mr McGauran—It is a good point you make. Once you decide that there is a entire change in the mentality or approach to who does the burning off, the law can be changed. In other words, you could codify it, bring together the legislation and empower local groups, sanctioned and administered by the state government, to do the burning off. I agree that naturally you cannot have people burning off on an individual basis—except in extreme circumstances of the kind Major Smith or Bob Pendergast outlined. You cannot have that, although you can excuse it when people are faced with imminent danger or they have been brought to the point of breakable frustration. Leaving that aside, you cannot have a regime that sanctions individual judgments as to when there must be burning off.

Mr McARTHUR—Except that we have had a number of witnesses who have said that, when there is a window of opportunity—probably 10 days a year—the way to handle the fuel reduction burn at the local level is to get the local brigade to make the local decision at 10 o'clock in the morning or two o'clock in the afternoon and proceed. What they are concerned about is the then unending amount of bureaucracy to get that decision implemented, and the window of opportunity moves away.

Mr McGauran—Exactly.

Mr McARTHUR—That is part of the ethos of the department: to ensure that that permission is never given because it is all too hard.

Mr McGauran—Exactly. But first you must have the local decision making and local power sanctioned in law. The law would follow. Once you have decided on your structure—that it is not a departmental decision in Traralgon or in Melbourne; it is the locals' decision here in Benambra or Omeo—the law would give effect to that. However, let us first decide what the structure is and then rewrite the law to approve it.

Mr McARTHUR—All I can say is that a number of witnesses have drawn to our attention the great number of acts of parliament in Victoria which have been drawn up over a large number of years and which are almost impossible for the locals to overcome—that bureaucratic structure.

Mr McGauran—It is a totally unsatisfactory situation. That is why I make the plea to empower a local group, with the assistance, advice and input of scientists and public servants representing the various government agencies. But it would be the locals making the decision on the basis of all that input, and the law should be changed to give effect to that. I do not see the rewriting of the law nearly so as difficult as firstly deciding on a change of approach to give the locals the decision making power.

Mr McARTHUR—I just say that witness after witness has come before this committee and told us time after time that it is that layer of bureaucracy and statute law that prevents people from making a decision. The auditor's report from the state government has also confirmed that evidence that the amount of fuel reduction burning is well below the statutory requirement, basically because it is too difficult for the authorities to undertake the burning.

I think everybody would concur with the suggestion that you are making regarding local input. However, we have picked up in evidence that the damage that has occurred is a direct illustration of how the state bodies have, in their negligence, created a massive problem for adjoining land-holders. Given that sort of scenario, do you think it would be appropriate, regardless of what happens in the future, for this committee to make a recommendation that the government departments should be looking to compensate people for the damages that they have incurred where it is appropriately proved as being departmental negligence without any sense of neglect by the private individual?

Mr McGauran—Yes. This is essential, particularly in regard to recovery. The two major issues, as again pointed out here today, relate to fodder and fencing, and both have been neglected by the state government, even though they bear the responsibility. I challenged the Treasurer, John Brumby, in a meeting between the two of us on another issue altogether a few

weeks ago as to why the state government would not accept responsibility for the devastating economic effect on ravaged private land. His reply was: 'It's not our responsibility. There were 19 lightning strikes that started the fire, and that is an act of God. Why should we bear the responsibility?' My reply was that, because of the neglect which allowed the fire to reach such intensity and to be so widespread, they bore the responsibility for that. So there is no meeting of minds on this issue, at least at present.

CHAIR—Thank you very much.

[3.33 p.m.]

ANDERSON, Mr Clive (Private capacity)

CHAIR—Welcome.

Mr Anderson—I am a land-holder in Benambra, and our property was one of the first places to be devastated by the fire. We watched the fire for two weeks before it eventually came in a fireball. We were very disappointed by the lack of endeavour by Parks to do anything to control the fire. My wife and daughter and I were fire spotters for the CFA on their property, where we overlooked the fire down in the Omeo valley, watching for spot fires and burning embers. For two weeks we watched it, and we videoed it. We could see for the two weeks that the wind was in the south. The fire had dropped right off and there were no aircraft flying to assist with the fire prevention or to assist the CFA firefighters who were on the ground. As I said, we watched this fire and videoed it for the two weeks. We watched the fire that was up on the edge of a hill not very far from our property slowly burn down into the Mitta Mitta River. Then it came up in a fireball. It hit our property and burnt 90 per cent of our land. I would just like to say that we are very disappointed in Parks. They did nothing to alleviate the problem of the dense foliage adjoining our property. We could see that, when the conditions were right, this fire was going to come. That is what I have got to say.

CHAIR—Thank you. You said that the fire hit 90 per cent of your property. What were the losses?

Mr Anderson—We lost over 130 cows and all our hay. We lost three sets of cattle yards, shearing sheds, a house we did not live in and huts. It was quite devastating because we were on the ground fighting it, too, and trying to assist our neighbours.

CHAIR—What assistance have you been able to get since the fire?

Mr Anderson—We have not had any governmental assistance at all. Rotary International have been very good; they have given us some assistance. The VFF also have been very good.

CHAIR—You mentioned the lack of response. While you watched and videoed the fire, in your view, what were the weather conditions like? Was the weather okay for fighting and for the use of aircraft?

Mr Anderson—Yes. We were watching the fire from our position and we could see the flames. As I was saying, while the wind was in the south we could see right onto the fire front. At one stage, the fire had gone right down. It looked like they would be able to control it with the aircraft, but the aircraft were not allowed off the ground. We were calling for assistance, but they were locked down. For some reason they were not allowed to fly—and it was not the weather conditions. Then the wind turned to the north and started blowing. At some stage, the planes did get off the ground but, because of the turbulence, they could not get onto the fire front at all.

CHAIR—Thank you very much for coming forward this afternoon and giving us your perspective as well. As I keep saying publicly, the evidence of the people who were at the fire front is vital and very important for this committee so that we can put forward the sort of report that I think we will be able to, with the recommendations that are needed. Thank you.

[3.40 p.m.]

STUART, Mr Ken (Private capacity)

SYMONS, Mr Graham (Private capacity)

CHAIR—Welcome. In what capacity are you appearing?

Mr Symons—I am appearing as a local resident of Omeo but I was involved with the fires through the Omeo fire brigade.

Mr Stuart—I am appearing as an individual. I was at the Omeo fires with the Mount Taylor fire brigade, of which I am the captain.

CHAIR—I invite you to tell the committee what you want. We have about five minutes.

Mr Symons—Thank you very much for this opportunity to speak. I just want to say that I certainly agree with what some of the previous speakers have said. Some of the things that have been said are probably a little bit left of the truth. Some of the things we probably need to reflect on so that this committee gets the full picture. I have some dot points that are in no particular order. One is with regard to road closures is actually a VicRoads-police issue that came out of the MECC. They would not open any road unless we could guarantee safety to trucks coming up that road. So it was not necessarily the DSE that were not allowing vehicles to come up; it was VicRoads and the police out of the MECC, which could have been sitting at Bairnsdale, Traralgon or wherever.

CHAIR—Sorry, who was 'we'? When you said 'unless we could guarantee safety', who was 'we'?

Mr Symons—I was divisional commander for the Omeo fire district, which stretched across a fair area. We were trying to get these trucks with hay and stock out the area and the police were saying that if we could guarantee these trucks' safety they would let them come up. On a day like that you could not guarantee their safety, and that was it—it was a categorical no. By doing that we had trucks coming into the area that were unsafe and whatever.

As for the media presence, they talk about a media ban and all of that. From a CFA's point of view, we could not protect the media in the sense of where they were going and what they were doing. That is a bit disappointing because I witnessed a couple of times media vehicles parked very dangerously on roads. This is where some of the information is getting a bit lost. So the media had to be controlled to a point where we at least knew where they were and what they were doing, not necessarily trying to keep them away from the fires but knowing where they were so that they would be safe. The other thing from the media's point of view is that one radio station rang the Omeo ERS at about three o'clock in the morning wanting to know how bad the town was. Obviously it had heard that we were under threat. That put probably nine families that are on the ERS under a lot of stress because when the fire phone went off at three o'clock in the

morning we thought we were in for it. So there are issues there, and you do not need to wonder why we did not really want the media.

The locals were always told that they could not rely on a CFA appliance to help defend their properties. We go 60 kilometres to the north. The town has one fire truck and a town truck. We had the added advantage of some forward planning and having strike teams in the area. If a fire started today in exactly the same spot where it burnt us out on the second time on Mount Misery, we would have one fire truck. So our resources were boosted by the fact that we had so long to plan for this fire.

Lack of resources to protect everybody was our biggest problem. We have said that we can send the armed forces off overseas to completely different countries and they are adequately trained to protect themselves in other countries. Yet we could not use them in these fires, even to stand at people's property so that there was somebody at their house while the farmers went to shearing sheds or haystacks or whatever they had to protect, the reason being that they are not wildfire trained, which is not very hard to do. We have a massive resource of armed service personnel that should have been used and why it was not used in the disaster I will never know.

It needs to be noted that the fires actually started in the north-east fire district. There has been some unfair finger pointing at what we will call the Swifts Creek fire district, which takes in this area. All the fires that started in the Swifts Creek fire district were contained out of that same lightning strike that started the ones from the north-east that were not contained. In evidence of that we had fires on Mount Ned, which again is in the Bundar Valley—it has had a fair hearing today. There were two lightning strikes there. They ended up burning—and I can be corrected here—about half a hectare to a hectare. Both of those fires were contained with the use of DSE personnel and the Omeo fire brigade plus locals on the ground.

They have talked about the weather. The Omeo weather forecast, or the high country forecast, comes from Hunters Hill. Would somebody like to tell me where Hunters Hill is? It is up on the Murray, actually. That is where we get our weather forecast for this area from. The Omeo fire brigade initially went to one of the four fires, which was the Razorback fire 79 km north of Omeo and about 30 kilometres from Mitta Mitta in the opposite direction. We were told to go out there and patrol the road while DSE crews were resting from the firefighting they had been doing over the previous week.

The other point about people within this area is that in the Omeo district it is noted and known—from TXU every time we ring up to get power on or whatever—that we live in a high fire danger area. You are told by the shire that, if you build a new house today, it has to comply with various things. Everybody in this area knows that they are in a high fire danger area and they are going to get burnt out. We will get burned out again so we should always be prepared, not just once every 60 years. One of the submissions was from Mr Fred Ward. It talked about the swimming pool as being a refuge area. That area actually did burn along with our refuge area at the top of the hill, but people were able to be inside. So we think we made the right decision on using the rec reserve as a refuge area. We had pumpers up there for the water supply, so we figured that the townspeople who went up there were fairly well protected.

Regarding the level of the fire, we have talked about the ICC a little. This was a level 3 incident, which is why it was handled out of Swifts Creek. Omeo certainly would not be able to

handle a level 3 incident because we do not have the telephones or the infrastructure set-up that is already set up at NRE. The problem with telephone trees was one that the CFA actually set up. I think Mr Smith mentioned that. We as a fire brigade had put that down the line but it did not get through the paperwork.

CHAIR—We need to finalise your comments because we are running out of time.

Mr Symons—I will be quick. One of the things with the burn-off and everybody saying that people can assist if we get into this new system is that we have not had too many people coming up with ideas so that this does not happen again. Looking at all that is going back; we have got to look forward. The CFA members, certainly within the Omeo brigade, are always prepared to help the NRE do burns. They are certainly disadvantaged by the fact that it does get political. I do not care what anybody says: they can be prepared to do a burn and a message could come from Melbourne to say, 'You're not burning because tourists want to have a look around and there's too much smoke.' So it does get political, and I think that up here the DSE try to do their best but they are disadvantaged by what is fed back to them. The other thing with getting locals to help do burns is that the DSE only work Monday to Friday, which is fair enough. CFA personnel can probably only work on weekends because they have other lives. That is a problem to start with, and it does get political to try and work it in.

CHAIR—Thank you for that. You said that you are the division commander for the CFA for the Omeo area. Are you a paid employee of the CFA?

Mr Symons—I am a volunteer.

CHAIR—So that is a volunteer position?

Mr Symons—Yes, for 45 to 48 days.

Ms PANOPOULOS—Mr Symons, you said that the DSE were disadvantaged by what is fed to them regarding controlled burns.

Mr Symons—Yes.

Ms PANOPOULOS—Is that fed to them from Melbourne, and what is fed to them?

Mr Symons—Basically they get days when they are allowed to do a controlled burn. If everything does not go right, they cannot do it. It could be due to the weather. They do not get a lot of opportunities.

Ms PANOPOULOS—Where does the political aspect come in? You mentioned that it was political.

Mr Symons—It can come from the DSE in Melbourne. The policy makers down there could say, 'We don't want to burn this weekend,' or 'A long weekend is coming up so, no, you can't do it.'

Ms PANOPOULOS—Right. So there are other factors, irrespective of appropriate weather, that come into play.

Mr Symons—Yes.

Ms PANOPOULOS—You also mentioned the Swifts Creek ICC. That covered the Omeo area, but you are also aware that it covered north-east Victoria.

Mr Symons—The Swifts Creek ICC certainly covered Dinner Plain and Mount Hotham, up as far as the Bogong High Plains.

Ms PANOPOULOS—Where the Ovens ICC stopped.

Mr Symons—Yes.

Ms PANOPOULOS—So they have been involved in controlling the fires there from the very early days.

Mr Symons—The Swifts Creek ICC was not set up until Monday. I think the lightning strikes went through on the Wednesday. The Swifts Creek fire officer went over to Benalla and was told, 'If you are so concerned about the Razorback fire, you can have it.' That was when the Razorback fire was one fire; they had not all joined.

Ms PANOPOULOS—But it was about a week and a half to two weeks before the fires came over the mountains and across into Omeo.

Mr Symons—Correct.

Mr HAWKER—Mr Symons, you seem to have developed a good relationship with DSE, from what you are saying. You said that you were able to help DSE put out two lightning strikes straightaway. What was different about them that allowed you to get cooperation between the CFA and DSE? It seems that in other areas there was not such cooperation.

Mr Symons—The same people live in the same communities. The CFA rely on the DSE quite heavily. They probably attend more CFA fires than we attend DSE fires. We rely on them heavily because of the few fire appliances in the Omeo group area, which takes in other areas.

Mr HAWKER—I am wondering how you got the agreement to put that fire out when it seems others could not.

Mr Symons—Part of the Mount Ned fire was on private land, so that involved the CFA. NRE resources also helped. The second part of the Mount Ned fire was on public land, and they walked in and put it out by hand.

Mr HAWKER—The other point you made—it is an obvious observation, I guess—was that the CFA generally have to try to do burn-offs at the weekend because people have other jobs, whereas DSE work Monday to Friday. Is that relationship sufficiently good that you can encourage DSE people to come out and help on the weekend as well?

Mr Symons—I think that would be a union problem. They would not be allowed to work on weekends.

Mr HAWKER—What about volunteering on weekends?

Mr Symons—They probably would not volunteer. That is something that their management would take on. Some of our members have been prepared to work during the week if we have been asked to do interface burns. It does go on in other areas at a regional level.

Mr McARTHUR—Is it an overtime cost for DSE at the weekend?

Mr Symons—That is what I would put it down to, yes.

CHAIR—Thank you very much for your information this afternoon. Sorry, Mr Stuart, do you have something to say?

Mr Symons—Yes.

CHAIR—I apologise. I thought Mr Symons was talking on behalf of both of you. Please make it brief.

Mr Stuart—Mount Taylor is just north of Bairnsdale, which is 30 kilometres south of where this fire travelled. As part of the Mount Taylor fire brigade, I was up here with our fire tanker for 19 days during the fire. Being fire prevention minded, I remember that in July 1967 or 1968 two forest officers visited our family and said that the then Forest Commission had learnt lessons from the 1965 bushfires which burnt through East Gippsland and they were going to do fuel reduction burning in our area every three to five years. I am still waiting for it to happen.

In my fire brigade involvement, I have liaised with DSE fire management officers in regard to fuel reduction burns. Each year they give us a map and talk about their fuel reduction burns, but their previous burn plans have not been carried out. Our brigade office helped the DSE to do their burns and sometimes we are successful. At present, the Bairnsdale DSE fire district do not have an FMO—a fire management officer. When they appoint an acting FMO, it will be the fourth one in the last 12 months.

Last week a neighbour asked DSE if they would burn around his property. He was told his request would go on the three-year plan and there would be no burning this spring. As a brigade, we enjoy working with the local DSE staff. It is the rules that they have to work to which are the problem. The prescription to which they have to do their fuel reduction burning ensures that they are not successful. We cannot change the last fire. It is the next one that worries me.

CHAIR—Thank you very much for that insight and your experiences, and thank you both for appearing this afternoon.

[3.57 p.m.]

McCOY, Ms Catherine (Private capacity)

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Ms McCoy—I am a farmer and a CFA volunteer. Here we go again with the Bundarrah Valley.

CHAIR—Go right ahead. As I said, we have about five minutes.

Ms McCoy—Touching on the Mount Ned fire, the thing that disappointed me was that I rang news of the fire in to the CFA, and within 15 minutes DSE had turned up. They had the fire reported. They did not tell the Omeo CFA, and they did not tell us. It is 40 kilometres from here to home. DSE already knew about the first fire in our valley. They did not inform the Omeo CFA and they did not inform the residents—and that was the beginning of it.

Another thing was the incident control centre. On a particular day, I rang up regarding the Mount Feathertop fire. I was told it was not in our area, and all the information I got was that it was still burning. That was the fire I knew was going to hit home. I was a little bit mistaken—it was a back-burn at the airport at Horsehair that got us.

I have a couple of other points. When the fire hit on the 21st in the afternoon, that was the first time we saw a dozer of any sort putting in control lines around our properties. On that particular night it took four hours to get permission to back-burn. Unbeknownst to us, the term 'back-burn' had been dropped by DSE and it was now called a burnout. So every time we asked for a back-burn, it had been changed. By the time we got it going, the ground was that wet you could not start it. Therefore it was wasted and had to be tried again the next morning.

Since the fire, we have had a little bit of help but not a lot. We were one of the unlucky ones. We lost stock, fencing, sheds and hay. Just as an added bonus, on Australia Day when the fire took off in our valley and burnt us out—I was a little bit busier than a lone cashier in Myers on Boxing Day—40 kilometres away, half an hour later, our second farm got hit as well, so we could not go in to defend that. We were lucky—the Omeo CFA was there and subsequently saved the house.

As for protecting assets, the only thing my brother and I did not protect and never went anywhere near was the house. As other people said, the farm is our business; it is our income. We lost over one-third of our cattle. Prior to the fire we had a lot of grass; we did not need to feed out. Since the fire we have subsequently lost probably a dozen calves due to the lack of nutrition and more cows.

All I can say is that from day one it seemed to be a big screw up. There seemed to be a lack of communication, as Mr Smith said, with the fire tree. As a CFA volunteer I went to New South Wales in November as part of a strike team. We were busy, we were hot and we were working.

When I went out to the fire here, as Graham said, we were only on night patrol to drive up and down the road and to actually freeze. People on the ground were not believed; my brother was not believed at the dozer when he said the fire was near him and his boss. They said it was not anywhere near them. How can you say that to a person when they are looking at fire?

Ms PANOPOULOS—Who is 'they'?

Ms McCoy—Swifts Creek incident control. There seemed to be so much lack of communication. I think that is what frustrated a lot of people. Afterwards there was not a lot of help to follow through. We have got 8½ kilometres of boundary fencing that abuts state and national park and three metres is not far when, six months down the track, we have still got six kilometres of trees along our fence that are dead. They are not showing any signs of life, the fire was that intense out there. A buffer of three metres is not going to help when we get this small amount of funding to put the fence up. In the next four or five years all those trees that are dead now are going to fall over that fence and the government will not help to rebuild it then.

CHAIR—Is the assistance you are getting for the fencing to put in a dog fence?

Ms McCoy—Yes.

CHAIR—Is it correct that that is the only thing you are getting assistance for?

Ms McCoy—And VFF have assisted with paying for the cartage of hay, of which we have received, all up, probably one truckload.

CHAIR—That is from the Victorian Farmers Federation?

Ms McCoy—Yes. They have paid for freight on some of them, which is a little bit disappointing. As of now, at 12 o'clock during the day you will see wild dogs walking through the cattle after you have fed them. It was seen last Saturday; there was an Alsatian type dog walking through our calves that were lying in the sun while the cows were eating grass. The man across the river had seven calves; he now has three. Other people across the river have goats. They do not have a kid goat left, yet Parks has already withdrawn its mating program. Come springtime, what is going to happen to the native wildlife? All those dogs are very hungry; you are seeing them during the day. It is just: 'The fire's gone, let's just close our eyes and go back to our offices again and all these other issues.' The wombats at home are still hairless. Some of those that survived the fire are still walking around; cannot see, cannot eat and we are putting them down if they are on our property. It is probably illegal, but the poor animals are fading away. Mr Smith was saying today that he found a deer dead on his property for no apparent reason. Animals are still dying; no-one is out there having a look. The animals do not come out between nine and five so they do not get seen. It is just one thing after another. We are there 24 hours a day, seven days a week, and we are trying to deal not only with our own problems but also with the wildlife side of things.

CHAIR—Thank you for your input.

[4.04 p.m.]

CRIBBES, Mr John Macaulay (Private capacity)

CHAIR—Welcome. We have about five minutes for you to give your evidence. Thank you.

Mr Cribbes—Thank you. I am impressed by the fact that just about every aspect that I can think of has been covered by the committee today. I have even spoken to one of you about the superhot heat actually sterilising the ground so that the rain washes it away and fills up creeks and reservoirs. But one thing I have not heard anyone say today is that what we are doing is altering the environment. The birds can fly away, but the native animals cannot. Okay, it does a great deal of good in getting rid of noxious weeds, but what about all the animals that should be there and now have no habitat and are completely destroyed? I remember Wilson Tuckey once writing to me about this and saying, 'Why is it that the New South Wales government are not complaining about the mass carnage of native wildlife in New South Wales?' That was last year after the fires of the previous Christmas. What we are really doing by the mismanagement of the bush is bad enough when it comes to us human beings, but how can the people who are mismanaging the environment salve their consciences when it comes to the animal life and flora that are being destroyed by these unnaturally superhot fires? I hope you bear that in mind in your deliberations.

Lastly I would just like to say that I feel a bit like John the Baptist today, because my friend Ralph Barraclough is going to talk to you tomorrow at Buchan. He is a CFA fire captain at Licola and has a wonderful grasp of the problems of the bush and what these superhot fires are doing to the environment. He can, and probably will, tell you about the fires in 1998 in the Caledonia Valley. I certainly hope that you will give him your full attention, because he is someone who really has been hounded by the DNRE, now the DSE, and by several political figures in the previous ALP governments in Victoria because of his outspokenness as a CFA fire captain. But Ralph is here and he will tell it as it is—that is why I feel like John the Baptist.

CHAIR—Thank you. Mr Barraclough has put in a very substantial submission and we will certainly be hearing from him tomorrow. Since nobody has any questions for you, I thank you for your evidence and for highlighting that additional aspect; we appreciate that.

[4.08 p.m.]

COURTNEY, Mr Thomas Joseph (Private capacity)

CHAIR—Welcome. Would you like to make any comments about the capacity in which you appear?

Mr Courtney—I came here as an observer and noticed that Sophie Panopoulos was asking some questions about local government. She probably did not get the answers, so I thought I would put my name forward at the forum so that she could ask questions of me, because I was a councillor in the previous council at the time leading up to, during, and for a short period after the bushfires. I came to East Gippsland about six years ago from Melbourne, where I had lived for most of my life after farming for four years in Neerim South. I guess in many ways I was a city boy, although my roots were always in farming and the country. When I came back here, I started to understand that I had really lost my feeling for rural life and the issues that affect rural people.

Early on I became aware of the writings of Fred Ward and the comments in the paper and on the radio about the need for fuel reduction in the forests and the forecast of impending disaster if a fire ever took on—and it was inevitable that there would be a bushfire at some stage. I think that if anybody living in this area was not aware of the concerns and the anxiety then they were not reading the papers or listening to the radio. That any bureaucrat or politician in the area could be unaware of the potential would be unbelievable. I think our local member, Craig Ingram, also played a part in highlighting this as an issue.

I have made some dot points, and I am probably only going to confirm a lot of things that have been said already. When in council, I became aware of certain difficulties. One of the difficulties was dealing with NRE and Parks. Seventy-six per cent of this area—land or water—is controlled by Parks, NRE or that particular department. Naturally enough this has an enormous impact on the lives of the people around here, just because of the great geographical area that they control. The other thing that I noticed when trying to deal with NRE and Parks, and I am known for speaking my mind, was that although I found dealing with the previous minister and her advisers quite difficult—although I do not throw this problem on to her, because successive governments, whether they have been Liberal or Labor, have ignored the problem—I found that you would get great cooperation from locals. They understood the problems—and we had many problems, whether it was with mosquitoes, wild dogs, native vegetation, fuel reduction burning, CMAs, access to state forests or timber resources: they were all NRE—and privately you would get a very good hearing. You would not get total acceptance but you would get an acknowledgment of your point of view and probably a tacit agreement.

But I found in the case of NRE that, by the time it got to Traralgon, logic, commonsense and experience started to give way to philosophies, politics and finances. By the time you got your answers back from Stewart Orr of Parks or Tony Edgar you were starting into a brick wall which only got worse when you got to the minister's advisers. I think that probably the nub of the problem here is that the local people understand the problems and the solutions to many things, whether these be wild dogs or mosquitoes, but when you get down to the bureaucracy, the

politicians and the lobbyists in Melbourne—all of whom are paid to do their work and lobbying against the local people, who are busy working their lives away and do not have the time or the finance to commit to it—I think that is where we have the problem. The understanding and the knowledge is here but we do not get the response back from Melbourne.

Councillor Ron Schrader and I travelled to Omeo, Benambra, Swifts Creek and Wulgulmerang—we did this several times—before, during and immediately after the bushfires. I was not in either Omeo or Wulgulmerang on the day of the bushfire but I was certainly in Wulgulmerang the day after it went through, and there are some horrendous stories there which you will hear tomorrow. We were battling to get access into the areas through the gates. We had to bluff our way through or just drive through. We certainly could not gain access to the centre in Swifts Creek whether we said we were councillors or not. We found as we were going around that, whilst we were offering to help, there was little more that we could do, because we did not have the firefighting expertise—we were not volunteers in the CFA—and so we found that our role was a bit futile and frustrating. We could just walk around and talk to people. Most of the people we saw were CFA volunteers at Omeo or down in Swifts Creek.

On my own I attended a couple of briefings at Ensay and Swifts Creek. Particularly at Ensay, the comment was made in relation to the fire as it came closer: 'How do we respond to that?' The person giving the briefing said, 'The priority is to avoid loss of firefighters' lives. Our second priority is to protect major assets such as this township, and we will pull back to the town as the fire comes.' Somebody said, 'What do I do about my house and farm?' and the answer given was, 'You decide whether to stay and defend your property or whether to come back to town with us.' Out of that, I perceived that there was not a great hope of fighting the fire and that there was a retreat until such time as it burned itself out or we got a better go at it.

I would like to make a comment about the question by Mr McArthur: 'How do you protect the endangered species? Are there any left?' By simply not controlling the understorey, most of the endangered species have largely been wiped out, and it is going to be a long time before they can come back to their natural habitat.

I was first through the McKillop's Bridge-Wulgulmerang road. There was nothing left there. I meet people at Wulgulmerang putting animals out of their misery in ways that you would think were rather inhumane today, because they did not have rifles or anything else. On another issue, the native vegetation legislation in the planning act—I think it is clauses 55(16) and 15(9)—places requirements on councils as to how to control native vegetation: what vegetation you are allowed to cut, when you are allowed to cut it and if you are allowed to cut it. In particular, it deals with roadside vegetation and habitat corridors. If you drove through Wulgulmerang, you would see that because the paddocks had been eaten fairly low by cattle and sheep the fire bank stayed along the roadside. It burnt all the fences, through all the grass, all the branches, all the scrub, all the leaves and all the trees along the roadside. When it got an opportunity, back it went in through the paddocks.

I do not suppose you can say that there is anything fortunate that comes out of a fire, but we had been having quite serious discussions with our planners about ways of getting around these issues. Immediately after the fires, our planners turned full circle and suggested that perhaps now we should even have cattle pits on the roadways so that we can graze the verges and get away from this stupid regulation. It may be difficult to change the regulations, but I think it is worth

any effort that one can put in to make sure that we get more reasonable, rational, sensible and liveable regulations.

CHAIR—I am sorry, but I will have to ask you to wind up now.

Mr Courtney—I have one last comment. I would like to say that I support Peter McGauran in his comment. I think the country is controlled by people who are paid to do their jobs—bureaucrats, lobbyists and environmentalists—and more decision making needs to be placed in the hands of local people.

Ms PANOPOULOS—Which local council did you serve on, for how long and in what capacity?

Mr Courtney—I was on the East Gippsland Shire Council for a period of three years.

Ms PANOPOULOS—Local governments rely quite heavily on state governments for funds and patronage.

Mr Courtney—That is correct.

Ms PANOPOULOS—In your experience, did you ever observe any overt or covert actions by the state government or bureaucrats to discourage councils from criticising them or more openly bully councils not to criticise them? Was there any punishment of councils afterwards for either criticising them or giving assistance and hospitality to those from other political parties?

Mr Courtney—I thought we always had a pretty good relationship with the state government, but at least five of the six of us were totally disappointed in the response from the state government whilst the fires were on and immediately after the fires. Even today, I would say that I am bitterly disappointed in their response. They did not come here—nobody came here. They were over in the north-east, which some of you would be happy about, but they did not come here. The reason given for that, after we pressed them—and we did press them quite strongly—was that they were advised by their advisers that it was too dangerous to come here. We were driving up the road every second day, but they said that it was too dangerous to come here. Yet it was not too dangerous to go to the north-east. That is the way we perceived it. We felt quite disappointed about it and I think there were certain snubs. We believe that because our then mayor, Peter Bommer, was photographed with Denis Napthine prior to the present party—the Labor Party—getting there, that may have been a causative factor. But this thing has to be bigger than politics.

Ms PANOPOULOS—Of course.

Mr Courtney—This is affecting the people of the community and we really do not need to have political sides here. We need to be dealing with the people.

Ms PANOPOULOS—Just for the record, there were a lot of places in the north-east that missed out. The most photographed place was Beechworth and I would hazard to suggest that it is because of its close proximity to the TV crews in Albury-Wodonga.

Mr Courtney—I was at Beechworth a couple of weeks ago and spent a weekend there. I flew over the area, because I am also a pilot, and I observed the fires, which are difficult to perceive coming along the roads. It is not quite as visible in some areas.

Ms PANOPOULOS—When you referred to the previous minister and said, 'she', just for the record could you clarify who that was?

Mr Courtney—That was Minister Garbutt. I think I found her or her advisers difficult.

CHAIR—Thank you very much for your contribution this afternoon as well, and everybody's contribution to today's hearing. Can I thank the people of the district who have come along here today to listen to the proceedings. We understand and respect your interest in it. As we are finding everywhere else we go, lots of people are coming to the hearings. Clearly there is a huge amount of interest and that has been reflected in the large number of submissions the committee has received to this inquiry. We will continue our hearings in Buchan tomorrow.

Resolved (on motion by **Ms Panopoulos**):

That this committee authorises publication of the evidence given before it at public hearing this day.

Committee adjourned at 4.23 p.m.