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Official Committee Hansard

**HOUSE OF
REPRESENTATIVES**

SELECT COMMITTEE ON THE RECENT AUSTRALIAN
BUSHFIRES

Reference: The recent Australian bushfires

THURSDAY, 21 AUGUST 2003

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HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON THE RECENT AUSTRALIAN BUSHFIRES
Thursday, 21 August 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 G.M. O'Connor, Mr Organ, Ms Panopoulos and Mr Schultz.

Members in attendance: (Mr Adams, Mr K. Bartlett, Mrs Gash, Mr Hawker, Mr McArthur, Mr Mossfield, Mr Nairn, Mr G.M. O'Connor, Mr Organ, 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.

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Committee met at 4.32 p.m.

FOSTER, Mr Leonard Raymond, Chief Executive Officer, Australasian Fire Authorities Council

GLEDHILL, Mr John Bryan, President, Australasian Fire Authorities Council

CHAIR—I declare open this public hearing of the House of Representatives Select Committee on the Recent Australian Bushfires. Firstly, I welcome the representatives of the Australasian Fire Authorities Council and thank you for coming to the hearing. 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 contempt of parliament. Would you like to make a brief opening statement or introductory remarks before we go to questions?

Mr Foster—We were advised that you would prefer us to answer questions. One of the reasons we are here is that in your travels you would have picked up that the Australasian Fire Authorities Council or AFAC plays a fairly significant coordinating role for a whole range of activities in the fire services. John and I thought that you might be interested in a two- or three-minute run-down about the council insofar as it explains how we coordinate. Perhaps John could then briefly outline some of the achievements over the last few years, which might prompt some questions from you. Are you happy with that?

CHAIR—That is fine.

Mr Foster—As recently as 10 years ago, there was really no effective coordinating body for the Australian fire services and indeed emergency services in Australia and New Zealand. The agencies in the states and territories pretty much operated within silos with very little interchange of information, no policy directives and a lack of standardisation in a whole range of things. About 10 years ago and culminating in the formation of the council in 1993, we made a decision—those people that were around in those days—to form a council called the Australian Fire Authorities Council, which subsequently became the Australasian Fire Authorities Council because New Zealand and many of the South Pacific and South-East Asian organisations came in.

Its role basically in the early nineties was to bring together the CEOs and decision makers to look at a range of issues. We set up a structure which resulted in a system of what we call ‘strategy groups’, which were to consider a whole spectrum of activities which we undertook in the fire services: operational, both urban and rural; community safety; prevention issues; a whole range of business activities which related to bulk buying, training facilities and so on; and business development issues. That has extended in more recent times into the national coordination of things like aircraft strategies, cooperative research centres and, more importantly, at the end of the day, the way in which we manage our people. As you would know, the Australian fire services are responsible for about 45,000 paid personnel and about 300,000 volunteers. It is a council that sweeps up a whole spectrum of activities in that respect.

There are 24 fire service members of the council, which represents all of the rural, urban and land management agencies in Australia and New Zealand. It now involves or incorporates Hong Kong, Singapore and a large number of the South Pacific islands, which is really more of a humanitarian activity which we in Australia and New Zealand undertake with them. It is not a policy formulating organisation but, with increasing maturity within the AFAC organisation itself, we tend to develop a whole range of guidelines which, whilst they are not directive to the agencies themselves, have the imprimatur of the agencies insofar as we have guidelines and so on.

In terms of coordination, because of the very significant movement of personnel and resources interstate since probably the late 1990s, particularly in the fire season of 2000, we have played an increasingly important role in providing coordination and also procedures for literally thousands of people moving across state boundaries. We have been able to achieve that type of activity. I will stop there. I have a very superficial document, a pamphlet, which encapsulates some of the things that I have said. Perhaps the President of AFAC would like to make a comment.

Mr Gledhill—I have just two or three follow-up comments about the significant achievements that AFAC has made over the last five or six years. I think one of the greatest ones, one of the earliest ones, was the development of an incident control system for the command and control of operational incidents. We have a national system now that fire organisations in all states and territories use. It enables us to operate interstate in a cooperative way on incidents—at least in the management of incidents—and even to the extent of operating overseas now, which we have successfully done on a couple of occasions in the US, using the system which is very similar to theirs.

We have been heavily involved in developing national competency based training standards and that has taken a huge amount of resources. It is being done collaboratively with the participation of all states, and that is certainly up and running. We have a national competency system that had its genesis with AFAC. Further to that, we run executive training programs for staff in the main, but we are now extending that into the volunteer training programs.

Mutual aid resource sharing was mentioned. As we have been operating interstate it has highlighted the need for protocols in the movement and operation of resources: people and equipment. We now have a mutual aid resource sharing agreement, which has been agreed by all states. We have an evacuation position during bushfires. The position has been in operation for four or five years and that has the support of all fire agencies. As recently as, I think, October 2001 the police commissioners of each state—with the exception of Queensland, which abstained—gave their support to that position. That has some quite significant ramifications and that will probably be explored with a question or two.

I think the aircraft were mentioned. Getting an aircraft coordination strategy up and running has been something that has been happening over the last two years and is still ongoing to make sure that we can maximise the use of aircraft for firefighting. Of course, we are involved in standards of all sorts—equipment, safety. That is just a bit of a snapshot of some of the highlights. I will leave it there and seek questions.

CHAIR—Thanks for that. Originally, AFAC wrote to the committee and said that you were not going to put in a submission to the inquiry. How did that come about? What was the thinking behind that? We are ultimately getting evidence, and that is why we have asked you to come in, but we were a bit surprised.

Mr ADAMS—Is that relevant?

Mr Foster—We would be quite happy to make a comment.

CHAIR—It is probably more for me to understand the processes of AFAC and how various decisions are made. I think it is very relevant.

Mr Foster—It probably underscores the role of the national peak body. I indicated, albeit superficially, that it is a coordinating, brokering and facilitating organisation but, at the end of the day, the members of AFAC are by and large government departments or statutory authorities in their own right. It is not for the peak body to speak in terms of policy on behalf of those agencies. On that basis, the members of AFAC really determined that, if there was to be a response from a state or territory or an agency from a state or territory, it really was their responsibility. It was a decision that we were all very comfortable about. However, it would be fair to say that we have been reading the transcripts of evidence and so on, and the president and I believe that it would be of advantage to everyone if we were able to give a position on some of the issues that you have asked us to talk about.

Mr SCHULTZ—I have a number of questions and I will try to keep them as brief as I can.

CHAIR—I might just let committee members know that we will have to stick absolutely to time today because of flights, so we have until quarter past five with these witnesses.

Mr SCHULTZ—AFAC put out a newsletter stating that the federal government announced in the budget papers that up to \$5.5 million had been allocated to assist states and territories meet their aerial firefighting needs for the 2003-04 fire season. AFAC released the request for proposal for national aerial firefighting services on 6 June 2003, and the opportunity for industry to provide responses closed on 27 June 2003. We have received evidence, particularly from groups such as the Aerial Agricultural Association of Australia, that would indicate that they have some real concerns about that process. The responses that we have had in evidence over the weeks and months we have been taking evidence suggest that the current tender for the aircraft—that is, that particular tender—has been run over a too short time frame, that questions at the briefings were not answered and would only be taken if in writing and that, despite statements to the contrary, the specifications preclude fixed wing aircraft. Would you like to make some comment on that, please?

Mr Foster—I do not know how much flexibility we have got, but I will certainly answer that question for you. I think the more strategic issue, if I can suggest, is the issue about a national aircraft strategy, and I will certainly come to your point. It has been fascinating in Australia that people have been in it and observing it for a long, long time. Australia has really relied very heavily on its manpower firefighters underscoring the absolute essential nature of the volunteer firefighters. So Australia, unlike a lot of countries overseas, particularly North America, has a

manpower based firefighting organisation. For that reason, we have never really developed a national strategy for aircraft.

Following the fires in New South Wales in 2000, the Commonwealth government through the Prime Minister and Deputy Prime Minister suggested that it was time for the states and territories and agencies to start looking at a national approach. They made it very, very clear—and we endorsed it—that it was for heavy- and medium-capacity aircraft. They were very clear in saying that this was not to include what we called base load aircraft, or the lower-capacity aircraft, because that was to be the responsibility of the states and territories, and we accepted that.

Then, last fire season, we ultimately achieved an \$8.8 million contribution from the Commonwealth, and the states and territories contributed something like \$13 million to \$14 million on the leasing costs of those aircraft and probably about \$140 million worth of operation costs. The Commonwealth in its budget for 2003-04 included a \$5.5 million allocation for aircraft and, fortunately, on this occasion there were no strings—it was really the basis which we needed. In discussion with the Commonwealth officials and others, and certainly the agencies, we concluded that this had to be for high-capacity and medium-capacity aircraft.

Mr SCHULTZ—So you are saying effectively that the Commonwealth money had a clause to it on the basis that it had to be for heavy, large—

Mr Foster—No, I just indicated that there were no strings attached to it this time. It was quite open. The previous year it was specifically for air cranes, but this year it was left wide open. Finally, getting to your question: the tender was very open and we believe, contrary to the advice that you have been given so far, it allowed for both fixed wing and rotary aircraft, but high capacity and medium. We received, from memory, about 34 tenders, both fixed wing and rotary, and we have had a very transparent process—

Mr SCHULTZ—What do you call high-capacity aircraft? What type of aircraft are you talking about?

Mr Foster—We are designating a high-capacity aircraft as somewhere above 7,000 litres or seven tonne, and a medium-capacity aircraft in the tender was about 2,700 or 2,900 litres or 2.9 tonne. We also had in the tender the requirement that they had the ability to transport personnel.

Mr SCHULTZ—So would Airtractor 802s and Dromaders come into that category?

Mr Foster—Yes, they would. They would come into the 2,700.

Mr SCHULTZ—I am not quite sure whether this is in your field, but you might like to offer an opinion if you cannot answer this question. Why do you think under those sorts of circumstances the New South Wales Rural Fire Service failed to call that type of aircraft—which were on the ground during the January fires—into service to suppress fires in their early stages?

Mr Foster—We in our capacity of the council would not be in a position to make any comment on an agency position.

Mr SCHULTZ—Can I ask you another question. On page 7 and 8 of your submission, under section 6 ‘Resources’—

CHAIR—There was no submission. It is just a copy of the National Aerial Firefighting Strategy.

Mr SCHULTZ—At the bottom of page 7 under ‘Resources’, you say:

An analysis of the current arrangements provided by the States and Territories has been undertaken. This indicates that given current arrangements, in a normal year the following peak resources would ideally be provided for on a national basis in order to reasonably address resource requirements across Australia—

I presume you are talking about rural, fire-suppressing aircraft.

Mr Foster—Basically, that report was almost exclusively written for rural-urban interface activities.

Mr SCHULTZ—We have established that. On page 8 you describe those resources:

4 high volume aircraft (including attached light helicopters for air attack supervision)

5 medium helicopters (specially equipped)

2 fixed wing firebombers (single-engine airtankers, or “SEATS”)

appropriate management, supervision and support resources.

Can you describe to me what you mean by two fixed wing firebombers? What type and what capacity are you talking about?

Mr Foster—That was the 2002-03 submission. That submission was never successful. That is what we in the fire services believed was required as a stage 1 implementation in 2002-03. Those two fixed wing aircraft were a requirement from Western Australia, and they would have been of the Air Tractor or Dromader type.

Mr SCHULTZ—Are you saying that only two of that type of aircraft were required on a standby contractual basis leading up to a fire season?

Mr Foster—No. What we were saying in terms of the Commonwealth requirement in 2002-03 in which they gave us \$5.5 million—and we were expecting more money than that—was that, when we went around the states, the states requested resources, and the two aircraft that you are referring to were requested by Western Australia—

Mr SCHULTZ—It does not say that.

Mr Foster—No. I am advising you in terms of their request. If you went to the appendices in that submission, you would find that they were requested from Western Australia. The really

important thing about the national aircraft strategy in 2002-03 is that it was focused on rural-urban interface because that was the huge problem in the year 2000 and it was the problem that we envisaged in October last year, prior to the horrendous fires that we had in—

Mr SCHULTZ—I am aware of that. I am a rural member, and I am aware that the problem has been there since the late 1980s and that nothing has been done about it since. That is why I am asking the questions. What are the four high-volume aircraft? Can you describe those aircraft to me? Are you talking about the huge—

CHAIR—The Erickson.

Mr SCHULTZ—Yes, the Erickson air cranes?

Mr Foster—Yes. In 2002-03 we were looking at Erickson air cranes.

Mr HAWKER—I want to follow up on the question of interoperability between different organisations. I cite the example of the south-east of South Australia and western Victoria where concerns have been brought to my attention by a working party there about physical equipment mismatches, including radios. What steps are you taking to coordinate organisations? In your opening remarks you spoke about trying to get everyone to work together, and yet there still seems to be a major problem in this case. I believe it is not exclusively between Victoria and South Australia; it is between other states as well.

Mr Gledhill—The question of interoperability between states has really started to emerge as our interstate operations have progressed. In 1994 the first major interstate cooperative effort was made into New South Wales. There has been for many years cross-border cooperation between states, and that continues. I do not believe the issues of interoperability are too bad in the cross-border situations. I think that, because we have been operating more on a large scale, some of the issues of interoperability of communication systems have emerged. There are some issues there. I do not think there is a state or territory in Australia that operates on the same system. Our communication systems are not compatible, and we are talking about a lot of money to correct it—one would assume. To date we have managed to get around most of those issues by having a pool of radios and units operating with their own equipment when they are interstate. We have sort of cobbled together a solution. One can only assume that we will continue to operate interstate more than we have in the past; it will continue to grow. The question of interoperability, particularly with communication systems, is something which AFAC will be involved in the very near future.

Mr HAWKER—Could you just expand on that? I have lived on the border for years and been involved, and this is not a new problem.

Mr Foster—The specific case involves the CFA and the Country Fire Service. The problem is recognised and is a matter for the CFA and the Country Fire Service—and I say that in no way defensively. As John has indicated, it has probably re-emerged as more than just a Victorian and South Australian problem; I think it is wider. Unlike as recently as five years ago, agencies today are starting to plan with both states in mind rather than having silo mentalities. I really believe that the problem has to be acknowledged. The Commonwealth could help enormously by having one single emergency frequency. We have been arguing for that for years but have been unable

to achieve it. That not only applies to the fire agency; that also applies to other agencies. In summary, Mr Hawker, the issue that you raise is a reason for quite considerable concern in those geographical areas and it will require agencies moving away from a silo mentality.

Mr MOSSFIELD—You have spoken of the paid staff and the volunteers that you are responsible for; I think you have said that 45,000 are paid and there are over 300,000 volunteers. Is that number adequate to meet ongoing requirements? In the volunteer area, are you finding a falling off of people who are prepared to volunteer or that the ageing of those people is affecting the number of people available?

Mr Foster—Perhaps both of us should make a comment on this. The AFAC has no responsibility for those at all. The comment that I made was that the fire agencies themselves are responsible for that. One reason for the rapid escalation in aircraft usage in Australia has been the recognition of the very considerable added pressure being placed on volunteers today. Because of a whole range of legislative and legal requirements, volunteers are required to spend increased amounts of time in training and in firefighting activity, both urban and rural. It is very hard to be a volunteer today with all the constraints that are placed on them.

As I said earlier, we are blessed in Australia in that we have this very large number of volunteers who every year are available. In my view, the Commonwealth—because this is a Commonwealth hearing—needs to recognise that. Any assistance or support that can be given to volunteers in Australia—not only of firefighting services but also of the other emergency services—must be given. Just to give you a very simple example, the House is putting through legislation to do with a charities definition inquiry which will have very significant ramifications for the volunteers in emergency services on something as simple as gift donations—all of these factors. John has thousands and thousands of volunteers.

Mr Gledhill—To answer your question about whether volunteer numbers are dropping, I do not know whether there is any good, reliable information on them. As systems of registration and recording improve we will probably know better. In my own agency, a drop-off in volunteers can be seen over the last few years. But I do not know that our volunteers are necessarily declining. I think our record keeping is much better; we have stopped double counting. It was always a very informal thing to be a volunteer. As time has progressed, we have had to formalise our recording systems and keep track of our volunteers more and more, and we are finding that perhaps we have not got quite the numbers we thought we had. Plenty of places can say anecdotally that their volunteer numbers are dropping, but I can also show anecdotally that at plenty of other places there is a good, steady input of volunteers. It is a difficult question to answer.

Mr Foster—Without being state specific, there are a number of things that are known. One is the continued rural-urban drift of population. Also there is an ageing population in the bush. Then, if you take reduced numbers and increasing age, more work is flowing to fewer people and in the rural area that is placing increased pressure on the volunteer movement. The old view that volunteers were always going to be there and be willing to participate really has to be viewed with quite some scepticism. They need to be protected and supported so that they continue to do their job.

Mr MOSSFIELD—Is there any view relating to whether volunteers, if they have to go away to do that work, should be recompensed in any way at all for lost time?

Mr Foster—Once again without being state specific, within the states and through the volunteer movement, some of the very large volunteer groups themselves have actively canvassed against being paid. The argument often used is that, once you start paying volunteers, you will destroy the volunteer ethos in Australia. That is something that I support, and I have had ample evidence of very large numbers of volunteers who support that program. The Commonwealth could actually provide support in indirect ways. Often in the United States they provide tax relief and local government relief in recognition of the work that is supplied by volunteers. Once you start talking about volunteers, the great number of people who actually support volunteers—that is the employers of volunteers—have to be recognised as well. This is a very difficult problem. My honest answer to you in this sense is that volunteers are the people who have to answer this question. From my knowledge, today they are saying, by a very large majority, ‘No direct payment.’

Mr ORGAN—What process will AFAC be going through to take on board the experiences of the last two years in light of all the various reports and inquiries that are going on; do you have a specific process at all? Also what role do you see the Commonwealth playing in this whole area? It is a pretty broad question.

Mr Foster—I like the second part of it.

Mr Gledhill—In answer to the first part of the question, quite clearly AFAC will be involved in examining the outcome of all the various reviews and inquiries that are going on. What it does with them will vary depending on some of the recommendations. AFAC really only has a role in coordinating and facilitating; it is not a decision making organisation—it cannot be. The decisions rest with the states. We can try and coordinate issues that have a national perspective to them and, if issues emerge that are national—interoperability of communication systems is an example of a national issue that may come out of such inquiries—we can deal with those issues. But I believe that in a lot of cases the recommendations will be very much site specific or jurisdiction specific and, as such, AFAC really will be an interested onlooker. It will bring people together and will facilitate joint discussions, no doubt. But the outcomes of those discussions will vary, depending on the subject.

Mr Foster—Probably this is part of the ageing process, but I have seen the cycle come and go. I believe the Commonwealth has a significant role to play in making a national approach. Two things are occurring at the moment. One is the national aircraft strategy, and the Commonwealth injecting money has made that happen. In my view, it otherwise would not have happened. We have not been always happy with the speed but it is progressing. We are moving towards hopefully a Canadian model where the agencies can operate virtually as a company and go through the whole process of tender, procurement and operation of aircraft. That could very easily apply to a whole range of other activities. The Commonwealth, in our view, has a very important role to play in that. Many of the issues that you are involved in—such as prescribed burning, hazardous fuel reduction and so on—require a huge amount of research. I am constantly amazed that really no definitive research exists to answer many of these questions.

We have been fortunate, through AFAC and with the support of the Commonwealth, states and territories, to win a cooperative research centre. We have had allocations of money from the states, territories, universities and so on of over \$100 million to undertake basic research into things like prescribed burning, hazardous fuel reduction, the effectiveness of aircraft as opposed

to terrestrial land forces and so on. As we mentioned earlier, the volunteer movement can be supported enormously by the Commonwealth with a whole range of indirect financial support, and we would ask for that support on behalf of those people.

Mr ADAMS—In February 2002 the federal minister for regional services commissioned a report from you after the fires of 2001. The report was delivered in August. Has that report ever been published and made public?

Mr Foster—We were commissioned to prepare a report for the Department of Transport and Regional Services; therefore it was virtually a commercial-in-confidence document. I have to say that I have seen it in many places. It was the first time that the Australian fire services have put together a national approach for aircraft.

Mr ADAMS—But has that report been tabled in the federal parliament?

Mr Foster—I have no idea.

Mr ADAMS—So you do not know whether it has been released to the public?

Mr Foster—I believe it has been referred to in parliament, but I would not have thought the actual document would have been released because it had a lot of commercial-in-confidence information, documentation and figures.

Mr ADAMS—Your organisation and the agencies come across many people—this committee has received evidence from people with aircraft—whose aircraft are okay. They are agricultural type aircraft that are available for fighting fires and they want to be picked up. It is a bit like the organisation coming across other people who have vehicles, design vehicles or are going to make vehicles or equipment that knock out a fire et cetera. Is that the general experience that your organisation would have?

Mr Gledhill—There are always people coming forward with ideas, and aircraft are in that category too. When we have a major fire campaign, aircraft come out of the woodwork and everybody wants to go and drop water on the fires. Quite clearly, some are better at doing it than others. But there is still a lot of research that needs to be done as indicated and that is one of the tasks of the CRC. At this stage, the requests for aircraft have really come from within the states channelled through AFAC and back through that report. AFAC is really only reflecting what each of the state jurisdictions have sought through every process to date.

Mr ADAMS—That is all you can do. The process of sorting out Australia's needs for aircraft capacity is still going on.

Mr Foster—Yes. Once again, the science needs to be defined through the CRC. In your federal budget you have allocated \$5.5 million this year. We have now completed a submission which will be considered by the senior fire personnel in Australia on Tuesday, and it will be submitted to the Department of Transport and Regional Services on Wednesday or Thursday of next week. It will be our request for the release of the \$5.5 million to fight the fires of 2003-04.

Mrs GASH—Mr Foster, in your preamble you stated you are basically coordinators and facilitators, that is correct?

Mr Foster—Yes.

Mrs GASH—Why have you decided to go into volunteer training programs now as opposed to before?

Mr Foster—We run a range of personal development programs and management development programs through our body.

Mrs GASH—Are they for executives or for volunteers?

Mr Foster—In the past it has been for our paid personnel. The training of both paid personnel and volunteers is the responsibility of the individual states and agencies. We have now collectively taken the view that there is enormous advantage in cross-pollination and bringing people from the agencies together. The only training that we, as a national body, provide are those training programs which require that cross-pollination of people from a whole range of agencies. You are absolutely right; last year was the first time that we actually ran personal development and management development programs for our senior volunteers. It was a huge success and, based on the cross-pollination program, we will be running many more of them.

Mrs GASH—Can I take it from your response that you feel that the states and individual associations are not doing enough to train volunteers—that you have to step in as a national body?

Mr Foster—No, that would be an incorrect interpretation.

Mrs GASH—Could you correct me on that?

Mr Foster—Yes. There are agencies that I know of that are literally spending tens of millions of dollars on training for volunteers in an operational sense and so on. The only programs that we would even consider, as a national body, are those that would involve—I will keep using the term—the cross-pollination aspect. That would be our role. The other training is and should be the responsibility of the individual agencies which the volunteers come from.

Mrs GASH—So you are looking at funding from the Commonwealth with regard to your national training program? Do you see that there is a role for the Commonwealth in there?

Mr Foster—No, not at all. My comment about funding support was for volunteers who were leaving the workplace and recognising the contribution that they made.

Mr GAVAN O'CONNOR—Mr Foster, I will be quick and direct. On page 4 you state:

... it is reality that, given the volatile nature of fuels, the Australian climate and the now highly modified environment, there will again be fires that threaten life and property and that pose significant economic and environmental risks.

Was it your view that the 2002-03 season posed unprecedented risks and dangers to the Australian community?

Mr Foster—I am not quite sure of the document you are referring to.

Mr GAVAN O'CONNOR—It is the National Aerial Firefighting Strategy executive summary from 15 August, the one that you submitted as evidence.

Mr Foster—I do not think we have submitted that. I think that is probably the document that was prepared—

CHAIR—Mr Foster, you did actually submit it to the committee.

Mr Foster—I did; my apologies. I was just reminded that I was on leave.

CHAIR—But you signed the letter.

Mr Foster—I was not on leave then. The question is a very valid one. It was quite clear to us in September of last year that we were facing a very atypical and severe fire season to the extent that, for the very first time in my history in the fire services, we called a summit in Melbourne where we brought together all of the senior operational people from around Australia to consider what we had to do leading up to 2002-03. It was obvious to all of us that we were in extreme danger. As a result of that we fast-tracked, as the President of AFAC referred to earlier, the development of protocols and guidelines to facilitate the movement of personnel across the border.

Mr GAVAN O'CONNOR—On page 6 you said that the states and territories should continue to plan to provide for the base load. Then you said there needed to be enhanced arrangements for sharing and then you said there needed to be an immediate top-up in aerial firefighting resources to cope with the following season. That was your assessment of the season?

Mr Foster—Without question.

Mr GAVAN O'CONNOR—And you nominated a range of aircraft—four high-volume aircraft, five medium helicopters, two fixed wing firebombers—and the support resources to give effect to that particular recommendation.

Mr Foster—Correct.

Mr GAVAN O'CONNOR—On page 10 at item (d), you indicated:

Time-lines to put aircraft resources in place, and to provide resources for management, supervision and support ... are extremely tight. There is no opportunity for individual agencies to seek the additional funding.

So the time lines were tight when you delivered this particular report to the minister's department. You needed those aircraft ASAP for the forthcoming fire season. Was the range of aircraft that you indicated in stage 1 made available?

Mr Foster—No.

Mr GAVAN O'CONNOR—You have also indicated for stage 2 a range of aircraft and a strategy required for forthcoming fire seasons. Can we be assured that the stage 2 recommendations are in train and that there is that cooperation and the assessment of resources to make them available?

Mr Foster—Yes. The 2002-03 fire season was very rushed in terms of our application. Originally, we received Commonwealth funding for two air cranes. Given the horrific nature of the fires last year, the Commonwealth actually increased its funding by about \$3.2 million to a total of about \$8.8 million from memory, which meant that we ended up having access to five high-capacity aircraft which was basically what we requested in the original submission. With the effluxion of time and an additional 12 months planning, we will be making a submission to DOTARS next Wednesday, as I mentioned earlier, which has a range of aircraft which will utilise the \$5.5 million from the Commonwealth and will require about \$9½ million from the states and territories.

Mr GAVAN O'CONNOR—Thank you.

CHAIR—We have to finish but I need to clarify one of your answers. You said in your answer to Mr O'Connor that quite definitely they were the aircraft that were needed. So if AFAC's view was that those aircraft were needed for the fire season, would you agree that it seems rather strange that particularly in one case aircraft were available but not being used on a fire?

Mr Foster—One, I do not know the example and, two, that would be a matter for the states and territories. What I am saying—

CHAIR—The operational matter is for the states and territories, but I am putting to you this situation: AFAC is so definite that these aircraft were needed and were to be funded by the Commonwealth, but there was a situation—and we have received evidence to this effect—where aircraft were available but not being utilised on the major fire on the outskirts of Canberra and New South Wales.

Mr Foster—The submission that we are referring to are referring to heavy and medium aircraft. That submission only referred to those. Those aircraft were not available within Australia, and to bring the additional three air cranes across to Australia halfway through the fire season was an additional \$800,000 in transport costs because they required transporting Antonovs from the United States.

CHAIR—But you did say that medium aircraft were 2,700 litre and, in answer to Mr Schultz, you acknowledged that that included Air Tractor 802s and Dromaders. That is in conflict. You said that they were not available, but the evidence before the committee is that those aircraft were available.

Mr Foster—That is absolutely right. What I am referring to is the submission which actually required a certain designated number of aircraft—specific aircraft which we required. So my answer refers to that. You are correct in saying that, if I were to refer to a medium helicopter

outside of that submission, the Dromaders and air tractors would meet the capacity of the 2,700 or 2,900 litre.

CHAIR—Our time is tight and I know you have to be on a plane as well, so thanks very much for your evidence here this afternoon.

Mr Foster—Thank you.

[5.21 p.m.]

BENNETT, Mr Ian Harold, Secretary, Australasian Assembly of Volunteer Fire Brigade Associations Inc

STAFFORD, Mr Campbell Robert, President, Australasian Assembly of Volunteer Fire Brigade Associations Inc

CHAIR—Welcome. I know you were present before, so I will not reread the introduction in respect of your evidence. We have your submission, No. 399, and have authorised it for publication so it forms part of the evidence of the inquiry. Would you like to make some opening remarks before we have questions?

Mr Stafford—First and foremost, I would say that we have great pleasure in putting a submission before you and also appearing in person. We are very hopeful that something really positive will occur out of these deliberations in relation to the firefighting efforts in Australia.

Mr Bennett—I also welcome the opportunity to address the House of Representatives Select Committee on the Recent Australian Bushfires, although we must pass on to the committee the assembly's disappointment at the progress of the inquiry so far. It is disappointing to us that the process is being seen by many members of the general public, especially our firefighters, as a partisan political activity of a federal Liberal-National Party government in conflict with state and territory Labor governments. You are well aware that the state and territory forestry and environment departments and their fire authorities have not made submissions to the committee. They presumably did not do so for a variety of reasons—because the federal government is sticking its nose into state affairs, for example, or because of the terms of reference or the form of the inquiry itself.

As a consequence we have seen the inquiry degenerate into a one-sided affair with a variety of people making claims, allegations and assertions that are left to members of the committee to challenge or accept. They have not been tested by referring them to the people charged with the responsibility for taking the actions. As far as the assembly is concerned, we would like to think the federal government is developing a national overview as it has demonstrated by its aim of developing a National Aerial Firefighting Strategy and its support for the establishment of a bushfire CRC, both of which we strongly support. The assembly, as I mentioned in the submission, came together over 20 years ago because the assembly, representing the volunteer associations in each of the states and territories, recognised that there was a wider view that we should all have—that we should be looking at things from a national point of view. So we recognise the difficulty the committee will have in writing its report and we sympathise with you.

We are not aware as to how the terms of reference were in fact developed and presume they were not written in collaboration with state and territory fire authorities. Perhaps the states and territories regarded the terms of reference as a way of identifying someone to blame for the fires that were all caused, as far as we know, by lightning strikes. We suggested other forms of inquiry in our report, and you probably have read them. We have also suggested that other terms of

reference should have been included. We have not noticed anything about climate change. We all recognise the situation that fires have increased in frequency and intensity, and we are interested in some discussion on that perhaps.

In light of a variety of comments that were made at our recent conference in Darwin held a couple of weeks ago, we perhaps should have added another term of reference—say: what should the Commonwealth do to alleviate the mental health effects of the bushfires on already vulnerable people such as farmers, other land holders and our volunteer firefighters? On reading some of the testimonies, one is left with the impression that the volunteer firefighters were pawns, literally being moved around by unseen paid managers, without having any recourse to question those orders. The reality was quite the opposite. The incident management teams were made up of people who were appropriately trained and experienced, whether they were fire service professionals, volunteers, forestry or environment department workers.

In presentations made to our conference it is abundantly clear to us that the firefighting operations were carried out with great skill and consideration for the welfare of those who willingly put themselves in harms way. For example, Victoria fought the largest fires in the last 60 years—which consumed some 1.6 million hectares of forest, around 75,000 hectares of farming land, 41 houses, over 200 other buildings, 3,000 kilometres of fencing and some 11,000 head of stock, and, unfortunately, caused one accidental death. But given the potential for loss and what eventually occurred, these figures—enormous though they are—are considered by all involved in the firefight to be a great outcome. The firefighters and the managers, both volunteer and professional, are proud of their accomplishments.

With a lack of official input from the Victorian authorities, how is this committee capable of judging their performance in light of the assertions made by the various private submitters? How is the committee going to be fair to the volunteers who were involved in this longest ever firefight? We are sure similar assertions and counterclaims can be made with respect to the New South Wales fires and especially the ACT fires. The question comes to what credibility the committee report is ultimately going to have. As indicated earlier, we are disappointed with the progress of the inquiry because we have the view that the federal government should have a role in dealing with the fire problem in Australia. We have mentioned that in our submission. At our regular visits to Canberra, politicians on both sides of the fence have tended to say, 'It's a states rights issue,' in order to put us off, but you cannot have it both ways.

Australia is increasingly one nation, not a series of isolated colonies. There are a number of aspects of our isolated colonialist past we have to escape from. One of the problems is the incompatibility of equipment, hoses and fittings. Not only do we have incompatibility between the states; in some cases, such as in Victoria, we have incompatibility between the metropolitan fire service and the country fire service. Each of the services has no trouble operating within its own system, but the simple fact is that they need adapters to connect to their neighbouring service. We do not have a single standard of fitting and hoses across the nation. There are obvious benefits and savings to be made and it requires real leadership and money to bring it about.

In a similar way we do not have a set of standardised fire trucks that meet some agreed objective measures of safety and effectiveness. That is an area for the Bushfire CRC to work on and, with the right leadership again, there are great gains to be made. The federal government

has a role in the assignment of radio frequencies, but we still have an incompatibility between states and services. We need a national plan—at least as far as we know, we do not have one—for the future provision of radio and data transfer, which will become increasingly important in the future. Once again national leadership is required.

One of the things this inquiry has focused on is the issue of fuel reduction burning. As we said in our submission, fuel is the only variable over which we have any control. We either reduce it to a manageable level on an annual basis or we lose the landscape once every 50 years or so, as we did so spectacularly in the last year. You need to recognise that doing nothing over many years was a conscious decision ultimately taken by politicians from both sides of the fence. Fuel reduction and regular fuel management was not done primarily because it was too expensive or perhaps it was too difficult to convince the public that it needed to be done. A reality check, of course, should be taken in terms of identifying what would be required on an annual basis and how expensive it would be to achieve the low to moderate fuel levels with which most fires are controllable. We are talking about the need to burn perhaps 20 per cent of forest land annually—that is, after we get rid of an accumulation of 50 years of inadequate work.

We suggested in our submission that greenhouse considerations are important. We raised the question as to whether climate change was occurring and making the fires more frequent and more intense. The Bureau of Meteorology is a Commonwealth responsibility. Is the study being done to answer that question? Indeed, is somebody investigating what the proposed fuel reduction burning which is being suggested by some would do in terms of carbon liberation in the form of carbon dioxide?

Over the last year a working party of Victorian and South Australian volunteers has been investigating a number of cross-border issues. It has reported to our conference and identified a number of issues that need to be considered on a national basis, and Mr Hawker has already been provided with the report. It highlights the disparities that exist between states and the means to solve them. It suggests that we needed people of goodwill coming together, with the intention of solving these problems. Its recommendation was reflected in a draft declaration which the conference in Darwin a fortnight ago also resolved to support, that is:

That this conference of the Australasian Assembly of Volunteer Fire Brigade Associations calls on the Australian Prime Minister and the federal Leader of the Opposition to work together to establish a National Consultation Council with fire service volunteers. The National Consultation Council should be made up of the Prime Minister, the federal Leader of the Opposition, the state and territory ministers for emergency services or bushfire related agencies, representatives of the assembly, and state and territory fire service volunteers. The National Consultation Council should meet at least annually, in conjunction with meetings of the state and territory ministers for emergency services. The purpose of the National Consultation Council should be to decide appropriate actions to preserve and strengthen the volunteer fire service to ensure that it is always available to be called upon in times of need. Those needs include wildfires and structural fires, as well as a range of ill-defined chemical and biological threats, such as the outbreak of major animal diseases.

We also declared:

That the parties to the National Consultation Council should jointly act to put into effect the decisions reached at its meetings, without regard to partisan political considerations. It should at its earliest convenience involve the New Zealand government, the New Zealand Leader of the Opposition and the volunteer fire service in establishing itself as an

Australasian council. Further, the National Consultation Council should ultimately be extended to encompass a range of other emergency service volunteers.

That is the sort of vision we have. We are quite interested in answering your questions.

CHAIR—Thank you, Mr Bennett. Before I ask my colleagues for questions, for the sake of completeness I will correct you on a couple of matters with respect to the operation of this committee. Firstly, your statement that state and territory fire authorities did not put in submissions is not correct; the Western Australian authorities did and we also had some cooperation from the Tasmanian authorities. Secondly, if climate change is not a part of terms of reference (b), I am obviously reading the terms of reference quite differently from the way you are reading them. Thirdly, I can assure you that the many dozens—in fact, possibly hundreds—of volunteers who made submissions and gave evidence to this inquiry will be taken into account as far as this committee is concerned. That is where the bulk of our evidence comes from—the people who are on the ground. You seemed to suggest that we would not give volunteers a fair go, but the volunteers have had a very good go and have provided incredibly frank and detailed evidence to this inquiry.

Mr ADAMS—The terms of reference are written by the minister. Unfortunately the parliament has not reached the stage of maturity yet where we, as members of parliament and of this committee, write our own submission and our own terms of reference to do our own work. We still have to take that from the minister. In overall terms, that is the case for all committees. You said that you did not know where the terms of reference came from; just so you understand, they came from the minister.

CHAIR—And this is a select committee, therefore it was specifically set up to address those terms of reference provided by the minister. While standing committees have to take references from ministers, the minister usually does that in cooperation with committees as well.

Mr HAWKER—Mr Bennett, I want to clarify something. In your written submission you state:

When a federal inquiry is held into a subject that is seen to be the sole responsibility of state or territory governments, such as fires and firefighting...

... ..

The Assembly has, over more than twenty years been urging federal governments of both political persuasions and senior public servants to recognize that there is a role for them in the battle against fire ...

Which point are you trying to make here?

Mr Bennett—It is not seen by us as being solely a state issue; it is seen as that by fire authorities in operations within the states, for example.

Mr HAWKER—Sorry, but I am trying to get to the point. Are you saying that this inquiry is a valid inquiry or not?

Mr Bennett—This inquiry is totally valid.

Mr HAWKER—Why are you talking about the ‘sole responsibility’ of states and territories?

Mr Bennett—I am saying that there is an opinion—not shared by this assembly—in many areas that the responsibility for firefighting within a state is the responsibility of the state and of the state alone.

Mr HAWKER—But I am trying to clarify whether your submission is saying this inquiry is a valid inquiry or is not a valid inquiry.

Mr Bennett—I said this inquiry is certainly a valid inquiry. It is welcomed by the assembly. We believe that it is appropriate that it does have a national view and we would hope that it would be most successful. But unfortunately the way in which it seems to have been perceived by some has not given us great hope that that may be the case.

Mr HAWKER—I will follow up the point that the chairman made. I am trying to work out how you reach a position as an assembly vis-a-vis the comments that many volunteers have put to this committee, which seem to be somewhat different from the ones that you have put in your submission. How do you reach a position? How many members do you have? How does it all work as an organisation?

Mr Bennett—The assembly operates as an assembly of volunteer associations. There are 12 volunteer associations representing each of the states and territories. We meet together annually and consider proposals put by any or all of the states.

Mr HAWKER—When did you last meet?

Mr Bennett—Two weeks ago, in Darwin.

Mr HAWKER—So this submission was written after the fires but before you had had a meeting of the organisations to agree to it?

Mr Bennett—I wrote the submission. I submitted it to the various associations and our representatives by email. We discussed it that way and produced an agreed version.

Mr ADAMS—What are we trying to do here? Are we trying to destroy the evidence that these people are putting before us?

Mr HAWKER—No. I am trying to clarify—

Mr ADAMS—What are you on about?

CHAIR—I think these are valid questions.

Mr ADAMS—I do not think they are valid questions at all. We have an organisation giving us evidence. We should accept the evidence.

Ms PANOPOULOS—He is trying to ascertain that the representative nature of a national body is a valid thing, because I am not sure that I personally have—

Mr ADAMS—You do not like the evidence so you are attacking the body. That is a dreadful thing to do.

Ms PANOPOULOS—No, it is trying to ascertain whom they represent.

Mr HAWKER—I am just trying to ascertain why there is this apparent contradiction. So many volunteers have given evidence to this committee as it has travelled around which seems so different from this. I am just wondering how you bring it together.

Mr Stafford—May I make a comment, Chair?

CHAIR—Sure.

Mr Stafford—I will clarify the situation.

CHAIR—Thank you, Mr Stafford.

Mr Stafford—This attitude for the assembly has built up over a significant number of years as we have gone out and tried to represent firefighters on a national basis. That has led to some degree of frustration, and you would have heard that in the last submission from AFAC as well. So that, to some degree, is the difficulty that this assembly has had as it has come to pursue various aspects on behalf of volunteers, many of whom of course probably have not even heard of us, because it is very difficult to touch base with our constituency. That is done through the various associations throughout the states. As a consequence, it is that frustration which is really relating to that point. We have difficulty in picking up a number of issues because in most emergency circumstances the responsibility sits with the states. We have had some difficulty in being able to further some of those issues and concerns that our association has put forward. I hope that clarifies it.

Ms PANOPOULOS—I apologise for not having heard of your organisation before you made your submission to this committee. I am on this committee because my electorate in north-east Victoria was burnt severely. Of the 12 volunteer associations that you said are members, which is the Victorian one?

Mr Bennett—There are two: the Victorian Urban Fire Brigade Association and the Victorian Rural Fire Brigade Association.

Ms PANOPOULOS—Is the Victorian Rural Fire Brigade Association made up of the CFA?

Mr Bennett—No, it is made up of representatives of regional councils within the region. The regional council is made up of each of the member brigades. So it sits slightly to one side of the CFA, and it is the same with the urban association.

Ms PANOPOULOS—That helps me clarify things, because it explains in my mind the difference in conclusions and opinions about certain issues. I was a bit confused.

Mr Bennett—The model is very similar to political parties.

Ms PANOPOULOS—In relation to that, I was really fascinated by your statement in your oral submission that firefighters were disappointed with the federal inquiry. I am not trying to be provocative at all, but the reason I say that is that in my electorate, where there were fires over six weeks, it was my firefighters that wanted to have an inquiry and that gave me the courage and support to work with other members whose electorates had suffered similarly. I am interested in knowing whether you had any input from any of the firefighters in Victoria, specifically, who were disappointed that this was a federal inquiry.

Mr Bennett—We are not disappointed that it is a federal inquiry; we are disappointed about the fact that the inquiry is not getting input from the whole of the country on a national basis.

Ms PANOPOULOS—I am just trying to ascertain whether there were any people from the north-east of Victoria who expressed that view. Did you get any input from there?

Mr Bennett—Not that I am specifically aware of.

Ms PANOPOULOS—Did you draft this written submission?

Mr Bennett—Yes.

Ms PANOPOULOS—The other interesting attitude that seems to sit on the opposite side to something expressed by my local firefighters is that, as you said in your oral submission, given the potential for loss it was considered by all involved to be a terrific outcome that there were not more lives lost et cetera. A lot of my local people were very upset, to the point of coming to these inquiry hearings and not only being very angry but breaking down in tears, because their view is contrary to that. They say that it was something that should not have happened. They pinpoint as one of the key issues the reluctance to fight the fire aggressively at the initial point of ignition or soon after. What are your thoughts about that attitude? I would have to say that 100 per cent of the volunteer firefighters in my electorate that I have spoken to—and there have been dozens and dozens; I have even gone into their homes to seek their opinions—would be of that view. Do you find any credibility in the criticism that the devastation was partly caused by an inability to strike at the initial point of ignition, as has also been repeated by the ACT inquiry finding?

Mr Bennett—First up, I said that Victoria can claim success in that, and Victoria has claimed success in it. When I say Victoria I mean the Country Fire Authority and the government. I have said also that, given the potential for loss, the claim is that that was a success. I raised the question of how this committee can judge that. That is what you, in effect, are pointing to, because really what is happening is that the locals are saying, ‘We could have stopped the fire. It wouldn’t have got as big as it did if we had fought it more aggressively in the first place.’ The CFA approach to it, given the potential for the loss of life of volunteer firefighters, has been very much a safety first approach.

Ms PANOPOULOS—So what do you make of the ACT inquiry that concluded—and it was accepted by the Chief Minister—that the fires could have been stopped at an earlier point and then would not have caused the extent of devastation that they did in the ACT?

CHAIR—That was the New South Wales fires?

Ms PANOPOULOS—The ACT.

CHAIR—It is the ACT report.

Mr Bennett—That is to suggest that if somebody was standing beside the lightning bolt that hit the ground and started a fire—

Ms PANOPOULOS—No, I am not asking you what it suggests. Do you reject the findings of that inquiry?

Mr Bennett—I question the findings of the inquiry.

Ms PANOPOULOS—The reason I asked the previous question was the absolutism of your statement that it was considered by all involved a terrific outcome. Just to perhaps modify that a little, it was not considered a terrific outcome by the hundreds and thousands of volunteers on the ground—that is all.

CHAIR—Was there a question to be answered?

Mr Bennett—I am not sure there is. The real problem we have is the difference between the microscopic and the macroscopic view. Somebody standing near the fire thinks they are capable of putting it out, and then when you stand back and look at how big the fire is, you might get a different view entirely.

CHAIR—That is why this committee has taken evidence from the people on the ground. We will look at that evidence—the 500 submissions and the 14 days of evidence—and weigh it all up. That is the role of the inquiry. Mrs Gash?

Mrs GASH—What volunteer associations do you represent in New South Wales?

Mr Bennett—The New South Wales Rural Fire Service Association.

Mr ADAMS—I think it is appalling to attack witnesses.

Mrs GASH—I am not attacking; I am asking a relevant question.

Mr ADAMS—It is a disgrace.

CHAIR—Order! I say to the deputy chair that I am not going to overrule these questions being asked. It is quite appropriate for the committee to understand who is providing the particular evidence and the background. There is always conflicting evidence and there is nothing wrong in testing that conflicting evidence.

Mr ADAMS—Ask about the evidence, not the people.

CHAIR—You objected to that being asked just previously. Mrs Gash, your question?

Mrs GASH—I asked for your submission to be presented here tonight, because I wanted to know about you. I am very concerned about volunteers in firefighting situations and I am here to ask those questions to find out, so I will repeat my question. Could you please tell me the representative volunteer organisations of New South Wales?

Mr Bennett—The New South Wales Rural Fire Service Association and the Retained Firefighters Federation of New South Wales. We represent the urban part-paid—

Mrs GASH—The part-paid association?

Mr Bennett—The retained urban volunteers.

Mrs GASH—I will go to a further question, so I can understand where you come from. Are there paid people in your organisation or are they all volunteers?

Mr Bennett—They are all volunteers.

Mrs GASH—Are there paid people in your organisation?

Mr Bennett—Paid to what—fight fires or paid to—

Mrs GASH—Paid to work in your organisation.

Mr Bennett—It depends, in that sense—

Mrs GASH—Just yes or no will do, I do not mind.

Mr Bennett—No, generally. But there is the question of how people interpret the retained situation with firefighters in New South Wales and in Tasmania who are also members of our association.

Mrs GASH—Your title is the Australasian Assembly of Volunteer Fire Brigade Associations. All I am asking is: is it a total volunteer organisation or do you have some paid employees in the organisation?

Mr Bennett—I think we say that we are entirely a volunteer organisation.

Mrs GASH—Thank you. That is what I needed to know. I come from the Shoalhaven. Do you also have representation from the Shoalhaven in those New South Wales volunteer organisations that you deal with? I guess I am asking a double-barrelled question here: how many organisations responded to your submission, and was the New South Wales volunteer association one of those who responded?

Mr Bennett—Not that I am aware, in terms of Shoalhaven; I am not sure in terms of further input from New South Wales. I think they accepted what we had written.

Mrs GASH—You said you wrote the draft submission for further investigation by your volunteer members. How many of those members actually supported or responded to the email that you sent on the submission?

Mr Bennett—When you say ‘members’, are you talking about our association members?

Mrs GASH—Yes.

Mr Bennett—I think three or four of them said yes, that was fine; the others probably did not respond.

Mrs GASH—You have 12 volunteer associations—is that correct?

Mr Bennett—Yes.

Mrs GASH—And three or four responded?

Mr Bennett—Three or four sent an email and said, ‘You ought add something like this or that,’ but the rest of them accepted it as it was. It was a very short period of time in which to make a submission.

Mr ORGAN—Thank you for your very frank presentation. And yes, we are indeed one nation, as you state.

Mr Bennett—A bad day for it, after yesterday!

Mr ORGAN—As the Greens party member on this committee I, like you, am concerned about some of the perceptions out there about the failure of some of the most important state bodies to have input into this committee. We have tried very hard for that to happen, but unfortunately it has not happened. The inquiry is going to be very useful anyway. There is no doubt that we all here in this place support the work of volunteers—there is no doubt about that.

You have two submissions. One was what you told us, which was all over the place, to a degree, and you made a lot of statements about various things to the committee and about various opinions that the volunteers have out there. I suppose part of that is that we are still in a very emotional period following on from the recent disasters. So there is a lot of angst out in the community. You are putting forward the proposition about the no-blame scenario and how you really saw the many successes that volunteers had in fighting those fires in recent years. You were trying to bring out the point that we had extraordinary circumstances and people did their best: there might be faults and there might be things to learn, but we cannot necessarily go blaming the volunteers. Those were probably some of the things you were trying to get at.

Going back to the evidence, I have a quick comment to make and a query to direct to you. On page 13 you talk about Aboriginal forebears, firestick burning and all that sort of thing. We have heard a lot of comment about the previous fire regimes. You say:

When Lt. Cook ... first spotted Australia in 1770 he noted the large number of fires burning in the bush. Cook did not arrive in summer, but late April. The fires were autumn fuel reduction burning. It seems that the aborigines burned the bush in that way for maybe 60,000 years. The environment that Cook saw resulted from that burning.

Are you aware that the large majority of what Cook recorded in his journals, along with Banks and all the others, was actually campfires of the local people, as far as we know?

Mr Bennett—Campfires often got away. I am not saying somebody sat down and said, 'Let's fuel reduce the area.' I am saying the simple facts were—

Mr ORGAN—That is the point that you are actually making here: 'The fires were autumn fuel reduction burning.' I put it to you that the majority of the fires, especially in some of the heavily rainforested areas of eastern New South Wales that were in place when Cook came up the coast, were in fact Aboriginal campfires; they were not actually fuel reduction burning.

Mr Bennett—We can argue about fuel reduction burning but in response to the first part of Mr Organ's comment, and perhaps to Ms Panopoulos's comment as well, I ask: what do we regard as a measure of success in this situation? Clearly one of the measures of success is that houses did not burn or small numbers of houses burned. No firefighters lost their lives. The fire ultimately got pulled up before major areas of population were affected. Maybe another measure of success was that all of that forest that should have been burned over the last 50 years by way of fuel reduction burning ended up getting burnt. We need to have a national view of what we mean by success in this sort of an operation.

Mr GAVAN O'CONNOR—Mr Stafford, I have just a few questions. How many delegates attended the Darwin assembly?

Mr Stafford—The retained service were the only ones who did not attend, so it was 24.

Mr GAVAN O'CONNOR—Do you meet annually?

Mr Stafford—Yes, we do.

Mr GAVAN O'CONNOR—And you have been meeting annually for the past 20 years, I understand?

Mr Stafford—As I understand it. I have not been there for 24 years, but it is pretty well that, I think.

Mr GAVAN O'CONNOR—And these are all volunteers giving of their time to attend the assembly?

Mr Stafford—Yes, that is correct.

Mr GAVAN O'CONNOR—How many volunteers do you represent? Have you ever estimated that?

Mr Stafford—If we include New Zealand, I think we have an arbitrary figure of somewhere around 300,000-odd.

Mr GAVAN O'CONNOR—You represent 300,000-odd volunteers. Do you lobby government? Have you lobbied government over the past 20 years?

Mr Stafford—Yes, we certainly have.

Mr GAVAN O'CONNOR—On what sorts of issues?

Mr Stafford—In relation to recognition, and in relation to the aircraft issue. We have had a significant amount of input in questioning the aircraft strategy of recent times. Also, during this last year there was concern about the employer issue of dismissal for volunteers. We feel we have had a fair degree of success in readjusting the legislation in favour of employers because of the fact that we recognise the significant contribution that employers make, and we thought that it was going to severely impact upon volunteers. We have also taken up the issue of gas-fired vehicles and tried to bring to the attention of the road safety people the difficulty with fires on the highway. That is now becoming a significant amount of the work of volunteer firefighting authorities around Australia, along with the explosive aspects in relation to levy systems within car fires. They are just some areas—I hope that helps.

Mr GAVAN O'CONNOR—Yes, thank you. That is a fairly broad agenda. What was the substance of your Darwin declaration? What is the central feature of that?

CHAIR—They read it out.

Mr GAVAN O'CONNOR—It is in the evidence, so that is fine.

Mr Bennett—It was in the latter part of what I read out. In effect it was saying that we believe a national view is required. We believe the national view can be best put, initially, by the leaders of both major parties—the government and opposition—meeting with the ministers responsible for fire services in the states and with the volunteer leaders of the associations within those states, with a view to continuing the process of volunteer firefighting. The problem is that it is under threat. Mr Foster made clear some of the sorts of problems we are facing.

Mr GAVAN O'CONNOR—Thank you.

Mr ADAMS—I want to ask about where the federal government can assist. This is a federal inquiry so we are hopeful our report or some part of it is useful. It depends on how it is when we get it written. Radio frequency is a federal matter. Can we improve it so that one frequency can be made available to allow all fire services around Australia? Is that worth investigation?

Mr Bennett—Absolutely.

Mr ADAMS—That is a federal issue that you think could be taken on board by us in the parliament?

Mr Stafford—We see that as one of the essential issues: if you do not have communications, you have got problems.

Mr Bennett—One of the problems, Mr Adams, is that because we do not have a national federal overview of that, each of the states is at a different stage of replacing a generation of radios. They buy the most appropriate equipment at that time and, as a consequence, everybody else is out of whack with them.

Mr ADAMS—I understand. That is how we have operated in this country. My Green colleague and the one nation stuff is quite sensible. We have got the railways just about right, I think. You were in Darwin recently, and we have the railway going up there. I want to touch on the declaration you made, because that is another issue. That was dealing with the strengthening of volunteers because there are a lot of areas, other than firefighting, where we might need to utilise the organised structures that we have in place. I am thinking about terrorism, water supplies and those sorts of issues. Is that what you had in mind as well? Has that come through to your thinking?

Mr Bennett—Absolutely. We had hoped to have a speaker at the conference, but unfortunately his conference got changed a week away from ours. He is involved with animal health major disasters; volunteer firefighters, whether they know it or not, are in the plan.

Mr ADAMS—Another thing that this parliament could do through passing the budget is assist volunteers—this goes not only to firefighters but to a lot of volunteers—in the taxation area in relation to clothing, training, travelling costs and those sorts of things that are over and above what is supplied for fighting fires, in this case. Those are areas where we as a parliament could look to assist volunteers. I think some legislation has been mentioned today in the charity area, because I know local brigades raise a few dollars for different things in their fire stations and fire sheds. That is now being looked at through the charity legislation. So there are issues that we can deal with in that area.

Mr Stafford—If I may answer that: one of the other issues we did follow on at one stage was some recognition in relation to taxation incentives for volunteers, to encourage volunteers. That is a very complex area and we did not receive very much encouragement there, but we do understand that there is an initiative being taken on board in Western Australia which is looking at that aspect. So we will be following that with interest as well.

Mr ADAMS—Lastly, I am interested in the situation of how we measure success. I guess after every fire there are people who are concerned because they may have lost things and that could go to losing a family member. There are always people who have emotional responses, but how do we measure success? Do you believe we could look at that at a national level and have some sort of benchmark? Have you thought about that?

Mr Bennett—We certainly have. One of the things in Victoria—and I am from Victoria—which we used to measure success was that we would go in and aggressively fight the fire and if we pulled it up by Smiths Road or wherever else we thought we were doing a good job. In the campaigned fires in New South Wales where Victorians were involved in 1997 I think in particular, the effort was to ensure that we did not lose houses. That change has now occurred in Victoria, so the concentration is on saving property and loss of life being prevented.

Mr McARTHUR—How do you reconcile the number of witnesses who have said to us that if these three major fires had been extinguished in the first 12 hours they may have not got to the unmanageable stage? They have been quite strong about that view, especially here in Canberra with the Brindabellas and McIntyre's Hut. They say that that fire was allowed to burn for a number of days and could have been put out in the first instance quite easily.

Mr Stafford—There is absolutely no doubt that pretty well all fire services would accept the fact that on serious fire days most of them plough into that particular incident as many resources as they possibly can in order to achieve that. We cannot speak specifically about any particular one because we were not precisely there, and without doubt you have—

Mr McARTHUR—Mr Bennett said he doubted the evidence to the McLeod inquiry.

Mr Bennett—I questioned it; I did not say I doubted it. The assertion was being made that—is that what you were saying, the one that Ms Panopoulos was talking about?

Mr McARTHUR—I am saying a number of witnesses have said to us that, if the fires from those lightning strikes had in the first instance been extinguished both in the north-east of Victoria and here in Canberra—I am not quite so sure about Kosciusko—that would have been a great move to controlling the fire, and that was not done.

Mr Bennett—The answer is: yes, that is true; it was not done. If you look at where the fire brigades exist and where the fires occurred, you will see that there were considerable travel times and organisational times involved. You are talking about putting into place a very substantial logistics operation almost instantaneously to manage this operation which is being handled by, in large part, volunteers. The experience of these sorts of fires is that, if you are there at the moment the fire ignites and if you are capable of stopping it, that is fine. During the Ash Wednesday fires in Victoria, the fire that started at East Trentham and end up at Mount Macedon could have been put out with a cup of water if you were standing beside it when it happened, but three hours later you would have had a bit of a problem.

Mr McARTHUR—It is interesting that Mr Hodgson, who has had 40 years experience with fires and who gave witness at Ballarat, made the comment that in the 1984-85 fires they did suppress them over a two-week period because they got to them early and took a vigorous, proactive approach to them.

Mr Bennett—In 1984-85 the fire season was not as bad as in 1982-83.

Mr McARTHUR—In his judgment it was just as bad. I am saying what the evidence before the committee was.

Mr Bennett—It is your responsibility to judge.

Mr SCHULTZ—The summary of your submission does state what you are all about and what most people whom we have heard evidence from are all about. That includes hazard reduction, aerial fire bombing and quick suppression of fires—all of which you have just referred to. Getting back to the points that you made—and this was not so much in your words—there appears to be a frustration with getting any feedback from the government about the concerns

that you are continually raising in that area. My reading of that is that you have been doing that for some time and most of the work that you would have done in that area would have been directed specifically at state governments, because this is the first national inquiry into bushfires in Australia that I am aware of in the last decade or so. Would my summary of those frustrations be correct in terms of your dealings with the states on some or all of these issues?

Mr Bennett—We do not necessarily deal with the states. The state associations generally deal with the state and, in most cases, they have an excellent relationship with their state government. We are looking at national issues. For example, one of the national issues that we have raised in the last year, which Campbell forgot about, was International Firefighters Day. The volunteer associations across Australia proposed that it was appropriate on one day of the year to stand aside and think about not only those volunteers who have made the effort during the year but those who have unfortunately died as a result of their firefighting efforts. We did not get a very positive response ultimately from the Prime Minister's adviser, who said:

National holidays and days of commemoration may be declared following agreement between the states and the Commonwealth ... However, in general, responsibility for declaring public holidays and other commemorative days rests with the states and territories ...

We are talking about an international firefighters day that has been recognised around the world.

Mr SCHULTZ—With due respect, can I suggest to you that that would not be the foremost thing in the minds of volunteer bushfire fighters. We are talking about all of the procedures leading up to, and including, a bushfire and about what should be happening. Those are the sorts of concerns that this committee has received not only in the verbal evidence of volunteers from all over the country but, I understand, in the 500-odd submissions presented to this committee. I just raise the point that, whilst what you are saying has some merit, it does not have the same emphasis of importance as do those concerns raised by hundreds and hundreds of volunteers about the way in which these fires have been controlled and handled in their early stages and during the course of the fires themselves. Would you agree with that?

Mr Bennett—But, to be fair, you have got submissions from perhaps 300 or 400 volunteers and most of the submissions are obviously in people's individual names. I have not downloaded all of them to see who they represent but, as we said, we represent 300,000 volunteers. Having 500 responses has to be judged in one way or another. How do you manage to say that 500 people who disagree is equal to the remainder, who have expressed no opinion?

Mr SCHULTZ—I am not saying that at all; I am just saying that all of the evidence that we have taken so far has centred around the recent fires and fires before them and the way in which they have been handled. All of the evidence has centred around the very real concerns of not only volunteer rural firefighters but other people involved in it as well. For example, we have been to little villages way up in the alpine area that have a population of 30 or 40 people and we have had over 100 people turn up to them from around the district. That is how serious it is. I just raise that point for what it is worth.

Mr Bennett—I understand entirely.

Mr SCHULTZ—I do not have any problems with memorials for people that have fought and died in their public contribution to any sort of an organisation; I think your idea is great and you should be commended for it. The point that I am making is that that is not on the agenda of the people that we are talking to.

Mr Bennett—No, we clearly understand that. The problem is in terms of how you measure the success. There is a whole range of other things that follow after the fire that we have not considered yet in terms of the impact on the communities and the ongoing impact on people.

Mr ADAMS—A commemorative day might help us with volunteers, as well.

Mr Stafford—I would like to make a further comment. To some degree I agree with that. At our conference we went around and did state round-ups. It is interesting that, after looking at my notes, the ACT did not raise the issues that Mr McArthur spoke about. Our representatives are probably the foremost at dealing with their organisations. They do see people out in little towns and villages and that sort of thing. We have had the experience of the contributions that have come forward, and some of them have been most emotional, particularly one from a farmer from Canberra who was one of the representatives and who we will be hopefully seeing tomorrow. We understand that issue; we are picking up a whole lot of issues.

But we want to be fairly careful when we come out. In answer to Mr Organ, who seemed to be a little bit concerned about one of the answers that Mr Bennet gave, we see that land management is a very significant issue that we will need to come out and make some strong statements on. Land management encompasses people who are very interested in national parks and the sensitivity of those issues, and then there are rural lifestyle-livers and primary producers. All of those groups seem to be at odds with one another.

In some way or another there is a need to come together. The Prime Minister and the Leader of the Opposition welcomed home the troops who went overseas, and that was most appropriate. We have had recognition ceremonies in relation to volunteers. But the number of volunteers who gave their time, unpaid, to impact on the fires in this country this year was enormous—I would challenge anyone to put a price on what those bushfires cost; it was enormous—and that deserved something as well. So we do have to, somehow or other, bring these groups together, and it is the intention of the assembly, as it gets the information together, to speak on behalf of the volunteers and on some of the aspects in relation to where we go from here. That is why we are very interested in being here.

CHAIR—They are good points, Mr Stafford. Certainly, if you read some of the submissions, you see that the efforts that many people put in over long periods of time are quite incredible. Mind you, many of them felt that they should not have had to have been there for as long as they were. That is the evidence that we have to weigh up. In finishing, I would like to clarify something. When you made some comments about measures of success and you were talking in a positive sense, I presume you were just talking about the Victorian fires, because clearly you were not talking about the ACT, where there were four people who lost their lives and 500 houses lost.

Mr Bennett—It was firefighters I was talking about in particular. As for the situation with houses, it depends on how you view the success. We are talking about our volunteer firefighters

as opposed to the permanent firefighters of Canberra who were, as I understand it, literally responsible for the 500 houses that burnt down. The comment made at our conference by the volunteers was that around Canberra some eighty structures were lost, none of which were the principal residences of any of the residents in those areas. There were shearers quarters and a variety of other houses. It comes down to how we look at it. The measures of success may be what the potential was there and what the ultimate effect was.

CHAIR—It is not the place to get into debate, Mr Bennett, but it would be worth your while to look more fully at the facts of what occurred in Canberra, because some of the comment you just made would probably get up the noses of a lot of Canberrans on the outskirts.

Mr Bennett—I take your point.

CHAIR—It is worth looking more fully at what occurred. The McLeod report is a good one to look at for a lot of that detail which would be useful for you.

Mr Stafford—We have every sympathy for those who had a loss in Canberra. We understand and were given graphic descriptions of the losses in Canberra. But Mr Bennett is saying that, with all due respect to the four lives that were lost, the potential for many more lives to be lost was very great. We have every sympathy for those people and for our members too.

CHAIR—Thank you for your submission and your evidence this afternoon.

Proceedings suspended from 6.17 p.m. to 7.05 p.m.

O'LOUGHLIN, Mr Kevin Joseph, Deputy Director, Services, Commonwealth Bureau of Meteorology

SOUTHERN, Mr Barry Norman, National Program Manager, Fire and Air Quality Services, Commonwealth Bureau of Meteorology

CHAIR—Welcome to the hearing and thank you for being with us. We have received a submission, No. 369, from the Bureau of Meteorology which has been authorised for publication and forms part of the evidence before the committee. Would you like to make an opening statement before we go to questions?

Mr O'Loughlin—Mr Chair, we thought it might be useful to highlight a few aspects of our submission and then show a few graphics to illustrate the actual weather conditions during the fires. I would like to highlight a few key points of our submission which deal with the role of the bureau in fire weather services—including, for starters, the fact that we are a Commonwealth agency—the services we provide to the fire and land management agencies and the relationships with those agencies. I will make a few comments about our future directions and research related priorities. My colleague, Barry Southern, will then give you a quick summary of the weather.

Firstly, on the role of the bureau, our involvement in fire weather services comes under the Meteorology Act 1955. Under the act, one of the functions of the bureau is to:

... issue warnings of gales, storms and other conditions likely to endanger life or property, including weather conditions likely to give rise to floods or bushfires.

There are several kinds of services we provide to implement that part of the act. For a start, we provide seasonal outlooks. These are climate based products—forecasts of trends over the next three months compared to average conditions. They are probability forecasts indicating whether a season is likely to be dryer, wetter, warmer or cooler. Such a forecast was issued, for instance, in July 2002 indicating that spring would be very dry. There were monthly updates but the next key forecast was in December, when we issued a forecast for the beginning of the fire season.

The other kinds of services include our daily fire weather services. These are detailed routine forecasts of weather elements affecting fire danger, such as temperature, relative humidity and wind plus measures of fuel dryness. We also provide an outlook for several days ahead for strategic planning by the fire agencies, to enable them to allocate resources, position aircraft and so on. We then provide special forecasts when fires are going. We also provide outposting of expert meteorologists to fire incident headquarters or the actual fire agency headquarters to assist liaison and off season—that is, outside the fire season—the bureau still remains involved in prescribed burning activities, providing forecasts for prescribed burning. I should mention that all of these services leverage off the major national infrastructure that the bureau has, which is the basis for all of the other kinds of services—the public weather forecasts and so on that we issue. That infrastructure includes all of the observing infrastructure, communications and supercomputing.

On the relationship with state and territory agencies, the bureau, although a Commonwealth agency, has a distributed network of forecasting offices in state and territory capitals and these serve, among other things, the state fire agencies. There is close coordination between the bureau and these agencies. For instance, the bureau often sits on the state emergency management committee, or whatever it is called, in each particular state. We have pre- and post-season meetings with the agencies, we have fire directives which document the kinds of services that will be provided to those agencies, and then there is daily liaison. That is with the state agencies. At the national level we deal with bodies such as AFAC—whose representatives were here earlier this evening, Emergency Management Australia and the CSIRO.

I have a couple of comments on improvements in the future and the directions that could be taken. We have addressed these in our submission and I will just highlight them. One is obviously improved detail in short-term weather forecasts. Weather forecasting remains a very difficult area of scientific endeavour. In one of our attachments to the submission we have put a statement by the World Meteorological Organisation about this issue of the difficulty of weather forecasting. The science has improved but there are many areas in which we still need to improve and we are limited by the nature of the science. So that is short-term forecasting. We also need to improve seasonal climate forecasting, getting better at providing the outlooks which people like the fire agencies base their planning and preparedness on. The climate change issue certainly comes up; we are doing research into climate change.

Improvement in community understanding is another area that we have identified in our submission. We realise that we put out information to the community about things like fire danger—they are included in the public weather forecasts and we also put out our seasonal outlooks—but we feel, from feedback that we have had, that perhaps there is room for improvement in education of the community about what those forecasts mean, so we are working on that. I should say that the effort that is going into that is primarily through the Bureau of Meteorology's research centre, but we are also involved in the bushfire cooperative research centre that has just been set up. Then there are other things which the bureau is interested in but not primarily responsible for. These are things like the fire danger rating system—the present system that we use in which we convert the weather elements, combine them with a fuel situation and provide assessments to the fire agencies. That is based on research done decades ago by fire-weather experts or fire experts and it is recognised in the fire community that that needs to be updated, particularly perhaps to cope with the sorts of seasons that we have had recently in which the fire behaviour seems to have been more extreme than would have been predicted by research that is now decades old.

We are also interested in the prescribed burning issue from two perspectives. One is that we have developed, in collaboration with the fire agencies, some smoke dispersion forecasting capability. This is to forecast, using our numerical models, the direction in which smoke will flow, and of course that has environmental concerns for the community if agencies are to manage prescribed burning. There is also the issue associated with prescribed burning that it is a very narrow window of time that is often available to the agencies, so it is a challenge for the bureau to try to give them precise information about that narrow window of time. There is also a narrow range of conditions. On the one hand, the conditions have to be suitable for the fire to actually burn but, on the other hand, clearly they should not be conditions which would make the fire dangerous.

The operational services that the bureau provides to the fire agencies tend to be focused on the summer period, the fire season. So if, for instance, there were to be a marked expansion in prescribed burning activities, this would put demands on the bureau to provide this kind of detailed information out of season. We have specialist fire-weather meteorologists who do the summer work; out of season they spend their time planning, doing research, training, writing up their reports and so on. So there would be some resource issues for us if there was an increase in prescribed burning activities.

Before passing to Barry to take you through some slides, I just want to make a couple of points about the weather in the recent fire season. Firstly, the preceding climate—the lead up to that season—was quite exceptional. It was a period of extreme dry for a very large area of Australia and for a considerable length of time. We recall the 2001-02 fires in New South Wales, so these were back-to-back fire seasons. For some areas the dry, as we know from the farmers in this current drought, extended well back before this fire season, well back before even 2002. It goes back to 2001 and in some cases even a little bit earlier. What was also very unusual about the season was that the actual dryness, the lack of rain, was not exceptional. It was something like 1938-39 or 1982-83; it was not exceptional in that respect. However, what we did have was higher temperatures. In some cases we had average maximum temperatures which were, for some localities for a month, about three degrees above average. Averaged over a month, that is a large departure. So we had this combination of very dry conditions plus above average temperatures and we feel that certainly made this season quite exceptional. It was a combination of those two things.

Secondly, I want to comment on this critical period which has been focused on, particularly for the ACT fires and to some extent the north-eastern Victoria fires, from 8 January onwards. There was certainly a weather event around 8 January and lightning appears to have started the fires. Then there is a relatively benign period after that, until about 17 January when things started to really get quite serious from the weather point of view again. One thing I would point out about that is that, although the actual weather conditions were relatively benign and the fire danger ratings were reduced over that period, there was virtually no rain. In fact some places went for about 50 days with no significant rain. That is something that sometimes does not show up in statistics or past stories about fires that were put out. Sometimes the firefighters need that rain to help put the fires out. Indeed, some of the fires will only go out if there is very heavy and prolonged rain. That was a factor; the weather was certainly benign but the dry continued and there was no rain. At this stage, Mr Chairman, with your permission, I would like to pass to Barry Southern to show you a few pictures.

Mr Southern—As I understand it, the two specific issues that we have been asked to address in this presentation are the extent to which south-eastern Australia was affected by the drought, particularly the higher areas, and also the suitability of conditions for suppression activities. With regard to the drought, I will mainly address issues of rainfall and, to a lesser degree, temperature. I should point out though that there are other factors that will be affecting the actual conditions on the ground. You have been given other evidence that said, ‘In 1939, we were cutting stuff off the willow trees to feed the cattle.’ Certainly land management practices will have a great influence on the effects on the ground—stock rates and what have you. They are all completely out of our hands.

Slides were then shown—

Before going into the specifics for this summer, I will show you a couple of diagrams. This slide shows you the two-year rainfall categorised by deciles, which perhaps requires a little bit of explanation. When you are looking down at the bottom end, the first decile essentially is the lowest tenth of all rainfall recordings that we have had. So a reading down in that first decile, in layman's terms, would be a one in 10-year drought.

Mr ADAMS—Please tell me what a decile is.

Mr Southern—One-tenth.

Mr O'Loughlin—Could I perhaps give a slightly different explanation. For any particular station you would take all years of record. For instance, say we had 100 years of records at a station, you would rank them from one to 100. In this case the 10 per cent decile would be the lowest 10 of those.

Mr ADAMS—Understood.

Ms PANOPOULOS—Could I seek some clarification. That is for 1 January 2001 to 31 December 2002.

Mr O'Loughlin—Yes.

Ms PANOPOULOS—The actual time of that rain within each category would also be significant—not necessarily just the rainfall over the whole period.

Mr Southern—Yes, that is correct, but what we are aiming to give you here is just a general overview of the accumulation of rainfall—or, in this case, rainfall deficiency—over the couple of years prior to the fire event you are particularly interested in.

You will see there that an awful lot of eastern Australia there is red. There are below-average conditions over most of eastern Australia, much of it seriously so, and similarly for the south-western corner of Western Australia. You will see a small area of East Gippsland which is around average conditions. If we focus in a little bit more closely for the year up to the onset of the latest fire season, again it is a similar situation. Most of eastern Australia is again below average, and again much of it is seriously so. There is an area of East Gippsland which has slightly contracted; the area of average rainfall is now smaller than it was, and things look not quite so bad in the south-west of Western Australia.

In the months immediately preceding the fire season—I should point out that the colour scheme is a bit different; this one highlights areas of low rainfall and the white areas in this case indicate that that part of Australia is not in the bottom 10 per cent. The pink areas—

CHAIR—Sorry, could I interrupt. The white areas, you said, are not in the lowest 10 per cent, so they could be anywhere—

Mr Southern—They could be anywhere in the top 90 per cent. It highlights only areas of serious or very severe rainfall deficiency. I think the picture is fairly clear that there is a great area of Australia which is suffering very serious rainfall deficiency. To put it into perspective

with other periods, the fraction of Australia that was affected by serious or severe deficiencies is at a record high, and similarly the average rainfall over the country is at a record low. You can see in the handouts some other comparable periods.

The other thing that is worthy of note is that, Australia-wide, maximum temperatures were, on average, 1.8 degrees above the normal average. There are quite a number of articles starting to appear in the scientific literature suggesting that the coincident effects of high temperature and low rainfall are worsening the effects of droughts.

Now we move in and take a look at the south-east of Australia. Again you will see that this is for the period from August right through to the end of January. You can see also that there are only two parts of the fire affected areas which were not experiencing a serious, one-in-10-year rainfall deficiency. Most of them were in the severe category, which is a one-in-20-year drought. Even those couple of areas that do not look so bad—there is a shaded area here and one in here—are still below average; they are in the bottom third of the recordings, and that has been added onto the longstanding rainfall deficiency which has been going on for some years.

CHAIR—And there is an area on the western boundary of the ACT which is the lowest on record.

Mr Southern—Indeed there is an area there which is the lowest ever.

Mr ADAMS—Is that right.

Mr Southern—This slide shows the maximum temperature anomaly—the amount by which the recorded average maximum temperature differs from the long-term mean. You will see that they are all positive. This area to the north-west of the ACT shows on average three to four degrees above normal. The brown shaded area covering the ACT and parts of northern Victoria show between two and three degrees above average and pretty well the rest of the fire affected areas were still one or two degrees above the long-term average.

The table here on this slide just puts that in perspective with some of the other years which we have been referring to. You will see that the final two columns there represent the 1938 Black Friday fires and the 1983 Ash Wednesday fires. We were asked specifically about some areas in the high country, as to whether or not they were so bad; you will see a few familiar names there. The first thing to point out is that both Cabramurra and Canberra experienced for that period—October to January—their lowest rainfall recordings ever.

Mr GAVAN O'CONNOR—Can you take me through and explain one line there—just pick any line.

Mr Southern—Yes, I should have done that. I will explain what they are. The first column is pretty obvious—that is the station. The next column is the actual rainfall recorded in millimetres. The next one is the percentage of the average. The next column is the percentile ranking and the next one is a ranking. If the ranking is a particularly low one, I will include some information about that. Then the other column is rainfall totals. For example, Adaminaby got 96.8 millimetres of rainfall in that period; that is 40 per cent of what it would normally get. It is in the

lowest two per cent of all readings that were recorded at Adaminaby and, in fact, it is the third lowest ever recorded.

CHAIR—That is why I have had trouble getting water in my tank at Adaminaby.

Mr GAVAN O'CONNOR—It is pretty serious.

Mr Southern—By comparison, in 1938 they got 132 millimetres and in 1992 they got 94 millimetres. I probably do not need to go through the table in any more detail.

Mr GAVAN O'CONNOR—No, that is fine.

Mr Southern—The other thing that we were asked to comment on was the weather effects on the actual causes and ignitions of the fire. I will speak fairly briefly on this. This is the mean sea level analysis chart for 5 p.m. in daylight saving time on 7 January. The important things to notice on the chart are the cold front approaching the Victorian-South Australian border and the low-pressure trough running from Wilsons Promontory through Victoria up into western New South Wales. That resulted in hot, dry northerly wind conditions over many of the areas where the fires broke out. Associated with the trough is an area of atmospheric instability favourable for the formation of thunderstorms, and the system moved eastward over south-eastern Australia overnight.

This satellite photograph is for the following day at about 9.30 a.m. daylight saving time. The fronts have now pretty well gone across Victoria and the lumpy, white-coloured cloud you see there are thunderstorm clouds. There was widespread lightning activity. There was little associated rainfall with the system, so there were no natural influences to extinguish any fires ignited by lightning. We can be fairly certain—although I would not like to prejudge any other inquiries—that the fires were essentially lightning caused.

Mr ADAMS—What is the orange bit? Is that recording the figures?

Mr Southern—It is a latitude and longitude grid.

Mr ADAMS—I see.

Mr Southern—I will now move on to conditions which were occurring during that period. I will show you the location of the Bureau of Meteorology's automatic weather observing stations. Time is short, so I will show you some data for Canberra airport and also for Hunters Hill and Mount Hotham in Victoria. I have some other data for Gelantipy and Wangaratta which I will not show you at the moment just for the sake of saving time, but if there are any specific questions on those I have the data. I will be showing you, essentially, the fire danger; because that is a composite quantity. We have explained that in our submission. I will not go into the details but it takes into account the wind speed, state of the fuel, temperature and relative humidity. I will not show you any rainfall data because, as Kevin said earlier, essentially there was none. This slide shows the forest fire dangers for Canberra.

Mr SCHULTZ—What are they based on?

Mr Southern—These are based on the observations taken at our automatic weather station at Canberra Airport.

Mr SCHULTZ—So that is temperature?

Mr Southern—It is temperature; relative humidity, which is a measure of the moisture in the atmosphere; wind speed; and the fuel state. The fuel state, as explained in our submission, is based on a drought factor, which is an accounting of long-term rainfall deficiency coupled with recent amounts of rainfall.

Mr SCHULTZ—On that index, at what level would ‘reasonable weather conditions’ cut off—10, 20, 30, 40?

Mr Southern—Fifty is the boundary between the ‘very high’ and ‘extreme’ rating, and that is the threshold on which we issue fire weather warnings. Numbers between 24 and 50 are considered to be very high, and numbers between 12 and 24 are considered to be high fire danger. It is a measure—as you have heard in other evidence, it was devised by Alan McArthur from the CSIRO—of the difficulty of suppression of a fire, and you can also draw some implications from it of the fire behaviour. It is not the be-all and end-all of how a fire will behave; other factors are very important, such as the slope of the terrain and the fuel loadings.

I will take you through this one. You will see that on 8 January, when the fires ignited, fire danger was in the extreme range. As you can see, for much of the remainder of the period and leading up to the 18th, it was in the high range.

Mr SCHULTZ—Leaving aside the high fire danger that was caused by the temperature and the humidity et cetera, how do we get a reading from 8 January of what the wind speed was?

Mr Southern—From that, you cannot. If you would like to see that, I can show it to you elsewhere.

Mr SCHULTZ—Could you make that available to the committee?

Mr Southern—Yes, I can.

Mr SCHULTZ—That is very important from the point of view of whether aircraft can get up into the air on those days.

Mr Southern—Yes. It is sitting right here on the laptop. I can show it to you now or later or I can just give it to you.

Mr SCHULTZ—It would be good if you could do that.

Mr Southern—This next slide shows a similar chart for Hunters Hill. I showed you the location of that a little earlier on. As far as the actual atmospheric conditions are concerned, relative humidity during the period was mostly in the 70 to 80 per cent range early in the mornings. Wind speeds averaged 10 kilometres an hour over most of the period. They did get up

over 20 kilometres an hour on the 8th, the 17th and 18th. Maximum temperatures were mostly in the 20s and they occasionally got up into the low 30s.

A similar chart has been done for Mount Hotham. Maximum temperatures were in the 15- to 20-degree range. Wind speeds were very variable. As you know, Mount Hotham is a very high area. On the 8th the wind speed was up around the 55 kilometres an hour mark and it rarely dropped below 15 kilometres an hour for the whole period. It was up around the 40 kilometres an hour mark on the 16th and 17th. As I have said, if you have any specific questions, we do have detailed information. That is our overview, and I think I will leave it at that.

CHAIR—Basically, in that particular case, there are three days in the very high range and none in the extreme. Is that right?

Mr Southern—That is correct.

CHAIR—In that whole graph, three days would fall into the very high.

Mr Southern—That is correct.

CHAIR—Can we go back to the other two? It is on a slightly different scale I think, but is that three or five days?

Mr Southern—There are seven or eight days up there in the very high range.

CHAIR—But nothing in the extreme.

Mr Southern—Yes. I should reiterate my comments on the effects of terrain and fuel loadings. Again, we are experts on the atmosphere and not fire behaviour; but the behaviour of a fire under conditions of high fire danger, high fuel load and steep slope can be worse than the behaviour of a fire under conditions of flat ground, low fuel loading and extreme fire danger.

Mr ADAMS—And no rain for 50 days.

Mr Southern—And certainly no rain for 50 days.

CHAIR—For Hansard's purposes, when I referred to the three days, that was in relation to the Mount Hotham graph; and seven or eight days was in relation to the Hunters Hill graph.

Mr O'Loughlin—I would just emphasise a point that Barry has made. Our weather observations tend to be taken in places which are open and flat, because they give us good climate records and so on. When you get into sloping country, the situation can be quite different. For instance, even if the weather is relatively benign, for about a 20-degree slope there would be at least a doubling in the rate of spread of the fire. Again, as Barry has said, we are not fire experts, but we deal with that sort of interface between the weather and the fire behaviour.

Also, where in the past there have been incidents that have involved danger or deaths and there have been coroners' inquiries, we are aware of the sorts of detailed studies that have been done and we have to report on the weather side. One example that I am aware of was in June

2000 in the Ku-ring-gai Chase National Park near Sydney. The calculated fire danger was actually quite low, like the kinds of figures that Barry has been putting on the screen, and conditions were regarded as suitable for a controlled burn. The firefighters were on the ground doing their controlled burn when there was a gentle wind change from the east that pushed the fire on to a slope. The firefighters were trapped and four of them were killed. That is an example of where there was very heavy fuel with some slope. So, although on those kinds of graphs it would not have even rated, firefighters were killed. From our dealings with fire agencies, I would assume that those kinds of things are in the minds of fire managers before they send firefighters into mountainous terrain.

CHAIR—Thank you. It is very useful for us to get that type of picture, particularly after some of the evidence that has been presented.

Mr ORGAN—I would like to hear you give evidence for a couple of hours more, but unfortunately we do not have much time. Under ‘Summary of key issues’ on page 4 of your submission, you say that the three seasons—the season of 2002-03, that of 1938 and that of 1982—can be considered as being of comparable severity. That statement is quite clear. You then go on to say that basically, because of those extra high temperatures being experienced with the dry state of fuel, it was quite exceptional. So we had a preceding season that was very severe and quite exceptional, with dry above-average temperatures et cetera. Would you agree that was a difficult, perhaps even too dangerous, environment in which to carry out prescribed burning? What was your view during the preceding six-month period?

Mr O’Loughlin—It was certainly a period in which, because of the lack of rain and the fuel dryness, prescribed burning would have been more dangerous for the fire agencies. As we have just discussed, even if the weather was benign, they had these issues of fuel loading and so on. It would vary; we would have to look at specific cases and specific localities to give a more definitive answer. But, in general, I think that is a fair assumption.

Mr ORGAN—I suppose the question that would be on most of our minds has two parts: what happened and what is going to happen? You have presented here basically what happened. My question is: what is going to happen now? Arising out of what has happened, do you feel that as a department you are much better informed and better prepared in terms of predicting when there are going to be these extremely difficult fire days?

Mr O’Loughlin—Yes, as I said in the opening statement, we have got two lots of uncertainties on the weather forecasting side of this. One lot is the uncertainty in weather forecasting and the limitations of the science there. The second is that we are dealing with bushfires. We are not the fire behaviour experts, but we are aware that bushfires are unpredictable and also that things like the fire danger rating systems are based on empirical studies that were done decades ago which appear to be in need of updating. It certainly helped to focus on the areas into which we need to put more effort. Effort has been going into those areas. For example, the Bushfire CRC, which I think got its momentum from the 2001-02 fires in New South Wales, is going to address some of those things. On the weather side, the bureau is trying to improve our short-range forecasting, our seasonal forecasting and those interface issues, and we are actively involved in the Bushfire Cooperative Research Centre in working with the fire agencies, the universities, the CSIRO and so on in trying to bring the right kind of effort to

improving these areas. But we are dealing with areas of science which are quite difficult and challenging.

Mr ORGAN—Are you responsible for firestorms or is that not really your ambit?

Mr O’Loughlin—By a firestorm, do you mean the actual totally uncontrolled behaviour of a fire?

Mr ORGAN—Yes.

Mr O’Loughlin—That is more in the domain of the fire behaviour specialists. There are some similarities with meteorology. For example, there was the case in the Canberra fires—which you no doubt heard about—that there was a massive convection column above the fires. There are similarities between that and a cumulonimbus thunderstorm cloud, the difference being that when the thunderstorm forms it is the natural heat and instability in the atmosphere that is allowing that convection column to grow, whereas when you have an intense heat source like a fire on the ground then that intensifies that convection enormously.

It has certainly got some meteorological impacts because it does things like change the weather. In the microclimate in that area you could, for instance, get a complete change in the wind direction from the prevailing wind because the convection column is sucking in the wind from all directions, for instance, and you can get these very intense vortices like tornadoes. There was certainly evidence of wind damage in the Canberra fires which showed much more intense winds than were recorded at, say, Canberra Airport, where we had the official recordings, and that was, no doubt, due to that kind of firestorm behaviour.

Mr Southern—Another point on that is that one of the combustion products is water, so it is a source of moisture in the atmosphere which is another very important thing in providing severe convection and in the formation of those severe vortices.

Mr SCHULTZ—You said that on average the temperature over the fire period—that is, January 2003—was about one to two per cent higher than normal.

Mr O’Loughlin—One to two degrees higher.

Mr SCHULTZ—If it is one to two degrees higher than normal, how does that affect the fire danger period? Is that related to the prolonged drought period we have had, which dried the fuel, and is that a significant contributing factor to the fire being more intense and the ignition point being higher in those sorts of conditions? I do not know whether you can answer that.

Mr O’Loughlin—Yes, you have a good point there. The main effect of the higher temperatures is to increase the evaporation. You would then expect the fuel to dry out. You would expect the curing of the grass—if it is 70 per cent cured, then 70 per cent is dead grass—to take place much more rapidly and earlier in the season.

Mr SCHULTZ—Yes, with a lot more intense heat.

Mr O’Loughlin—Then you have more dead fuel to burn.

Mr SCHULTZ—And if you have a significant amount of tonnage of fuel per hectare on the ground—say, up to 100 tonnes per hectare—it would generate enormous heat with those sorts of conditions and that sort of an ideal environment after a lightning strike. Would I be correct in saying that?

Mr O’Loughlin—Yes, I think so. That is getting more into fire behaviour, but we are certainly aware, from our interactions with fire agencies, that experienced firefighters are saying that the fire behaviour for the season we are dealing with—and the preceding season, 2001-02, when there were fires in New South Wales: the Christmas fires, as they were called—was something they had not seen before. This suggests that the studies done by Alan McArthur in the forests around Canberra to devise his fire danger rating system—which are the numbers Barry has been showing you—are probably in need of updating or are not that accurate; they underplay the actual fire danger and fire behaviour when you have a large amount of fuel and it is extremely dry.

Mr SCHULTZ—The reason I asked the question was that there has been an argument from some sections that it was the prolonged dry period and the heat that created the problem, totally ignoring the other factor, which is the fuel. That is the reason I asked that. I have one more question, relating to wind speed. Regarding the McIntyre’s Hut fire, which started with a lightning strike on 7 January and was allowed to burn for a period of time, I have looked at the weather forecast that pilots have presented to me from the period of 7 January right up until 18 January, when there was high wind. From 7 to 17 January, the wind speed—and I presume they got these figures from the meteorological people—varied between 10 and 15 knots or kilometres an hour. I am not quite sure if they work in knots or kilometres per hour.

Mr O’Loughlin—In aviation it would be knots.

Mr SCHULTZ—This indicates to me that it was a low wind speed. They were saying that that was an ideal wind speed period for them to get their aircraft in to water bomb those areas. And the wind was from an easterly direction, which made it even better because it was blowing the smoke away from the actual fire base. The question I want to ask is: would they have gotten that sort of information from your data, and is that normal data that pilots would use under any flying conditions to get their aircraft into the air?

Mr O’Loughlin—Yes. They would certainly get that information from us. If they were working with the fire agencies, no doubt they would get some surface wind information based on the information we had already given to the fire agencies. But aviation forecasts generally also come directly from the bureau. I think Barry has found his time series of the wind at Canberra.

Mr Southern—This slide is the time series of the wind speed—again, this is at 10 metres above ground level—at Canberra Airport for the period 8 January to 24 January.

Mr SCHULTZ—So that reinforces the point I have just made, and the sightings of the wind speed documents that the aircraft operators showed me.

CHAIR—They are showing in kilometres per hour.

Mr Southern—That is correct.

Mr BARTLETT—Gentlemen, you said earlier on that there is only a very narrow window of opportunity for hazard reduction burns. Could you give us a rough idea of the average number of days per year that hazard reduction burns can be conducted? I know that is a very general question, but you must have some sort of a mean figure.

Mr O'Loughlin—That would be enormously variable, depending on the location.

Mr BARTLETT—Let us say around Canberra—the Brindabellas, the area that suffered from fire last summer.

Mr O'Loughlin—The typical period when the fire agencies would try to do this would be in autumn or spring. In the south-east corner—except in the Ku-ring-gai case in New South Wales, which was in winter; and winter in Sydney is a little different to winter in Canberra—you would try to do it on days in autumn and spring which have not had recent rainfall.

Mr BARTLETT—Roughly what percentage of days in autumn and spring would be ideal?

Mr O'Loughlin—I do not have these figures with me, but in autumn and spring in Canberra, in an average season, you would expect rain on about one day in three. That would imply that you probably could not do it immediately after the rain. That knocks out two-thirds of the days, so you are down to—

Mr BARTLETT—So it would be maybe a third of the time in two months.

Mr O'Loughlin—Yes. If you were lucky, it would be a third of the time in two months.

Mr BARTLETT—Therefore an approval process for hazard reduction would either have to have a very rapid turnaround time or be sufficiently flexible that fire brigades could decide at fairly short notice to make the most of the conditions?

Mr O'Loughlin—Yes. I have left out one very important ingredient: the wind. There might be no rain, but if it is windy they would not be able to burn.

Mr BARTLETT—So there needs to be a lot of flexibility in the approval process to allow fire brigades to do hazard reduction when the conditions are suitable?

Mr O'Loughlin—From a meteorological perspective, certainly. For us to try and pick those windows is a challenging job. When you take all the factors into account, it is a pretty narrow opportunity.

Mr BARTLETT—The view has been put to us by some witnesses that the approval process is too inflexible, slow and cumbersome to allow adequate hazard reduction to take place when those windows of opportunity are there. Do you have an opinion on that?

Mr O'Loughlin—I do not think the bureau is able to comment on that.

Mr ADAMS—You seem to now have models that can give pretty good information to the fire authorities and you have built software to feed that information in on the day. What sorts of

resources do you need to maintain that? Do you need more resources in the fire season to keep that information up and to service the fire authorities?

Mr O'Loughlin—I described the case of prescribed burning. If, for instance, there were a lot more out-of-season activity, that would certainly present the bureau with some resource issues. At the moment, our severe weather program, which includes fire weather forecasting, is our highest priority program. We have fire weather specialists around the countryside. In the case of the recent fires and the fires of the year before, we tended to bring people from interstate. That was the way we were able to cope in those circumstances.

Clearly, the kind of research that needs to be done to improve weather forecasting is sort of a 'how long is a piece of string?' question. Our research centre is world regarded for its expertise. The climate area has become a very popular subject and there is now, if you like, greater competition for resources. There is a lot of work being done, particularly on the climate impact side. One of our concerns is that the science is not forgotten. A question was asked earlier today, when we were listening to evidence about the impact of climate change, about whether this is making the seasons more severe and so on. In some respects you could say, 'We have had these really severe seasons in the past, and maybe this is just another example of 1938-39 or 1982-83, but then you take the temperature into account. Those are areas that I think do need more research, and the bureau is trying to give them priority.

Mr ADAMS—We have had a lot of evidence about climate change. I guess the evidence you are giving is that in this last period, from January onwards and pre that, there was very low rainfall and high fire danger—the dryness, the wind and everything pointed to high fire danger through that period.

Mr O'Loughlin—Yes, that is right. And it was a level of awareness that was higher than in previous years, because of the preceding season. The Australasian Fire Authorities Council referred earlier in their evidence to the summit. The bureau briefed all the fire agencies. That had never occurred before, when we briefed all fire agencies at once, on a national scale. Before, we had done those kinds of briefings, but on an individual state-by-state level.

Mr McARTHUR—The evidence you have put to us suggests that you were making the authorities aware that it was a particularly dry year, it was a rainfall deficient year and, going along with that, it was pretty hot. So were you advising all authorities that this was a very high fire danger year and that if any fire appeared it would seem a reasonable thing to put it out immediately? That would be a normal reaction, would it not?

Mr O'Loughlin—Yes, certainly there was that very high level of awareness and, from what we saw, a higher level of preparedness by the fire agencies. I am unable to comment about the specific actions taken by the agencies in suppression—

Mr McARTHUR—Your formal advice, as you have given it to us here, was that you were saying, over a number of days, weeks and months, that this was a particularly high fire danger year, because of the drought and the temperature, and that if the wind got up then that could be a real problem. You could not predict the wind, obviously, but you had the other two aspects.

Mr O'Loughlin—That is correct. From what I am aware of, the fire agencies take this issue of trying to get the fires early fairly seriously. For example, I can cite, from my personal experience, the activities of the Victorian Department of Sustainability and Environment. For instance, they subscribe to a lightning detection system—we did not put this in the submission; I did not think of it at the time—which we use to show us where the lightning has struck. The fire agencies now subscribe to that service so that they can get an early indication of where lightning has occurred, and they then, in Victoria's case, send aircraft up with infra-red sensors to monitor and try to detect fires in their earliest stages, with the intention of sending crews in to beat those fires.

Mr McARTHUR—But the key element of your presentation is that you were telling people that it was hot, there was dry fuel and the fire danger was extreme. Given that evidence, it would seem to me that the authorities should have been very proactive in putting out any lightning strike, because that could develop into a big fire. That would seem to be fairly obvious from a commonsense point of view.

Mr O'Loughlin—That sounds like commonsense to me. From what I am aware of, the intention of the agencies is to do that where they can, but they would have to speak for themselves on that.

Mr McARTHUR—Some witnesses have put to us that the McIntyre's Hut fire was allowed to burn for four or five days and that there was no proactive approach to put that out, even given the public information that you had put out over months in fact.

Mr O'Loughlin—I cannot comment about what the fire agencies did except to say that I am aware that they were fully informed and fully appreciated the severity of the fire season they were facing.

Mr McARTHUR—By what method did you give this information? Did you convey the information to the Victoria, New South Wales and Canberra authorities on a daily basis? Did you give them a briefing?

Mr O'Loughlin—It is done on several time scales. First of all, there was the preseason briefing in which we indicate what we think is likely for the next three months. That was given in spring. Then there was the national briefing in early December. All the fire agencies were brought to Melbourne for an AFAC function and the bureau briefed them there. But then, on an individual state and territory basis, there is frequent interaction between the bureau and the fire authorities. That comes down to a time scale of days. For instance, when we give a forecast for tomorrow—

Mr McARTHUR—Fundamentally, what you are telling us is that you gave the information that you have given us to the authorities and that they knew exactly the weather conditions as you saw them in this particular year.

CHAIR—I think Mr O'Loughlin has answered that, Stewart.

Ms PANOPOULOS—Could you please describe the process that is followed when information is required from the bureau in order to conduct a controlled burn?

Mr O'Loughlin—Yes. If the agency wish to conduct a controlled burn, they consult us and ask for a special fire weather forecast. They give us the location that they want to burn and—

Ms PANOPOULOS—I am sorry, I should have said this at the beginning: in describing the process, could you give us the approximate time span of each act?

Mr O'Loughlin—Of each step?

Ms PANOPOULOS—Yes, each step.

Mr O'Loughlin—Okay. Probably the first step—and this is what I was partly describing for Mr McArthur—is that we generally give a detailed forecast for the next day and an outlook for several days ahead. That outlook is in more general terms but it will say that it is getting windier or hotter or that there is rain expected. The fire agencies who are planning to do a prescribed burn would look at the bureau's four- or five-day outlook and say: 'Okay, there appears to be a period coming up when it will be dry with light winds and the temperatures will be moderate. It looks to be suitable.' If they are not getting a daily forecast from us out of season, they might even take that—if they have not already—from the general public forecast. Once they have decided that they want to try for that, they would then consult us. They would ring the bureau, we would ask them to fax in a form and they would give us details of the location that they were focusing on. We would then attempt to give them a specific forecast the day before they were going to conduct the operation, and it would probably be updated. So it would be given the day before and also be updated the next morning, at about five or six o'clock, and they would probably make their decision at about eight or nine o'clock that morning.

Ms PANOPOULOS—When you talk about 'they', in Victoria would that be the Department for Sustainability and Environment?

Mr O'Loughlin—As I understand the way it works in Victoria, that would normally be the Department of Sustainability and Environment. I think in some cases it would be a collaborative arrangement. They might have the Country Fire Authority involved as well. But primarily it would be the Department of Sustainability and Environment.

Ms PANOPOULOS—At a later stage would you be able to provide the committee with information regarding the number of requests to the bureau for this information for north-east Victoria over the year 2001-2002?

Mr O'Loughlin—Yes, we could extract that.

Ms PANOPOULOS—You said something earlier about the serious monitoring of lightning. You are in a better position to comment on how serious the Victorian authorities are about monitoring lightning. They may, as you suggested, have had intentions of early fire prevention, but it is very disappointing that we did not see their very good intentions come to fruition.

CHAIR—Mr O'Loughlin does not need to comment on that.

Mr GAVAN O'CONNOR—The 'Overview of lead-up' graph is an Australia-wide analysis, isn't it?

Mr Southern—That is correct.

Mr GAVAN O'CONNOR—That indicates that April to October 2002 ranks as the highest ever, or the highest since May to November 1929. Is that right?

Mr Southern—Yes.

Mr GAVAN O'CONNOR—Are you able to extract that data for areas and stations in particular locations?

Mr Southern—Yes, we would be.

Mr GAVAN O'CONNOR—So you would be able to give, for example, an analysis for Canberra with a ranking?

Mr Southern—Yes, we would.

Mr GAVAN O'CONNOR—And an analysis for a place in Victoria or a place in New South Wales?

Mr Southern—It depends of course on the history of the station but, where observations have been taken, we would be able to do that.

Mrs GASH—Does the fire authority ever question your reports?

Mr O'Loughlin—Do you mean question the forecasts?

Mrs GASH—Yes.

Mr O'Loughlin—There might be circumstances in which they would ask us, for instance, about the strength of a wind because they have a local report or something.

Mrs GASH—Can you make recommendations if the fire authority says, 'No, we don't agree with that report'? When you have made that report, can you recommend that they do something specific? Is that in your charter?

Mr O'Loughlin—Could you explain that?

Mrs GASH—Suppose you say that the time is right to do a burn somewhere and the fire authority says, 'No, we don't think it is,' and you say, 'You're losing your window of opportunity if you don't do this.' Does that happen?

Mr O'Loughlin—No. We are not the judges of fire behaviour. That is primarily the call of the fire agencies. We are not the experts in that. We call the weather and we go as far as calculating the fire dangers that Barry has shown you. But clearly, as Barry emphasised, it does not take into account things like the fuel loading and it does not take into account things like slope and locality.

Mrs GASH—Have you had complaints about delays in giving your reports in certain areas?

Mr O’Loughlin—I am not aware of any complaints with regard to that and particularly with regard to the last fire season. From my experience over many years, including relatively recent years, I am aware that it is sometimes a challenge to get the flow of information as quickly as people would like right down to local brigades and so on.

Mrs GASH—In my area I have had complaints about planes having to wait for the weather forecasts they need to be able to take off or do bombings or whatever they have to do. Is it you they are waiting for?

Mr O’Loughlin—It could be. We would probably be providing the forecast to the central headquarters of the fire agency. There could be a delay there. It may well be that, if it is a particularly busy period, the request to us might take some time to turn around.

Mrs GASH—So you actually give it to the fire authority and then the fire authority gives it to the incident management wherever that fire happens to be?

Mr O’Loughlin—Yes.

Mrs GASH—I will be specific; I am talking about the Shoalhaven. If a report has to come in for the weather, that goes to the central body, which is New South Wales, and then you are saying to me that it then goes down to the Shoalhaven?

Mr O’Loughlin—Yes. It does vary a little bit with each jurisdiction. I believe in the case you are citing that, if there is an ongoing fire, the incident controller can come direct to us. So there are circumstances where he would go in parallel—he would not bypass—with his request to headquarters; he can come direct to the agency. To keep the flow of information orderly when there is a lot of information flowing around, we would probably give a verbal briefing to the incident controller because we allow them access at any time, but we would make sure the paperwork went through the headquarters to ensure that their system was in the loop.

Mrs GASH—Thank you for that.

CHAIR—We are running late, but just to finish off: from a forecasting point of view, can you say in percentage terms what the establishment of the Captains Flat radar gave to your confidence levels—when I say ‘confidence’, I am talking statistical confidence—for forecasting throughout the south-east?

Mr O’Loughlin—It is certainly a big help and it will be a big help in the future. It is hard to put a percentage on it, particularly for that period. The radar is primarily there to detect rain and we did not have much to look at. Certainly, when you have a front approaching and there is rain associated with that front, the radar will detect that. Sometimes, if it is only relatively light rainfall, the radar still detects it but we know a wind change is with that as well, so it helps to pinpoint these things.

One of the things which we are starting to observe as the radar technology improves is that, when there is a going fire and there is a convection column, the radar can see that just like it is a

cloud. We have not been able to do that for long enough to be able to develop an operationally useful application for that, but that is an area of work that we will probably look at with the Bushfire Cooperative Research Centre. For instance, in the New South Wales fires the year before, I am aware of a fire that the authorities thought had gone out after some decent rainfall, but several days later we observed on the radar some smoke coming from that fire, and that was useful to let the fire agencies know that that fire which they thought was virtually out was active again.

CHAIR—Thank you for your evidence, your submission and the additional wind information you will provide to the committee.

[8.14 p.m.]

BERESFORD-WYLIE, Mr Adrian, Assistant Secretary, Local Government and Natural Disaster Management Branch, Territories and Local Government, Department of Transport and Regional Services

DOHERTY, Mr John, First Assistant Secretary, Territories and Local Government, Department of Transport and Regional Services

CHAIR—You have heard the formalities about the giving of evidence, so we will move to your submission, which the committee has authorised for publication and which is now part of the evidence. I apologise for running behind time and thank you for your perseverance. Would you like to make some opening remarks?

Mr Doherty—Just very briefly, there are a couple of updates I think I should provide. In the budget announced on 13 May there were two measures which I believe are highly relevant to the committee's terms of reference. Commonwealth funding of \$68.5 million was offered over five years to help reduce the threat of natural disasters. A new natural disaster mitigation package is being developed through COAG and matching funding has been sought from the states and territories. The package includes a shift of emphasis to disaster mitigation, as opposed to just disaster response. It will also aim to include reforms to natural disaster relief arrangements and attention to land use planning, development and building controls to the extent that they can contribute to the management of disaster risks. Bushfires will clearly be one of the targets, as will cyclones, floods and landslides. I am happy to provide a copy of Minister Tuckey's media release of 13 May which outlines that funding.

In addition, the budget included provision of \$5.5 million in 2003-04 to assist the states and territories to meet their aerial firefighting needs for the 2003-04 firefighting season. Future funding levels are to be determined following further negotiations with the states and territories and with regard to the outcome of this inquiry. Finally, and very briefly, on page 4 of our submission it says that no claims had been lodged with the department for the 2002-03 fire season. Minister Tuckey announced funding of \$3.35 million on 3 June 2003 to the ACT. That will not be the full funding for the ACT for 2003-04, but that payment has now been made. We have received a claim from Victoria, which is currently being considered. We have not as yet received any claim from New South Wales.

CHAIR—One of the main things that the committee needed to really understand—and I think it is there in your submission but it is probably good to go through it in the evidence—is the exact processes of where the Commonwealth becomes involved and starts to contribute money when bushfires occur. Maybe you could take us through an example of what has to happen. We have had various evidence in different states. People in New South Wales talk about section 44—a state act—which triggers certain things that ultimately the Commonwealth is involved in. Could we, in as simple a way as possible, go through that process in relation to at which point the Commonwealth is involved, particularly with respect to committing dollars?

Mr Doherty—Perhaps I could talk at a very broad level, and Mr Beresford-Wylie I think will be able to add an additional level of detail. The natural disaster relief arrangements are the main Commonwealth involvement, and a payment under those arrangements can be made up to three years after an event—in fact, for the rest of that financial year or the two following years. The payment relates to reimbursement of expenditure made by the states. So in response to a natural disaster event the states may put in place arrangements for assistance to people who have been affected, which they then pay out over a period of time.

Our arrangements are aimed at reimbursing part of that expenditure to the states. My understanding of the practicalities is that we can actually be involved earlier; we can be approached by the states about whether particular projects or programs that they propose would be eligible under our scheme so that there is in effect a consultation, but that our actual payment of funding would not commence until they submit a claim to the Commonwealth.

CHAIR—And a natural disaster has to be declared? When you refer to natural disaster funding, what constitutes that under the determination?

Mr Beresford-Wylie—There is a section under the determination, I think, which refers to the need to declare a natural disaster for the purposes of the NDRA. One of the issues is the level of damage caused by a natural disaster. The determination states that an eligible disaster is one which exceeds the small disaster threshold for damage, and that was set at \$200,000. If a disaster has occurred we will have a declaration of that natural disaster under the NDRA and we will be advised. I have before me two press releases which Minister Tuckey issued on 5 February 2003 in which he stated that New South Wales had declared a natural disaster status for its bushfire crisis and so had Victoria. Those declarations do not need to be made immediately that a fire occurs. They can be made subsequent to a fire occurring.

CHAIR—More than \$200,000 worth of damage has to occur before they can make that declaration?

Mr Beresford-Wylie—That is correct.

CHAIR—And there is a formula to the extent to which the Commonwealth will contribute in any one year; is that correct?

Mr Beresford-Wylie—That is correct.

CHAIR—For all disasters?

Mr Beresford-Wylie—That is right. The states in fact make a declaration that a natural disaster has occurred and then begin to count the cost of the damage and their expenditure. They total the cost during the course of the financial year and then make a submission to our department which details the costs that they have incurred. The reimbursement of any costs that they have incurred is based on them achieving thresholds—and we identified those thresholds in our submission. The thresholds are related to a percentage, a proportion if you like, of the gross state product.

CHAIR—So the trigger effectively is the \$200,000 mark?

Mr Beresford-Wylie—That is correct, and they begin to accumulate damages. They amalgamate all of the costs for eligible natural disasters over a period of time and then provide us with the information, which we use to work out a reimbursement figure.

Mr SCHULTZ—I want to qualify the issue of funding and elaborate a little further. On page 6 of your submission, under ‘Assistance for 2002/03 fire season’, you said:

In September 2002 ... the Federal Government made a funding offer to the States and Territories of up to \$5.5 million to cover half of the direct costs of leasing and positioning three heavy capacity Air-Crane helitankers ...

I am not going to quote it all, but it continues:

In October 2002, with the emergence of an early fire crisis in NSW, Minister Tuckey announced additional Commonwealth assistance of \$400,000 to meet half the costs of airfreight for the helitankers to expedite their arrival in Australia.

Money was available to the states for fire suppressant vehicles and specifically, as I understand it from that, for the helitankers for the 2002-03 bushfire season. Is that correct?

Mr Doherty—I want to move back one step. This was additional funding appropriated for a particular purpose; it was not part of the general natural disaster arrangements.

Mr SCHULTZ—I understand that. I am getting to that. On page 7 your submission states:

In January 2003 the bushfire crisis in Victoria, New South Wales and the ACT led to the announcement by the Prime Minister of a further funding of up to \$2.1 million to meet half the direct costs of leasing and positioning two additional Air-Crane helitankers.

On pages 7 and 8 there is a graph showing the names of the particular helitankers, where they were positioned and on what dates they were positioned. Page 8 outlines the total days of operation and the total days on standby. It would appear that the helitankers were on standby for approximately 25 per cent of the time. Figures are given for the amount of water that was dropped and the number of drops that were made. The submission then states:

In addition \$250,000 and \$300,000 was provided to South Australia and Western Australia respectively to help meet their needs for small fixed wing water bombers and medium sized helicopters.

Does that indicate that, during that very serious fire period—January 2003—fires that were burning in the Kosciuszko National Park in New South Wales did not attract a request from New South Wales for additional funds for fixed-wing aircraft?

Mr Beresford-Wylie—During that time, Mr Schultz, as you have identified, we had the original allocation of funding of \$5.5 million and the subsequent announcement of \$400,000, which would expedite transport of the aircraft. There was a further request made in January, from memory, from Premier Bracks, who sought additional funding for helitankers to the tune of \$2.1 million, and there were also additional requests made by the Premier of South Australia and the Premier of Western Australia for some additional funding. I am not aware that there was a subsequent additional request made by the Premier of New South Wales.

Mr SCHULTZ—I suppose the point that I am trying to get to is that, to your knowledge, there was no further request for additional funding for fixed-wing aircraft from either the ACT or New South Wales over and above the amount of money that was allocated to Erickson helicopters?

Mr Beresford-Wylie—That is correct.

Mr SCHULTZ—As an example, your graph shows that the air crane helitanker *Georgia Peach* was positioned in Bankstown, Katoomba, Nowra, Tuncurry, Delegate, Jindabyne, Canberra and Bankstown from 19 October 2002 to 3 February 2003 and from 4 February 2003 to 4 March 2003, and it flew on 137 days for a total of 243.3 hours. That would indicate to me that that particular heli-crane was operating during the bushfire period around Jindabyne, Canberra and Delegate, and certainly in Nowra. We can see in the graph that *Gypsy Lady* was tasked in Canberra, Yass, Jindabyne and Bankstown from 29 January 2003 to 24 February 2003, and it flew on 27 days in one stretch and 28 days in the next, for a total of 54.3 hours. Can you tell me whether those aircraft were used to fight fires during that period of time? It would appear from those dates—29 January 2003 to 24 February 2003—that the fires were already out.

Mr Beresford-Wylie—We will have to check that.

Mr SCHULTZ—I would appreciate you getting that information back to the committee, if you would not mind.

Mr Beresford-Wylie—Yes, absolutely.

Mr SCHULTZ—I and many of my constituents have a very real concern that the money that was used there could have been used for fixed-wing fire bombers which, on those figures, were not even called by either state to attack those fires. Could you check that information for the committee?

Mr Doherty—We will certainly come back to you on that.

Mr SCHULTZ—Thank you.

Mr McARTHUR—A number of witnesses, particularly those from New South Wales, have mentioned section 44 and when it comes into operation. There seems to be a lot of concern among the authorities and individual firefighters that that is a key determinant in relation to the size of the fire. Until such time as section 44 becomes operational and the Commonwealth contributes, the fire remains a local problem but, if section 44 becomes operational, federal funding will then flow. That is the impression we at the committee level have from evidence given to us. Could you give us a perspective as to how you see it from the department's point of view?

Mr Doherty—In relation to the eligibility for Commonwealth funds, there are two threshold tests: one is whether it is an eligible disaster; the second is whether the amount of money spent by a state exceeds the state threshold. So for each of the states an amount of money is identified which must be exceeded before they are eligible for the Commonwealth's assistance. There is

one exception to that, which relates to payments for personal distress and hardship, where only the first test applies.

CHAIR—I just want to clarify the \$200,000 mentioned earlier. Is that \$200,000 spent on fire suppression or on actual damage?

Mr Beresford-Wylie—On damage.

CHAIR—So it is on property damage and not related to how much the relevant state spends on fighting the fire?

Mr Beresford-Wylie—That is correct. I will just clarify the notification side. The actual NDRA determination simply deals with notification, saying under section 5.1 that a state needs to notify the department of the occurrence of an eligible disaster, and then it simply sets out a guideline, guideline 3, which is part of the determination and which states what we will receive in terms of information. It is not specifically related to, as you have highlighted, section 44 of the New South Wales arrangements.

Mr McARTHUR—We have to pursue it, though. A number of witnesses have said to us that, until such time as the fire became big, section 44 would not become operational. So there was an encouragement to allow the fire to ‘get big’, whatever that might mean, so that section 44 would chip in and the Commonwealth would then start paying. That has been alleged. What is your comment on that?

Mr Beresford-Wylie—I do not have a comment on section 44. My supposition would be that what we are talking about there is an internal process by which New South Wales identifies when they believe an incident has reached a significant enough level and then notifies the Commonwealth under the NDRA determination that it is an eligible disaster.

Mr McARTHUR—What is the formal process as to when section 44 comes into operation, from your point of view? Do they notify you by some form of communication, or is it done prospectively or day by day, or is it done after the event?

Mr Beresford-Wylie—I am not familiar with the actual section. We do not look behind the notification that is provided to us by the state. As long as that notification meets the requirements of the determination and that the state wishes to make that notification and it provides the information required in the guidelines, that is what activates the NDRA.

Mr McARTHUR—And the Commonwealth will pay under those guidelines?

Mr Beresford-Wylie—The Commonwealth will then consider the expenditure that has been made by the state, assess whether or not it is eligible expenditure under the terms of the determination and then assess what sort of reimbursement will be provided.

Mr Doherty—In terms of the incentives, however, it is relevant that the Commonwealth only pays a share, even when the Commonwealth does contribute, if the expenditure exceeds the threshold. So a state in that situation would first of all be responsible for the expenditure fully up to the threshold, which can be a significant amount, then it is responsible for 50 per cent at the

next level and only at the top level is the Commonwealth responsible for 75 per cent. So, without knowing the detail and having any knowledge of the practices you are talking about, a state that was engaging in any activity like that would be taking on a huge cost.

Mr McARTHUR—A number of witnesses have raised section 44 time after time, in the field and under cross-examination, saying it was a factor in the way in which these disasters and the bushfires were eventually funded. It is very significant.

Mr Doherty—As Mr Beresford-Wylie has pointed out, that is really before our involvement in the process—the declaration. We would just establish when a claim comes to us for reimbursement that that was one of the preconditions which had been met.

Mr McARTHUR—So you just pay when the claim turns up?

Mr Doherty—Against the requirements of the determination.

Mr Beresford-Wylie—We assess the claim. We receive a notification and we satisfy ourselves that what has occurred is an eligible disaster under the terms of the determination. Then we will receive advice of expenditure that the state has incurred and they will provide us with advice of the measures to which that expenditure relates, whether it is payment for personal hardship and distress or whether it is the restoration of an essential public asset. We will assess whether or not that is an eligible measure and then, having established that it is an eligible measure and that what we are talking about is expenditure for an eligible measure, we will total up that expenditure and determine whether or not it achieves the threshold required for a Commonwealth reimbursement to be made.

Mr GAVAN O'CONNOR—I am interested in the process of evaluating the AFAC report. In August 2002 the report was submitted to the minister. You did an assessment of that report?

Mr Doherty—Yes, the department was involved in the assessment.

Mr GAVAN O'CONNOR—Does your assessment coincide with the view that is expressed in the last paragraph on page 6—before the assistance for the 2002 fire season?

Mr Doherty—That is a summary of the government's reaction to it. It would be uncomfortable for us to go into the nature of what our advice to government was or to go behind that.

Mr ADAMS—Was it a cabinet decision?

Mr GAVAN O'CONNOR—If the witness is uncomfortable, I accept that. I am not here to make them uncomfortable. The AFAC report suggested a two-staged strategy, to cope firstly with the fire season that was upon us and then to have a medium- to long-term strategy. It indicated a range of resources that the fire chiefs saw fitting in with the needs of the time and the long-term needs. Has the department on any occasion provided an assessment of its assessment of the season and the resources that would be required, or is that beyond your purview?

Mr Doherty—No, we have not attempted to make our own judgment about the capacity required. That is clearly not a matter within our particular expertise.

Mr ADAMS—I just want to clear up this matter. The states do not get paid for any of their equipment; the Commonwealth does not buy new uniforms for their firefighters. In the fighting of fire, that is all met by the states. There is only the replacement of things that are lost. I am just trying to establish what precisely the payments are made for.

Mr Doherty—I am just reminded that at the back of our submission there are tables showing the categories—

Mr ADAMS—Just so you understand, I will explain to you what I was trying to get at. We have received some evidence that there is a magical section 44 whereby, if a state reaches a stage of expending an amount of money or the fire gets that big, there is some magical way that the state gets into the bucket of money from the Commonwealth. I am just trying to get evidence, which I think you have already given us, that that is not quite true. There would be an enormous cost to the state anyway and it is in the state's interests to contain the fires. In the evidence that we have received about this magical section 44, people may not understand what the actual circumstances are of disaster relief coming to the states.

Mr Doherty—I am sorry; I now understand better. Yes, that is correct: there is a sharing of the eligible expenditure. Within these arrangements there are only particular categories of expenditure which qualify as eligible, to which the Commonwealth contributes; there are a range of other expenditures which the states would bear alone.

Mr ADAMS—So in your opinion there is no way that the states are going to let a fire get bigger for the sake of getting into Commonwealth money. I think that was the assertion that was being made.

Mr Doherty—I cannot speculate about that. I have seen no evidence to suggest that.

Mr ADAMS—That is why I asked you. You have seen no evidence, Mr Beresford-Wylie?

Mr Beresford-Wylie—No; I concur with my colleague's statement.

Mr ADAMS—Thank you.

Mr ORGAN—Were the most recent fires declared a disaster?

Mr Beresford-Wylie—The fires that occurred in the 2002-03 fire season have been declared a disaster in Victoria, New South Wales and the ACT.

Mr ORGAN—Were any personal hardship and distress payments activated for the disaster?

Mr Beresford-Wylie—Yes, there were personal hardship and distress payments activated by the states, and the ACT, of course. They have their own set of PHD payments by which they make payments to affected persons, and that forms part of the eligible expenditure which can be reimbursed.

Mr ORGAN—Say I lived in Duffy and my house burned down. I might have been insured, I might not have been insured—whatever. Has anyone from Duffy been assisted with a personal hardship and distress payment via this determination from the federal government?

Mr Doherty—As I mentioned at the outset, the government has now made a \$3 million payment to the ACT in relation to the fires. My expectation is that there would be an element of that relating to reimbursement for personal hardship and distress payments, but I would need to confirm that. We would certainly be expecting an element of the reimbursement claim that comes through to cover payments made by the ACT to ACT residents.

Mr ORGAN—But it is coming through the state government; it is not from individuals coming to the federal government?

Mr Doherty—Yes, that is correct.

Mr Beresford-Wylie—That is correct.

Mr Doherty—The way the system works is that the state government assists the individual and then turns to the Commonwealth for partial reimbursement, so our payment will be to the states but it will be for reimbursing the states for part of the payments they have already made to the individuals affected.

Mr Beresford-Wylie—I will clarify this a little bit further. A press release issued by Minister Tuckey on 4 February dealt with the Commonwealth assistance which would stand behind that assistance provided to individuals and businesses in need in Canberra. That press release identified the detail of the payments that were being provided by the ACT to its citizens and also to businesses and noted that, under the NDRA, the ACT would be able to seek a partial reimbursement of those expenditures.

Mr ORGAN—Why can't an individual householder, who has suffered and requires things like 'repairs to housing and the repair or replacement of essential items of furniture and personal effects' and is eligible under 2.2(a) of the determination, approach the federal government?

Mr Doherty—The effect of the determination is that the federal government was prepared to contribute toward schemes where the state assists people. The determination does not provide for any access directly by individuals to the federal assistance.

Mr ORGAN—Where does the determination say that?

Mr Doherty—I think it is really built through the whole document.

Mr ADAMS—I think it is a constitutional issue—wouldn't it be?

Mr Beresford-Wylie—It is, yes. The appropriation is made under, I think, Appropriation Act (No 2). It is a special purpose payment under the terms of the Constitution and therefore funds are provided from the Commonwealth to the states and territories. The preliminary statement by Minister Tuckey at the beginning of the NDRA determination identifies that what we are talking about here is determining:

... the terms and conditions applicable to payments of financial assistance from the Commonwealth to the States or the Northern Territory or the ACT or Norfolk Island ...

It falls within that structure of payments between the Commonwealth and the states and territories.

Mr ORGAN—So you are saying that if, for example, I lost my house in Duffy, was uninsured and as a result of this disaster I am \$300,000 out of pocket, I have to rely on what the state is going to give me, which might be \$10,000 or \$15,000? There is no direct access to individual Australians from this. They have got to go through the middle man to the state.

Mr Doherty—That is correct. If you suffered damage and there was no state program which was eligible to provide you with assistance, you then could not turn to the Commonwealth and say, 'But, hey, this is under the terms of your determination.' It depends on having a state scheme to provide the assistance in the first place.

Mr Beresford-Wylie—I should just say one thing: in the past, of course, the Commonwealth has provided ad hoc relief in the face of significant natural disasters. In the case of cyclones Elaine and Vance there was direct Commonwealth funding of individuals and communities for recovery. There was a recovery scheme, I think, which dealt with the Crookwell bushfires; there was one which dealt with the flooding in northern New South Wales.

CHAIR—The floods in Katherine.

Mr Beresford-Wylie—Yes, that is correct. The Commonwealth does occasionally step in with ad hoc relief funding measures, but the first line of response lies with the states for natural disasters.

Mr ORGAN—So, if I have been the victim of this disaster, do I therefore have a right to ask for the state government to cover me for whatever cost it takes so that I can get back on my feet? They could say, 'Yes,' give me the money and then approach the federal government, which could reimburse them.

Mr Beresford-Wylie—I am not sure that there is such a thing as a right to ask the state for funding. Certainly the states have in place schemes which attempt to ameliorate the effects of natural disasters for individuals and businesses. In the back of our submission I think you will find what they have published in terms of the sorts of funding that they are prepared to provide. It can be daily emergency relief, it can be grants or loans that are available to small businesses. As long they have registered it with the Commonwealth and as long as it is consistent, generally speaking, with what is in the determination—which is that the determination is not there to provide a disincentive for insurance for individuals or businesses—then we will accept these as eligible measures. It would be difficult, for instance, for the Commonwealth to accept as an eligible measure something which was well outside the range of something that other states and territories have put in place. If a state or territory was offering say \$75 a day as a payment and then one state suddenly decided to offer \$5,000 a day, we would probably look at that and say, 'That does not look like an eligible measure.'

Mr ORGAN—We have had testimony from people in Canberra who were fully insured and the insurance companies have said to them, ‘No, we will give you 50 per cent or 60 per cent,’ and now they are 40 per cent out of pocket. Your response leaves me concerned that the federal government is not taking up its responsibilities as are clearly outlined in 2.2(a) which says:

a personal hardship and distress (PHD) payment to a person in genuine need, for emergency food, clothing and accommodation; essential repairs to housing; and the repair or replacement of essential items of furniture and personal effects

In your answer to me you have said that it is up to the states to give some sort of thing. I would suggest to you that it is up to the federal government to give precisely that thing. Why is precisely that thing not available to, for example, the victims of the disaster in Canberra?

Mr Doherty—Can I take you to other relevant provisions of the determination, because I think it is really an issue of reading the determination as a whole. The introduction, at 1.2, says:

... the Commonwealth provides funding assistance to States and Territories aimed at alleviating the financial burden associated with the provision of natural disaster ...

Mr ORGAN—But that is separate to 2.2.

CHAIR—I think that the relevant aspect you should be directing Mr Organ to is not 2.2(a) but the first part of 2.2, which clearly says:

Eligible measures are acts of relief or restoration adopted by a State ...

Is that correct? Am I correct in looking at it that way?

Mr Doherty—That is correct.

Mr ADAMS—The state has the responsibility under the Constitution, and the Commonwealth assists. Over the years, agreements have been reached because of the impost on a state budget through a natural disaster. The way that this operates has grown up over many years.

Mr ORGAN—It is therefore in the ambit of the states to fully implement 2.2(a) and then come back to the federal government seeking full compensation. In your mind, are the states fully implementing 2.2(a) with regard to the recent bushfires?

Mr Doherty—They have to make their own decisions about the extent to which they would provide those programs. I think there would typically be a range of variation between the states about how they provide them and how much they provide.

Mr Beresford-Wylie—The range of variation is not as great as it might be, simply because the states talk amongst each other and, to be blunt, a disaster will not necessarily follow state boundaries and people may be affected either side of state boundaries. I think there is a recognition from individual jurisdictions that they would not want to be completely out of kilter with each other.

Mr ORGAN—If a person at Duffy has had their house destroyed or partially destroyed and has not been informed of 2.2(a) by the state government, would you find that state government at fault for not fully informing them of their rights, as an Australian citizen, under this determination?

Mr Doherty—I think there is still an element of misunderstanding there. We will reimburse them if they have programs which meet these. I do not think the intention of this document is to say they have to have any particular form of programs.

Mr ORGAN—In my mind, this offers some assistance to those unfortunate people out there who do not have any cover and are out of pocket and in dire straits because of this disaster. But it appears that it is not being put into place because, apparently, the states do not actually have this sort of system in place. Is that correct?

Mr Doherty—I have no reason to believe that the ACT has provided less assistance than other jurisdictions. I think the problem is that none of these schemes are going to provide perfect compensation, as indeed the Commonwealth will not provide perfect reimbursement to the states for their expenses. There is still an element of loss in natural disasters which is borne by some in the community and by the policies.

Mr Beresford-Wylie—I should say also that, in addition to the funding provided under the NDRA, the federal government contributed half a million dollars to an appeal which was established within the ACT. That appeal has distributed somewhere in the order of \$7 million to affected individuals. Additional to that was the provision of \$1 million to assist sawmilling businesses in the ACT which have been affected by this bushfire.

Mrs GASH—How much did the Commonwealth pay the New South Wales state government in the last section 44?

Mr Beresford-Wylie—I do not have that information with me.

Mrs GASH—Could you provide this committee with that information?

Mr Beresford-Wylie—I do not know if we identify expenditure by what you have referred to as section 44. I can tell you that the last amount of funding we provided to New South Wales was a claim that totalled \$76 million, which I think was satisfied towards the end of June this year.

Mrs GASH—For what period of time was that?

Mr Beresford-Wylie—That was made for the 2002-03 financial year. But, of course, expenditure that had been incurred in addressing natural disasters that had occurred in that financial year, the preceding financial year and the previous year before that, could have been brought to book in that year. So it is quite possible that the \$76 million included expenditure for natural disasters that occurred one, two or three years before that period.

Mrs GASH—Can you provide the committee with that information?

Mr Beresford-Wylie—We can look at what information we have—which comes from the states—and provide what detail we can.

Mrs GASH—I am even more confused now. Can you help me? I am pretty dumb in certain areas. Could you please walk me through again what a section 44 is and when we start paying from the Commonwealth to the state? I really want to know and I am more confused than ever.

Mr Beresford-Wylie—The answer to that question is no, I cannot.

Mrs GASH—Who can?

Mr Beresford-Wylie—A member of the New South Wales Public Service who deals specifically with that issue.

CHAIR—I think we have established, if I can interpret things correctly—and somebody tell me if I am wrong—that the section 44 aspect is in relation to operational issues within the New South Wales government departments and authorities.

Mrs GASH—I understand that.

CHAIR—It has no relevance to the Commonwealth funding.

Mrs GASH—What I am trying to find out is: when do we start paying?

CHAIR—Two hundred thousand dollars.

Mrs GASH—I understand that, but I am being told that that is not the case, because Mr Adams has brought in another confusing issue which is that the states actually pay their own funding. I am trying to establish where the Commonwealth starts paying the states for what I term section 44. You are telling me the state has to provide \$200,000 before the Commonwealth comes in. Is that my simple understanding of it?

Mr Doherty—It is more complex than that, I am afraid.

Mrs GASH—Explain it to me.

Mr Doherty—A disaster which exceeds \$200,000 could potentially attract funding under this scheme. For New South Wales, for most of elements of the natural disaster relief arrangements, it is a much higher threshold that they would need to spend before they are able to claim reimbursement from the Commonwealth. We have those figures somewhere here in our submission.

Mr Beresford-Wylie—I think my colleague is referring to the threshold amounts that New South Wales must exceed in terms of expenditure before it becomes eligible to seek a reimbursement from the Commonwealth. In 2002-03 New South Wales needed to spend \$75.7 million before it became eligible to seek a reimbursement from the Commonwealth. For expenditures beyond \$75.7 million and up to roughly \$132.5 million, the state could seek a reimbursement of 50 per cent of eligible expenditure. So if eligible expenditure was, say, \$95

million, thus exceeding the \$75 million threshold by \$20 million, the Commonwealth would reimburse half of that \$20 million—\$10 million of expenditure.

Mrs GASH—Can you also break it down even further, into regions, as to how much the Commonwealth paid after the state paid their funding for section 44? I am talking about the Shoalhaven region.

Mr Beresford-Wylie—We can look and see what information we have. It is not necessarily a requirement of the states that they provide us with detailed indications of where the expenditure was incurred, in terms of location, but I will look on the files and provide whatever information we can about whether we have details on location.

Mr Doherty—My suspicion is that it will be difficult in the sense that, if there is a threshold of \$75 million—where the first \$75 million of state expenditure is met by the state alone—and there are several disasters around the state, you will have an issue about which one of those is attributable to the \$75 million. Or do you have some form of apportioning? I am not sure that the information we have from New South Wales will allow us to identify how much of their funding—

Mrs GASH—Do you mean that for a fire that went for over 50 or 60 days in the Shoalhaven at one period of time and was declared a section 44 you cannot tell me how much the Commonwealth paid for that particular section 44?

Mr Doherty—If our reimbursement to New South Wales was not based on a figure referable to the Shoalhaven, we may not be able to. I do not see where would have independent information.

Mrs GASH—Are there no accountability processes in place to identify certain fires with certain funding that the Commonwealth gives?

Mr Doherty—Again, it goes back to the whole structure—that is, primarily New South Wales is to look at what assistance they provide and, if they go beyond a certain level, they can then turn to the Commonwealth and say ‘This was beyond our budget expectations. We expect you to chip in and help’. So the Commonwealth is doing it not by reference to a particular event but rather by reference to the fact that the state expenditure has exceeded what is reasonable in the circumstances.

Mr Beresford-Wylie—However, we will obviously have detailed expenditure figures, but they may not go down to the level of detail you are seeking. If we have that detail we will provide it. I should say that we will not have information which relates to expenditure that you are talking about in terms of this last bushfire season in New South Wales because we have not yet received a claim from New South Wales for these bushfire events.

Mrs GASH—I understand that. I want to question what Mr Adams and you said—that is, you have nothing to back up the comment that there will be a fire extended in order to gain section 44 Commonwealth funding. Is that correct?

Mr Doherty—I have seen no evidence that that practice takes place.

Mrs GASH—How would you know?

Mr Doherty—We may not.

Mr Beresford-Wylie—We do not have any evidence but it is possible that some of the ministerials that have been received by Minister Tuckey have made that assertion. Unless I am mistaken, I think Mr Doherty is saying that we do not have any evidence of that particular practice, although it is possible that some of the ministerials have made that assertion.

Mrs GASH—Thank you.

Mr ORGAN—Could the department provide us with a summary of any levels of payment made with regard to personal hardship? If you are just giving, say, \$75 million to the state government, do you know whether that is just purely for state government infrastructure et cetera? Or is there any section which is for payments for personal hardship? Would you have any of those figures?

Mr Doherty—My understanding is that the level of payment for personal hardship would be a separate category.

Mr ORGAN—So would your department be able to provide information?

Mr Doherty—Yes. In relation to the ACT payments, for example, for these bushfires, we can certainly look at whether we can identify how much of that amount was for personal hardship and distress. Is it just that?

Mr ORGAN—Yes.

Mr Doherty—That is the only claim we have made in relation to these fires.

Mr ADAMS—Some of that might be for counselling or a range of things, but you would not have payments to individual people in that.

Mr ORGAN—I am interested in the breakdown. I would assume that the state governments, in seeking federal funding, would be mainly seeking assistance for their own out-of-pocket payments. It appears that rather than for this personal hardship funding, the majority of the money for which they are seeking reimbursement is for their expenses—such as for bushfire fighting in some of those state areas. I would like to see the figures for that.

Mr Beresford-Wylie—They do provide information which identifies that component of their claim, which is personal hardship and distress, and we can provide that information.

CHAIR—Maybe to finish off we should absolutely clarify this. The reimbursements made from the Commonwealth are based on the claims made by the states for expenditure that they make as a result of disasters—for example, bushfire, floods et cetera. Is that correct?

Mr Beresford-Wylie—Yes.

CHAIR—They are not reimbursements for the cost of fighting the fire—correct?

Mr Doherty—As I understand it, that is not one of the categories provided for.

CHAIR—You said that prior to attracting the Commonwealth funding, New South Wales, for instance, for the last financial year for all the disasters had to expend \$76 million.

Mr Beresford-Wylie—Yes. From memory, that is the figure.

Mr Doherty—But there is an exception for the personal hardship and distress payments.

CHAIR—Maybe we will come back to that in a second.

Mr Doherty—There is an additional element that, for some cases, the personal hardship and distress element can be paid for, separate to that \$76 million threshold.

CHAIR—Okay. But for an event to fall into the categories whereby the meter starts ticking, damage must exceed \$200,000 for any one event. So you could have 10 events that cost half a million dollars in a year—that is, \$5 million—and they get nothing from the Commonwealth. But if there are 10 events that go over \$200,000 they are all added up to see whether it got over the \$76 million. Am I still right? The \$200,000 relates to an eligible event.

Mr Beresford-Wylie—That is correct.

CHAIR—I just want to clarify that the \$200,000 has got nothing to do with fire fighting; it has to do with damage.

Mr Beresford-Wylie—That is right.

CHAIR—Is it assessable damage? For example, we had evidence from people in Victoria who had all their fences wiped out in a fire and they have not been able to get any compensation from the state government. Therefore, the damage to that fencing could not be included, ultimately, in the Victorian government's claim to the Commonwealth because they are not going to give the landowners any money for it. Is that correct?

Mr Doherty—If they are not paying it, it will not be part of the eligible expenses.

CHAIR—But can it be included in triggering the more-than-\$200,000 event?

Mr Beresford-Wylie—Perhaps we could take that on notice and come back with a clarification. I would feel more comfortable just taking it on notice.

CHAIR—You understand what I am getting at?

Mr Beresford-Wylie—Yes, I do.

CHAIR—We understand that it is a complex issue and that is why we thank you for coming in tonight to try to fully explain it. We have had all sorts of things thrown at us, obviously, over the last couple of months. I think I am closer to understanding it. I will have a private briefing with the committee later.

Mr Doherty—Thank you very much.

CHAIR—Thank you very much for your evidence and submission. We appreciate it. If you could pass on that additional information that we have talked about tonight, that would be great.

Resolved (on motion by **Mr Adams**):

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

Committee adjourned at 9.09 p.m.