
TRANSCRIPT OF PROCEEDINGS

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2014 HAZELWOOD MINE FIRE INQUIRY

MORWELL

THURSDAY, 29 MAY 2014

(4th day of hearing)

BEFORE:

THE HONOURABLE BERNARD TEAGUE AO - Chairman

PROFESSOR EMERITUS JOHN CATFORD - Board Member

MS SONIA PETERING - Board Member

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1 MS RICHARDS: Good morning. I can be a little more precise
2 about the order of proceedings today. The witnesses
3 who we propose to call are three Incident Controllers,
4 Costa Katsikis, who was the Deputy Incident Controller
5 between 14-16 February; Bob Barry, who was the Incident 10.01AM
6 Controller for five separate rotations between
7 21 February and 22 March; and John Haynes, who was the
8 Incident Controller for a period in late February,
9 including on 28 February. Other witnesses today will
10 be Doug Steley, the community witness and Alan Roach 10.01AM
11 will be attending after lunch today.

12 There are a few statements I would like to tender
13 before we move into Mr Katsikis's evidence. We've
14 received a second affidavit from Detective Inspector
15 Michael Roberts that is quite short, deposes to the 10.02AM
16 fact that police have excluded power asset failure as a
17 cause of the Driffield Fire, and that they have not
18 reached a conclusion as to the cause of ignition of the
19 fires that ignited in the mine.

20 CHAIRMAN: Do we know whether there's any possibility of 10.02AM
21 anything further, or are we to be left in that
22 relatively unsatisfactory position that really emerges
23 from the combination of the two Roberts affidavits?

24 MS RICHARDS: That is as far as Victoria Police are prepared
25 to go without being pressed. 10.02AM

26 CHAIRMAN: That effectively means that we must accept that
27 that is the position, because clearly there's no point
28 in prejudicing any further enquiries, but it does leave
29 the position in a very unsatisfactory position.

30 MS RICHARDS: Detective Inspector Roberts in his first 10.03AM
31 affidavit makes a claim for public interest immunity in

1 respect of any further information about the
2 investigation into the two fires, the Hernes Oak Fire
3 and the Driffield Fire-Strzelecki Yinnar series of
4 fires as he calls them, and I'm satisfied that there is
5 a basis for that claim and am unable to take it any 10.03AM
6 further.

7 CHAIRMAN: There seems to be indications that there may be a
8 basis for a variety of possibilities. It does seem the
9 police say, "We are not prepared to rule out most of
10 the possibilities; we are prepared to rule out the 10.03AM
11 electricity infrastructure possibility but virtually
12 nothing else."

13 MS RICHARDS: They have ruled out both lightning strike and
14 car asset failure as possible causes of both of the
15 fires. They are treating both of the fires as 10.04AM
16 suspicious, there is an active investigation underway,
17 I'm told that it's at a sensitive stage and I'm
18 satisfied that is the case without going into why and,
19 having regard to the direction in the Board's terms of
20 reference to be careful not to prejudice any other 10.04AM
21 investigations, I'm comfortable that we've gone as far
22 as we can go with Victoria Police.

23 CHAIRMAN: I understand. I only air it to at least find out
24 whether you are comfortable with the position and
25 there's nobody else who is uncomfortable, except to the 10.04AM
26 extent that I am uncomfortable but happy to accept that
27 it's an appropriate course to follow.

28 MS RICHARDS: In my submission, investigation of a fire
29 considered to be suspicious is very much the province
30 of Victoria Police rather than this Board. 10.04AM

31 CHAIRMAN: Absolutely.

1 MS RICHARDS: Were it possible that the fires had been
2 caused by power asset failure, that would be a
3 different matter altogether, but we're told by police,
4 and I rely on their advice, that that cause has been
5 excluded. 10.05AM

6 CHAIRMAN: But it necessarily precludes the kind of
7 examination in a little more detail of other matters,
8 but I think we just accept that position.

9 MS RICHARDS: Of course there's no limitation on our
10 examination of events inside the mine which is very 10.05AM
11 much the focus of the Inquiry.

12 CHAIRMAN: I understand, but there's other things left up in
13 the air, like the suggestion Mr Jeremiah raised that it
14 seems something happened in a northeast gully at some
15 time on the Sunday around lish. 10.05AM

16 MS RICHARDS: In relation to the re-ignition of the Hernes
17 Oak Fire?

18 CHAIRMAN: Yes.

19 MS RICHARDS: Well, nothing Mr Jeremiah said indicated that
20 that was thought to be suspicious, it was just the 10.05AM
21 re-ignition of the fire that was already burning.

22 CHAIRMAN: I understand that. All I'm doing is really
23 saying that there are a variety of unanswered
24 questions, and that ultimately the community won't know
25 very much at all about those things through us, but 10.06AM
26 they will learn in due course when the police have
27 completed their enquiries. I see a nodding from
28 Mr Wilson. I take it, Mr Riordan, you are content that
29 we just have to accept the position as it now is?

30 MR WILSON: On behalf of the State we wholly endorse what 10.06AM
31 our friend, Ms Richards, has just put and we

1 respectfully urge the Board to take comfort in the fact
2 that investigations are in the province and at an
3 advanced stage by Victoria Police, and we respectfully
4 ask that the Board permits them to do what they do
5 best. Thank you.

10.06AM

6 MS RICHARDS: So, having said that, I do seek to tender
7 Detective Inspector Roberts' second affidavit.

8
9 #EXHIBIT 17 - Inspector Michael Roberts' second affidavit.

10 10.06AM

11 MS RICHARDS: Then there are three statements of Incident
12 Controllers who all parties agree need not attend to
13 elaborate on their evidence. The first is Simon
14 Bloink.

15 10.07AM

16 #EXHIBIT 18 - Witness statement of Simon Bloink.

17 #EXHIBIT 19 - Witness statement of Barry Foss.

18 #EXHIBIT 20 - Witness statement of Ross Sullivan.

19
20 MS RICHARDS: Before I sit down and ask Mr Rozen to lead
21 Mr Katsikis's evidence, there's one gap in the evidence
22 about the management of the incident that's yet to be
23 filled. It's emerged from Mr Jeremiah's evidence that
24 Stephen Warrington of the CFA assumed a very
25 significant role in managing the fire. He was

10.07AM

26 appointed the Deputy Regional Controller with specific
27 responsibility for this fire on 10 February and, as I
28 understand it, held that role until the fire was
29 declared safe. We only became aware of his role in
30 managing the fire when we received Mr Jeremiah's
31 statement last week. Within a couple of days we had

10.07AM

1 requested a statement from Mr Warrington, only to be
2 told that he was on leave and not able to be contacted.

3 This morning I've had discussions with Dr Wilson
4 and asked that Mr Warrington's statement be made
5 available as soon as he returns from leave and we will 10.08AM
6 then consider whether it's necessary to ask him to
7 appear. He is in a unique position to give an overview
8 of the management of the entire fire from a very early
9 stage, and we don't think we can just let his absence
10 on leave at the moment deter the Board from pressing 10.08AM
11 forward with his account.

12 CHAIRMAN: Yes, it's a work-in-progress to be looked at
13 later.

14 MS RICHARDS: Yes, but I didn't want that gap left
15 unexplained. 10.08AM

16 CHAIRMAN: Yes.

17 MR ROZEN: Members of the Board, the first witness to be
18 called today is Mr Costa Katsikis. I call Mr Katsikis.

19 <COSTA KATSIKIS: Sworn and examined:

20 MR ROZEN: Good morning, Mr Katsikis?---Good morning. 10.09AM
21 Can you confirm please confirm for us that your full name is
22 Costa Katsikis?---Yes.
23 Spelt K-A-T-S-I-K-I-S for the benefit of the
24 transcript?---Yes.
25 Your work address is 10 Baker Street, Richmond?---That's 10.10AM
26 correct.
27 You are employed by the Metropolitan Fire
28 Brigade?---Correct.
29 And have been since 1988?---That's correct.
30 You hold the position of Hazardous Materials Unit Commander 10.10AM
31 in the Special Operations Unit?---That's correct.

1 How long have you held the position as Hazardous Materials
2 Unit Commander?---About a year and a half now.
3 Prior to that time were you working in that unit in a
4 different capacity?---No, I was not.
5 What were you doing previously, immediately prior to that 10.10AM
6 appointment?---My previous appointment was the
7 Operations Commander in Northern District.
8 Within the MFB?---In the MFB.
9 For the purposes of this Inquiry, Mr Katsikis, have you made
10 a witness statement dated 27 May 2014?---Yes, I have. 10.11AM
11 Do you have a copy of that statement in front of you? I
12 think you do?---Yes, I do.
13 Before you've given evidence this morning, Mr Katsikis, have
14 you had an opportunity to read that statement?---Yes, I
15 have. 10.11AM
16 Are the contents of that statement true and correct?---They
17 are correct, apart from a spelling error of a person's
18 name I've referenced in there.
19 Let's fix that, if we could. Where would we find that name,
20 what paragraph number?---Paragraph 16. 10.11AM
21 Which name is it?---The person's name on the third line,
22 Paul Torey, I believe is spelt incorrectly.
23 So it should in fact be T-O-R-R-E, is that right?---Yes.
24 Will you make that change to the spelling of Mr Torre's name
25 so it reads Paul T-O-R-R-E. With that change being 10.11AM
26 made, are you satisfied the remainder of the contents
27 of the statement are true and correct?---Yes, I do.
28 I'll tender the statement.
29
30 #EXHIBIT 21 - Statement of Costa Katsikis. 10.12AM
31

1 MR ROZEN: Mr Katsikis, before asking you a little bit about
2 your role in relation to the Hazelwood Mine, I just
3 want to note the qualifications that you have which are
4 listed in paragraph 5 of your statement. You have a
5 Graduate Diploma and Graduate Certificate in Applied 10.12AM
6 Management from Charles Sturt University?---That's
7 correct.

8 Also an Associate Diploma of Fire Technology from Swinburne
9 University and a Diploma of Training and Assessment
10 Systems from the University of Melbourne?---That's 10.12AM
11 correct.

12 You also have other specialist qualifications which you've
13 achieved as a result of internal courses in the
14 MFB?---That's correct.

15 If I could ask you a little bit about your experience, which 10.12AM
16 is no doubt extensive, a couple of things I want to ask
17 about, you list in paragraphs 6 and 7 the range of
18 senior Incident Controller positions you've held as an
19 MFB Commander. You also note that you were the
20 Assistant Chief Officer of the MFB Special Operations 10.13AM
21 Department for a period, late 2013 and early this year.
22 Is that right?---That's correct.

23 You say that you've attended several significant incidents,
24 including hazardous materials, structure fires and
25 non-structure fires as officer-in-charge. Can we just 10.13AM
26 get an understanding from you of what you mean when you
27 refer to a HAZMAT or hazardous materials fire?---My
28 reference is involved with materials that are basically
29 hazardous, could be chemical, chemical substances.

30 These are prevalent in industry on transport, basically 10.13AM
31 anywhere there's a hazard. It may also involve

1 hazardous atmospheres.

2 It may be obvious to you, but what is it about those sorts
3 of fires that presents particular problems? What are
4 the particular problems presented by such fires from
5 your perspective?--My reference isn't to fires alone, 10.14AM
6 it's about entering incidents involving a chemical or
7 hazardous substances that poses a threat to a
8 community.

9 So it could be a leak for example of some hazardous
10 material, is that right?---It could be a leak, it could 10.14AM
11 be a spill, it could be a by-product of combustion as
12 well.

13 You just indicated in answer to that question about the
14 particular features of such fires, that they pose a
15 risk to the community; is that right?---There's a risk, 10.14AM
16 inherent risk with all those, the nature and the degree
17 of the risk is something we basically evaluate upon
18 detection and developing strategies to mitigate those
19 risks.

20 Presumably, so far as the MFB is concerned, that's the 10.14AM
21 special province of the unit that you work in?---My
22 role in the unit is to develop and support operations;
23 in doing that role in the unit I do not respond unless
24 I'm on on-call roster. I'm a complementary response to
25 the Operational Commander on shift at the time of 10.15AM
26 initial response.

27 So you can potentially be called in essentially in an
28 advisory capacity by those in charge of responding to
29 such incidents; is that right?---Potentially I could
30 be, but the majority of times I am not. I develop the 10.15AM
31 resources behind the scenes of operational needs and I

1 can complement in a command capacity as required.

2 Do I understand that to mean that there is a range of
3 procedures or responses that have been developed by
4 your unit in advance of hazardous materials incidents
5 occurring which can then be utilised by those who are 10.15AM
6 responding?---The capability was developed by the unit
7 before I arrived, it's been implemented in operations
8 and it's standard practice if I respond. There are
9 automatic response levels that escalate an incident and
10 call on specialist resources. 10.16AM

11 You said a moment ago that one of the features of such fires
12 that's of particular concern is the risk to the
13 community that can arise - sorry, I keep saying fires,
14 I mean incidents - risks from those incidents to the
15 community. There's also a particular feature of such 10.16AM
16 incidents involving the health and safety of
17 firefighters, is there not?---That's correct.

18 Is that an aspect of the work done in your unit - that is,
19 to prepare strategies and procedures to safeguard the
20 health and safety of firefighters that have to attend 10.16AM
21 such incidents?---That is part of the role but it's
22 also part of basic firefighter training.

23 Of basic firefighting training, did you say?---It's also
24 part of basic firefighter training in wearing
25 protective clothing equipment and employing safe 10.17AM
26 strategies.

27 I assume, and correct me if I'm wrong, Mr Katsikis, but you
28 play a role in relation to the training of firefighters
29 in relation to such matters, do you?---My unit is
30 involved in the training of firefighters in a 10.17AM
31 particular part of their recruit course. I do not

1 personally get involved in the training itself, I
2 oversee the unit's training. We also train
3 firefighters later in their career and we also assist
4 in training external agencies as well.

5 Is that principally training that is provided to MFB 10.17AM
6 firefighters?---We train MFB firefighters, our HAZMAT
7 technician course also incorporates other agencies
8 including CFA, Victoria Police and sometimes other
9 jurisdictions.

10 The training that's provided to the CFA, is that limited to 10.17AM
11 career firefighters within the CFA or do volunteer CFA
12 firefighters also participate in the training that the
13 MFB conducts?---I have participated or been a witness
14 to a previous course that we ran, there was a CFA
15 representative in there, it was a full-time 10.18AM
16 firefighter.

17 In your experience, are CFA volunteer firefighters ever
18 present at such courses conducted by the MFB?---No,
19 they're not.

20 At paragraph 7 of your statement you refer to previous 10.18AM
21 incidents that you've attended, and I want to ask you
22 about one of those because it seems to the Inquiry that
23 there are some similarities between the Coode Island
24 Fire and the Morwell Fire of this year, and given that
25 you were involved in both of those you seem a good 10.18AM
26 person to ask about that. Firstly, can you briefly
27 describe to the Inquiry the Coode Island Fire? Most of
28 us are old enough to remember it but some may not
29 be?---I responded to the Coode Island Fire after the
30 fire had basically ignited in a specialist role 10.19AM
31 capacity, part of the breathing apparatus unit, and our

1 right?---I don't recall the details. When I responded
2 in the capacity of breathing apparatus, I wasn't
3 basically involved with plume modelling or the smoking
4 community.

5 You say you were not involved in?---I was not involved in 10.21AM
6 that capacity.

7 I understand you were a pretty junior officer at that time,
8 were you not, you had been with the brigade for two
9 years?---That's incorrect I wasn't an officer, I was a
10 firefighter back then, occupying a role in the 10.21AM
11 specialist unit of breathing apparatus.

12 Of breathing apparatus?---Within the breathing apparatus
13 unit. What did you do when you went to that fire?---My
14 role was to coordinate ingoing, outgoing wearers of
15 breathing apparatus, maintain times and to ensure we 10.21AM
16 had replacement crews to go in and out and also support
17 the donning and doffing of specialist equipment.

18 I take it, you had no role in relation to community
19 messaging or such activities arising out of that
20 incident?---No, I did not. 10.21AM

21 Just before leaving your prior experience, before your
22 involvement in the mine fire this year, had you had any
23 previous experience in a mine fire in your professional
24 capacity?---No, I have not.

25 Was it any part of your training that you had received to 10.22AM
26 prepare you for any particular features of combatting a
27 mine fire?---Not a mine fire, no.

28 It's unusual, isn't it, for someone in your position to be
29 called to assist with a fire outside of the
30 metropolitan area of Melbourne, is that right, or have 10.22AM
31 you had previous experiences of having done

1 that?---It's not unusual, we sometimes get requests
2 from other rating support, both inter-State and
3 jurisdictionally.

4 But certainly your first experience of a mine fire.

5 Mr Katsikis, at paragraph 9 of your statement you tell 10.22AM
6 the Inquiry that you were one of the Deputy Incident
7 Commanders on day shift between 14-16 February 2014 for
8 this fire?---That's incorrect. I was the Deputy
9 Incident Controller, one of two for that period.

10 The Incident Controller was Mr Brown, is that 10.23AM
11 right?---That's correct.

12 On each of the shifts where you were a deputy?---That's
13 correct.

14 The Inquiry's been informed that Mr Brown is unavailable,
15 overseas, and that's why we've asked you to attend at 10.23AM
16 the Inquiry, Mr Katsikis. I want to ask you about An
17 Incident Shift Plan that was prepared for 14 February
18 and which has been provided to the Inquiry. It will
19 come up on the screen, if you could have a look at it
20 FSC.008.001.0189. There should be a hard copy in front 10.23AM
21 of you as well. Do you want to take a moment to have a
22 look at that document in front of you, Mr Katsikis, and
23 I'll ask you some questions about it. Have you seen
24 this before, this document?---I would have seen this
25 document in my deployment time. 10.24AM

26 So back in February of this year?---That's correct.

27 It's described as Incident Shift Plan 24-hour Plan from 2000
28 hours on 14 February to 2000 hours on 15 February.

29 Your first day of deployment was in fact day shift on
30 14 February; is that right?---That's correct. 10.24AM

31 Can you just tell us, what is this document? Is this a

1 document prepared in advance of that shift or during
2 the shift? What is the purpose of this document as you
3 understand it?---My understanding is, it basically
4 outlines the situation we're currently dealing with at
5 the coal mine, it also puts in place some of the 10.25AM
6 strategies, the intent, the control structure and some
7 of the issues. I don't recall when it was developed.

8 On that first page towards the bottom of the page, please,
9 you will see there are some key messages. What's
10 noticeably missing from that list of key messages, 10.25AM
11 Mr Katsikis, and I want to ask you maybe you can help
12 us, there's no reference there to community messaging,
13 whereas in later Shift Plans, in fact from the very
14 next day - and we don't need to go to that, but I'll
15 ask you to accept from me that one of the key messages 10.26AM
16 is, "Timely relevant and tailored information to the
17 community."

18 My question's this: When you were deployed to
19 your role as Deputy Incident Commander, was community
20 messaging or the importance of community messaging one 10.26AM
21 of the things that was identified to you as being an
22 important feature of the response to the fire?---I
23 don't recall any such conversation, but I take it as
24 normal practice.

25 Can you explain to us why, and tell me if you can't, why 10.26AM
26 there's no reference to it in the key messages for
27 14 February but we do see it in subsequent Shift Plans
28 after that date?---I do not know the reason, nor did I
29 sign this document off.

30 I understand that, all right. Thanks, Mr Katsikis. You'll 10.26AM
31 understand that these are questions that we otherwise

1 would have probably liked to ask Mr Brown but, in his
2 absence, you're the man in the witness box. We all
3 understand the limits.

4 Turn to page 2 of the plan, please, there's a
5 heading, "Situation", and I won't take you through this 10.27AM
6 in detail and once again there may be other witnesses
7 who can help us. In the middle of the page there's a
8 heading, "Alpha sector northern batters." Do you see
9 that, Mr Katsikis?---Yes, I do.

10 Then there's a large paragraph immediately below that, the 10.27AM
11 last two lines I want to ask you about, "800 metre main
12 is currently being laid to boost water supply and we
13 anticipate it will be at the eastern most corner of
14 Alpha by 1600 hours. Approximately 600 metres has
15 currently been welded and needs to be dragged into 10.27AM
16 place." Was it any part of your role to be involved in
17 that work?---No, it wasn't.

18 I should perhaps ask you, you were deployed to assist with
19 the Incident Management Team, no doubt given your
20 particular background in relation to hazardous 10.28AM
21 materials fires; is that right?---I'm not sure. I was
22 requested to give support and when I turned up I
23 offered myself to assist with the HAZMAT sector and the
24 safety sector.

25 Just so that I can understand that, you weren't specifically 10.28AM
26 asked to come and do that, you were just in the first
27 instance asked to come and provide assistance; is that
28 right?---That's correct.

29 What was it that led you to offer your particular expertise
30 in relation to hazardous materials? Was that based on 10.28AM
31 discussions you had with people at the scene?---There

1 were two Deputy Incident Controllers, one person had
2 local knowledge of the mine and community, it was more
3 appropriate that he looked after the fire in the mine,
4 I had some background expertise in HAZMAT and I thought
5 it was more appropriate if I could offer my assistance 10.29AM
6 in that area there.

7 You say in paragraph 12 of your statement that you had a
8 discussion during the course of the morning of
9 14 February with the HAZMAT Sector Commander, Andrew
10 O'Connell?---Can you repeat the passage please? 10.29AM

11 Sure, paragraph 12 of your statement, in the first line you
12 are there describing a discussion you had on the first
13 morning of your deployment on 14 February with HAZMAT
14 Sector Commander Andrew O'Connell on site. The
15 Inquiry's been told about geographical sectors that 10.29AM
16 were in position. Without going through each of those,
17 I'm trying to understand what the HAZMAT sector means.
18 Can you explain that to us?---Under the AIMS model
19 there's provisions for both geographical sectors and
20 functional sectors. The safety sector and the HAZMAT 10.30AM
21 sector were both functional sectors.

22 AIMS is an acronym standing for, and you'll correct me if
23 I'm wrong, the Australian Inter-Agency Incident
24 Management System?---I know it as the Australasian
25 Inter-Agency Incident Management System. 10.30AM

26 It's pretty close. That was clearly relevant here because
27 there are a number of agencies, including MFB and the
28 CFA that were involved here. So, was the position that
29 you had, in accordance were AIMS, you had geographical
30 sectors, you had functional sectors, is that our 10.30AM
31 understanding? Is that correct?---That's correct.

1 How do they interact? Was the HAZMAT sector, did that
2 overlay the geographical sectors that we've spoken
3 about?---The HAZMAT sector has specific tasking and
4 role to monitor the atmosphere and put in place
5 strategies to monitor and also contribute towards the 10.31AM
6 safety sector in providing information and assist in
7 developing strategies for the safety of all responders.

8 Was your principal role then one of providing advice and
9 expertise in respect of protecting the health and
10 safety of those responding to the fire?---My role was 10.31AM
11 to oversee and have the Commander of the HAZMAT sector
12 and safety sector report to me and inform the Incident
13 Controller so he could make more informed decisions.

14 So it was to assist the Incident Controller to meet his duty
15 under the AIMS system to protect the health and safety 10.31AM
16 of the firefighters working for him?---That's correct.

17 We'll go into this in a little more detail in a moment but
18 did you also, as you understood it when you were
19 deployed, have a role in relation to community safety
20 or was it limited to the safety of the 10.32AM

21 firefighters?---The strategy that was employed, we had
22 fixed detection equipment on the perimeter and there
23 was a trigger point where firefighters would be
24 deployed with detection equipment to investigate
25 further the direction of a hazardous smoke or plume 10.32AM
26 towards the community.

27 I might just ask you about that in a little more detail
28 because it is important for you us. I should indicate
29 to you that the Inquiry will examine firefighter safety
30 in detail tomorrow so I'm not going to ask you too much 10.32AM
31 about that although the information you have provided

1 to us is very helpful in relation to that topic that
2 we're going to look at tomorrow.

3 I will ask you to expand on what you've just said.
4 As I understand the position from your statement and
5 from the evidence you've just given, the monitoring 10.32AM
6 equipment that was utilised was in the first instance
7 on the perimeter of the mine area; is that
8 right?---Predominantly, yes, we had limited protection
9 resources and it was placed in fixed positions around
10 the mine and there was a detector in the vicinity close 10.33AM
11 to the freeway.

12 Perhaps if we could bring up - we've got an aerial
13 photograph of the mine and I might just ask you if you
14 are able, Mr Katsikis, to identify that point. Whilst
15 that's appearing in front of us, you do say that you 10.33AM
16 had limited detection resources in paragraph 12 of your
17 statement. Is the preferred position that firefighters
18 have personal monitoring devices with them?---Can you
19 explain that question or rephrase it please?

20 In your statement you say you had limited detection 10.33AM
21 resources and that's why you located them on the
22 perimeter of the mine. If you had more resources,
23 where would you have deployed them or where would you
24 have used them?---We actually requested additional
25 resources, this is done before I arrived and they 10.34AM
26 arrived later on the date and they were positioned in
27 parts of the community as well.

28 Just in relation to the crews, we know at a later time, I
29 think when more detection, particularly CO detection
30 devices were available, one was provided to each 10.34AM
31 vehicle I think in the mine. Are you aware of

1 that?---There was personal carbon monoxide detectors
2 that team leaders would acquire before their deployment
3 and that was the detection equipment that was used
4 within those crews and those vehicles, they were
5 separate to those detectors. 10.34AM

6 You're not talking about personal devices; you're talking
7 about the larger devices, are they, the ones that
8 you're talking about?---That's correct.

9 The one that you've told us was located near the freeway,
10 are you able with the ruler which should be there on 10.34AM
11 the table, could you point to the approximate location
12 of that on the aerial photograph?---No, I cannot.

13 Are you familiar with the area which is referred to as the
14 northern batters of the mine?---I can't recall the
15 exact location. As I recall, the location of the - the 10.35AM
16 terminology used in the mine was different to our
17 sectors initially and caused some confusion.

18 I should just ask you about that. We know that there was,
19 was it a renaming of the geographical sectors or was
20 there a redrawing of the boundaries of those sectors or 10.35AM
21 was it both?---I wasn't involved in that discussion nor
22 the planning of that.

23 But you did say to us a moment ago that there was some
24 confusion caused by the naming of the sectors; is that
25 right?---There was on my behalf. 10.35AM

26 Can you explain to us briefly what that confusion was?---I
27 recall different terminology being used by the mines
28 personnel initially until I got my situation awareness.

29 Different terminology used by the mines personnel on one
30 hand and the emergency responders on the other? Is 10.36AM
31 that what you mean?---That's my recollection initially,

1 yes.

2 In any event, that resolved itself, did it, as far as you

3 were concerned?---I didn't investigate further as my

4 tasking was the HAZMAT safety sector and someone else

5 looked after the operations of the fire. 10.36AM

6 If I understand your statement correctly, you've got the

7 detection devices located on the perimeter of the mine,

8 including one in the vicinity of the freeway. Is that

9 right?---I believe from discussions with the HAZMAT

10 Sector Commander there was a detector in the direction 10.36AM

11 of the freeway and that was the trigger point.

12 Trigger point for what, Mr Katsikis?---There was a threshold

13 limit of 9 ppm. When readings were near or at that

14 value, that initiated a response for firefighters to go

15 within the community with handheld detection equipment 10.37AM

16 to investigate further and validate those readings and

17 the extent of those readings.

18 You say in your statement that that trigger point of 9 ppm

19 or 9 ppm, you subsequently found out was sourced from

20 an Australian Government Department of Environment and 10.37AM

21 Heritage Recommendation. Is that right?---That's

22 correct.

23 You, I take it, were not familiar with that standard before

24 your deployment to the mine?---That's correct.

25 At paragraph 13 of your statement you set out in some detail 10.37AM

26 the regime that was in place for the protection of

27 firefighters in relation to exposure to carbon

28 monoxide?---That's correct.

29 I won't ask you about that, that's something we will be

30 coming back to tomorrow. It's what appears at 10.38AM

31 paragraph 14 onwards that I now want to ask you about

1 if I could. At paragraph 14 you say that, in relation
2 to the safety of the community detection was also being
3 carried out in and around the community of Morwell.
4 Was it your understanding that, as at the date of your
5 deployment, 14 February through to 16 February, were 10.38AM
6 the firefighters the only agency that were doing that
7 work, or was that work also being done by the EPA
8 and/or the Department of Health?---On the 14th I
9 received information that EPA had conducted a walk
10 through detection of Morwell and there was no CO 10.38AM
11 detected.

12 And there was no CO detected?---On the 14th.

13 You say at paragraph 15, as you've already told us, the
14 level of 9 ppm had already been set before you arrived.
15 You make reference to a document, a Health Management 10.39AM
16 Plan - Hazelwood Coal Mine Fire Version 0.3 that was
17 given to you on the first day of your deployment,
18 that's a document you attach to your statement. Is
19 that right, Mr Katsikis?---That's correct.

20 I'm going to ask you a couple of things about that document 10.39AM
21 if I could, that's attachment 1 to your statement. The
22 version that is attached to your statement is stamped
23 "Draft", I take it that's how it looked when it was
24 given to you?---That's probably a revised version. The
25 first version had track changes. 10.39AM

26 Sorry, is this the version that was given to you or this is
27 a later version?---This is a later version of that day.
28 Have you had a chance to look at this version before giving
29 your evidence today?---Yes, I have.

30 It's apparent, just from a quick reading of it, that it's 10.40AM
31 also a work-in-progress, is it not, there's areas that

1 need to be addressed in this document?---Yes, it was.
2 Without being critical of anyone, that was the position,
3 wasn't it, as you understood it, that these issues of
4 carbon monoxide monitoring, both in relation to
5 firefighting safety and community safety at the time 10.40AM
6 that you were deployed, there was a developing response
7 to those issues?---My understanding was, this plan was
8 developed at the State level and there was a request
9 for the IMT to have input to refine the plan.

10 I only want to ask you about one thing in it. If you could 10.40AM
11 turn to page 12 of the document please, there's a
12 table, table 1, "Safety zones and action levels." Are
13 you able to explain to us the left-hand column, the
14 four levels and four descriptions? What does "cold
15 off-site refer to"?---My understanding, as I was not 10.41AM
16 involved in developing this table, is that the cold
17 zone normally accommodates a safe area. It's also a
18 trigger point because of the reference to a level of
19 9 ppm, and that was a trigger point to basically liaise
20 with the Department of Health and EPA for guidance. 10.41AM

21 So once a reading of 9 ppm is reached, then that triggers
22 liaison with the Department of Health and the EPA; is
23 that how we understand the document?---My understanding
24 is, it references off-site, so I take that as off the
25 mine site. 10.41AM

26 Any level under 30 in the mine site would be in the warm
27 unrestricted level, as we see in the table. Is that
28 right?---That's correct.

29 So that level of 9, in other words, was only relevant to
30 people off-site rather than people inside the 10.42AM
31 mine?---No, the on site reference to 9 ppm denoted a

1 cold area which is basically a term we use for a safer
2 area.

3 So 9 and below is a safe area, am I understanding that
4 correctly?---That's correct and that's referenced from
5 a different standard. If you notice, the table refers 10.42AM
6 to an occupational standard.

7 Yes, Safe Work Australia?---The 9 ppm was referenced from a
8 different standard.

9 So are you saying the 9 was referenced from the Safe Work
10 Australia standard or from a different standard?---The 10.42AM
11 reference, as my understanding is, for the community
12 9 ppm was referenced from a different standard. The 9
13 in reference to that table there for on site is part of
14 the same occupational standard.

15 There will be other witnesses, in fairness to you, 10.42AM
16 Mr Katsikis, who are perhaps more familiar with those
17 standards who we'll be hearing from next week so we'll
18 probably explore that with them.

19 The last thing I want to ask you about here is the
20 heading at the top of the next page, "Cold zone - 10.43AM
21 community health limits." Do you see that?

22 "Government of Australia, Department of
23 Environment and Heritage recommend the ambient air CO
24 level be kept below 9 ppm and persons should not exceed
25 this level for more than 8 hours in one year. 10.43AM
26 Department of Health and EPA should be consulted for
27 guidance."

28 That's the formal recognition of that level of 9
29 as far as the community's concerned. Is that
30 right?---That's my understanding. 10.43AM

31 If we go back then to the events of 15 February. At

1 paragraph 16 you there refer to the EPA walk through
2 and there being no concern about carbon monoxide
3 levels. Is that right? Is that what you were
4 referring to just a moment ago about the EPA monitoring
5 on the 14th?---That is correct. 10.44AM

6 The IC that you refer to there is Mr Brown?---Yes, it is.
7 You say he requested Mr Waddington from the Department of
8 Health to obtain a written confirmation of the EPA's
9 activity. Do you know if that written confirmation was
10 forthcoming?---I received an email from Mr Waddington 10.44AM
11 that EPA had confirmed they had a walk through Morwell.

12 On the 15th that you deal with at paragraph 18 of your
13 meeting, you say that there was a decision made to
14 appoint Andrew O'Connell as a third Deputy Incident
15 Controller, so that's in addition to you and Mr Bloink; 10.45AM
16 is that right?---That's correct.

17 Due to the complexity of the HAZMAT response. Can you
18 explain what in particular was he to do over and above
19 what you and Mr Bloink were doing?---I assume it's
20 separation of the two different tasks. He was focusing 10.45AM
21 on HAZMAT and I was overseeing the safety and also
22 other areas required by Incident Controllers to support
23 the operation.

24 I might just press you a little on that. What was, as you
25 understood it, the difference between what Mr O'Connor 10.45AM
26 was doing and what you were doing, because it sounds
27 like there's overlap between them but maybe that's just
28 my lack of understanding?---There was at some point an
29 overlap complementary; initially I was overseeing the
30 HAZMAT sector via Mr O'Connell and the safety sector. 10.45AM

31 That was later divulged to Andrew O'Connell to look

1 after the safety sector and I supported him.

2 You say that at around about midday on the 15th, so your
3 second day of deployment, you were told by Mr O'Connell
4 that HAZMAT technicians were reporting elevated carbon
5 monoxide readings within some parts of Morwell. If I 10.46AM
6 can just pause there for a moment. In accordance with
7 the procedure you described earlier in your statement,
8 does that mean that the monitor in the mine had
9 recorded levels that led for the deployment of
10 firefighters into the community to conduct further 10.46AM
11 testing? Do we assume that that's what happened?---I
12 assume that's what happened; that was the procedure in
13 place.

14 Do you recall, or were you advised what the readings were
15 that were recorded by the HAZMAT 10.46AM
16 technicians?---Recollection and following recent
17 conversation with the Commander and the scientific
18 advisor, those readings were in the range of 13 ppm on
19 average with a peak of 20 ppm near the police station.

20 The police station is of course located south of Commercial 10.47AM
21 Road in Morwell?---I'm not familiar with the road, but
22 I know it's the south part of Morwell, yes.

23 I'd ask you to accept that. What you did was convey that
24 information to Mr Brown, the Incident Controller, and
25 then there was a discussion amongst you and others at 10.47AM
26 the Incident Control point. Is that right?---That is
27 correct.

28 We've heard reference to the Incident Controller Centre at
29 the Hazelwood Mine. Are we to understand the Incident
30 Controller point to be the same location or is that 10.47AM
31 somewhere else that you are talking about?---My

1 understanding, the Incident Control point was the
2 Incident Controller Centre at that point; we had not
3 transitioned to Traralgon.

4 So Incident Control point, Incident Control Centre, in the
5 time you were deployed there, that was at the 10.48AM
6 mine?---That's correct, that's where the IMT with
7 Incident Controller was positioned.

8 I'll ask you in a moment about the movement of that to
9 Traralgon, but for the moment we're talking about the
10 level at the mine. You say that at the meeting the 10.48AM
11 scientific advisor confirmed that carbon monoxide
12 levels in some parts of Morwell south were high. Who
13 is that scientific advisor?---Mr Warren Glover.

14 Is he an employee of the MFB?---No, he's not.

15 Who did Mr Glover work for?---He's a CFA scientific advisor. 10.48AM

16 There was also a weather report indicating that later in the
17 afternoon there was going to be a change and that
18 indicated that it was likely the smoke and hazard would
19 be dispersed as a result. Is that right?---That's
20 correct. 10.49AM

21 There was then a discussion amongst those at the IMT about
22 weather to release a telephone warning advising
23 residents to shelter in place. Shelter in place is an
24 expression Mr Lapsley was talking about in his evidence
25 on Monday. Do you think that's an expression that's 10.49AM
26 well understood in the community or is that not
27 something you're in a position to express a view
28 about?---I can't express a view on that, I'm not sure.

29 A warning was subsequently issued and Mr Lapsley gave
30 evidence about that and the Inquiry saw the area of 10.49AM
31 Morwell that was notified of the concerns of the Fire

1 Services about carbon monoxide levels. Were you
2 involved in making the decision about the area that was
3 to be warned or the footprint of the area on
4 Morwell?---No, I was not.

5 Was that ultimately a matter for Mr Brown, the Incident 10.50AM
6 Controller, to determine?---No, it was not, it was
7 delegated to Andrew O'Connell to work with the public
8 information officer to plot out the effect of air based
9 on the information provided.

10 At paragraph 22 you then refer to subsequent events and 10.50AM
11 particularly the involvement of the Department of
12 Health, the Department of Health toxicologist which you
13 say led to the Incident Controller showing concern
14 about conflicting information. The picture that
15 emerges from your statement Mr Katsikis, and I'll ask 10.50AM
16 you to comment on this is, there was it appears a lack
17 of co-ordination between the Incident Controller and
18 the Department of Health as to whether or not that
19 warning ought to have been made; whether there was any
20 real danger to the community. Am I understanding you 10.51AM
21 correctly in your description of that situation?---I'm
22 not saying lack of co-ordination; it was conflicting
23 information on the day prior to the technical
24 information, and scientific information provided was
25 what the Incident Controller actually acted upon. 10.51AM

26 So the Incident Controller acted on levels that exceeded
27 9 ppm essentially; is that right?---He acted upon the
28 advice sourced by the experts in the IMT advising him
29 based on the readings from the community that were
30 received and based on the health management plan we 10.51AM
31 actually had in place.

1 Which stipulated 9 ppm as being the trigger level for
2 concern?---It referenced 9 ppm, yes.

3 What the Department of Health toxicologist said is that
4 levels of 15 ppm - this is in paragraph 22 - were
5 similar to levels you might find in Sydney Road, 10.52AM
6 Melbourne or standing next to a gas cooker. I take it
7 from that, in other words, no particular concern?---It
8 would appear that way.

9 You say that she - are you able to identify who that
10 Department of Health toxicologist was, 10.52AM
11 Mr Katsikis?---No, I cannot. I did not record that
12 person's name.

13 You say in the last sentence of paragraph 22 that you made
14 reference to other standards that included higher
15 thresholds over a longer period of time. Do you 10.52AM
16 remember now, and tell us if you don't, what the other
17 standards were that were referenced?---No, I do not.

18 There was a wind change. Was there then further recording
19 of carbon monoxide levels that led to the advice being
20 downgraded, the warning being downgraded, do you 10.53AM
21 know?---I don't recall what levels were detected after
22 or near that wind change, but common practice suggests
23 that basically we would conduct those atmospheric
24 monitoring ongoingly.

25 And then, as you say in paragraph 24, there was a downgrade 10.53AM
26 message that was issued which, if I can summarise it,
27 told people that the previous concern was no longer
28 present?---I don't know the details of that
29 downgrading.

30 The last thing I want to ask you about, please, Mr Katsikis 10.53AM
31 is the relocation of the Incident Management Team to

1 the Traralgon Incident Control Centre. Obviously, you
2 were affected by that because your last shift was at
3 Traralgon; am I correct there?---That's correct.
4 That's on 16 February?---That's correct. Incorrect, my last
5 shift was on the 18th; I finished on the morning of the 10.54AM
6 18th.
7 So you certainly worked some time at the Traralgon Incident
8 Control Centre. What was the reason as you understood
9 it for the shift to Traralgon?---The facility that
10 housed the IMT and the EMT was not appropriate nor 10.54AM
11 resources were appropriate or enough. Additionally the
12 divisional command post that was established near the
13 perimeter of the mine, including the staging area and
14 the health monitoring, was inappropriate due to the
15 change in weather conditions and it was an ideal time 10.54AM
16 to basically relocate both those sites to allow for IMT
17 expansion and a safer location for division command
18 post monitoring.
19 The Traralgon Incident Control Centre is - state of the art
20 might not be the expression but it's certainly a very 10.55AM
21 well resourced Level 3 Incident Control Centre, is it
22 not?---It was well resourced, yes.
23 Was it essentially just a matter of room and space and
24 resources that led to the movement to
25 Traralgon?---There was a couple of factors. One was 10.55AM
26 the ability to expand the IMT, get more resources, and
27 also to relocate the division command post.
28 Did you say the staging area was also relocated from the
29 mine perimeter to another location? Did I understand
30 that to be the case?---That's correct. 10.55AM
31 The staging area was at Traralgon as well, was it, after the

1 transfer?---No, it was not; it was maintained on the
2 site in a more appropriate location distant from the
3 mine edge.

4 At paragraph 25 of your statement, after referring to the
5 relocation of the Incident Control Centre, you refer to 10.56AM
6 another Incident Management Team meeting where there
7 was a discussion about carbon monoxide levels?---That's
8 correct.

9 That meeting was at the Traralgon Incident Control
10 Centre?---That's correct. 10.56AM

11 Advice was provided to the meeting that, once again at the
12 southern end of Morwell there were high carbon monoxide
13 levels; in fact, considerably higher than the earlier
14 ones that you described?---That's correct.

15 What was the outcome of that further discussion?---The 10.57AM
16 discussion involved the IMT and police, Department of
17 Health and EPA; issues were raised about the relevance
18 or the appropriateness of sheltering in place, but as
19 the readings were consistent both inside and outside
20 the bowling club it was appropriate. There was also a 10.57AM
21 discussion about voluntary relocation or evacuation but
22 at that point Victoria Police had raised a concern that
23 plans won't be initiated and we couldn't execute that
24 plan. A decision was made at the very end of that
25 meeting by the Incident Controller to delegate that 10.57AM
26 task to the HAZMAT Deputy Incident Controller and the
27 public information unit to draft a message based on the
28 meetings' outcomes for a voluntary relocation.

29 And such a message was ultimately provided to the community,
30 was it?---No, it was not. 10.58AM

31 And, why not?---I recall the Regional Controller had

1 recall that question?---Yes, I do.

2 Are there some constants in fighting fires that are the same
3 no matter what sort of fire it is?---General
4 firefighting practice encompasses all types of fires.

5 Is the Incident Control and command structure the same 11.00AM
6 whether it's a coal fire or a wood fire or something
7 else?---Yes, it is.

8 Were you able to draw on your experiences from previous
9 fires that you'd attended to do the job regardless of
10 no specific training in relation to mine 11.00AM
11 fires?---That's correct.

12 You were asked some questions about some terminology that
13 was employed shortly after you became involved and some
14 confusion about that; is that right?---That's correct.

15 That was in relation to the naming of particular 11.01AM
16 sectors?---That's correct.

17 Was the issue that words like "benches and berms" were being
18 used?---I don't recall.

19 Was the issue that there was some terms specific to mines
20 that were being employed?---My recollection is, 11.01AM
21 correct, yes.

22 This is an incident that involved the assistance of
23 thousands of volunteers; is that right?---I believe so.

24 Including many from interstate as well?---There were
25 interstate participants, yes. 11.01AM

26 In your view, is it perfectly understandable that there was
27 some confusion about specific terms or terms that are
28 specific to mining?---I can't expand on that; I'm not
29 sure what others thought, it was my personal view.

30 You were asked some questions about the Victorian Health 11.01AM
31 Management Plan Version 03 that you were provided on

1 14 February 2014. Do you recall those
2 questions?---Yes, I do.

3 It was put to you that it was a work-in-progress that the
4 response was developing. Do you remember that
5 question?---Yes, I do. 11.02AM

6 Is every incident unique?---It certainly is.
7 In that way, is there always going to be an aspect in long
8 and complex incidents of the response evolving?---Yes,
9 it is.

10 The last area that I wish to ask you about is with regard to 11.02AM
11 the warning that was put out on the 15th and decisions
12 taken on 16 February. In relation to the 15th, you
13 said there was some conflicting information. Is that
14 in relation to readings given that were coming from
15 some equipment in different areas?---The conflicting 11.02AM
16 information was based on the technical advice provided
17 by the HAZMAT sector scientific advisor, the
18 responsibility feedback from the Department of Health
19 toxicologists, and I also recollect a telephone hook up
20 with an EPA representative, which I cannot recall the 11.03AM
21 name, who was also giving conflicting information as
22 well.

23 Was this based on scientific data that was coming to
24 them?---Can you - - -

25 Was this based on scientific data - that is, that some of 11.03AM
26 the reading equipment in certain areas was giving
27 different information than some of the equipment in
28 other areas?---No, my reference is that the information
29 that we interpreted (indistinct) were using was telling
30 us one thing, but the interpretation of that by other 11.03AM
31 agencies was interpreted differently.

1 Ultimately a decision was taken to put a warning out to the
2 community, was that made out of an abundance of
3 caution?---Yes, it was.
4 Was it made with the community's interests firmly at
5 heart?---Definitely was. 11.03AM
6 There is a decision made on the 16th that the responsibility
7 for a warning, you've talked about that responsibility
8 for the warning, is this the warning in relation to
9 carbon monoxide?---It related to the levels of carbon
10 monoxide and the warning related to a voluntary 11.04AM
11 relocation.
12 And ultimately, is the position that it was decided that the
13 Department of Health and the EPA were the most
14 appropriate people to deal with those
15 warnings?---That's correct. 11.04AM
16 And is it the position that certainly the EPA's the lead
17 agency in relation to air quality in the State?---That
18 is my understanding.
19 And health concerns are the province of the Department of
20 Health?---That's correct. 11.04AM
21 So you would say at the end of the day that it was
22 appropriate that the Department of health and EPA
23 managed those warnings in relation to the specific
24 health risk?---That's correct.
25 I have nothing further. Thank you. 11.04AM
26 <RE-EXAMINED BY MR ROZEN:
27 Just one matter if I may, if the Board pleases. Lest there
28 be any confusion, Mr Katsikis, on 14, 15 and
29 16 February, the dates there you've talked about, who
30 was on the ground conducting the monitoring for CO 11.05AM
31 levels as you understood it?---We had MFB and CFA

1 qualified HAZMAT technicians.

2 The conflicting advice that you have described as I've
3 understood your evidence was not that there were
4 conflicts between the levels but rather conflicts
5 between appropriate standards to be applied in relation 11.05AM
6 to what to do about those levels?---The conflicting
7 information relates to different interpretation by the
8 IMT scientific unit and the HAZMAT unit as opposed to
9 the external agencies.

10 Thank you. Does the Board have any questions for 11.06AM
11 Mr Katsikis?

12 CHAIRMAN: No.

13 MR ROZEN: Could Mr Katsikis then please be excused.

14 CHAIRMAN: Thank you, Mr Katsikis, you are excused.

15 MR ROZEN: Ms Richards will take the next witness. 11.06AM

16 MS RICHARDS: The next witness is Robert Barry, if he could
17 come forward please.

18 <ROBERT LINDSAY BARRY, sworn and examined:

19 MS RICHARDS: Good morning, Mr Barry?---Good morning.
20 Could you start by telling us your full name and your 11.07AM
21 address please?---My full name is Robert Lindsay Barry,
22 I live at 38 Lara Boulevard in Lara.

23 You've made a statement for the Inquiry that is dated 20 May
24 and has 41 paragraphs. Do you have a copy of that
25 there in front of you?---Yes, I do. 11.07AM

26 Have you read it recently?---Yes, I have.

27 Are there any corrections that you would like to
28 make?---Just a couple of minor ones, thank you.

29 Yes, certainly, please take us to those?---If I could go to
30 paragraph 20. 11.07AM

31 Paragraph 20 on page 6?---Page 6, yes. The word in the

1 first line which says "prevented" I'd just like to
2 change to "assisted". Paragraph 28.2.

3 On page 11?---If I could change in the second line, change
4 the word "tankers" to "appliances". On paragraph 30,
5 page 13, on the second line, if I can change the word 11.08AM
6 "safe" to "controlled". Paragraph 37 on page 16, the
7 first line, if I could take out the word "no".

8 Any more corrections?---That's it, thank you.

9 With those corrections is your statement true and
10 correct?---It is. 11.09AM

11 Thank you, I tender that if I could.

12

13 #EXHIBIT 23 - Statement of Robert Lindsay Barry.

14

15 MS RICHARDS: Mr Barry, I'll start by asking you a little 11.09AM
16 bit about your own background. You're currently
17 employed as the Regional Director for the CFA's Barwon
18 South region?---That is correct.

19 You've held that position since some time in 2010?---That is
20 correct. 11.09AM

21 I understand you've had an association with the CFA for
22 38 years?---That's correct.

23 Initially as a volunteer?---That is correct, I started as a
24 volunteer and then joined the career staff.

25 You've been employed by the CFA in a range of different 11.09AM
26 roles for the last 32 years?---Yes, I have.

27 At paragraphs 6 and 7 you say that you have a range of prior
28 experiences as an Incident Controller and you have the
29 Level 3 accreditation as an Incident Controller. At
30 paragraph 7 you also say you have extensive experience 11.10AM
31 as a Regional Controller. I was hoping you could

1 explain to the Board the role that a Regional
2 Controller plays in responding to an incident as
3 distinct from the Incident Controller's role and State
4 Controller's role?---Obviously through the State
5 arrangements you have the State Controller and then you 11.10AM
6 have eight Regional Controllers. The role of the
7 Regional Controller is really the intermediate person
8 between the State and the Incident Controller in each
9 region, which could be a number in each region.

10 The role of the Incident Controller is to keep the 11.10AM
11 State Commander informed of incidences or occurrences
12 that occur in those regions.

13 Sorry, that's the role of the Regional Controller?---That's
14 the role of the Regional Controller. The activities
15 that are going on within that designated region. A key 11.11AM
16 part of the role is also to oversee, if there is an
17 incident occurring, to oversee or to audit the
18 processes that will come from there to make sure
19 accurate warnings and advice are going out in a timely
20 manner, to make sure the Incident Management Teams are 11.11AM
21 being managed correctly. It also oversees the
22 preparedness phase of the Incident Control Centres
23 across the region to make sure on any given day they
24 meet the required joint standard operating procedures.
25 So it is really an overseeing role of the incidents, 11.11AM
26 and we're required to make decisions on resources if
27 they are required, if there are resource issues across
28 the region and on a State basis.

29 So the Regional Controller's role in allocation of resources
30 would be if there were several incidents happening at 11.12AM
31 the one time within a region, limited resources to

1 respond to those incidents, the Regional Controller
2 would make decisions about how resources were to be
3 allocated?---That's correct, and sits within that chain
4 of command in relation to resourcing. If local
5 districts are unable to resource an incident 11.12AM
6 themselves, then they would come to the region for
7 assistance and then the region would assist in
8 providing resources and of course, if they were then
9 exhausted, the region would go to the State.

10 Understood, thank you. Starting at paragraph 9, you move 11.12AM
11 into your role in responding to this fire which was at
12 the Incident Controller level. You took the role of
13 Incident Controller during the day shift on five
14 separate stints, starting on 21 February and ending on
15 22 March. I counted that up to be 21 days that you 11.13AM
16 spent in the role of Incident Controller; does that
17 sound right?---Yes, that is correct. The only
18 correction I'd make to that is that I took the control
19 of Incident Controller for the 24-hour period, had the
20 statutory responsibility for the 24-hour period, but 11.13AM
21 was virtually in the ICC from 0700 hours in the morning
22 through to approximately 2200 or 2300 some nights, and
23 then the Deputy Incident Controller would take over the
24 nightshift, but if there were any issues would still
25 report to me. 11.13AM

26 So you would be on call were there to be something that
27 arose requiring your attention during your rest
28 period?---That's correct.

29 I think that makes you the person who had the single most
30 responsibility for managing the fire during the 45 days 11.13AM
31 or so that it burned. Is that correct?---Yes, it

1 certainly was a long period and I actually came in on
2 the incident on the 20th and worked with the Incident
3 Controller on that particular day before I took over,
4 so I had a good insight into what was actually going
5 on.

11.14AM

6 You describe having a fairly substantial handover period at
7 each time; you either ceased a rotation or began a
8 rotation?---Yes, I thought that was extremely important
9 that, as an Incident Controller coming into an unknown
10 incident first up on the 20th, that I actually come in
11 a day early and work with the Incident Controller and
12 get a handle on what the actual situation was. I
13 actually flew the fire on those days as well, each day
14 that I came on duty I flew the fire to get an
15 appreciation of what had changed since I'd left the
16 last rotation. It was extremely important to work
17 would the outgoing Incident Controller on both starting
18 a shift and also on finishing a shift on each rotation.

11.14AM

11.14AM

19 You refer earlier in your statement to your very extensive
20 experience in Incident Controller. Had you ever had to
21 manage an incident involving a brown coal mine
22 fire?---Never before have I managed a coal fire.

11.15AM

23 It's entirely different do a bushfire because there's an
24 almost inexhaustible supply of fuel for the
25 fire?---Yes, but the principles of incident management
26 are the same.

11.15AM

27 Yes, although the extinguishment strategy was very
28 different?---Yes, very much so.

29 Was there anything that you did to inform yourself about the
30 particular difficulties with extinguishing this fire as
31 opposed to a bushfire or a structure fire or any

11.15AM

1 expertise that was available to you?---Before attending
2 this incident, no. I was only notified the day before
3 I was to attend that I was requested to go to
4 Hazelwood, or to Traralgon to the ICC, so there was no
5 time for me to do any research into brown coal fires or 11.16AM
6 mine fires in general.

7 But then you had the day of the 20th at the Incident Control
8 Centre to orient yourself to the incident and pick up
9 on what had been happening. Was there any particular
10 information or expertise made available to you at that 11.16AM
11 time?---Yes, there was. Of course, the Incident
12 Management Team that was in place provided me with an
13 overview. GDF Suez had a technical advisor at that
14 location which I had a number of conversations with,
15 his name was Richard Pomey(?), he was able to advise me 11.16AM
16 and answer the questions that I had at that time.

17 And Richard Pommie is an engineer employed at the Hazelwood
18 Mine, is he not?---I don't know his actual role, but he
19 was the specialist advice to the IMT when of I arrived.
20 Was he there throughout your various rotations as Incident 11.17AM
21 Controller?---No, he wasn't. On the 21st when I
22 started my first day rotation, it was actually the
23 Saturday and Richard was, obviously had time off over
24 the weekend, so that left a gap in that advice in the
25 Incident Management Team which I subsequently 11.17AM
26 addressed.

27 How did you do that?---As we moved through the next couple
28 of days, I had conversations with the local Regional
29 Director who made contact with the CEO of the mine and
30 we actually met with the CEO of the mine and Mr Gary 11.17AM
31 Wilkinson and George Graham, the CEO, and had a

1 discussion about the importance of having a strategic
2 view of what was going on within the mine and the
3 definite requirement for us to have a GDF Suez person
4 in the IMT, particularly on every day if possible.
5 From that, the following day, I think it was either the 11.18AM
6 Monday or the Tuesday we actually established a
7 process, and we call it the strategic mines meeting, it
8 happened at 1.30 every day, where GDF Suez and Mr Rob
9 Dugan would come to the IMT and we would discuss
10 exactly what was going on between the mine operator and 11.18AM
11 the fire ground operations in depth, and we'd formulate
12 strategy out of that - we'd look at the current
13 situation, we'd look at any needs that we had and we'd
14 formulate strategy together for the next 24-hour
15 period, and of course that meeting was minuted, those 11.18AM
16 meetings have all been minuted and they subsequently
17 informed the Incident Shift Plan for the next 24 hours.
18 That process was established on the Tuesday or the Wednesday
19 of the second week; is that correct?---I believe it
20 would have been the Tuesday, I'd stand corrected but 11.19AM
21 I believe it would be the Tuesday. The first set
22 of minutes will indicate the exact day, but a very
23 worthwhile meeting which continued from that point
24 forward.
25 So it was from that point forward that you had a regular and 11.19AM
26 consistent level of input from the mine about the
27 particular features of the mine?---Yes, and actually
28 the operations, what the mine's operators were doing in
29 relation to water reticulation systems, about issues
30 within the mine, it was very much a process of sharing 11.19AM
31 information, but more importantly putting together the

1 strategy of how we needed to move forward. We talked
2 about resourcing and strategies that we would engage in
3 the next 24 hours.

4 When you commenced as Incident Controller on 21 February,
5 what parts of the mine were on fire at the time? We 11.20AM
6 can get up a satellite photograph of the mine if that
7 would help. Just so that we have a sense of situation
8 that you walked into and that the fire had been burning
9 for a bit over a week at this time, nearly two
10 weeks?---Yes, so I think it was day 11. 11.20AM

11 If you could indicate on the map where the areas of fire
12 were that you were responding to, and there should be a
13 ruler just there on your right?---The fire was really
14 extended across the northern batters, and there was
15 obviously a gap around as you came to the eastern end 11.21AM
16 of the northern batters. This was actually known to me
17 as Alpha and Bravo sector, there was two sectors in the
18 northern batters.

19 CHAIRMAN: Could you briefly indicate where Alpha is and
20 where Bravo is, because it's referred to in other 11.21AM
21 documents?---And the sectors did change as we moved
22 through the time that I was Incident Controller. I
23 can't give you an exact line, but it was virtually just
24 to the east of the Control Centre, this is the northern
25 batter, Bravo sector started about here. This was 11.21AM
26 Delta sector, this was Bravo sector, and then as we
27 came around the corner here this was Charlie sector.
28 Charlie sector really came up to the point of where the
29 elbow was and from the - - -

30 The elbow is just where the HARA at the southern end ends 11.21AM
31 roughly or a bit further?---No, HARA Pond was at the

1 start of the southern sector. As we moved down in
2 Charlie sector, there was what I would call the knuckle
3 bed where the land slip had occurred, and from there as
4 we go south it became Delta sector. Of course, there
5 was an additional sector to that, and that was what we 11.22AM
6 call the floor mine, the mine floor itself. Just to
7 add to that, on particular days we did actually add
8 additional sectors for what we called spike days and
9 they were sectors that we put in place up above the
10 southern batters for protection of the power station 11.22AM
11 and Energy Brix.

12 If I understand your answer correctly, a large area of the
13 northern batters was burning and you had two sectors to
14 contend with that, Alpha and Bravo?---That's correct.

15 And then the southeastern batters were also on fire and 11.23AM
16 there was the Charlie and Delta sectors for
17 that?---Yes.

18 Delta extending around the corner where the knuckle
19 is?---Yes.

20 And then there was a further section on the floor of the 11.23AM
21 mine that was on fire and you had a separate sector for
22 that?---Yes, indicated as the floor sector.

23 You also mentioned that on days that were anticipated to be
24 spike days, so days when there was a weather forecast
25 that indicated fire weather conditions, or particularly 11.23AM
26 windy hot dry days, you put extra measures in place.

27 Can you explain in a little more detail what they
28 were?---Yes. I'll use by way of example I think
29 25 February was a spike day. In the lead-up to that
30 day as an Incident Management Team we discussed the 11.24AM
31 information that we'd received from the Fire Behaviour

1 Analyst of the possible impact of that day, so it was a
2 requirement that we sat down and put operational plans
3 in place for that particular bad weather situation.

4 We looked at resourcing, we brought in additional
5 aircraft on those days, we brought in additional strike 11.24AM
6 teams and there was passive protection measures put in
7 place, particularly around Energy Brix, mineral
8 earthworks were undertaken to provide greater
9 protection to Energy Brix. We had these resources in
10 place at the critical times during the day when the 11.24AM
11 fire danger was at its highest.

12 Just as well those measures were in place on the 25th
13 because there was a break out of the fire. Can we
14 return to Mr Barry's statement on page 5. You refer
15 there to the fact that there was a separate area of 11.25AM
16 fire that developed on 25 February. Can you explain to
17 us, perhaps by reference to the photograph that you
18 have put there, what happened on that day?---The wind
19 direction at that particular time caused a spot to come
20 out of the southern batters which caught fire into the 11.25AM
21 grasslands above the batters and the fire actually ran
22 directly towards the power station and, in doing so,
23 ran through a conveyor belt storage yard and moved up
24 towards what they call the coal bunker. The resources
25 that we had in place very quickly got on top of that 11.25AM
26 situation and prevented the fire from entering the
27 bunker.

28 We also had aerial appliances brought in to that
29 area very quickly and dealt with some fire that started
30 in the conveyor belts, and we also had the - it was 11.26AM
31 very fortunate, we had the aircraft plan to come on

1 later in the afternoon when the fire danger was at its
2 highest and the two heavy Sikorsky aircraft had just
3 come on for their fire bombing operations for the day
4 with the air attack supervisor in Firebird 312 and it
5 was only virtually minutes after they arrived on the 11.26AM
6 mine site that this fire broke out, and having the air
7 attack supervisor in the air and calling the shots with
8 the attack aircraft proved very successful in
9 suppressing the fire in such a quick and deliberate
10 manner. 11.27AM

11 The secret to having been able to do that, to respond and
12 suppress the fire rapidly, was having anticipated
13 adverse conditions and the threat of the fire breaking
14 out of the boundaries within which it was contained and
15 being ready to respond to anything that 11.27AM
16 happened?---Yes, that's correct. We pre-planned, we
17 pre-planned for that particular day and there was a
18 full operational plan put in place, a document put in
19 place by one of my deputies on the day, and that
20 happened on the subsequent spike days as well, where it 11.27AM
21 was a documented process, so everybody understood the
22 measures that we were putting in place on that day and
23 had a clear understanding of the risks or the greater
24 risks on those days. On the 25th it was clearly
25 evident that the planning that we carried out prior to 11.27AM
26 the spike day occurring actually stopped considerable
27 damage and the run of the fire.

28 MEMBER PETERING: Excuse me, Ms Richards. Mr Barry, you
29 refer to a Fire Behaviour Analyst?---Yes.
30 That person was working within the IMT?---That is correct. 11.28AM
31 Who was that?---Ashley O'Loughlin.

1 Where are they from?---Ashley is a leading firefighter with
2 the Country Fire Authority, I think he's based at
3 Patterson Lakes, but he's in District 8, he's based
4 there, and Ashley was with us for the whole tour of my
5 time there and a very professional young man who knows 11.28AM
6 his field extremely well.

7 Did he use particular tools or anything?---He would have
8 been using predictive tools. He relies very much
9 heavily on weather advice and predictive tools and he
10 would have been using the Phoenix run on that, and 11.28AM
11 there were Phoenix predictions carried out for those
12 days and which formed a part of our planning.

13 Thank you.

14 CHAIRMAN: Could I add a further query, while you've got
15 this photo there. Normally when a fire breaks out one 11.29AM
16 investigates what caused that fire to break out. I
17 take it that in this area on this day you knew that the
18 conditions were such that fires were likely to break
19 out and it was not appropriate, not necessary, to
20 consider investigating the cause of any particular 11.29AM
21 fire?---We had undertaken a planning for that
22 particular day. There was a significant risk of,
23 because of the amount of fire in the southern batters,
24 that a spot could easily come out from that and that
25 actually occurred. 11.29AM

26 A spot from the southern batters fire could - - -?---Yes.
27 And so that this kind of small smoke areas could come from
28 what you anticipated to be spots that would come out of
29 the southern batters?---Yes, particularly with the wind
30 speed and direction on that particular day. 11.30AM

31 MS RICHARDS: Before we leave this event I'd like to get a

1 picture from you, if I can, of the actual rapidity of
2 the response. What was the time that elapsed, as you
3 understand it, from the detection of this new fire and
4 the response to it?---Could I say, it was virtually
5 immediate, and that goes hand-in-hand with the planning 11.30AM
6 that was done. But we were very fortunate, at the same
7 time we had the forward-looking infrared helicopter
8 flying off the mine site doing a FLIR run for us, and
9 he was streaming that information back to us at the
10 ICC. We actually watched, virtually watched this 11.30AM
11 happen live even in the ICC through the FLIR imaging
12 that we were receiving, and it was very daunting to see
13 the fire running towards the power station so quickly,
14 and the fire behaviour was very unusual on that
15 particular day as well. 11.31AM

16 I said that was going to be the last question but I have one
17 more. What arrangements did you have in place for
18 actually detecting whether there was any break out of
19 the existing fire on the 25th and the other spike
20 days?---Could you just rephrase the question? 11.31AM

21 I understand from what you've said that you were planning
22 for the fact that there might be an outbreak of fire.
23 How did you make sure that you detected any outbreak
24 that occurred?---Well, again, it's through observation,
25 it's having the resources in the right place at the 11.31AM
26 right time to have the early detection.

27 Did you have aircraft deployed to actually hover above the
28 mine to see whether there was any outbreak, or did you
29 have a vantage point within the mine?---We managed the
30 aircraft that day where we would have the aircraft in 11.31AM
31 the air for that specific reason at the highest level

1 of fire danger on that given day.

2 Is that how this break out was detected?---I think that with
3 the strike teams that were in place ready to move -
4 there were resources actually deployed into the sectors
5 that we'd formulated in the event of a fire breaking 11.32AM
6 out, so the fire trucks were virtually there waiting.

7 I'd like to take you to the suppression strategy that was
8 developed and then implemented over a fairly long
9 period. You describe the suppression task in a quite
10 memorable way. How do you describe it?---Like eating 11.32AM
11 an elephant. That came from a media interview that I
12 did with the local WIN media here. The analogy in my
13 mind is still correct, is that we had a large task in
14 front of us and we just had to bite off little chunks,
15 so I used the analogy of eating the elephant a little 11.33AM
16 bit at a time and by the end of this we would actually
17 eat the elephant and I believe we did eat the elephant.

18 You've outlined in your statement a six-stage suppression
19 strategy and I'd like you to take a bit of time to
20 explain that. If we could go to the next page of 11.33AM
21 Mr Barry's statement please. So, step 1?---Step 1 was,
22 and this went hand-in-hand with additional resourcing
23 that we brought in to do this. We tested our foam
24 agent first to make sure that it was actually going to
25 be compatible and it was. I engaged a foam specialist, 11.33AM
26 Adrian Hem is his name who was advising me and the
27 Incident Control team on the use of foam.

28 He was the foam specialist from within the CFA?---He is a
29 CFA person but he was there, he was engaged as a foam
30 specialist, not as a CFA volunteer and staff member. 11.34AM
31 Okay, so he was a volunteer but - - -?---He is a volunteer

1 and he has worked for us in the past, but at this point
2 in time he was engaged as a specialist by myself.

3 So stage 1 you've done your foam testing?---Stage 1, we had
4 access at that time and brought in additional airport
5 tenders to use to wash down the batters, or to cool the 11.34AM
6 batters. We started in the northern batters because
7 that's where we wanted to concentrate our immediate
8 effort.

9 Why was that?---Because we believed that the northern
10 batters were having the greatest impact in relation to 11.34AM
11 smoke and irritants to the community of Morwell,
12 particularly when the wind was in the southeast.

13 In looking at the modelling of the smoke, it indicated to us
14 that if we could work on the northern batters first it
15 would reduce the impact on the community of Morwell, 11.35AM
16 although not completely, it would actually certainly
17 help with the situation. The other initiative that our
18 Incident Management Team put in place was, we actually
19 needed to put a linear measurement over the batters
20 because, although with had virtually the northern 11.35AM
21 batters and the southern batters and there are many
22 levels of batters within that face of the mine, we
23 needed to calculate and break-up the batters, break-up
24 the northern batters into sections so we could map it
25 and look at our performance measures of whether we were 11.35AM
26 going to achieve our goal. That was done by our ground
27 observer staff and our mapping people in the IMT and so
28 we gridded that area and so we worked in 100 metre
29 compartments on each level of the batters.

30 So one piece of the elephant was about 100 metres 11.36AM
31 long?---Yes, 100 little bites. In the northern batters

1 alone there was 8.5 kilometres of fire area that was
2 exposed on the various levels.

3 That was on the various levels?---On the various levels of
4 the batters. So we decided that we needed to take a
5 very strategic approach to this in extinguishing it and 11.36AM
6 moving across the batters slowly and applying - washing
7 down the batters first, step 1, and then applying
8 compressed air foam at step 2, and combined with that
9 at step 2 to get the upper levels, because some of the
10 batters were very high, the CAFS units could not reach 11.38AM
11 the upper levels of the batters, we actually engaged
12 aerial appliances and this was the first time we
13 believe that compressed air foam was being used through
14 aerial appliances in this manner.

15 I want to ask you about the terminology there. An aerial 11.38AM
16 appliance is not an aircraft, is it?---No, it's not.
17 Can you explain the difference?---It's a pumping appliance,
18 an urban pumping appliance that has a large capacity
19 pump with an elevated boom with a nozzle on it that can
20 reach into the upper levels of a building or, in this 11.38AM
21 case, the batters.

22 So it would be used in a metropolitan setting for fighting a
23 fire in a high rise building?---Most definitely. Look,
24 they varied, we had two types, we had what we call
25 telebooms and we had aerial pumpers from both CFA and 11.38AM
26 MFB, so we had a range of appliances in the mine at the
27 time. Where the teleboom appliance does have a rescue
28 capability, where an aerial pumper doesn't. But
29 they're still classed as aerial appliances and those
30 aerial appliances were able to apply the compressed air 11.38AM
31 foam onto the upper levels of the batters which you'll

1 see a photo of in a moment.

2 What do we see in this photograph here?---This is the aft
3 tenders that we brought on site and we used them
4 predominantly to wash the batter down to cool the
5 batter and also to give the CAFS foam a greater 11.38AM
6 opportunity to stick to the face of the batter.

7 Is this water being applied?---This is water being applied,
8 yes.

9 MEMBER PETERING: Mr Barry, are these your
10 photographs?---They are not specifically taken by me 11.38AM
11 but they were taken at the time that I was Incident
12 Controller.

13 MS RICHARDS: Just before we leave step 1 I just want to ask
14 you a little bit more about that prioritisation of the
15 northern batters. The prioritisation of the northern 11.38AM
16 batters was despite the fact that there was a fire
17 burning on the other side of the mine much closer to
18 the power station?---Yes, but we had resources spread
19 right across; we didn't just - - -

20 Leave it to burn?---Neglect the southern batters, we were 11.38AM
21 still dealing with that and the suppression activities
22 were still going on, but we had to look at taking a
23 strategic approach which logically was to start in the
24 northern batters, which we did, and then as we
25 progressed and the water reticulation systems were put 11.39AM
26 back in place and we were able to move our appliances
27 as we went, and we gradually moved further around and
28 concentrated greater effort into the southern once we
29 got the northern batters under control.

30 MEMBER PETERING: On resourcing please, Mr Barry, were you 11.39AM
31 also directing the mine employees within the mine in

1 relation to resourcing and fighting the fires or were
2 you only directing the CFA resources?---There was
3 combined effort with the mines, that was done at the
4 operations point that happened on the mine. One of the
5 things that I undertook very early in my first tour of 11.39AM
6 duty was to restructure the IMT slightly and changed
7 what was called the divisional control point to an
8 operations point, and resourced that point greater so
9 we could have a greater support to the people that were
10 managing on the ground and a greater communication link 11.40AM
11 to the ICC, which occurred.

12 So ops officer Graham Lay was appointed and,
13 instead of being in the Incident Management Team with
14 me, a deputy ops officer was put in the IMT and Graham
15 Lay was moved forward into the operations point that 11.40AM
16 was established in the mine office, and they had the
17 direct linkage with Rob Dugan and his team of the mine
18 operators.

19 I must say, we actually got heavily involved, we
20 attended - Mr Dugan undertook at 12 o'clock every day, 11.40AM
21 took a meeting, was a gathering of his key operators
22 with our Sector Commanders and our key people where
23 they talked about strategy and what we were up to and
24 what tasking would be undertaken and then, straight
25 after that, Mr Dugan would come to us with the 11.41AM
26 Operations Officer and we would then undertake the
27 strategic mine meeting at the higher level.

28 Mr Dugan gave evidence yesterday and we understood from his
29 evidence that, although there was this very close and
30 well organised liaison, the mine had its own separate 11.41AM
31 emergency control structure in place, separate from the

1 one that you were overseeing, and while they worked
2 closely together, they were essentially working in
3 parallel rather than as part of an integrated Incident
4 Management Team?---That's correct.

5 Let's move to step 2. So, having cooled down the area of 11.41AM
6 batter using water, you then apply compressed air
7 foam?---That's correct.

8 What was the purpose of doing that?---A number of reasons,
9 also to put a covering layer of foam over the batter
10 which helped in smoke suppression, it also cooled the 11.42AM
11 batter, and it was also the next stage in the
12 suppression strategy to then close off those hot areas
13 within the batters themselves.

14 When you began your first stint as Incident Controller, was
15 there a ready supply of compressed air foam?---It's my 11.42AM
16 understanding that the Tasmanian CAFS unit was already
17 were here. With Mr Adrian Hem we tested our A Class
18 foam capability and tested our compatibility of the A
19 Class foam that CFA use. We started using that foam
20 with the system, the CAFS systems, and it proved very 11.43AM

21 successful. We did test a number of foam agents
22 through that period. It was decided, after the
23 analysis of that foam testing, that we would stick to
24 our A Class foam. We then heavily brought in A Class
25 foam resources; we were also using it in our aircraft 11.43AM
26 as well as the CAFS units, and it gave us adequate
27 supplies to be able to continue our CAFS application.

28 Step 3 also involves the application of foam?---Yes, Step 3
29 is virtually the use of the aerial appliance to get the
30 elevated position, and there is a photo of that I 11.43AM
31 think.

1 If we can move to the next photograph. It gives us an idea
2 of the scale of the task?---Yes. If you look at the
3 two appliances at the bottom of the screen, one is, I'm
4 not sure whether it's the New South Wales or the
5 Tasmanian CAFS unit with an aerial pumper and the 11.44AM
6 aerial pumper is actually applying CAFS foam to the
7 upper levels of the batter.

8 So the appliance on the left-hand side, you can see has a
9 boom sticking up?---That's the aerial appliance, yes.
10 And that's how you are applying foam to the upper reaches of 11.44AM
11 the batter. Could it reach all the way to the
12 top?---In some cases, no, we did have problems with
13 upper levels of the batters particularly with the clay
14 shoulder at the top of the batters and coal would burn
15 in underneath those batters, but we worked with the 11.44AM
16 mines people to put strategies in place to overcome
17 that.

18 How did you solve that issue?---We engaged predominantly
19 with long reach excavators and I think there was a
20 dozer employed at one time but the strategy changed 11.44AM
21 back to, because of safety issues, the strategy changed
22 back to using long reach excavators.

23 So that's the digger?---Yes, the long reach excavators, and
24 I think there is a picture of that further on.

25 If we can move then to step 4 and the photograph at the 11.45AM
26 bottom of that page?---After the CAFS had been applied
27 we then brought crews along with thermal imaging
28 cameras. We purchased a number of Drager thermal
29 imaging cameras and there was already a number on site
30 that were on our aerial appliances. The crews would 11.45AM
31 then use the thermal imaging cameras to pick up hot

1 spots that were still there after our resources were
2 moving along, so that the aircraft tenders and the CAFS
3 units were slowing moving along the batters and we
4 brought in crews in behind just to make sure that we
5 were doing a complete overhaul behind, and we were 11.45AM
6 using the thermal imaging cameras as well as the
7 infrared FLIR runs of the aircraft to pick up what hot
8 spots were still behind that we had to deal with.

9 So FLIR being forward-looking infrared?---Sorry,
10 forward-looking infrared, yes. 11.46AM

11 Which is a heat detection device?---Yes. These thermal
12 imaging cameras work on the same principle.

13 And that exercise then informed what you did on step
14 5?---That's correct, and at step 5 it's important to
15 note that we actually resourced the fire ground and 11.46AM
16 brought in CFA's concept tankers, as many as we could
17 get, I think we got six in total. We brought those
18 particular concept tankers in for a reason; we felt it
19 was safer for our people to operate in, they could
20 operate the monitors on those appliances from within 11.46AM
21 the cabins so they weren't out exposed to the smoke and
22 irritants and the CO², but they also were a good
23 concept tanker where we could use the monitors to deal
24 with the specific hot spots behind steps 1, 2 and 3.

25 Then step 6?---Step 6, we introduced the use of foam, and 11.47AM
26 I'll call them lancers or spikes. Adrian Hem in his
27 testing put forward the concept of using the spikes.
28 They're used on a length of firefighting hose and
29 they're used also with A Class foam where you can
30 inject a lance into the burning coal and then turn it 11.47AM
31 on and induct foam deeper into the burning coal, and

1 that proved very, very successful and became a key part
2 of the strategy from that point forward.

3 Was that particularly useful for dealing with these
4 remaining hot spot areas?---Yes, it was, and we used it
5 predominantly in that part of the strategy. 11.47AM

6 There was one other aspect of step 6 which was really the
7 experimental step, I suppose, the trying new things
8 step?---Yes, as you would imagine there were a number
9 of companies that indicated to us that their foam or
10 their products would be useful and successful in 11.48AM
11 extinguishing this type of fire, so the foam specialist
12 that we'd engaged actually tested those products and at
13 the end of the day came back and provided professional
14 advice to us that the A Class foam was the best agent
15 for us to use. 11.48AM

16 Which was the one you'd been using from the outset?---Which
17 is the one that we'd been using. We also tested medium
18 expansion foam as well, so there was a series of
19 testing going on coinciding with what we were doing to
20 make sure our strategy was right and there was nothing 11.48AM
21 else that would be better used in lieu of what we were
22 doing.

23 You then go on to say that there was additional work being
24 done apart from the task of eating the elephant segment
25 by segment. You've spoken about operational planning 11.48AM
26 for spike days and the usefulness of that exercise.
27 You also mentioned the approach taken to using
28 firefighting aircraft. How were they used in the
29 suppression effort?---The heavy helicopters were
30 virtually in place when I arrived as Incident 11.49AM
31 Controller and became a really important part of our

1 overall strategy, particularly - - -
2 These are the Sikorsky helicopters with the suspended
3 bucket?---The Sikorsky helicopters, that's correct. We
4 did have a sky crane there as well but the difficulty
5 with the sky crane is, it had difficulty picking up, 11.49AM
6 with the water from within the ponds because of the
7 wash of the rotors, where the Sikorskys with the long
8 line and bucket did not have that problem. In our
9 strategy which coincides with the overall water
10 management problems that we were engaged with, we were 11.49AM
11 taking water from within the mine, using it on the
12 batters without introducing additional water into the
13 mine, whereas the sky crane would have to go out and
14 pick up out of the Hazelwood Pond and then come and
15 drop into the mine itself, so it was bringing 11.50AM
16 additional water into the mine.
17 There was a view prior to this fire, and it's expressed in a
18 report reviewing a fire that occurred in the mine in
19 2005, that helicopters were not an appropriate response
20 to fire in a brown coal mine. Was that your experience 11.50AM
21 during the fire fight this year?---Look, I can only
22 talk about the period I was there as Incident
23 Controller and the use that we had of aircraft. I
24 think they were invaluable for us in our suppression
25 strategy. There were parts of the mine that we 11.50AM
26 couldn't get to because of safety reasons, there were
27 parts of the mine that we couldn't get to because
28 particularly - and I'll use by example above the HARA
29 Pond. Immediately above the HARA Pond because we had
30 exclusion zones in place because of water quality and 11.51AM
31 so forth that was used in the firefighting effort, and

1 we used the helicopter to come in and suppress and keep
2 cooling those areas because we couldn't access them.
3 So, where there was limited access and we couldn't put
4 our firefighters or the mine staff in those particular
5 areas, then the use of aircraft was invaluable. 11.51AM

6 The use of aircraft was actually used quite
7 effectively, particularly in the southern batters
8 where, as I mentioned before, where we had the clay
9 overhang at the top of the batters. Our Sikorskys were
10 able to water bomb those upper levels and continue to 11.51AM
11 suppress the upper levels of the batter. We engaged in
12 an initiative through this process that we haven't used
13 before; there is what we call an air attack supervisor
14 that sits above these aircraft and calls the shots for
15 safety and operational reasons, and we actually - that 11.51AM
16 air attack supervisor we took out of the aircraft and
17 actually put him on the ground, and I think this is the
18 first time we've ever used an air attack supervisor on
19 the ground to direct water operations. He had a
20 thermal imaging camera with him, he was able to detect 11.52AM
21 certain hot spot areas, and he was able to direct the
22 helicopters right in and drop right on the very hot
23 spot that was being dealt with, so a very accurate
24 approach to the hot spots.

25 So it worked extremely well. We couldn't put any 11.52AM
26 other resources in those areas so they were very
27 effective.

28 There have been a couple of queries raised about the use of
29 aircraft. One is that on those particularly steep
30 batters water dropped from the air would just slide 11.52AM
31 down. Is that what happened or were you - - -?---That

1 is correct. Obviously when you drop water of that
2 volume there is a significant run off, but there is
3 still also the cooling effect of the water as it's
4 coming down the batters. It's all about suppression,
5 using water as an effective cooling agent, and that's 11.53AM
6 exactly what it was doing.

7 The other concern, and this is identified in the 2005 report
8 about that fire in December 2005, is that aircraft, in
9 particular rotary aircraft, can serve to spread the
10 fire?---Look, that may be the case, but the Sikorskys 11.53AM
11 were certainly not impacting on the fire intensity in
12 the areas that they were working on.

13 That may be more of a concern at the early stage of the fire
14 rather than the stage that you walked into?---Yes, it
15 may have been and I was not there at that stage, but 11.53AM
16 certainly not during the time I was Incident
17 Controller.

18 We asked you to identify any difficulties in implementing
19 the suppression plan that you've just stepped us
20 through and you do this in paragraph 27. The first one 11.53AM
21 you identify is the sheer size of the task that you
22 were addressing. You make an observation that you
23 weren't hamstrung by access to resources apart from
24 weather events?---Yes.

25 Rain. Does that mean that it would have been nice if it 11.54AM
26 rained at some point?---No, just the opposite.

27 Just the opposite?---I suppose if we had of had the quantity
28 of rain it would have assisted us, but it actually
29 hampered our operations.

30 In what way?---Well, it was very difficult for us to get our 11.54AM
31 appliances in and out of the mine, and it became a

1 safety issue, particularly with the larger appliances
2 that we were using, the aircraft tenders, very big
3 vehicles, very slippery ground, so in some cases we
4 were not able to deploy into certain areas of the mine
5 because of the rain that had occurred. 11.54AM

6 There was a particularly heavy storm in about
7 mid-March?---There were a few days where we had
8 five-plus ml of rain that did hinder our operations.
9 It wasn't as simple as the rain falling and putting out the
10 fire?---It may have been if we had a lot more, but not 11.55AM
11 the amount that we received.

12 You also mentioned two other difficulties, both to do with
13 water. The first was the management of water within
14 the mine. Can you explain what that difficulty
15 was?---The water management, and look, I was not 11.55AM
16 technically across this, in the structure that I put in
17 place when I first started we had a technical advisor
18 and I changed that to having a Deputy Incident
19 Controller Technical, so I added in an additional
20 Deputy Incident Controller to my team and that 11.55AM

21 continued from that point forward where we actually had
22 a technical person from within either CFA or MFB
23 advising us, and we also engaged our own water
24 management specialist and geotech specialist to advise
25 us and water management was a problem for us from a woe 11.56AM
26 to go, the amount of water we could use within the mine
27 at times was limited, and of course we were also
28 limiting the amount of water we could use because
29 there's a balance of water. Now, I'm not across all
30 the technical aspects of that, I was advised by my 11.56AM
31 technical deputy on those issues, but there was a

1 balancing act, you might say, right through the entire
2 period that I was there with water management.

3 The consequence of not achieving that balance was stability
4 issues with the mine walls?---Stability issues within
5 the mine, is my understanding, as I said, I haven't got 11.56AM
6 the technical overview of that, but there were at times
7 pressures on the ponds that were in the mine and the
8 groynes of separation through that, through the water
9 management process, and that could have proven critical
10 to us and we classed that as part of critical 11.57AM
11 infrastructure and the protection of critical
12 infrastructure because the large pumps that were
13 supplying us water could have been affected.

14 Then the next area of difficulty that you identify is the
15 absence of an extensive water reticulation system. We 11.57AM
16 have had evidence that there is a Fire Services pipe
17 network throughout the mine. Was that not adequate for
18 your purposes?---In the early stages I don't believe it
19 was, and even as I took over there are a number of
20 areas, particularly in the northern and southern 11.57AM
21 batters that were not - that did not have reticulation
22 on particular batters, and we worked with GDF Suez as a
23 priority to get those mains in place and operating and,
24 as I said, it formed a part of our overall strategy
25 because, if we could have those water mains put back in 11.58AM
26 service, and we could put sprinklers and spray systems
27 on them, then we could move the requirement of our
28 appliances to move further round into other areas of
29 the mine and to be used more effectively. Really
30 that's what happened, we moved across the northern 11.58AM
31 batters again in line with our strategy and then moved

1 around into the southern batters from there and the
2 water reticulation systems were - even though there
3 were some there, the ones that weren't working were put
4 back in a place. The end result towards the end of the
5 fire was that there was an abundance of spray systems
6 in place. 11.58AM

7 Again, if we could have the aerial photograph. Can you
8 identify where there was a lack of water infrastructure
9 and where it was installed?---Look, the primary focus
10 that we had, there are a number of levels in the 11.59AM
11 northern batters where the mains had to be put back
12 into place. There were some of the mains already there
13 but, as I said, we worked with GDF Suez to make sure
14 that we identified where they were and we actually
15 assisted them, particularly with water bombing 11.59AM
16 operations and other useful aircraft, to assist them to
17 get mains back in place because of the hot areas within
18 those batters.

19 We were restricted at times - GDF Suez were
20 restricted at times in putting those mains back in 11.59AM
21 place because of the fire on a particular level of the
22 batter, but we concentrated in the northern batters
23 first and then, again in line with the strategy, we
24 moved from the northern areas through to the south.
25 But it's my understanding that GDF Suez were working on 11.59AM
26 the mains constantly, they were building mains
27 particularly on site and then pulling them into
28 position and reinstating them, not only in the batters
29 but also on the floor of the mine as well.

30 And so a rough division of labour was that the GDF Suez 12.00PM
31 personnel were working on putting in the water

1 infrastructure while your people were concentrating on
2 the suppression effort? Have I understood that
3 correctly?---Look, I couldn't answer that in the
4 balance because there are also other activities that
5 GDF Suez were involved with us in the operation apart 12.00PM
6 from water reticulation.

7 There are a couple of photographs that you have taken that
8 demonstrate what was being done with the pipe work.
9 What does this photograph show?---This as very unique
10 photo in the fact that GDF Suez pulled through a water 12.00PM
11 main, I'm led to believe it came through from Yallourn.
12 The roadway, this is in the northern batters, and the
13 roadway that was put in to assist the pulling through
14 of this main, as you can see, it was very hot and, as I
15 said before, there was a lot of heat in particular 12.01PM
16 areas in the northern batters where our aerial bombers
17 came in and cooled that area so GDF Suez could actually
18 pull the main through and that's exactly what's
19 happening there.

20 So that's not the final position of that pipe work, that's 12.01PM
21 en route to its final spot?---That's en route down to
22 the other end of the ponds.

23 Then there's another photograph on the next page which is
24 what?---This was the indication of putting the
25 reticulation systems back in place and being, as you 12.01PM
26 can see, the sprinkler systems were put in and we were
27 gradually able to move our resources out of those areas
28 further round. A part of the overall strategy was to
29 put the reticulation systems in place which then took
30 away the requirement for us to have aerial pumpers in 12.01PM
31 there applying water.

1 Then you could turn on the sprinklers and let them do their
2 work?---That's correct.

3 Are you able to indicate in this photograph what's new and
4 what's old?---No, I'm not.

5 The last of the difficulties in implementing the suppression 12.02PM
6 strategy that you identify is the maintenance of
7 morale. Could you talk a little further about
8 that?---Very early in my tour of duties it was evident,
9 and before I arrived in the role as Incident
10 Controller, it was generally understood that the mine 12.02PM
11 fire had been going virtually a couple of weeks and
12 there was - morale I'd say across our staff and
13 volunteers, particularly those who had already been and
14 supported in the mine effort, that the job was hard
15 work, it was dirty, it wasn't the ideal conditions to 12.02PM
16 be in, and we had some resourcing problems with both
17 our career staff and our volunteers.

18 I decided that I'd engage the media unit that was
19 working in the IMT to work with me and we put out an
20 Incident Controllers' information blog and information 12.03PM
21 sheet to go out to all our staff and volunteers to
22 inform them what we were doing in the mine, the
23 importance of the work that we were undertaking and the
24 critical nature of the overall strategy that we were
25 implementing and that we were achieving good results, 12.03PM
26 so it was really there to boost morale which would in
27 turn help us with our resourcing, and I believe it did,
28 it did just that. But our media unit were very
29 proactive in getting that message out to our people and
30 also I'm led to believe that may have gone out to the 12.03PM
31 community areas as well.

1 The formal performance monitoring was also of assistance in
2 maintaining morale?---As I said, after I started as the
3 Incident Controller and in discussions with the State
4 Controller, Craig Lapsley, and also my Chief Officer,
5 Euan Ferguson, we decided we needed to put in a linear 12.04PM
6 measurement system where we could start to measure the
7 effectiveness of what we were doing.

8 As I said, we gridded the entire mine surfaces
9 that were being impacted on and we were able to put in
10 a gridded map of how much of that particular grid had 12.04PM
11 fire in it and what the intensity was within that
12 particular gridded area and that formed the basis of
13 our measurement.

14 We went from the really, let's say, the red areas
15 on the map which had large coverage of fire to slowly 12.04PM
16 over time, as we achieved our strategy, turned to
17 green, that we were achieving good results. So we used
18 that mapping to say, hey look, we are really achieving
19 good results here and you could see the progression
20 every day. 12.05PM

21 We also used the FLIR imagery that was taken to
22 project that, this is what the fire was like on
23 9 February, to this is what the fire was on 20 January
24 and the comparison and you could see what we had
25 actually achieved which started to boost morale 12.05PM
26 greatly.

27 I want to ask you a couple of questions about evacuation
28 which is one of the last things that you address in
29 your statement. This is starting at the bottom of
30 page 15. You say it wasn't considered during the time 12.05PM
31 that you were an Incident Controller but there was a

1 process in place at the regional level. Are you able
2 to describe what that process was?---Yes. When I
3 started as the Incident Controller it was right at the
4 point where a number of activities within the incident
5 management structure was moved to the regional level,
6 which was very good, I might add, because it took the
7 pressure off the Incident Controller and gave the
8 Incident Controller a focus on the fire fight.

12.05PM

9 So, although we kept a focus of community
10 engagement and community information in the IMT, it was
11 managed also at, coordinated at the regional level
12 which worked really well. So evacuation was discussed
13 at the regional level. I was invited to a meeting or
14 attended a meeting of the Regional Emergency Management
15 Team where they discussed a process in relation to -
16 we'd had an occurrence where we had an elevated reading
17 in the community from the area raids and the process
18 was that, once a reading was actually noticed or
19 recorded, that they would notify the Deputy Incident
20 Controller, HAZMAT and Safety within the IMT; we would
21 then notify the Regional Controller and his team.

12.06PM

12.06PM

12.06PM

22 So they developed a process where there would be
23 an immediate convening of the Regional Emergency
24 Management Team which had all the various agencies and
25 key players there and they would discuss the readings
26 and the immediate requirement for evacuation if it was
27 required, so put a process in place.

12.07PM

28 My role in that as the Incident Controller is, I
29 still had the statutory responsibility of evacuation,
30 so I had to become a key part of that process. So, if
31 it was decided at regional level, and it didn't occur,

12.07PM

1 but if it was decided that evacuation was required,
2 then the Incident Controller would be engaged to then
3 talk and engage police to activate an evacuation if it
4 was needed.

5 So the judgment call would be made at the regional level in 12.07PM
6 this process you've outlined, with you being involved,
7 but then you'd need to implement that call?---Yes, at
8 the end of the day it's my understanding that it would
9 still be the Incident Controller's authority to enact
10 the evacuation. That worked well. We did have high 12.08PM
11 readings in the community, I can't recall which
12 day - - -

13 You're talking about carbon monoxide here?---Carbon monoxide
14 readings from the area raids that were based in the
15 area of Morwell South, but the readings were not 12.10PM
16 constant readings, they were spiked readings. That was
17 analysed by the experts that were advising the Regional
18 Emergency Management Team and it was decided that
19 evacuation was not required but I'm led to believe a
20 health warning was issued. 12.10PM

21 You were in the room I think when Mr Katsikis gave his
22 evidence to the effect that in quite an early stage of
23 the fire the 9 ppm was considered to be the community
24 standard and the point beyond which concern arose, and
25 there was a need for consideration of whether a warning 12.10PM
26 advice should be issued or even relocation or
27 evacuation. Was that still the level at the time that
28 you were the Incident Controller?---I am not across the
29 exact levels that were used; the Deputy Incident
30 Controller, HAZMAT and Safety was the responsible 12.10PM
31 person, he advised me when there was an elevated

1 reading and we then immediately engaged the regional
2 level.

3 So when you say in paragraph 38 that, "Had the readings
4 remained above that which was considered safe",
5 considered safe by that regional group that had taken 12.10PM
6 responsibility for dealing with readings of concern.
7 Is that right?---I imagine it would be the advice that
8 they would have received - EPA were working directly
9 with the Regional Emergency Management Team, they were
10 located with them downstairs, so there would be several 12.10PM
11 areas of advice that would have made that decision.

12 So, if the Regional Emergency Management Team, which
13 involved the EPA, had considered the readings to be
14 unsafe, then you would have needed to take steps to
15 consult with Victoria Police?---That's correct. The 12.10PM
16 Incident Controller would have been called to the
17 meeting where the issue was discussed and, if there was
18 action required to be taken from that, then the
19 Incident Controller would then step back and take that
20 action. 12.10PM

21 This has all been about carbon monoxide. Were there trigger
22 levels for readings of fine particles, PM 2.5 or PM 10
23 that would work into that process?---I don't know, I
24 can't answer that question.

25 You've also covered, right at the end of your statement, 12.10PM
26 liaison with other parties and you identify liaison
27 with the mine operator as having worked well and you've
28 explained Mr Dugan's involvement and daily involvement
29 in your strategy development. In future, having had
30 this experience over 21 days, do you think there's 12.11PM
31 scope for full integration of mine personnel and Fire

1 Service's personnel in the integration management
2 structure?---Look, it was certainly beneficial.
3 Whether that's the way the structure should be in the
4 future I'm not in a position to advise that. All I can
5 say is that the cooperation and the working 12.11PM
6 relationship that we developed in my time there with
7 GDF Suez, in particular with Mr Dugan, that was
8 excellent, it worked well in the overall suppression
9 strategies that we put in place and, if you're asking
10 me should that be the way in the future, I would say 12.11PM
11 most definitely.

12 A slightly different question I was asking. Becoming
13 familiar with the AIMS structure, and that's really a
14 structure that enables personnel from a range of
15 different agencies to come together in an incident and 12.12PM
16 assume roles in the Incident Management Team in all of
17 the sort of pre-designated sections and fight the fire
18 as a unified team, what we had here were two teams
19 working side-by-side, and my question to you is whether
20 there is scope for fuller integration so that mine 12.12PM
21 personnel would work within the Incident Management
22 Team that the Incident Controller leads?---In my
23 personal opinion I'd say there certainly is scope for
24 that to occur, and it's no different to the principles
25 we use in IMTs today or in incident management today 12.12PM
26 particularly where local knowledge or expert and
27 technical knowledge is critical in the IMT environment.
28 To be actually advised by the people who have the
29 intricate knowledge of the fire ground, it's imperative
30 that there is, you worked hand-in-hand and 12.12PM
31 side-by-side.

1 Thank you, Mr Barry. Do Members of the Board have any
2 questions?

3 CHAIRMAN: No.

4 <CROSS-EXAMINED BY MR RIORDAN:

5 I am just getting some details about this correct, sir, but 12.13PM
6 is it right to say that, in terms of the need to put in
7 the reticulated water system, to install it, that was
8 due to two things, two factors. One factor was that
9 there was an area of the mine, being a few hundred
10 metres from the rehabilitated area going a few 12.13PM
11 hundred metres into the northern batters where there
12 wasn't a reticulated water system because it had been
13 removed some time previously? And the second factor
14 was that there were parts of the reticulated water
15 system which had been damaged by the fire and had to be 12.14PM
16 reinstated?---I have no knowledge of how the
17 reticulated systems would have been damaged or if they
18 were not there. I worked with GDF Suez to identify
19 that there were gaps in the reticulation system in the
20 northern batters and that's when we worked with them to 12.14PM
21 have them reinstated as a priority.

22 So really, you can't comment on the question I just put to
23 you; all you know is that there was a need for some
24 reticulation after the commencement of the fire and you
25 worked on having that reticulation system 12.14PM
26 re-installed?---Yes.

27 Thank you. No further questions.

28 <CROSS-EXAMINED BY MR WILSON:

29 Mr Barry, you've told us that this was the first brown coal
30 mine fire that you had fought; is that right?---Yes. 12.15PM

31 While coal mine fires might be physically different to

1 bushfires, is it nevertheless the case that your
2 strategic response was the same?---Exactly.

3 You told us that in the second week you regularly met with
4 mine operating staff sharing information. You recall
5 giving that evidence?---Yes. 12.15PM

6 In adopting that collaborative approach, how would you
7 describe the success of your efforts in the
8 firefighting quest?---Certainly, the strategic meetings
9 held with GDF Suez certainly assisted and built
10 strategy around us moving the suppression effort 12.15PM
11 forward; it would not have occurred if those meetings
12 had not been so fruitful.

13 And while there were two teams, as was put to you, is it
14 nevertheless your evidence that your firefighting
15 efforts were largely successful?---My personal opinion 12.16PM
16 is, our firefighting efforts were extremely successful
17 over the period, long period of time we were there.

18 You told us that you adopted thermal imaging and, where
19 necessary, the application of foam by lances. Do you
20 recall giving that evidence?---Yes. 12.16PM

21 Once you did that, did you experience any re-ignitions?---I
22 can't say re-ignitions because I wasn't directly on the
23 ground myself. However, through the process of the
24 strategy that we employed, we also did ground truthing,
25 so we sent teams of people back into particular areas - 12.16PM
26 our forward-looking infrared unit would still pick up
27 some areas that were believed to be hot; they weren't
28 visual to us, so we actually wanted to ground truth
29 that there was no heat and fire below that, so we
30 actually worked with GDF Suez and engaged and went in 12.17PM
31 and ground proofed and dug those areas out just to make

1 sure what the infrared and the cameras were telling us
2 was correct. We didn't come across fire that was there
3 even though there was an indication of still being some
4 heat in that area.

5 You told us about morale and the need to keep it high as 12.17PM

6 best you could. Is it a fair distillation of what you
7 tell us that this, on any view, is a long haul campaign
8 that involved a massive firefighting effort?---Yes. I
9 managed an Incident Management Team in the IMT of
10 approximately up to 80 people, the biggest IMT that I 12.17PM
11 have ever been involved in. And of course, as we went
12 on through the day that I started to the day that I
13 finished, that team of people had worked extremely long
14 hours under very difficult conditions and stressful
15 conditions in the IMT and were giving their all to this 12.18PM
16 particular effort.

17 At the end of each rotation we'd undertake a
18 debrief of what we'd achieved in that tour of duty and
19 it was also a morale boosting exercise where I
20 indicated to our people, although we were dealing with 12.18PM
21 a major incident, from an incident management
22 perspective this was actually a privilege for us to be
23 involved in what I could class as one of the largest
24 fires outside wildfire in CFA's history.

25 So it was actually a privilege for us and we 12.18PM
26 continually worked through engaging those people,
27 building their morale and asking them to come back and
28 be a part of the next rotation. And the pleasing thing
29 about that is that, at the start of the next rotation
30 they all came back and, to me, that was just a 12.18PM
31 testimony to the people that were involved in this

1 incident.

2 I take it, you're enormously proud of your

3 firefighters?---I'm enormously proud of, not only our

4 firefighters, but the firefighters from right across

5 Australia that were being involved in this effort. I'm 12.19PM

6 extremely proud of the Incident Management Team that

7 predominantly came from my region that were involved

8 and worked with me as a team and the efforts that we

9 achieved and, I believe, the overall success -

10 extremely proud when we were able to hand back to the 12.19PM

11 mines, even though it was in sections, of a section of

12 the mine back to their management and their care, that

13 we'd achieved what we'd set out to do.

14 Thank you, Mr Barry.

15 MS RICHARDS: I have no re-examination. May Mr Barry be 12.19PM

16 excused?

17 CHAIRMAN: Yes, thank you very much, Mr Barry.

18 <(THE WITNESS WITHDREW)

19 MS RICHARDS: Mr Rozen will take the next witness.

20 MR ROZEN: That next witness is Mr John Haynes. Could 12.20PM

21 Mr Haynes please come forward.

22 <JOHN CHARLES HAYNES, sworn and examined:

23 MR ROZEN: Afternoon, Mr Haynes. Can you please confirm for

24 us your full name is John Charles Haynes?---That's

25 correct. 12.21PM

26 You work out of CFA head office, 8 Lakeside Drive, Burwood

27 East?---That's correct.

28 You're, is it a or the Deputy Chief Officer of the CFA?---A.

29 A Deputy Chief Officer?---Correct.

30 How many are there?---Four. 12.21PM

31 Four including yourself?---Correct.

1 You've worked in paid employment for the CFA since
2 1985?---That's correct.
3 Before that, you were a volunteer for four years?---Yes.
4 Based down here in Traralgon?---Actually Traralgon and
5 Wangaratta. 12.21PM
6 For the purposes of the Inquiry, have you made a witness
7 statement dated 21 May 2014?---I'm just checking this
8 one. Yes, 21 May, yes.
9 Some 33 paragraphs, the same as the one you're looking at I
10 hope?---I'm just looking at the one in the book here, 12.22PM
11 and, yes, that's correct.
12 Have you had an opportunity to read through that statement
13 before coming and giving evidence to the Inquiry
14 today?---Yes, I have.
15 Firstly, is there anything you'd like to change in the 12.22PM
16 statement?---No, quite happy, thanks.
17 So the contents of the statement, therefore, are true and
18 correct?---Yes.
19 I'll tender the statement.
20 12.22PM
21 #EXHIBIT 24 - Statement of John Haynes.
22
23 MR ROZEN: Mr Haynes, a little bit more about your
24 background. You've held your current position as
25 Deputy Chief Officer since 2007?---That's correct. 12.22PM
26 Prior to that, you worked your way up through the ranks, as
27 you say, in paragraph 2 of your statement, holding
28 various positions, becoming an Operations Manager in
29 1995?---That's correct.
30 You've been based at various locations within the CFA 12.23PM
31 structure as set out in paragraph 2 of your

1 statement?---That is correct.

2 You've been an endorsed Level 3 Incident Controller for the
3 last 20 years and an accredited Incident Controller
4 since 2011 as a result of some changes instituted in
5 light of the recommendations of the Royal Commission 12.23PM
6 into the Black Saturday fires?---That is correct, yes.

7 I think after Mr Barry, the previous witness, you had the
8 longest period in the Incident Controller chair at the
9 Hazelwood Mine Fire and the time that you spent or your
10 first rotation commenced on 26 February?---That is 12.24PM
11 correct.

12 Which was day, if I've got the maths right, day 18 of the
13 fire which commenced on 9 February, and you had three
14 tours between 26 February and 17 March?---That's
15 correct. 12.24PM

16 You were essentially interchanging with Mr Barry during that
17 time, were you not?---Yes, that's right. I took over
18 another team with another controller I replaced, and
19 then myself and Bob every four days would change over.

20 So, those three rotations, total of 12 days as Incident 12.24PM
21 Controller and in fact your last rotation of
22 14-17 March was after the declaration that the fire was
23 under control on 10 March?---That is correct.

24 At paragraph 10 of your statement you say that the overall
25 suppression strategy was in place when you initially 12.25PM
26 commenced your role as Incident Controller?---Yes, the
27 strategy outlined by Mr Barry was continued by me and
28 the whole idea of us being four day turnarounds between
29 two Incident Management Teams was to have consistency
30 and also to have a rapport with the mine staff. 12.25PM
31 So that they weren't dealing with a different group of

1 people every four days?---Correct, and Mr Barry's
2 strategy was sound and we just maintained it.
3 Quite happy with the elephant metaphor for the task you
4 had?---Well, it's growing on me.
5 You say at paragraph 11, I just want to discuss this with 12.26PM
6 you a little bit, that a component, an important
7 component of suppressing the fire was a reduction of
8 smoke and ash from the northern batters and it was
9 immediately apparent, I take it, that the fire on the
10 northern batters was very close to the southern most 12.26PM
11 parts of Morwell, the residential areas as you say
12 within about 300 metres?---Yes.
13 As the Inquiry has learnt, a kindergarten was one of the
14 closest locations, I don't know if you were aware of
15 that at the time?---No. 12.26PM
16 But there was a kindergarten just on the other side of the
17 freeway. Can you explain to us how the recognition of
18 the proximity of the houses in Morwell affected the
19 strategy that you adopted?---The strategy we maintained
20 together was that there's two issues; one was that 12.27PM
21 Princes Highway is in between the mine and also the
22 residents, so within that 300 metre area. Also too the
23 smoke from our, not only from our people on the ground
24 but we did a visual fly over quite often. When the
25 wind was south or southeasterly the smoke from the 12.27PM
26 northern batters would go straight into the south of
27 Morwell, so we had to concentrate on that as a priority
28 and some of the work we did with compressed air foam
29 suppressed the smoke, but also stopped the very light
30 flying ash that the wind could pick up. 12.27PM
31 There's obviously an overlap between reducing the smoke and

1 suppressing the fire because, if you successfully
2 suppress the fire, you reduce the smoke?---Correct.

3 Do we understand you to be saying that there were additional
4 efforts to reduce the smoke over and above what would
5 be done to suppress the fire? Is that where the foam 12.28PM
6 came in or have I misunderstood that?---I think it was
7 more about trying to find the best way to combat the
8 brown coal fire, and Mr Barry talked about the
9 experimentation of different times and the foam experts
10 for different coverage rates, if you like, but it was 12.28PM
11 one and the same strategy, that the compressed air foam
12 not only helped suppress the fire, but also had the
13 benefit of stopping the ash and the smoke as well.

14 You say in paragraph 11 that the southern batters were less
15 of a focus, principally because they were further away 12.28PM
16 from Morwell in that regard; is that right?---Yes,
17 there were still issues of smoke, but the smoke would
18 rise pretty much above the residents from the southern
19 batters from our experience, where the northern batters
20 would go straight into because of the proximity. And 12.29PM
21 also, too, any flying ash from the southern batters
22 would actually stay in the mine area.

23 At paragraph 13 of your statement you deal with the issue of
24 the extension of the reticulated water system. I think
25 Mr Lapsley on Monday told us that you were the witness 12.29PM
26 that we should go to to find out about that, but as it
27 turns out we've heard quite a bit from Mr Barry. I
28 don't want you to repeat what Mr Barry said, I think
29 you've been in the room whilst Mr Barry's given that
30 evidence. Is there anything you'd like to add to the 12.29PM
31 evidence that Mr Barry's given on that topic?---No, I

1 think Mr Barry covered it very well, and it is really
2 just about trying to get our strategy in place and
3 working with the mine to do that. The issue we always
4 have, and you'll probably get to it, is about the
5 balance water. So, if you put too much water in, it 12.30PM
6 puts pressure on other parts of the mine so that was
7 always in our consideration and our strategy.

8 So it wasn't just a simple matter of more and more water,
9 there had to be, as you say, a balance struck between
10 the right amount of water to suppress the fire without 12.30PM
11 having consequential impacts on stability issues within
12 the mine?---Yes, it was, and there was some times on
13 days where I had some spike days in my tours, was that
14 we'd negotiate with the mine about protection of the
15 working part of the mine and using water sprays there 12.30PM
16 and reducing water in other parts of the mine to make
17 sure the balance was right. It was always a balancing
18 act and we worked in my shifts especially about trying
19 to get some water out of the mine.

20 The work that was done, very difficult work as we understand 12.30PM
21 it, to reinstate the reticulation system, was that work
22 being done throughout the three periods that you were
23 in the Incident Controller position?---Yes, it was, and
24 just because of the timing through our rotations, some
25 work could be done through Mr Barry's team and then I'd 12.31PM
26 carry on to the next part with it working with the
27 mine, but it was a gradual discussion about northern
28 batters for a start and then, where do we need to get
29 to and where can we get to with the southern batters,
30 especially with some of the issues around heat around 12.31PM
31 the knuckle point, if you like.

1 There is in evidence a schematic diagram of the reticulation
2 system. Perhaps I might ask that that be brought up.
3 This is Annexure 11 to Mr Dugan's statement,
4 exhibit 13. The evidence that Mr Dugan has given about
5 this plan, if that's the right word, is that it shows 12.32PM
6 the reticulation system as at 9 February - that is,
7 before the fire commenced obviously enough. Are you
8 able to point out the area, perhaps with that ruler
9 that's next to you on your right, the areas, whilst you
10 were in the Incident Controller position, where the 12.32PM
11 reticulation system was extended or reinstated?---Yes,
12 just briefly. There was a reticulation system almost
13 in place when I first started and was just being
14 finished off here.

15 So that was additional work that had been done prior to you 12.32PM
16 commencing as Incident Controller?---Yes, it was almost
17 complete, my first shift, and we tried to put some also
18 I think around D sector along here.

19 So that's the southern batters area?---Southern batters
20 south of the knuckle, and we were just completing, just 12.33PM
21 on my last shift, trying to extend out into the floor
22 of the mine to get more sprinklers on the floor.

23 So the first area you pointed to, was that the Alpha sector
24 of the northern batters fire?---Without looking at the
25 map, it would be Alpha-Bravo, northern batters anyway. 12.33PM
26 I think some potentially were in more Bravo than Alpha,
27 I think.

28 Would you be confident in being able, if we provided you
29 with a paper version of what we can see on the screen,
30 would you be confident in drawing in where the 12.33PM
31 additional pipe work was put in, or would that be a

1 bridge too far for you, Mr Haynes?---I think a bridge
2 too far. There were I think from my memory some maps
3 in our incident Shift Plans which showed where our
4 mains were being put in.

5 You just created a research job for the people assisting the 12.34PM
6 Inquiry, I'm sure they'll be very grateful to you,
7 Mr Haynes. The last thing on the reticulation system,
8 the last line on paragraph 13 of your statement, you
9 say something that I'd like to explore with you. You
10 point out that you needed the water obviously enough 12.34PM
11 for your suppression effort. Then you say it was also
12 necessary so that fixed firefighting infrastructure was
13 present in such a way as to facilitate the handing back
14 of the mine to the mine operator as soon as possible.

15 Could you just explain to us what you mean by that, 12.34PM
16 please?---It's probably in addition to what Mr Barry
17 stated before in that our strategy was that, imagine a
18 large fire, it's a massively long fire, 150 metres,
19 potentially 180 metres in some places, so we're
20 concentrating on the northern batters, putting it out 12.35PM
21 at 100 metres at a time. As we were getting to some
22 point that we were comfortable that the fire was
23 suppressed, may not be out but suppressed, that we'd
24 follow behind with fixed monitor systems that didn't
25 require firefighters so we could keep moving along the 12.35PM
26 batters as we go. Ultimately, we wanted to be at a
27 point, and we talked to Mr Dugan about, you know,
28 getting crane monitors in which we got in from other
29 mines in the area.

30 Just so that we all understand a crane monitor, we all 12.35PM
31 understand a crane, it's got a big sprinkler on the top

1 of it, is that right?---Yes, that's right, it's similar
2 to our aerial firefighting gather but it's a crane,
3 just a normal crane, with a fire monitor or a hose, if
4 you like, at the top, because the sprinkler systems
5 also too can only reach a certain height of the
6 batters, we needed the extra height that a crane
7 monitor could give us.

12.36PM

8 What we were trying to do was in a logical way
9 move through and have some security as we left, and we
10 used our firefighting resources with our compressed air
11 foam to get the hottest part of the fire, if you like.

12.36PM

12 I understand, thank you. At paragraph 14 you introduce a
13 concept to the Inquiry that we haven't come across,
14 that is hot changeovers. Could you explain to us what
15 that - was that your own strategy? Do you

12.36PM

16 take - - -?---No. The thing for us is, we looked at
17 the efficiency of our strategy, if you like. So we had
18 the same strategy and I had my Operations Officer at
19 the mine giving me some feedback about what could we do
20 differently to improve efficiency. One of them was to
21 have hot changeovers where we had four-wheel drive
22 vehicles with the mine staff and also a four-wheel
23 drive bus where we could transport our crews back and
24 forward, because some of the things early on, we were
25 shutting down appliances to drive back to changeover at
26 the staging area, et cetera, which for me was
27 inefficient. What we were trying to do was say, here's
28 our strategy, and we all agreed to the strategy, how
29 can we best be efficient, and one of the things was hot
30 changeovers.

12.36PM

12.37PM

12.37PM

31 The other thing was that we had resources coming

1 in and out of the mine at different rotations. So,
2 some services were daily, or even shift by shift would
3 come in, some would be there for a couple of days, some
4 would be for a day and a night, et cetera. As part of
5 that we had to do inductions and briefings at the start 12.37PM
6 of each shift, so we improved those even to the point
7 where we set up a system for buses coming down from
8 Melbourne, that they had the induction on the bus
9 before they got there to improve efficiency on the
10 mine. So it was more just a gradual look at what 12.38PM
11 things we could do to improve to make the strategy work
12 the best, and then also reduce the time we were at the
13 mine.

14 Just in relation to inductions, there's some evidence before
15 the Inquiry that some years ago a short video film was 12.38PM
16 prepared which described fighting fires in coal mines,
17 and then there's also evidence of a more recent CFA
18 produced video. Were either of those used as part of
19 the induction process for people coming into the fire
20 fight?--I'm not sure; I'm not sure whether they were. 12.38PM
21 I never myself saw the induction briefing.

22 Presumably you had an induction briefing yourself, did you,
23 at some point in time?--Yes. Yes, I did, but there
24 was no videos involved.

25 There were not?--No, but it would have been earlier on. 12.39PM

26 Would you see the benefit of the use of such a video,
27 assuming it was a good one?--Yes. There was talk, and
28 part of the media part of our IMT were talking of
29 producing a video, I don't know whether that's the one
30 you've talked about, for use in the buses coming down 12.39PM
31 from Melbourne. Now, that could have been the case,

1 I'm not too sure.

2 Who might know if that was done? These were buses that were
3 bringing firefighters down to do the work?---Probably
4 the person I'd talk to would be Ken Brown from MFB,
5 Assistant Chief I think he is. So, he's the one I talk 12.39PM
6 to about the induction briefing on the buses, so he'd
7 know what the content was in it.

8 Even though it's another fire fight, command structure and
9 so on applies there. I think you'd agree with
10 Mr Barry, there are some quite particular features of 12.40PM
11 brown coal mine fires that need to be understood in
12 order that the suppression work be done
13 efficiently?---Yes, I agree.

14 At paragraph 20 you were asked in the letter seeking your
15 statement what worked well in your opinion and you talk 12.40PM
16 there about the hot changeovers working well and the
17 use of bulldozers to flatten out some of the
18 particularly high batters so that water could reach
19 them. You talk about the use of experts and the
20 integration of interstate firefighters. 12.40PM

21 Another thing that you describe at paragraph 23
22 which worked well from your perspective was the
23 provision of community information and I want to ask
24 you a little bit about that. You describe there CFA
25 community engagement officers riding trains, presumably 12.41PM
26 up to Melbourne and back down here, what, just talking
27 to locals? Is that the idea?---Yes, and in our time
28 when we were taking over, as Mr Barry said, a lot of
29 the community education issues were starting to be done
30 at the regional level, so probably in my first shift I 12.41PM
31 had some insight, if you like, at what they were doing.

1 But it's something that I haven't seen before for me,
2 so it's new, where the community educators would be
3 riding the train, and I don't know how far it was,
4 Warragul or the city.

5 With a ticket, I hope?---Yes, yes, with a ticket. Out of 12.41PM
6 that they were talking to people, handing out brochures
7 and in a more informal way about keeping up-to-date of
8 what they knew about the fire and what it was doing.
9 The difficulty we had also, too, the community can't
10 see the fire fight; the fire fight's in the mine and 12.42PM
11 all they see is smoke from one direction or another
12 direction, so it was about trying to engage. I
13 thought, as a learning, it was something I haven't seen
14 before and it seemed to get very good feedback.

15 So, too, with the information buses which were dispatched 12.42PM
16 locally, that was something also that you think worked
17 pretty well and, like Mr Barry, you were blogging as
18 well, I see?---I took Mr Barry's lead and, as
19 consistently putting the strategy in, we consistently
20 did the same things. 12.42PM

21 The last thing I want to ask you about concerns the issue of
22 evacuations. You deal with this at paragraph 28 of
23 your statement. Just a bit of context there, you're
24 referring to a press conference that you attended on
25 27 February where Dr Lester, the Chief Health Officer, 12.43PM
26 it was essentially her press conference, is that right,
27 she was conducting it, you were there as the Incident
28 Controller in position at the time?---Yes. It was
29 between the Chief Health Officer, the local Latrobe
30 Council, myself and also the ambulance. My role 12.43PM
31 predominantly was to talk about the suppression

1 activity, and I think it was the first time we started
2 to show the maps publicly about our performance
3 measurement.

4 Did you see that as being a beneficial thing to do?---I did,
5 yes, because, as Mr Barry said, it was not only for our 12.43PM
6 own firefighter morale - because the feedback we were
7 getting is people come in at different times, they
8 might be three days apart and they come back and things
9 look similar, so we had to show our own firefighters
10 and then the public as well that actually things were 12.44PM
11 improving and we were slowly, in Bob's words, eating
12 the elephant.

13 I want to clarify it with you your reference in paragraph 28
14 to the - I'll see if I understand this correctly -
15 Dr Lester as we know her, we'll hear more evidence 12.46PM
16 about this next week, advised certain identified
17 vulnerable groups to consider leaving Morwell as a
18 precaution, I think on 28 February; is that right?---I
19 think so, yes.

20 At paragraph 28 is that what you're referring to when you 12.46PM
21 say, "This was not a declared evacuation"?---No, the
22 press conference on the 27th there was no talk of an
23 evacuation, it was really just about where we were at
24 and what we were doing in all our different agencies.
25 I think late in the day on the 27th or early the 28th 12.46PM
26 the Regional Controller, Dave Eustace had a chat to me
27 about the potential for this declaration of voluntary
28 relocation I think it was.

29 The question I asked is that, do I need to be
30 involved as an evacuation and is there new evidence 12.46PM
31 that would make me sign off an evacuation order, which

1 he replied there wasn't. So, for me it was about, the
2 parameters we were still working in with our carbon
3 monoxide monitoring and everything else and our
4 suppression of our ash content and the northern
5 batters. There was not enough evidence for me to even 12.46PM
6 consider an evacuation, that's what I'm trying to say.
7 I understand. Do you agree with the evidence that Mr Barry
8 gave about the process that was in place for you to
9 consider evacuation - that is, you would rely on advice
10 from Health and other departments as to whether or not 12.46PM
11 the circumstances were such that you ought to consider
12 that?---That's correct and, as Mr Barry said, a lot of
13 the things I would normally do as an Incident
14 Controller at a bushfire were done at the regional
15 level because the complexity of the mine and the 12.46PM
16 suppression and the enormity of it were - we were more
17 focused on putting the fire out and the regional level
18 were more focused on the community level.
19 I take it that, considering the scale of the fire fight,
20 that that was of benefit to you in your role as 12.46PM
21 Incident Controller?---Yes.
22 They're the questions I have for Mr Haynes. Mr Riordan may
23 have some questions.
24 MR RIORDAN: Just a couple for you, sir.
25 <CROSS-EXAMINED BY MR RIORDAN: 12.47PM
26 Would it be possible if Mr Dugan's plan could be brought
27 back up. You saw this plan a moment ago. Mr Dugan's
28 given evidence that this was the state of the
29 reticulation water system prior to the fire?---Okay.
30 In paragraph 13 of your statement you say that you believed 12.47PM
31 that when the fire first started, reticulated water was

1 only present in that part of the mine which was being
2 worked on immediately prior to the impact of the fire.
3 Do you understand that part of the mine that's being
4 worked on is that squared off section on the western
5 end?---Yes, the active part of the mine, yes. 12.47PM

6 But you would defer, would you not, to Mr Dugan's evidence
7 that in fact at that time the reticulated water system
8 extended through the arms obviously on both sides of
9 that system?---Yes I'd agree, yes.

10 Thank you very much. 12.48PM

11 <CROSS-EXAMINED BY MR BURNS:

12 Mr Haynes, you started on 26 February, and your evidence is
13 that you continued the overall suppression strategy
14 that - you effectively went on with the good work of
15 Mr Barry, is that right?---That's correct. 12.48PM

16 You were happy to continue with that overall strategy
17 because it had been working?---Yes, we were getting
18 results on it, yes.

19 You indicated that you prioritised the northern batters
20 because of their proximity to the town, the people of 12.48PM
21 Morwell, particularly Morwell South?---Yes.

22 Is it right to say that the safety and comfort of the people
23 of Morwell was always at the forefront of your
24 mind?---Yes, it was.

25 You talked about the northern batters as against the 12.48PM
26 southern batters and you gave the southern batters a
27 lesser priority than the northern batters. Is that
28 because they're further away from the people of
29 Morwell?---That was our issue, yes.

30 You were asked about the introduction of hot changeovers and 12.49PM
31 the inductions on the way down on the bus to save time

1 and produce efficiencies. Were you constantly
2 re-assessing those things that are working well and
3 doing more of those and less of the things that
4 aren't?---Yes, we were, and we were relying on our
5 operational people on the ground and also the work with 12.49PM
6 the mine staff, and a lot of that was coming out of our
7 six hourly meetings about what was working and what
8 wasn't.

9 By any reasonable measure this was a massive undertaking;
10 you agree with that?---I agree. 12.49PM

11 In terms of the primary fight at the coalface, for want of a
12 better word, there's your agency the CFA but there's
13 also the MFB, there's interstate firefighters, the
14 Department of Environment and Primary Industries,
15 they're all involved with the primary fire fight, you 12.50PM
16 agree with that?---Yes.

17 And of course there's GDF Suez as well?---Yes.

18 There's a number of support agencies as well, isn't there;
19 the EPA, Department of Health, the Victorian WorkCover
20 Authority, even there was involvement from the 12.50PM
21 Department of Education and early childhood
22 development; all these inter-Government agencies, how
23 would you say they were all working in terms of the
24 inter-agency cooperation?---Well, my experience of them
25 was that I would attend the Regional Emergency 12.50PM
26 Management Team meetings, give a briefing on the fire
27 suppression and on going strategy. Every time I went
28 there, they were all working very well together.

29 Mr Barry's indicated that he was immensely proud of the
30 efforts of the firefighters and all those involved in 12.50PM
31 this enormous undertaking. What do you say about

1 that?---Look, I agree wholeheartedly, it's a massive
2 job over an extended time and everyone worked extremely
3 well to suppress the fire.

4 Thank you, Mr Haynes.

5 MR ROZEN: I neglected to ask whether the Members of the 12.51PM
6 Board had any questions of Mr Haynes?

7 CHAIRMAN: No.

8 MR ROZEN: In those circumstances, could Mr Haynes please be
9 excused.

10 CHAIRMAN: Yes, thank you, Mr Haynes, you're excused. 12.51PM

11 MR ROZEN: That concludes the evidence for this morning.
12 We'll have a community witness when we resume perhaps
13 at 2 or shortly before.

14 CHAIRMAN: We'll resume at 2 o'clock.

15 MR ROZEN: To resume at 2 o'clock. We'll have a community 12.51PM
16 witness, Mr Steley, and Mr Roach will give evidence
17 this afternoon as well.

18 <(THE WITNESS WITHDREW).

19 LUNCHEON ADJOURNMENT

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1 UPON RESUMING AT 2.00 P.M.:

2 MR ROZEN: The first witness this afternoon is Doug Steley.

3 I call Mr Steley.

4 <DOUGLAS RICHARD STELEY, affirmed and examined:

5 MR ROZEN: Afternoon, Mr Steley. Can you confirm for us, 02.02PM

6 please, your full name is Doug, presumably Douglas,

7 Steley?---Douglas, yes.

8 S-T-E-L-E-Y?---Yes.

9 You live in Heyfield; can you give the Inquiry your address

10 please?---16 Burnett Court, Heyfield. 02.03PM

11 You're one of the rare people that's moved from Queensland

12 to Victoria, I see?---For health reasons.

13 For health reasons; I though Victorians went north for

14 health reasons. Since 2010 you've lived in Victoria in

15 the Latrobe Valley?---Correct, yes. 02.03PM

16 Mr Steley, for the purposes of the Inquiry you have prepared

17 a witness statement of some 41 paragraphs. Is that the

18 case?---Yes.

19 Have you read through this statement before coming along to

20 give evidence today?---To the best of my ability, I am 02.03PM

21 dyslexic so I have problems with reading and writing,

22 but, yes, I have read through.

23 Do you need it read to you? No, you're quite comfortable

24 with that. In the course of reading through your

25 statement you notice that there's an issue with the 02.04PM

26 times of the photos that you took, is that

27 right?---That's right. I went back and checked my

28 camera and I don't believe that I had changed it to

29 Eastern Daylight Time, so the times stated would be

30 Eastern Standard Time. 02.04PM

31 We won't go through each of them, but does that mean that,

1 for example, if we look at paragraph 12 of the
2 statement, you give a time of taking a photo 12.45 a.m.
3 on 10 February 2014; should that be 11.45 p.m. on
4 9 February?---To the best of my knowledge, yes. Just
5 subtract one hour from every - - -

02.04PM

6 Subtract one hour from each of the times and I don't think
7 we need to go through each of those, unless the Board
8 would require that?

9 MEMBER PETERING: No.

10 MR ROZEN: With that change being made, Mr Steley, are the
11 contents of your statement through and correct?---To
12 the best of my knowledge, yes.

02.04PM

13 I tender that statement.

14

15 #EXHIBIT 25 - Statement of Douglas Richard Steley.

02.05PM

16

17 MR ROZEN: A little bit about your background, Mr Steley,
18 before I ask you some questions about your experience
19 on 9 and 10 February this year. You are now retired
20 having previously worked as a professional photographer
21 for the Air Force and at the University of Central
22 Queensland?---Correct.

02.05PM

23 How many years did you work as a photographer?---Probably
24 close to 40 years.

25 You are a member of the - is Cowwarr the correct
26 pronunciation?---Correct, yes.

02.05PM

27 Cowwarr CFA Brigade in the Thompson group and you also
28 respond with the Heyfield Brigade; is that
29 right?---That's correct.

30 You went through the Minimum Skills, CFA Volunteers Course
31 in 2010, that's the mandatory minimum skills

02.05PM

1 course?---Yes.

2 What's the duration of that course? Can you just describe
3 it to the Inquiry, please, how long it takes and
4 broadly what are the skills that you pick up?---It's
5 not a particularly formal course. It's run by the 02.06PM
6 brigades to make sure that you're safe to go on the
7 tanker and that you're not going to be a danger to
8 yourself and to others. You pick up the minimum skills
9 required to turn out to a fire. The main training
10 comes after you've done that. Once you start 02.06PM
11 responding to fires you learn what to do. It's
12 self-protection, self-training and how to work, and it
13 gives the brigade a chance to assess the volunteer as
14 much as train them.

15 You learn about things like maintaining a minimum quantity 02.07PM
16 of water in the tanker so that it can be used for
17 self-protection in the event of an emergency?---Yes.
18 And skills along those lines. As with most areas of life,
19 you learn more doing it than in the classroom, if I can
20 put it that way?---Yes. Can I just point out that I 02.07PM
21 did the similar fire training with the Air Force and I
22 was also a member of the counter-disaster team with the
23 universities.

24 Did you have any experience in emergency management in any
25 of those previous roles, as in hands-on 02.07PM
26 experience?---Not formally, but yes, on occasions.

27 Presumably some experience of appropriate structures for
28 responding to emergencies; is that right?---Yes. Again
29 an aside: My wife was a counter-disaster person with
30 SES, moved into Occupational Health and Safety nursing 02.08PM
31 and my son is a Safety Officer in the mines in Western

1 Australia, so safety and procedures is a fairly common
2 dinner time conversation in our house.

3 You've picked up what you know from that
4 conversation?---More than from the people over a dinner
5 table than formal training. 02.08PM

6 Indeed. However, one of the things you hadn't experienced
7 before 9 February this year was fighting a coal mine
8 fire?---Correct.

9 You hadn't done any training at the mine?---No.

10 How far is Heyfield from Morwell, approximately?---45 minute 02.08PM
11 drive.

12 You were on-call on 9 February of this year on reserve duty
13 at the Heyfield Fire Station, no doubt aware that
14 9 February was an extreme fire risk day throughout
15 Victoria, including in Gippsland?---Yes. 02.09PM

16 You would have been presumably, if not expecting, then
17 certainly weren't going to be surprised if you were
18 called out on 9 February?---It was extremely worrying
19 because of the lack of equipment that was available in
20 our area. To my knowledge the area to the north 02.09PM
21 between Traralgon and Sale had about three to four
22 tankers to protect a huge area. All of our resources
23 had been stripped to fight the fires that were going in
24 the Morwell area. If a fire had started in the
25 Heyfield, Licola, Maffra area, there would have been - 02.09PM
26 on a day like that the minimum turn out of tankers
27 would be five tankers. The closest available tankers
28 or the only available tankers that I know of were
29 Maffra, Sale and Heyfield which were crewing the
30 Glenmaggie tanker on the day, so we would have had an 02.10PM
31 initial turn out of three tankers.

1 You're aware some time during the afternoon that there was a
2 fire in the mine at Hazelwood?---We were monitoring it
3 on the radios?---You received a call to go into the
4 Traralgon Fire Station at 8 o'clock that night and you
5 turned out with one other tanker, is that right? There 02.10PM
6 were two tankers in your contingent?---Two of us, Ken
7 Walker and myself, responded from Cowwarr Brigade. We
8 met up at the Traralgon Fire Station where we were
9 given the Gormandale tanker. We waited until the Flynn
10 tanker arrived, one of the Flynn crew came with us on 02.11PM
11 the Gormandale tanker and we went as a unit of two
12 tankers.

13 So, three on your tanker?---Three on the Flynn tanker.
14 Three on the Flynn tanker. Not ideal; meant to be four, is
15 that right, or is there no rule?---There's no hard and 02.11PM
16 fast rules, especially when - - -

17 When there's an emergency, I understand?---Yes.
18 You got to the Hazelwood Mine at about 10 o'clock. You say
19 you got to the main entrance. Do you recall if that
20 was the Brodribb Road entrance? Does that mean 02.11PM
21 anything to you?---No, it doesn't.

22 Perhaps we'll put an aerial photograph of the mine up and
23 see if you're able to assist us. I think it's well
24 understood and common ground in the Inquiry, Mr Steley,
25 that the main entrance is towards the bottom right-hand 02.12PM
26 corner?---The one near the power station.

27 You can see it's a main entrance, it's got boom gates, it's
28 manned and so on?---Yes.

29 No difficulty gaining access through the entrance?---A lot
30 more difficulty than I would have expected given the 02.12PM
31 situation; that we were a fire tanker and the mine was

1 on fire. I stayed with the tanker, but the driver and
2 the incident - well, the person in the front seat, went
3 over and probably a 10 minute discussion with the
4 guards as they phoned and tried to find out what was
5 going on and whether we could come in or not. We just 02.12PM
6 sat there shaking our heads saying, well, you know,
7 "What the hell's going on." Eventually they got the
8 word back that we were allowed in but they didn't have
9 any real idea of where we were supposed to go or what
10 we were supposed to do. 02.13PM

11 Hence your description in paragraph 8 of the situation as
12 chaos?---A fairly good summation.

13 In explanation of that you say the power was out and so
14 torch light was the best available way of
15 illuminating?---Torch light. They had a generator boom 02.13PM
16 light, one of those big sort of construction generator,
17 boom light shining into the window of the room where
18 they were doing the briefings.

19 That's my next question. There was a briefing, was
20 there?---There was a brief briefing, yes. 02.13PM

21 Who was conducting that as you understood it? Was it a CFA
22 person or a mines person?---No idea.

23 You don't know?---They didn't identify themselves.

24 During the course of the briefing you were provided - you do
25 say in your statement at paragraph 10 that it was 02.14PM
26 someone from the Hazelwood Mine. Does that assist you
27 to recall?---There were people from the Hazelwood Mine
28 there, but again, I wouldn't be able to say who they
29 were or who they were working for at the time.

30 Was anyone identifiable as an Emergency Commander by a 02.14PM
31 tabard or vest or something along those lines?---No.

1 Were there other people from the CFA there, either volunteer
2 or career at that time?---There were people coming and
3 going all over the place.

4 You were no doubt in CFA overalls?---Yes.

5 Did you notice others in CFA uniforms apart 02.14PM
6 from - - -?---There were crews there, but the people
7 giving the briefing appeared to be in civilian clothes.

8 No doubt from both your experience and your training you're
9 familiar with the concept of an Incident Controller in
10 relation to emergency?---Yes. 02.14PM

11 So far as you're aware, was there an Incident
12 Controller?---Not that I saw at the time.

13 You were provided with what you would describe as a mud map,
14 wasn't it, a hand drawn map?---Hand drawn map on an A3
15 sheet of paper. 02.15PM

16 Presumably that was retained by the driver, was it, of your
17 tanker?---That was being used for the briefing, so that
18 stayed at the office. We were given rough directions
19 of where we were to go and what we were to do and an
20 escort to take us to the area. 02.15PM

21 Was the escort an employee of the mine as you understood
22 it?---Yes.

23 Driving presumably a vehicle?---Four-wheel drive, yes.

24 And led you and your two tankers?---Two tankers, yes.

25 To the northeast area of the mine near the briquette 02.15PM
26 factory. Is that the Energy Brix factory, do you know
27 if that's what it's called?---I don't know.

28 We'll get the photo up and see if you can direct us?---We
29 were working around these buildings here and this area
30 here. 02.16PM

31 So you're pointing to the northeast corner of the mine

1 adjacent to the ash pond, that triangular shape there
2 in the corner there is known as the ash pond or the
3 HARA Pond?---Yes.

4 You take my word for it?---It was dark.

5 Sure. You were tasked with fighting fires on some power 02.16PM
6 poles that you understood to be important in the supply
7 of power to the operational part of the mine; is that
8 right?---Yes.

9 In the course of your time at the mine you, no doubt
10 utilising your skills with the camera, took some photos 02.16PM
11 which you've included in your statement. Perhaps we'll
12 have a look at a couple of those. The first one is
13 below paragraph 12 coming up on the screen there. You
14 say you took that photo as you were leaving the
15 assembly point - the assembly point was in the vicinity 02.17PM
16 of the main gate that you entered earlier?---Yes. Not
17 the main gate but the main assembly area.

18 Where was that relative to the - sorry, can we get the
19 aerial photograph back up? Where was the assembly
20 area, I should have asked you?---That would be the 02.17PM
21 buildings and car park there, I believe.

22 So you're pointing to an area next to a large clay capped
23 area in the southeast area of the mine?---Yes. The
24 photos are looking up, you can see the lights of
25 Morwell in the background. If we go to the photo now, 02.18PM
26 so, the perspective is looking pretty well
27 north?---Yes.

28 You're standing, is it, on the southern batters?---On the
29 southern side, yes.

30 You describe in your statement the fire that was alight on 02.18PM
31 the northern batters. Could you just point that out

1 for us, please?---There was fire running along there,
2 fire up here, there was fire down there, fire in the
3 central area.

4 And fire in the central floor of the mine?---Yes.

5 Then you point out that in the distance you can just make 02.18PM
6 out the lights of Morwell beyond the freeway?---If you
7 have a look at the original, they're quite clear.

8 On the original, they're clear. Can you just point out with
9 the ruler where - that area there, thank you. Through
10 the smoke. I gather there was a large amount of smoke 02.18PM
11 in the mine?---It wasn't obvious - you know, it was
12 definitely there. After dawn you couldn't see any
13 of...

14 We might go down to image No.2, please. This is a picture
15 you took facing in a northwest direction from the same 02.19PM
16 position?---Exactly the same location, just turning
17 slightly to the west - sorry, to the east.

18 That fire we can see on the very left-hand side in the
19 middle of the photo, that's the northern batters there,
20 is that right?---Northern batters, lights of Morwell, 02.19PM
21 eastern side of the mine. If you go back to the last
22 photo, photo is, that telegraph pole there, and if we
23 scroll up, that telegraph pole there or power pole. If
24 we can quickly perhaps go to the third image which is
25 taken from the same location?---Yes. 02.20PM

26 We can see the - - -?---Power pole.

27 We can see the fire on the floor of the mine?---Looking more
28 into the floor of the mine.

29 Once again, the northern batters?---Northern batters fire.

30 And we can clearly see the lights of Morwell. Is that 02.20PM
31 right?---Correct.

1 You did some work addressing the power pole fire?---Yes.
2 You say at paragraph 17, I want to ask you about the radio
3 communications issue. You say that your UHF radio was
4 not working. Just before asking you about that, was
5 any information provided to you at the briefing about 02.21PM
6 communications arrangements or a communications
7 plan?---Not to me. I wasn't - I was the bloke in the
8 back of the tanker. Being dyslexic, I dislike using
9 radios or being Incident Controller, so it wasn't a
10 priority of mine to be included in that area of the 02.21PM
11 briefing, but I didn't hear of any.

12 Did you find out on the night or have you found out
13 subsequently why your radio communications weren't
14 working?---No. Gormandale tanker wasn't our tanker.
15 We were just given that tanker. We worked on it for 12 02.21PM
16 hours and then gave it back.

17 Are you suggesting by that, that maybe it was a lack of
18 familiarity with the equipment that might have been the
19 problem?---No, there was no working radio in it.

20 That obviously meant you couldn't contact - - -?---Well, 02.22PM
21 there was a working CFA radio in it, but the UHF is the
22 small unit that you just use to talk between tankers,
23 you know, turning left here, going back for water.

24 Does that mean through the CFA radio you were able to
25 communicate with base? Is that right?---My 02.22PM
26 understanding is, no, there wasn't an actual base radio
27 set up at that stage. At a later stage in the evening
28 there was a CFA communications van arrived and
29 communications started, but communications during the
30 first part of the evening were quite sporadic. 02.22PM
31 After some time the power came back on; you think that was

1 about 1 or 2 a.m.?---Yes.

2 That's consistent generally with the other evidence the
3 Inquiry has heard. You went back to the assembly
4 point. Were you directed to go back to the assembly
5 point or had you completed the tasks assigned to you? 02.23PM
6 What was the reason for going back to the assembly
7 point?---We basically completed the tasks we were
8 assigned. We'd put out the fire on the pole, we'd
9 extinguished all the spot fires that we could find.
10 There was one fire burning down near the bridge that we 02.23PM
11 pumped a whole lot of foam on, we emptied basically
12 3,500, or two tankers, so would have been 7,000 litres
13 of water and foam onto it but it was still burning, it
14 wasn't going anywhere so we just left that to the
15 morning crews, it was far too dark to try and put 02.23PM
16 somebody down there.

17 When you went back to the assembly point there was some mine
18 workers coming in for a shift change; is that
19 right?---Yes.

20 Did the mine workers talk to you or did you overhear the 02.24PM
21 conversations that you are summarising?---They were
22 talking directly to me.

23 Were they?---We were talking to them about what was going on
24 and they were particularly unhappy with the whole
25 situation; they were not happy gentlemen. 02.24PM

26 I take it, you don't know the names of any of those
27 gentlemen?---No.

28 What is it they were unhappy about?---The fire, the lack of
29 fire suppression gear. It was pointed out that this
30 wouldn't have happened if they had left the \$8 million 02.24PM
31 worth of fire suppression gear that was already set up

1 and running in the mine. One of them said, "The
2 company shouldn't have taken it out and sold it for
3 scrap metal." Other people said, "The company had
4 decided it was too expensive to cover the batters in
5 clay as should have been done." Others mentioned how 02.25PM
6 much the firefighting ability of the mine had been
7 reduced, that they used to have full crews and full
8 fire engines and full training to prevent things like
9 this happening, but in an effort to save money they'd
10 been cut down, and I think the mention was they now had 02.25PM
11 one tanker for the entire mine.

12 You, of course, are in no position to evaluate those
13 claims?---Absolutely none whatsoever.

14 But that's what was being said to you?---That's what was
15 being said at the time. 02.25PM

16 I take it the photos that are included in your statement are
17 just a selection of the photos you took on the night or
18 is this all of them?---No, I think from memory there's
19 148 of them. It was a quiet night.

20 The remaining photos in your statement are ones that were 02.25PM
21 taken later in the evening. Was it getting light or a
22 bit before?---Towards dawn it became a lot easier to
23 take photographs and see what was going on.

24 We might just go through those. So, image 4, is that the
25 same position?---That's the same area as in image 1. 02.26PM
26 That's exactly the same power poles. Actually, image 4
27 is probably closer to image 2, but six of one, half a
28 dozen of the other.

29 Image 5, if we can go to that?---Image 5 is looking from the
30 northeastern side of the mine back towards the power 02.26PM
31 station, across the main valley of the pit. Power

1 station is there, you can see the fires in the centre
2 of the pit and the pondage.

3 So the vantage point is, I think you just told us, in the
4 north - - -?---Northeastern.

5 Northeastern side. The fire on the northern batters as 02.27PM
6 you're standing there was to your right, is that
7 right?---To - - -

8 To your left?---Sorry, dyslexia, one of the things I can't
9 do is tell left and right.

10 Not helpful. Perhaps with a ruler can you show us where you 02.27PM
11 were approximately where you were standing when you
12 took that?---We would have been up in this area here
13 looking back towards the power station. I was in this
14 area, pondage here.

15 You're standing in the northwestern corner?---I would have 02.27PM
16 said northeastern, but - sorry, northwestern, yes.

17 Go back to image 6, please. Once again, similar position to
18 where the last photo was taken, is that right?---Again,
19 a little further to the east, further along the
20 batters; that's as far as we could drive without 02.28PM
21 driving into the actual burning area itself. We went
22 up to have a look to see what we could do. There was
23 this massive waterfall flowing down on the eastern
24 side, it was totally involved in fire. On the western
25 side the fire suppression sprinklers were working, 02.28PM
26 there was water coming down, there was no fire.

27 There might appear to be smoke but it's not, there's water
28 underneath that pine-type tree?---Up here there is what
29 appeared to be a ruptured pipe. The water is flowing
30 out of it, that is water flowing down across the road. 02.29PM
31 Everything on the eastern side was on fire, smoke going

1 up. The water provided the dividing line. If that
2 water wasn't there, it just would have - - -
3 Would have just kept going. So the water was acting
4 essentially as a fire break?---Yes.
5 Image No.7?---That's driving down to the clean water pumps 02.29PM
6 at the bottom of the mine looking north towards the
7 northern batters. The last photograph is that area
8 there. The water is flowing down that area there.
9 The fire is burning east of that point?---The fire - that
10 fire. 02.30PM
11 If we can go on to image No.8, please. That's a photo,
12 according to paragraph 28, that you took at
13 6.08 a.m.?---That would be 5.08 a.m..
14 It says 7.08, I'm making the adjustment. Are you able to
15 orientate us with what part of the mine we're in 02.30PM
16 here?---That's the clean water pumps. My understanding
17 I'm standing on the clean water pumps at the bottom of
18 the mine. We were sent down there to defend the clean
19 water pumps. It's looking probably south, southeast.
20 The main staging area and the power station would be up 02.31PM
21 over that rise there. This entire area of the hill is
22 on fire, fully engaged, smouldering fairly deeply.
23 There was a crack in the earth that you could see
24 approximately six feet down into that was just glowing
25 red embers. This was some form of water pipe, and you 02.31PM
26 can see the tanker from the mine spraying water on it.
27 For completeness we should just look at the last two images.
28 Image No.9?---That's the towers or the same power lines
29 that were in image 8. I just took that photograph
30 because the fire had hit something up in the scrub; it 02.32PM
31 looked like old tyres or something rubber based,

1 possibly a conveyor belt or something that just
2 exploded, just went up in flames, gave a huge ball of
3 black smoke and I went, "Oh, black smoke."
4 Finally, image No.10?---Clean water pumps looking towards
5 the northern batters again. 02.32PM
6 Morwell in the background?---Yes.
7 What time did you finish up at the mine? What time did you
8 leave?---Approximately 10 a.m.
9 Exhausted, not surprisingly, as you say in your statement at
10 paragraph 32, you went back to the fire station at 02.32PM
11 Traralgon in the tanker?---Yes.
12 You make the point that you weren't offered transport to get
13 home; that is, from Traralgon back to Heyfield?---Yes.
14 How had you got to Traralgon in the first place?---In our
15 own vehicle. 02.33PM
16 Has it been your experience on other occasions that
17 transport is provided home to you or?---It just would
18 have seemed nice if somebody had offered to drive us.
19 Yes, it was an emergency situation, but we'd been up
20 and on-call for well over 24 hours by that stage and we 02.33PM
21 were both pretty zonked. We put the radio on and
22 talked the whole way home just so that Ken didn't fall
23 asleep. It wasn't a pleasant drive.
24 So that's Monday morning of course at 10 a.m. On the
25 following day there was a debrief at the Heyfield Fire 02.33PM
26 Station?---An informal debrief, yes.
27 Are you able to summarise what was the outcome of that
28 debrief?---That basically a lot of people were
29 suffering from symptoms that appeared to be similar to
30 carbon monoxide - sorry, carbon dioxide poisoning? 02.34PM
31 I think you do mean carbon monoxide?---Carbon monoxide,

1 unhappy people after what had had happened to our
2 initial strike crew. Can I - I joined CFA in Cowarr,
3 which is why I'm a member of a Cowarr Brigade, but we
4 built the house in Heyfield which is why I'm now
5 2 minutes from the Heyfield Brigade, so I turn out more 02.36PM
6 often with Heyfield than I do with Cowarr so I'm sort
7 of a joint member of the two brigades. I feel obliged
8 to, if the captain in Heyfield gives a directive, then
9 I'm not going to breach that, even though Cowarr were
10 still sending members back to the mine. 02.37PM

11 You say at paragraph 35 that, in the discussion at the
12 debrief, or you say, "There was no plan in place to
13 fight the fire but we had to do the best we could and
14 it was a nightmare from start to finish." Is that your
15 own perspective or was that said by others at the 02.37PM
16 debrief?---That was my perspective, it was also the
17 perspective of everybody else that had attended that
18 fire; it still is.

19 You didn't return to fight the fire at all at the
20 mine?---No. 02.37PM

21 But, even though you live some 50 kilometres away, you were
22 still aware of the smoke that emitted from the fire
23 whilst it burnt for the next six weeks?---On quite a
24 few mornings we could smell it. There'd been a lot of
25 fires in the area but there was excess dust falling 02.38PM
26 around our house. My wife could smell it far more than
27 I could. We could see the stain of brown smoke on the
28 horizon and when we went into Traralgon to do our
29 shopping, it stanks.

30 Thanks very much, Mr Steley. Do Members of the Board have 02.38PM
31 any questions for Mr Steley?

1 CHAIRMAN: No.

2 MR WILSON: No questions, thank you.

3 MR RIORDAN: A couple of questions if you would, Mr Steley.

4 <CROSS-EXAMINED BY MR RIORDAN:

5 In your statement you say that after you arrived you were 02.38PM
6 given a mud map or an A3 piece of paper. Is that
7 right?---We were shown the directions that we needed to
8 go through on it.

9 And you were not provided with a proper plan of the
10 mine?---When I met with the lawyers at the first 02.39PM
11 meeting up here they actually had a plan of the mine
12 that had everything laid out, where everything was, and
13 clearly showed the roads and locations and the
14 equipment.

15 And you didn't get one of those?---My understanding of a 02.39PM
16 counter-disaster plan is that a map like that should be
17 immediately available to everybody who is involved in
18 the disaster so that they can see exactly where things
19 are and where people are supposed to go. There was no
20 such map. 02.39PM

21 That would plainly be desirable, wouldn't it?---Oh, hugely,
22 hugely.

23 Did you understand this was a situation of a crew emergency
24 that was occurring on this day? Did you understand
25 that?---Yes. 02.40PM

26 Did you understand that they'd lost their power to the
27 Emergency Control Centre?---That generally happens
28 during an emergency; that's why you have emergency
29 plans.

30 I take it, that's why you do understand they had lost their 02.40PM
31 power to the emergency Control Centre?---That happens

1 during an emergency.

2 I take it you do understand that?---Yes.

3 And you did at the time?---Sorry?

4 And you did at the time?---Yes.

5 You also understood, did you, that to get the light in there 02.40PM

6 you described they would have to have the diesel lights

7 outside shining light inside the building?---Mmm.

8 As a result of that, they were unable to print out plans for

9 all of the emergency crews on that day?---I would have

10 assumed that they would have had them already printed 02.40PM

11 out and ready to go ready for an emergency. They

12 wouldn't have to rely on printers, they would actually

13 have the plans printed and ready to go in their

14 emergency kit.

15 And that's your complaint about it, that they should have 02.41PM

16 enough - - -?---That's one of my complaints about it,

17 yes.

18 I understand that. You were then sent across to the

19 northeast part of the mine near the briquette

20 factory?---Correct. 02.41PM

21 I think you say that you waited for about 20 or 30 minutes

22 for an electrician to come after you had an issue with

23 the power line?---Well, we nearly ran into the power

24 lines in the dark, yes.

25 And you had to wait for - - -?---We had no idea if they were 02.41PM

26 live or not.

27 You had to wait 20 or 30 minutes for the electrician to come

28 out?---Yes.

29 You would have understood, wouldn't you, that the

30 electricians might be well and truly diverted trying to 02.41PM

31 restore the power, which might be the cause of the

1 delay, or was your complaint they didn't have spare
2 electricians on that would have been able to - - -?---I
3 would have assumed given the scale of the emergency
4 that every staff member that was necessary would have
5 been called out and that a power station would have 02.42PM
6 more than two electricians on staff.

7 Did they only have two electricians on staff?---That was my
8 understanding.

9 From whom?---From the two electricians that turned up. They
10 said, "Look, we're running around trying to do 02.42PM
11 everything and there's just not enough of us." Sorry.

12 Not enough of us?---Yes.

13 So that's why you assumed there weren't other
14 electricians?---I would have assumed that there were a
15 lot more electricians working in a power station than 02.42PM
16 two people; I would have assumed that, given the scale
17 of the emergency, there would have been a lot more
18 people that could have been called on, especially
19 seeing as it was almost 8 hours after the emergency had
20 started. 02.42PM

21 But you don't know how many electricians they had working
22 trying to - - -?---Of course not, no.

23 Please let me finish the question and I'll let you finish
24 the answers. Is that okay?---Yes, fine.

25 But you don't know how many electricians they had on at that 02.43PM
26 time trying to sort out a number of electrical problems
27 that had caused the breakdown in the electricity?---I
28 would have assumed that there would have been a large
29 number of electricians working. It surprised me that
30 it took so long to get one or two electricians out to 02.43PM
31 check a set of power lines.

1 Then you said you were putting out spot fires in the
2 northeast of the mine and you ran into difficulties
3 because of terrain and fences; is that right?---That's
4 correct.

5 At that stage you passed over a fire burning under a
6 bridge?---Yes.

02.43PM

7 And there was some burnt out vehicles around?---Yes.

8 Were you aware at that stage you were in fact outside the
9 mine area north of the briquette factory?---No.

10 You weren't aware of that? In an industrial estate to the
11 northeast of the mine?---We were told that we were on
12 the mine site. We had not gone through any gates to
13 leave the area. Can we call up the photograph again?
14 No, you don't need to?---I would like to.

02.43PM

15 Excuse me, the question I'm putting to you is that there
16 were no burnt out vehicles on the mine site?---Fine.

02.44PM

17 Does that surprise you?---It does.

18 No fires burning under bridges on the mine site. Does that
19 surprise you?---It does.

20 Do you accept therefore you may have been in the industrial
21 estate, it was dark, wasn't it?---Can we call up the
22 photograph and I can confirm where we were?

02.44PM

23 I'm not asking you to do that. I'm putting propositions to
24 you simply to the effect that there were no burnt out
25 vehicles in the mine site, no fires under bridges, and
26 I'm wondering whether that makes you doubt whether you
27 were on the mine site?---Respectfully I would disagree
28 with you and, no, I don't doubt that I am on the mine
29 site; I was reasonably certain that I was on the mine
30 site.

02.44PM

02.44PM

31 Are you familiar with the mine?---No.

1 Had you been there before?---No. Can I point out that we
2 were told that we were on the mine site?
3 Yes, you were told by somebody you were on the mine
4 site?---Yes.
5 And you were told by somebody they had only one tanker on 02.45PM
6 the mine, is that what you were told?---That's what we
7 were told.
8 And you were told that they were closing the mine down
9 soon?---No.
10 You weren't told that the reason why they didn't cover the 02.45PM
11 bank in clay because the mine was closing down?---It
12 wasn't that it was immediately closing down, it was
13 that the company believed that it would close soon and
14 they didn't want to put any extra expense into, how
15 shall we say, unnecessary expenses, or what they 02.45PM
16 considered unnecessary expenses.
17 Did they say to you that others said that the company had
18 promised to cover the bank in clay but because it was
19 closing down it was too expensive and left it. Were
20 you told that?---Words to those effect, yes. 02.45PM
21 And so, if I told you that that's completely wrong and the
22 company's planning to stay there beyond 2025, they have
23 four tankers on the site, all of which were operating
24 on the day, would that make you doubt that maybe some
25 of the things that you were told were true?---I'm 02.46PM
26 repeating what I was told.
27 And so, it could well have been complete nonsense as far as
28 you know, don't you?---(Inaudible response).
29 I take it, that's a yes?---Yes. What did surprise me was
30 the level of anger and the disappointment that the mine 02.46PM
31 workers were expressing. They were exceedingly

1 concerned and angry at the level of mine safety, they
2 were extremely concerned and angry at the level of the
3 disaster and that it had been allowed to get so far.
4 Let me - - -?---To my own personal recollection, on the
5 radio we listened to as we drove back to Cowarr on the 02.46PM
6 morning after the disaster, after I was at the
7 disaster, and - - -
8 I didn't ask you - - -?--- - - - and the manager of the
9 mine. Excuse me, let me finish and then you can ask
10 your questions, sir. 02.47PM
11 If you could just answer my question that I've asked?---What
12 was said on the radio the morning after was that the
13 manager of the mine believed that this fire would be
14 out in two weeks. Now, Ken and I looked at each other
15 and said, "Absolutely no way." The manager of the mine 02.47PM
16 said, "This fire will be extinguished in two weeks."
17 And we both looked at each other and said, "This guy
18 has no idea what he's doing."
19 So that's what you and Ken said at the time?---That's what
20 Ken and I exchanged at the time. 02.47PM
21 Can we go to paragraph 28 of your statement, please.
22 Towards the end of the paragraph you said that the base
23 of the mine, which looked like a pile of tyres, was
24 burning. Now, you don't say a pile of tyres were
25 burning, but if I was to tell you that there weren't 02.48PM
26 any tyres on the site you would agree with that
27 proposition and say that it only looked like a pile of
28 tyres. Is that correct?---All I can say is, it looked
29 like a pile of tyres were burning. I wasn't going
30 anywhere near it. The whole area was a pile of 02.48PM
31 extremely hot burning coal, there were spot fires

1 coming off it, that's why the tankers were there. Our
2 job was to defend the clean water pumps.
3 Unfortunately, there were no hydrants or nowhere we
4 could access water. Between the two tankers we had
5 7,000 litres of water and there was no way that 7,000 02.48PM
6 litres could have controlled that fire had it come down
7 the hill.

8 In paragraph 35 you make reference to the CFA debriefing. I
9 take it, it was a CFA debriefing you went to?---It was
10 an informal debriefing. 02.49PM

11 That you went to the following day. Was it a CFA
12 debriefing?---It was held at a CFA station.

13 When you say "informal", was it just a group of you getting
14 together without a CFA official?---As is normal our
15 Captain was there, our two Lieutenants were there and 02.49PM
16 all the crew that were available that had been involved
17 in the fire were there. It is fairly standard CFA
18 procedure to get together after a fire and to work out
19 what worked, what didn't work, what was successful,
20 what we did well, what we could improve on. 02.49PM

21 There you discussed a number of the conditions and the
22 problems that arose during the course of the disaster;
23 is that correct?---Yes.

24 You mentioned that there was some talk of a lack of
25 effective fire breaks?---Yes. 02.49PM

26 Did anybody there suggest that they'd actually undertaken an
27 assessment or what the fire breaks were?---What was
28 said was, I'll try to quote it as closely as I can, the
29 brigade was fighting the fire to the east of the river
30 diversion; that when the fire came along the highway, 02.50PM
31 jumped the river diversion, there was no way of

1 accessing the mine site and that there was no fire
2 breaks in place to stop the fire from entering the
3 mine.

4 Did they say the northern gateway was closed, did they, to
5 the mine?---No, the northern gateway to my 02.50PM
6 understanding was very difficult to get in because it
7 was secured, but when it was opened it only allowed one
8 vehicle through at a time. The side of the Heyfield
9 tanker was bashed in because they tried to follow the
10 tanker in front and the gate closed on them. To my way 02.50PM
11 of thinking, that's not an exceedingly good access
12 method for an emergency situation.

13 This is again based on things that were said to you, was it,
14 back at the CFA debriefing?---Well, I actually saw the
15 side of the tanker and it was fairly well bashed in. 02.51PM

16 The method by which it occurred was it on the basis of what
17 you were told, was it at the CFA debriefing?---Exactly,
18 yes. It was also included in the statements from the
19 entire crew on board the Heyfield tanker at the time
20 which, if you care to check with CFA, they will have on 02.51PM
21 record.

22 Was there any discussion about the fact that the causes of
23 the fire were in fact the ember attacks from two
24 different fires, being the Driffield Fire and the
25 Hernes Oak? Was that discussed?---My brigade, 02.51PM
26 Heyfield, was fighting the Hernes Oak Fire so they only
27 had information about the Hernes Oak Fire.

28 They didn't know about the Driffield Fire - - -?---They knew
29 about the Driffield Fire.

30 Just let me finish the question?---They weren't actually 02.51PM
31 engaged in fighting on it so they didn't actually make

1 comment on it.

2 Did they know about the Driffield Fire coming in from the
3 southeast at all?---Of course they did, yes.

4 Thank you very much.

5 <RE-EXAMINED BY MR ROZEN:

02.52PM

6 Just to clarify one matter with you, Mr Steley. You were
7 asked a number of questions by my learned friend about
8 whether you had left the mine site or not. Do you
9 recall those questions?---Yes.

10 During that time where you made those observations of the
11 cars and so on, were you under escort by the mine
12 employee that was escorting you?---Yes.

02.52PM

13 And at any time did that mine escort take you outside of the
14 precincts of the mine?---Not to my understanding. The
15 briefing was to protect the infrastructure of the mine.
16 We were told that these power lines were important
17 because they were supplying power to the mine. Now, my
18 understanding was that the mine was surrounded by a
19 wire fence and had gates. We didn't exit through any
20 gates, we didn't cross through any wire fences. The
21 buildings we were working around appeared to have
22 Hazelwood labels on them. They may have been outside
23 the mine, they may have been inside the mine, but we
24 were protecting mine infrastructure at the time.

02.52PM

02.53PM

25 I understand. Any Members of the Board have any questions
26 for Mr Steley?

02.53PM

27 CHAIRMAN: No.

28 THE WITNESS: Can I point to the?

29 MR ROZEN: Yes, please do?---My understanding, that the
30 power lines were there. On this corner here there was
31 a large sign that had collapsed that had "Hazelwood

02.53PM

1 Power" written on it. It had fallen down and the scrub
2 underneath it was still smouldering. We put our gloves
3 on and we lifted that sign and we extinguished the fire
4 underneath it. There was a water hydrant in front of
5 this building here that we filled our water from. We 02.54PM
6 never went - there was no fire to the north of that.
7 There was no fire to the east of this road. The bridge
8 that we crossed over was this bridge, actually in
9 amongst these trees here. So, if that area is outside
10 the mine site, then I will accept that, yes, we were 02.54PM
11 outside the mine site. If that area is inside the mine
12 set, then we were inside the mine site. I have no idea
13 whether it was or whether it wasn't; that was the area
14 we were working on.

15 I understand. Just for the benefit of the transcript the 02.55PM
16 areas that you've been pointing to are in the northeast
17 corner of the mine in the vicinity of the area which
18 has been described as the rehabilitated area east of
19 that area and southeast of that area?---So that is
20 actually the mine site owned by Hazelwood Power? 02.55PM

21 To be honest, I don't know, Mr Steley, but those behind me
22 may be able to clarify that if it's needed by the
23 Board.

24 MR RIORDAN: It's outside the boundary, it's within the
25 Morwell Industrial Estate. If the Board wants evidence 02.55PM
26 of that, we'll call it.

27 CHAIRMAN: Sorry?

28 MR RIORDAN: The area indicated by the witness is outside
29 the mine area, it's in the Morwell Industrial Estate.
30 If the Board requires evidence of that, we'll call it. 02.56PM

31 MR ROZEN: With that clarification, could Mr Steley please

1 be excused? That concludes his evidence.

2 CHAIRMAN: Sorry, yes, you are excused.

3 <(THE WITNESS WITHDREW)

4 MR ROZEN: Ms Richards will take the next witness.

5 MS RICHARDS: The next witness is Alan Roach. Could 02.56PM

6 Mr Roach please come forward.

7 <ALAN WILLIAM ROACH, sworn and examined:

8 MS RICHARDS: Good afternoon, Mr Roach?---Good afternoon.

9 Thank you for attending today at quite short notice. Can I

10 start by asking you your full name and your 02.57PM

11 address?---Alan William Roach, 4 Avon Close, Traralgon.

12 You are employed at the Hazelwood Mine?---Correct.

13 In what position?---I am the Security and Emergency Services

14 Manager.

15 How long have you worked at the mine?---In that role or for 02.58PM

16 the company? For the company I've been working for it

17 since 2010.

18 The company being GDF Suez?---For GDF Suez, that's correct.

19 In your current position, how long have you been

20 there?---About 18 months. 02.58PM

21 Mr Roach, have you made a statement in relation to the

22 events of 9 February?---Yes, I have.

23 But not to the Inquiry?---No.

24 To whom did you make a statement?---I've made a statement to

25 the Arson Squad, Victoria Police. 02.58PM

26 Do you have a copy of that statement?---No. Not with me

27 today. No, I haven't.

28 But do you have a copy generally?---Yes, I do.

29 Would you be able to provide a copy of that statement to the

30 Inquiry please?---Yes, I could. 02.58PM

31 In addition to your substantive role as the Security and

1 Emergency Services Manager, have I got that
2 right?---(Witness Nods).
3 You are also an Emergency Services Liaison
4 Officer?---Correct, yes.
5 We are now familiar with the Emergency Response Plan at 02.59PM
6 Hazelwood and we have some understanding of the role of
7 an Emergency Services Liaison Officer or ESLO. One of
8 your roles, and it may be as an ESLO or because you're
9 the Emergency Services Manager, is to liaise with the
10 Central Gippsland Essential Industries Group. Is that 02.59PM
11 correct?---I represent GDF Suez on that committee,
12 that's correct, on that group.
13 Can you tell us a little bit about how that group
14 works?---It's a group of essential services industries
15 throughout the Latrobe Valley, also from West Gippsland 02.59PM
16 but also East Gippsland as well, and we meet bimonthly,
17 every second month, and we purely discuss emergency
18 situations, security situations relating to the
19 industry.
20 The other members of the group are the other power 03.00PM
21 generators in the Latrobe Valley?---Yes.
22 And that's, if I've got it right, AGL and Energy Australia;
23 AGL in relation to Loy Yang A and Energy Australia in
24 relation to Yallourn?---Yallourn.
25 And also Diamond Protection who does your security at 03.00PM
26 Hazelwood is also a member?---Yes.
27 Hancock Plantations?---Correct, yes.
28 Are there any other members?---APM, GDF Suez, Loy Yang B,
29 Exxon Longford.
30 And Emergency Services are also represented on the group, 03.00PM
31 are they not?---Government agencies, yes, that's

1 correct.

2 Being the CFA, the Fire Service, and the SES and the
3 police?---And Ambulance Victoria.

4 So it's really a meeting point between the Emergency
5 Services and major industries in the Latrobe 03.01PM
6 Valley?---Yes.

7 And also Longford?---Yes.

8 There is a protocol in place for communication between the
9 Emergency Services and essential industries in
10 Gippsland, is there not?---Yes. 03.01PM

11 That is, that it takes place through the Central Gippsland
12 Essential Industries Group?---It may.

13 The normal circumstance is that it will?---There's a
14 structure of command or management team through CGEIG,
15 so normal communication, yes, that may be the case. 03.01PM

16 What is the structure of command through the group?---Nick
17 Demetrios is the Chairman, so through normal actions
18 Nick would receive information and, whether it be just
19 from day-to-day communication back to our bimonthly
20 meetings, the chain of command would be Nick. 03.02PM

21 So he's the point of contact for - - -?---He's the Chairman,
22 Chairperson.

23 He's the Chairman so he's the person who Emergency Services
24 in the Latrobe Valley would go to if they have some
25 information to share with members of the group?---May. 03.02PM

26 Usually do?---They may go to him, yes. Most of the time
27 they will go to Nick, yes.

28 That's what happened on 8 February this year, is it not?
29 There was contact made with Nick Demetrios of the
30 Central Gippsland Essential Industries Group about the 03.02PM
31 fact that the Hernes Oak Fire was burning to the west

1 of Morwell?---I have been made aware, yes, that there
2 has been some communication from the ICC to Nick.
3 You became aware because Mr Demetrios contacted you; is that
4 correct?---On 8 February, yes.
5 How did he first get in touch with you on 03.03PM
6 8 February?---I believe he sent me an email and then
7 there was a phone conversation to my mobile.
8 We've had a look at this email before I think. If we could
9 have on the screen, please, Annexure 7 to Mr Harkins'
10 statement. I think you have a copy of it there, it's 03.03PM
11 an email that's obviously been printed out by
12 Mr Harkins from you to him on Saturday, 8 February at
13 6.41 p.m. Do you have that in front of you?---Yes, I
14 do.
15 It is forwarding an email to you and to a Mr Nash at Energy 03.03PM
16 Australia, who presumably is the contact point at
17 Yallourn, an email from Mr Demetrios?---Yes, there's an
18 email that came from Nick to me and Mark, and I have
19 forwarded that email on to Steve Harkins.
20 The email from Mr Demetrios to you appears to have been sent 03.04PM
21 just before 4 .30 in the afternoon and it says, "Team.
22 This is the latest mapping from the Phoenix model at
23 0100 hours tomorrow night. Worst-case scenario this
24 may be the fire protection. Sent from my
25 iPhone"?---Yes. 03.04PM
26 Where were you when you received this email?---From my
27 recollection, I believe I may have been travelling
28 around the Traralgon area.
29 So did you receive it on your phone?---I received it on my
30 Blackberry, yes. 03.04PM
31 Were you able to view the photograph that's attached to

1 it?---Not on the Blackberry, no.

2 What did you then do?---I forwarded it to my work mail

3 address. I've got access to that at home, that's the

4 Papa Roach address. And when I've arrived at home I've

5 had a look at the picture. 03.05PM

6 I need to ask you, Mr Roach, is there a Mama Roach address

7 as well?---I'd rather keep that information private.

8 I beg your pardon, that was completely inappropriate, that

9 question?---Unfortunately, I must, to the best of my

10 ability, answer all questions that you put to me today. 03.05PM

11 I withdraw that one and there's no compulsion to answer it

12 at all. So you forwarded it to yourself so you could

13 read it on a computer with a screen; is that

14 correct?---Yes, at home, that's correct.

15 When you did that and you had a look at the attachment, what 03.05PM

16 did you make of the information?---I had a phone

17 conversation with Nick, so I've rang Nick once I - - -

18 No, what did you make of the information when you finally

19 managed to look at it on a screen when you could see it

20 properly?---I didn't understand it. 03.06PM

21 So you rang Mr Demetrios?---Yes.

22 And about what time was this?---Bear with me. I believe it

23 would have been some time between around 5.30, quarter

24 to 6.

25 You spoke with Mr Demetrios and what did you say to 03.06PM

26 him?---"Tell me about the map, tell me what it all

27 means."

28 And what did he say?---The first thing he stressed to me was

29 that it was worst-case scenario, that he had been to

30 the ICC, to some briefings during the day, that the map 03.07PM

31 related to a timestamp of 1 o'clock on the Monday

1 morning, and it was all the information that he'd had,
2 and we'd look at some more information on the Sunday.
3 Did he tell you any more than that?---We discussed the map
4 to see what it all meant, how we could understand it,
5 because I had a fair bit of difficulty determining what 03.07PM
6 it all meant. From my discussion with Nick, I was
7 trying to determine what impact it had on Hazelwood,
8 what was the threat, what was the timeframe and when
9 was it all coming together. So we discussed a bit
10 further about this Phoenix modelling, and some time 03.08PM
11 between 1 and 2 o'clock on the Monday morning the
12 northern batters of the mine may be under some form of
13 threat.

14 Did Mr Demetrios explain to you that Phoenix is a model that
15 predicts what may happen given a particular 03.08PM
16 scenario?---From my recollection, the discussion we had
17 about the Phoenix model was that, if there was -
18 worst-case scenario, if there was a limited fire
19 protection to that fire, to an outbreak of fire through
20 that period of time. So the key things there I was 03.08PM
21 talking to him about was impact on the mine 2 o'clock
22 on a Monday morning if there was limited impact
23 firefighting in that area. So it really was the
24 worst-case scenario.

25 As the Emergency Services Manager and the Emergency Services 03.09PM
26 Liaison Officer, you would be interested in knowing
27 what the worst-case scenario is, would you not?---Yes.
28 Because that's the scenario you have to be prepared for, is
29 it not?---That's what I was asking Nick about.

30 So the worst-case scenario is that, judging by the timestamp 03.09PM
31 on this prediction map, that by 1 o'clock on Monday

1 morning there may be fire right on the northern batters
2 of the mine?---Correct.

3 Did you arrange to speak with Mr Demetrios later that
4 evening or the following day?---The following day.

5 We know from the email that we've been looking at that you 03.09PM
6 forwarded this on to Mr Harkins?---Correct.

7 There's one prediction map forwarded on to Mr Harkins. Did
8 Mr Demetrios provide you with more than one prediction
9 map?---No.

10 So this one with the time stamp of 2.10.2014, 1.59 a.m., is 03.10PM
11 the only one you saw?---That's the only one that I saw.
12 That was the only one included in the email, that was
13 the only picture that I saw for that day.

14 You sent this on to Mr Harkins. Did you send it on to
15 anyone else?---No. 03.10PM

16 You say in your email to Mr Harkins that you just wanted to
17 keep him in the loop. He doesn't have a role in fire
18 preparation or response at the mine, does he?---He's
19 part of the significant Incident Management Team.

20 Yes, he is, but when it comes to emergency command or 03.10PM
21 enacting the Emergency Response Plan or making fire
22 preparations because of the threat of fire, that's not
23 his role, is it?---No.

24 And he doesn't manage the people who are responsible for
25 that, does he?---Correct. 03.11PM

26 Those people are Rob Dugan and Dave Shanahan, are they
27 not?---Yes.

28 But you didn't pass this information on to them?---No.
29 Why not?---At that point in time I required more
30 information. 03.11PM

31 What information did you require?---I required more

1 information from the weather situations for the next
2 day, and from the discussion with Nick we were going to
3 meet up in the morning to see if anything else was
4 coming out of the ICC.

5 Let's deal with those in turn. What information did you 03.11PM
6 require about the weather?---If there were any changes
7 from what was being predicted.

8 The weather forecast for 9 February was for a very hot
9 morning, was it not?---Yes.

10 Temperatures reaching around, if not in excess of, 03.12PM
11 40 degrees?---Correct.

12 With a very strong northwesterly wind?---Yes.

13 Ahead of a southwesterly change at around lunchtime?---Yes.

14 And there had been a total fire ban declared for 9 February
15 already, had there not?---Correct. 03.12PM

16 And the fire danger rating for Sunday the 9th was
17 extreme?---Yes.

18 What further information did you require?---Nick had
19 provided me a model from that information.

20 No, I want to know what further information you required 03.12PM
21 about the weather?---Changes.

22 Did you not rely on the Bureau of Meteorology's
23 forecast?---Yes, I was getting those.

24 Yes ?---Yes.

25 Were you not prepared to assess the risk based on the 03.12PM
26 forecast?---I would have been, but as a collective with
27 CGEIG, Nick and I had made an arrangement to contact
28 each other the next day to see if there were any
29 changes to what we already knew was going to happen.

30 But you knew what the weather forecast was on the Saturday 03.13PM
31 afternoon, didn't you?---That it was going to be shit.

1 It was?---Would you like me to clarify that?
2 No, I'm just wondering what further information you required
3 about the weather?---I wanted to have a conversation
4 with Nick the following day to see if he was aware of
5 any other changes, whether it be weather, whether it be 03.13PM
6 information he was receiving from the ICC, but that's
7 what we were going to talk about the next day.
8 Did you apprehend on the evening of Saturday, 8 February
9 that the fire weather forecast for Sunday the 9th was
10 the worst since Black Saturday?---Yes. 03.13PM
11 You understood that clearly?---Yes.
12 Were you hoping that it will turn out not to be as bad as
13 forecast?---I think all of us were hoping.
14 Was that why you were prepared to wait until the following
15 morning before you passed this information on to 03.13PM
16 anybody who could act on it?---No, but I didn't think
17 the information at that time was relevant. I could not
18 understand it, and it was telling me information that
19 was going to happen with this fire at 2 o'clock on the
20 Monday morning. 03.14PM
21 Did you ask Mr Demetrios whether he had any more detailed
22 Phoenix prediction mapping?---On the Sunday?
23 No, on the Saturday evening we still are?---No.
24 Did he tell you whether he had any more detailed Phoenix
25 prediction mapping?---No. I'm quite sure if he did, I 03.14PM
26 would have received it.
27 Moving on to the Sunday, you were rostered on as the ESLO
28 that day, were you not?---I was rostered on as the ESLO
29 for a seven day period which included that weekend.
30 Where did you start the day?---Home. 03.14PM
31 When did you meet with Mr Demetrios?---We had a phone

1 conversation according to my records around 11.30.
2 By that time the temperatures were in the high 30s, if not
3 40s; do you agree?---Yes.
4 There was a strong northwesterly wind blowing, was there
5 not?---Yes. 03.15PM
6 And the weather conditions had turned out to be exactly as
7 the Bureau had predicted the previous day. It was
8 nightmare fire weather, was it not?---It wasn't a good
9 day fire weather-wise, that's correct.
10 What information did Mr Demetrios provide you with that 03.15PM
11 morning?---There was no change.
12 No change - - -?---From the information that we had on the
13 Saturday, that there were no changes. We were still
14 expecting the wind change coming through in the
15 afternoon, the same wind speed, but no changes to what 03.15PM
16 both of us knew in two or three days prior to the
17 event.
18 Had he provided you with any information about the status of
19 the Hernes Oak Fire as at 11.30 that morning?---We may
20 have had a conversation of the Hernes Oak Fire. 03.16PM
21 Did you or did you not?---I can't recall.
22 Did you understand that that fire had been contained but not
23 controlled?---I had been monitoring the condition of
24 the fire through the CFA website.
25 So, you had gone directly to the CFA website for that 03.16PM
26 information?---Yes.
27 And you understood that the fire was contained?---Fire was
28 contained.
29 Which is not controlled and it's certainly not safe. You
30 agree that that's the hierarchy of classifications for 03.16PM
31 fire?---I agree with you that the fire was contained.

1 But, given the fire weather conditions, you must have been
2 aware of the possibility that it would flare up?---I
3 was aware that the fire was contained through the
4 information from the CFA website. I'd had a
5 conversation with Nick on the phone. I was comfortable 03.16PM
6 with the environment for the plans that we'd had for
7 the day and then I moved on for the day.

8 And you decided not to share this Phoenix map with
9 Mr Shanahan or with Mr Dugan?---Not for information on
10 the fire that was going to occur at 2 o'clock on the 03.17PM
11 Monday morning, no.

12 You're placing a lot of reliance on that time stamp?---Well,
13 it's critical.

14 Yes, but you didn't understand that this might be the end
15 point of a situation that might develop throughout 03.17PM
16 Sunday?---I didn't understand the modelling, I wanted
17 more information on it, I spoke to Nick about the
18 process.

19 Well, why didn't you go and ask for more information,
20 Mr Roach?---I did. 03.17PM

21 Who did you speak to?---I spoke to Nick on the Saturday
22 night in relation to the modelling.

23 What's Mr Demetrios' role? He's the Chair of CGEIG and he
24 works at Loy Yang as what?---He's the Security
25 Emergency Services Manager for AGL. 03.17PM

26 So he has the equivalent position to you at Loy Yang A, is
27 that correct?---You'd have to ask Nick.

28 He is not a Fire Behaviour Analyst, is he?---Once again,
29 you'd have to ask Nick. I don't know.

30 Did you say, "Look, I can't really understand this, I need 03.18PM
31 to get in touch with someone who can explain it more

1 fully to me?"?---No, the conversation we had on the
2 Saturday was that we would have more information on the
3 Sunday.
4 But on the Sunday you didn't have more information and you
5 still didn't understand the full import of this map. 03.18PM
6 Did you try to get in touch with someone at the
7 Traralgon ICC who was managing the Hernes Oak Fire for
8 a fuller explanation of the implications of this
9 map?---No, I didn't.

10 MEMBER PETERING: Excuse me, Ms Richards. You said, 03.18PM
11 Mr Roach, that you were comfortable with the plans you
12 had in place that day. Could you just articulate what
13 those plans were?---We had our fire mitigation plans
14 which had been issued by it was either Rob or Dave
15 Shanahan on the Friday, and I was comfortable that 03.18PM
16 those plans that were in place were going to achieve
17 any threats or risks that we'd had over the weekend.
18 Achieve or address?---Address.

19 MS RICHARDS: Had you turned your mind to the need for
20 anyone to be in place to step into the role of 03.19PM
21 Emergency Commander had fire threatened the mine as the
22 map suggested it might?---I believe the plans that we
23 had in place were sufficient.

24 No, that's not what I asked you, Mr Roach. Had you turned
25 your mind to the need for someone to be on site on 03.19PM
26 9 February to step into the role of Emergency Commander
27 should fire threaten the mine?---Yes.

28 And what did you decide to do about that?---That was the
29 shift supervisor for the mine.

30 That's Mr Ian Wilkinson, is that right?---That's correct. 03.19PM
31 We have a situation where the Director of the mine was on

1 leave, the Mine Production Manager was on leave, and
2 Mr Kemsley, the Technical Compliance Manager, was also
3 away, and that left the most junior of all of the
4 possible Emergency Commanders on site. Is that the
5 situation you recalled?---I wouldn't necessarily call 03.20PM
6 them the most junior.

7 Well, perhaps not in years but in terms of the
8 organisational structure of the company?---Under the
9 plan, it's a 24-hour process under the plan. That role
10 is covered by the shift supervisor in the mine. 03.20PM

11 You didn't see the need to have somewhere standing by so
12 they could step into the role promptly should fire
13 break out in the mine?---Not with the information I'd
14 received.

15 I take it at some time during 9 February you arrived at the 03.20PM
16 mine; when was that?---12.27.

17 How is it that you can be so precise, Mr Roach?---Because I
18 manage an electronic gate system on site and it's from
19 those gate records that I can have that time.

20 You've actually done a bit of a reconstruction of your 03.21PM
21 movements on the day, have you not, and prepared a
22 spreadsheet that records these as best that you
23 can?---A log of events, that's correct.

24 I've been provided with a copy of it, nobody else apart from
25 the mine's legal team has it, but I'll make a copy of 03.21PM
26 that and tender it subsequently. So you arrive at
27 12.27 and what did you do from that point?---From that
28 point I drove to the Control Centre and I spoke to the
29 Control Centre Attendant and we had a discussion about
30 the condition of the site, condition with the weather 03.22PM
31 and how the day was going to pan out for us.

1 I take it that copies of this document have now been made
2 available. You spoke to the Control Centre Attendant,
3 that's Mr Murray is it, Geoff Murray?---That's correct.
4 After you had spoken with him, what did you do then?---I
5 observed that there was some smoke from the Hernes Oak 03.22PM
6 Fire, I was moving between - when I first got on site I
7 travelled from the rear slide gate to the Mine Control
8 Centre. Whilst travelling along I was able to observe
9 that the Hernes Oak Fire was just a couple of little
10 puffs of smoke, it wasn't - - - 03.22PM
11 So you could see that it was still burning?---Yes, there was
12 a small fire there, yes, it was still burning. Once I
13 left Geoff at 12.45 I went to the Emergency Control
14 Centre and opened the building up to prepare it.
15 That's the Emergency Control Centre in - that's used for 03.23PM
16 training when it's not in use?---That's correct, it's a
17 mine training facility.
18 When was the first time you became aware that the fire at
19 Hernes Oak had become more serious than you'd
20 previously seen?---I'm just referring to my notes. I 03.23PM
21 received a phone call at 1320 from the gatehouse to
22 state that the Hernes Oak Fire was flaring.
23 What did you do at that point?---At that point I left the
24 mine Training Centre and went back to the Control
25 Centre to speak to Geoff Murray. 03.24PM
26 What did you tell him?---What did I tell him?
27 Yes?---We had a conversation of what was occurring with the
28 increasing fire activity from Hernes Oak and he advised
29 me that he had the Diamond Protection crew active and
30 heading towards the mine. 03.24PM
31 So where did they have to come from?---They were at the

1 gatehouse.

2 At that point, realising that the Hernes Oak Fire was now
3 active, did you get back in touch with Mr Demetrios and
4 say, the situation's changed, I need some more
5 advice?---No. 03.24PM

6 Having called the Diamond Protection crew in from the
7 gatehouse, what other steps did you take to get
8 ready?---I didn't call Diamond Protection at the
9 gatehouse.

10 No. Sorry, you asked Mr Murray to do that?---No, I didn't. 03.25PM
11 Geoff Murray rang Diamond and told me that was what was
12 happening.

13 Right?---So we've got Diamond Protection crews moving from
14 the gatehouse towards the open cut.

15 What other steps did you take?---I had a conversation with 03.25PM
16 Dave Shanahan and asked Dave to open you up the
17 northern gates in the Drilling Depot Road area.

18 So he went and did that. You have recorded on this
19 spreadsheet that at 1400 a mine fire alert was issued.
20 Was that your decision?---No. 03.25PM

21 Whose decision was that?---I don't know. It would normally
22 come from Operations, whether it be the Control Centre
23 Attendant or the Mine Shift Supervisor. It's activated
24 inside the Control Centre.

25 When did you first become aware of the Driffield 03.26PM
26 Fire?---I believe I first became aware of it around
27 that 1400 mark. Actually, I've got, "1407, fire
28 heading towards the Driffield Fire area of the mine."

29 What did you do when you realised there was a second fire to
30 contend with?---I wanted to get out there and have a 03.26PM
31 closer look, see what was happening with the activity.

1 Again, did you get in touch with Mr Demetrios?---No.
2 Did you get in touch directly with the CFA at that
3 point?---No, not at that time.
4 So, you went out to see what was happening. Where did you
5 go?---Our first port of call was at TP5. 03.26PM
6 Transfer point 5, and why did you go there?---I was in a
7 vehicle with Matt Weddell; Matt was doing a turn to
8 turn on some sprays; to ensure some sprays were turned
9 on.
10 On an operational part of the mine?---On those conveyor 03.27PM
11 systems, yes.
12 So you were out in the field with someone who was actually
13 attending to the fire protection measures?---Checking
14 that they were operating. I don't necessarily state
15 that he was actually turning them on, all he was doing 03.27PM
16 was going around inspecting to make sure that they were
17 operating.
18 When did you first become aware that there was fire inside
19 the mine?---1428.
20 Where were you when you first saw it?---Can I refer to the 03.27PM
21 map?
22 Yes, please do?---If you look at the Control Centre here, I
23 left the Control Centre with Matt Weddell and we went
24 to TP5 which is this area here. Travelling along this
25 road into TP5, checked the sprays, made sure the sprays 03.28PM
26 were operating, and then we travelled from TP5 around
27 the perimeter of the mine and there's a lookout along
28 this area through here. There's a lookout designed
29 along these areas here, it might be this area.
30 So that's the lookout that looks - that's a very good 03.28PM
31 vantage point over the working area of the mine?---Yes.

1 You saw fire inside the mine for the first time, and where
2 was the fire that you saw?---While I was at the
3 lookout, the fire was burning in the Driffield area and
4 the wind was blowing in a strong southwesterly and was
5 heading straight across the mine and I observed smoke 03.29PM
6 and fire activity along these areas around here.

7 All right, so right over at the eastern edge of the northern
8 batters?---Yes, northeast side, that's correct. That's
9 the first time that I'm aware that there's fire inside
10 the mine. 03.29PM

11 So that's a vastly more serious situation even than the very
12 serious situation you were aware of half an hour
13 previously?---Correct.

14 So what action did you take at that point?---Just referring
15 back to my notes. At 1428 I observed the fire 03.29PM
16 activity. At 1430 I've rang Ricky Ross at the Regional
17 Control Centre.

18 So why did you ring the Regional Control Centre?---Because
19 Ricky Ross is one of my quick links through
20 communications into that stream of chain of command. 03.30PM

21 But the Hernes Oak Fire wasn't being managed from the
22 Regional Control Centre, was it?---I'm not aware of
23 that.

24 Did you not know where the Hernes Oak Fire was being managed
25 from?---No. 03.30PM

26 No, you hadn't found that out the day before?---Well, there
27 might have been communications from Nick that he was
28 getting information from the Incident Control Centre.

29 But you hadn't taken the step of making sure that you knew
30 where the Hernes Oak Fire to the northwest of the mine 03.30PM
31 was being managed from?---Can I have the question again

1 please?

2 I'll ask you a couple more questions before I come to it.

3 You've got here recorded on your spreadsheet that at
4 1430 when you were still at the southwest look out you
5 phoned Traralgon RCC, Ricky Ross, "He gave me the ICC 03.30PM
6 phone number", and then the phone number's given there.
7 Is it correct that at 2.30 that afternoon you did not
8 have the phone number for the Traralgon ICC?---That's
9 correct.

10 And so you needed to ring Ricky Ross at the Regional Control 03.31PM
11 Centre to find out what that phone number was?---No, my
12 thought process was to ring Ricky Ross as I believed he
13 was at Traralgon ICC.

14 So you rang him on his mobile phone?---Yes.

15 Had you taken any steps the day before to find out who was 03.31PM
16 the Incident Controller for the Hernes Oak Fire?---No.
17 Or how to get in contact with him?---No.
18 Or how to get information from the Incident Management
19 Team?---No, the Hernes Oak Fire wasn't a threat for me
20 on Saturday. 03.31PM

21 Despite the fire weather forecast of strong northwesterly
22 winds on Sunday morning?---Yes, the fire was contained,
23 it wasn't a threat for me on the Saturday.

24 And despite having seen the prediction map that showed that
25 by 1 o'clock on the Sunday morning the fire was right 03.32PM
26 on the northern batters?---No, Monday.

27 Sorry, Monday?---Yes. That's what the timestamp says.

28 And that's the end point of the process, you appreciate
29 that?---I keep referring back to it, yes, because
30 people keep saying it's Sunday morning, that's not 03.32PM
31 correct.

1 It wasn't going to happen all at once at 1 o'clock on Monday
2 morning, was it, Mr Roach?---No, a process of events
3 would give it, so that at 2 o'clock on the Monday
4 morning that would be the end result.

5 And that process was likely to unfold during the Sunday, was 03.32PM
6 it not?---Possibly.

7 At 4.30 you obtained the phone number for the Traralgon ICC.
8 Before you rang that number - - - ?---No, that's not
9 correct. You said at 4.30, that's not correct.

10 At 1430 you obtained the phone number for the Traralgon ICC. 03.32PM
11 Before you rang that number, did you ring 000?---No.
12 Did you check that the Control Centre Attendant had called
13 000?---No.

14 When you had the Traralgon ICC's telephone number, what did
15 you do with it?---I rang it. 03.33PM

16 When?---Just looking through the log, it would have been
17 some time between 1430 and 1443.

18 You spoke with Peter McHugh, who we know from other evidence
19 is the planning officer at the Traralgon ICC, and you
20 say you gave him sit rep, what did you tell him about 03.33PM
21 the situation at the mine?---I received a phone call
22 from Peter at 1443.

23 You received a phone call from him?---Yes.

24 Was that returning your call?---Yes.

25 What did you tell him about the situation at the 03.34PM
26 mine?---That we had a fire located in the Driffield
27 area, there was a strong southwesterly wind that was
28 blowing the fire across the open cut and embers were
29 falling and fire was spotting inside the open cut.

30 Did you tell him anything else?---I can't recall any further 03.34PM
31 of the conversation. There may have been a couple

1 things we discussed, but at this point in time I can't
2 recall anything else that we discussed.

3 Just to be clear about the information that you conveyed to
4 Mr McHugh at 1443, it was that there was a fire at
5 Driffield on the southwestern side of the mine, there 03.34PM
6 was a strong southwesterly wind, and what was the last
7 thing you said, there was - - -?---The fire was
8 spotting into the mine.

9 The fire was spotting into the mine. Did you tell him that
10 there was a fire burning in the northern batters of the 03.35PM
11 mine?---I can't recall the total conversation I had
12 with Peter.

13 Is that because - - -?---But in my recollection it was
14 wording as if it was spotting. That embers were
15 falling inside the mine. 03.35PM

16 Is it the case that your main concern at that time was the
17 Driffield Fire, because of its location and because of
18 the wind behind it?---My main concern at that point in
19 time, No.1, was we now have fire burning inside the
20 mine, but secondly, the control of the Driffield Fire 03.35PM
21 before it gets to the southwest corner.

22 You weren't the nominated Emergency Commander, were you?
23 Were you aware of any measures being taken to suppress
24 the fire that was burning in the northern batters?---I
25 was aware that fire crews had been sent into the mine, 03.35PM
26 because when I got back with Geoff Murphy or Geoff
27 Murray, there was crews heading into the mine for asset
28 protection.

29 You had another telephone conversation - - -?---And I'd also
30 heard some radio traffic from the Supervisor in 03.36PM
31 relation to the sprays and sprays being turned on.

1 You spoke with Mr McHugh again in the course of the
2 afternoon; when was the next time you spoke to
3 him?---1547.

4 So about an hour after your first conversation?---Yes.
5 What did you tell him about the situation at the 03.36PM
6 mine?---That we had fire burning inside the mine and it
7 was really a repeat of the information I had given him
8 an hour earlier, that there was still fire in the
9 Driffield area.

10 Did you give him any information about how the mine was 03.37PM
11 responding to the fire inside the mine?---I can't
12 recall.

13 Did you tell him that the fire was beyond the mine's
14 resources and that the CFA was needed?---No, I can't
15 recall having that conversation. 03.37PM

16 You spoke with him again shortly afterwards, your log of
17 events tell us?---Yes, 1552.

18 Why did you call him back?---Because I had received further
19 information that the fire in the northeast side of the
20 mine was now spreading. 03.37PM

21 And again, did you say to him, "This is more than our
22 resources can handle, we need CFA assistance"?---No,
23 not that I can recall the conversation.

24 Or anything to that effect?---I can't recall everything I
25 spoke to Peter about in that conversation. It was more 03.38PM
26 just giving him a sit rep situation of what was
27 happening with the fire behaviour.

28 And then you spoke with him again, and I'm just trying to
29 get the time, I've got a handwritten change on
30 this?---The first change I made in my handwritten notes 03.38PM
31 was actually 1800.

1 I should be clear, you did make some handwritten
2 notes?---Yes.

3 These were annexed to Mr Harkins' statement. Could we have
4 those up on the screen please. This is page 58 of
5 Mr Harkins' statement. And we get to the top of the 03.38PM
6 page?---Go through to page 2.

7 Those are your handwritten notes?---They're my handwritten
8 notes, yes.

9 And you made them as you were going on 9 February?---On the
10 9th, yes. 03.39PM

11 The one you're looking at is, it says there, "1800, clean
12 water pump station, aerial protect. Peter
13 McKew?---Yes. I believe I made that entry at 1,600.
14 Is that even though it appears below the 1645
15 entry?---(Witness Nods). 03.39PM

16 So you've made an entry at 1645 that I think says, "Matt
17 Weddell, tanker No.2, MWN substation, Boolarra,
18 Beaconsfield." And are all of the other entries in
19 this log that you kept on the day?---Most of them are
20 in chronological order. Not all of them but most of 03.40PM
21 them are.

22 You believe the one that you've corrected to 1800 was in
23 fact made at 1600?---Yes.

24 So that was the third conversation with Peter McKew in the
25 space of about 10 or 15 minutes?---(Witness Nods). 03.40PM

26 What did you say to him at that point?---I just want to
27 refer to my notes for a second. The conversation was
28 relating to some aerial support for firefighting.

29 The full note that appears on this log of events is, "Phone
30 contact with Peter McHugh. Clean water pump station 03.41PM
31 requires aerial protection. Peter begins emailing me

1 aerial photos to pinpoint critical
2 infrastructure"?---Correct.

3 At that stage did you say to him, "We need
4 assistance"?---Yes.

5 And you needed assistance in the form of aerial 03.41PM
6 support?---To critical infrastructure, things like our
7 clean water pump station.

8 What is the reference to the email? Emailing the aerial
9 photos?---Peter sent through photos or aerial
10 photography that he had on the day, and we were going 03.41PM
11 to have a conversation on whereabouts on these photos
12 was the critical infrastructure; MWN substation, the
13 clean water pump station, so it would assist him with
14 the aerial attack.

15 To pinpoint where they are?---Yes. 03.42PM

16 This is an email at 4.05 p.m. which is another reason for
17 supposing that that conversation took place at
18 4 o'clock rather than at 6 o'clock?---Yes.

19 The subject of the email is, "Yallourn Open Cut"?---Yes.

20 There are a number of photographs attached to this email, 03.42PM
21 are there not?---That's correct.

22 Mainly what you see is smoke, is that fair to say?---No,
23 that's not correct. Mainly what I see are photos of
24 Yallourn Open Cut.

25 Yes, through smoke. Are there any photos in this bundle of 03.42PM
26 the Morwell Open Cut or the Hazelwood Open Cut?---I
27 have been unable to identify any photos of the Morwell
28 Open Cut.

29 No. All right, well, I'm glad it just wasn't me. So those
30 photos were of no assistance?---No, no assistance 03.43PM
31 whatsoever. When these photos were received, Romeo

1 Prezioso was in the room with me. We printed them off
2 in order, and when we first looked at them, we haven't
3 got them up on the screen, have we?

4 Did you get back in touch with Mr McKew and say, sorry, the
5 photos are no use?---Yes. 03.43PM

6 But we still need help?---Yes.

7 When did you do that?---I haven't logged that phone call.

8 From your memory, and I appreciate that it was a busy
9 time - - -?---There was a lot going on on that day.

10 - - - and you weren't writing down everything that you did. 03.43PM

11 From your memory, when did you speak with him?---At the
12 latest, it would have been possibly six or

13 seven minutes after I received the email?---What did

14 you say to him when you spoke?---From my recollection,

15 I can recall saying something like, "Excuse me, Peter, 03.44PM

16 these photos are of Yallourn Open Cut and they're of no
17 use to me, I can't do anything with them."

18 Did you have a discussion with him about how he might

19 pinpoint the critical infrastructure that you were

20 concerned about?---I don't recall having any further 03.44PM

21 conversations with him about the photos. As I said, we
22 were fairly busy at the time.

23 Understood. There is a conversation that you've logged in
24 your log of events at 1818, a further telephone contact

25 with Mr McKew at the Traralgon ICC, and that was about 03.45PM

26 the location of the Driffield Fire; is that

27 correct?---Yes, I believe I heard some radio traffic

28 before I made the phone call with Peter that the

29 Driffield Fire had reached the river diversion; had not

30 crossed, but it had reached it. 03.45PM

31 At that stage did you pass on any information to him about

1 the fires that were burning inside the mine?---No.
2 At around this time the power went off and you were
3 distracted by the need to attend to that; is that fair
4 to say?---We had a lot of stuff happening on the day,
5 yes. 03.45PM
6 I just want to be clear. You had several contacts with
7 Mr McKew at the Traralgon ICC during this time. The
8 mine's emergency response procedures make it crystal
9 clear that the first thing to be done when there is
10 fire in the mine on a day of total fire ban is to call 03.46PM
11 000?---That's correct.
12 I take it, you didn't call 000 at any time that
13 afternoon?---No.
14 Did you check whether anybody else had?---No.
15 Mr Roach, you've been referring to a number of documents 03.46PM
16 there in front of you to assist your memory, do you
17 mind if I have a look at them just before I sit
18 down?---You may already have a copy of the activity
19 log, and these are just my handwritten notes from day
20 one. 03.46PM
21 There are some documents on the right-hand side as well that
22 you're looking at?---These are emails that I had with
23 Nick.
24 MEMBER PETERING: Ms Richards, while you're looking through
25 that I might just ask Mr Roach a question, please. 03.47PM
26 Could we go to page 50 of Mr Harkins' statement. This
27 is the email chain from yourself to Mr Harkins, which
28 is sent at 1741, and then Mr Harkins responds to you,
29 Mr Roach, at 7.28. Mr Harkins says to you, "Thanks,
30 I'm not sure I understand but I think it says the 03.47PM
31 northern batters will be on fire." Could you tell me

1 what happened when you received that email,
2 please?---I believe Steve and I had a phone
3 conversation after the email, after he received the
4 email.

5 And what did you discuss?---The Phoenix modelling. 03.47PM

6 Did you answer his question, "I'm not sure but I think it
7 says our northern batters will be on fire"?---We had a
8 look at the map and we discussed the modelling of the
9 map that that could be the case at 2 o'clock on the
10 Monday morning. 03.48PM

11 Did you talk about your response?---Well, I shared with him
12 that I was catching up with Nick the next day. I think
13 we may also have had a conversation of the
14 understanding of the model; I'd never seen it before,
15 and even though I'd had a conversation with Nick, the 03.48PM
16 only thing I could draw from it was that worst-case
17 scenario, with no firefighting, with no fire protection
18 at 2 o'clock on the Monday morning the Hernes Oak Fire
19 could be reaching our northern batters.

20 MS RICHARDS: Thank you for letting me have a look at these. 03.48PM
21 I just want to check with you about how you looked at
22 the Phoenix map that was sent to you on the Saturday
23 afternoon by Mr Demetrios. Had you printed it out like
24 you printed out this email here?---I believe I just
25 looked at it on the screen, on my computer. 03.49PM

26 What is the size of the image that you were looking at?---It
27 took up the computer screen.

28 I have no further questions for Mr Roach at this time.

29 Nobody's had a chance to know what he was going to say.

30 Mr Wilson may have some questions. 03.49PM

31 MR WILSON: We have no questions, thank you.

1 MR RIORDAN: No questions.

2 MS RICHARDS: I would like to tender, if I might, the log of
3 events that Mr Roach has provided.
4

5 #EXHIBIT 26 - Log of events produced by Mr Roach. 03.49PM
6

7 CHAIRMAN: No more?

8 MS RICHARDS: The log of events, the other documents are
9 already in evidence annexed to Mr Harkins' statement.
10 When Mr Roach provides through GDF Suez's lawyers his 03.50PM
11 statement to police, I'll ask to incorporate it in
12 exhibit 25. Thank you.

13 MR WILSON: On that subject, that does come as a surprise
14 and, having regard to what has happened in arrangements
15 involving Detective Inspector Roberts, may we suggest 03.50PM
16 that the proper course is that Mr Roach provides the
17 document to our friends, but before it goes any further
18 we have an opportunity to - - -

19 CHAIRMAN: You have further consultation, yes, that makes
20 sense. 03.50PM

21 MR WILSON: Thank you very much.

22 MS RICHARDS: That concludes the evidence today, if Mr Roach
23 might be excused.

24 CHAIRMAN: Yes, you're excused. Thank you, Mr Roach.

25 <(THE WITNESS WITHDREW) 03.50PM

26 MS RICHARDS: I can give an outline of what we propose to
27 spend tomorrow doing. Tomorrow, as I've indicated
28 previously, will be focussing on the discrete topic of
29 firefighter safety. There are three witnesses who have
30 provided statements in relation to that. Mr Lapsley 03.51PM
31 has provided a separate statement. Mr Harkins has

1 provided a second statement that includes in it matters
2 relating to the safety of the mine employees and
3 contractors who were involved in fighting the fire. We
4 have also this week received a statement from Robert
5 Kelly of the Victorian WorkCover Authority.

03.51PM

6 We also have a community witness, Tracey Lund, who
7 is the coordinator of the Morwell Neighbourhood House.

8 I should probably also mention, because there will
9 and others here who are interested, at around lunchtime
10 today we received notification from the United
11 Firefighters Union that they're proposing to appear
12 tomorrow and seek leave to appear in relation to
13 tomorrow's topic, so I guess we'll just have to see how
14 that unfolds.

03.52PM

15 CHAIRMAN: Yes, we'll resume at 10 o'clock tomorrow.

03.52PM

16 ADJOURNED UNTIL FRIDAY, 30 MAY 2014