

EVIDENCE TAKEN BEFORE

GENERAL PURPOSE STANDING COMMITTEE NO. 5

INQUIRY INTO THE NEW SOUTH WALES RURAL FIRE SERVICE

**At Dubbo RSL Club
Dubbo**

On Monday, 20 March 2000

The Committee met at 9.00 a.m.

PRESENT

The Hon. R. S. L. Jones (Chairman)
The Hon. R. T. M. Bull
The Hon. J. R. Johnson
The Hon A. B. Kelly
The Hon. C. J. S. Lynn
The Hon. M. I. Jones

CHAIR: I welcome the media and members of the public to this hearing of General Purpose Standing Committee No. 5 for its inquiry into the New South Wales Rural Fire Service.

Members of the media: I advise that, under Standing Order No. 252 of the Legislative Council, evidence given before the Committee and any documents presented to the Committee that have not yet been tabled in Parliament:

. . . may not, except with the permission of the Committee, be disclosed or published by any member of such Committee or by any other person.

Copies of guidelines governing broadcast of the proceedings are available from the table by the door.

Members of the public: I wish to advise you that Committees are regarded as extensions of the Legislative Council, governed for the most part in their proceedings by the same rules as those which prevail in the House.

While the Committee welcomes members of the public to view these proceedings, you should observe the same courtesies as are expected of the public attending when the House is sitting.

Members of the audience are required to refrain from any interruption to proceedings or discourtesy to the Legislative Council, particularly any interjection or demonstration of support or dissent in relation to these proceedings.

JOHN WILLIAM JENKS, Dubbo City Council, Fire Control Officer, Depot Road Fire Communications Centre, Dubbo, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr JENKS: I am appearing for the Dubbo City Council as a manager on their team.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr JENKS: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr JENKS: Yes, I am

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public. Would you like to make an opening statement?

Mr JENKS: Yes, I will just give a precis.

The Hon. A. B. KELLY: Before he does, Mr Chairman, just in case he starts to criticise Tony Kelly, he is not referring to me but to his boss.

CHAIR: Please go ahead?

Mr JENKS: Dubbo City Council has put in a submission to this inquiry, and just to go over a slight precis of it, Dubbo City Council in its submission has admitted that there have been great improvements over the last 20 years within the Rural Fire Service. It has been more effective with faster responses and has nowadays achieved more with fewer volunteers.

Dubbo City Council does support the current split of accountability of fire control officers between the commissioner and the general manager. However, the council does have some concerns in some areas of the Rural Fire Service, one concern being the chronically skewed funding between the rest of the State and the central-eastern area.

Some of the administration is poorly developed in answering telephone communications and written correspondence. Also, there are unrealistic time frames when we are asked for information, such as requests for information by the close of business that day or the day after; there are poor communications within the divisions in head office, and sometimes there is conflict between those divisions; and the Rural Fire Service is not client focused. Most people in areas believe that their client is the Minister or the commissioner and do not consider that the volunteers and fire control officers are also their clients.

In the term of the inquiry and the appropriateness of government expenditure, the funding system does require improving. We feel that there should be a better, improved funding system that gives a better equity throughout the State and, if that requires more funding, maybe another system similar to what the South Australian system is now working on. Although that has drawn some criticism, it still has merit.

So far as the appropriateness and adequacy of fire fighting equipment is concerned, the equipment that is being supplied these days is very appropriate, of very high quality, and there is a lot of input from the ground floor, from the volunteers and fire control officers.

It is believed that in some areas the people are against the newer type of tanker and are getting rid of tanker trailers and so forth, but Dubbo City Council believes that the tanker trailers should be disposed of. They do not give any protection or safety to the firefighter and often they are used incorrectly.

As far as the adequacy of stakeholder representation is concerned, it is believed throughout Dubbo with the volunteers that the head office has more contact with the hobbyist type of volunteer as we do have two cultures of volunteers within the service. We have the large landowner type of volunteer and then you have the hobbyists. They actually go fire fighting as an outlet from their normal way of life whereas the landowner is actually doing it through self-preservation.

The two different cultures have to be treated a little bit differently because often you cannot tell some of the farmers these days what to do because we are a government body and government bodies are not really liked by farmers very much at all.

It has been said that there is not enough communication through the brigade levels. Dubbo experienced this in earlier years when fire control officers or councils wrote to the brigade secretaries, the captains or the presidents, and basically that is where the communications stayed until the next annual general meeting. We have improved that system by a monthly newsletter that goes to most of our members, and I think that can be improved right throughout the State.

So far as training and protective clothing is concerned, training is very appropriate and very much needed. Although you will not get 100 per cent training levels throughout the service, you could get a higher percentage. We are working towards high levels, towards 100 per cent. I think Dubbo can

boast about a 65 per cent training level to basic firefighter.

The thing with training is that you cannot make people train. Training is a thing that you have to encourage, and I think there is a lot of belief out there, especially by some of the larger landowners, that they do not require the training because they have been fire fighting for many, many years. However, training does improve their skills. But in saying that, also it is competency-based training. If they already have those skills, they can get a record of prior learning through those skills.

In relation to command and control, as I have already stated, our council is very comfortable in the split of accountability.

As far as local input and the local resources are concerned, I think it is a very valuable thing. We all need to be aware that there are local people who know the areas a lot better than we do, but, at the same time, it is us who need to get local plans in order to identify the people who have that knowledge.

In the rush of an emergency such as a large fire, if you do not have something to refer to, you tend to forget whom to contact. If people are unaware of what is required of them, they will often be on a fire truck somewhere fighting the fire anyway and you cannot get hold of them.

To solve that problem I think that local contact plans are needed and that there must be a clear understanding between the people who have the local knowledge so that they know their role as well as the people who are actually managing the show know theirs. And basically that is all I have in my opening statement.

CHAIR: We have heard evidence about the alienation of the farmer volunteer, that they resist the centralisation of the organisation and feel sort of alienated from headquarters. Can you tell me then how your newsletter assists in bringing those people back into the organisation and helping them to realise that they are part of it and they are very much wanted?

Mr JENKS: Basically it is an information flow. You can explain in their terms what is actually happening within the organisation and get feedback from the volunteers, if they have the information, to take back to the hierarchy so that they fully understand the feelings of the volunteers too.

CHAIR: Do you have copies of your newsletter with you, by any chance?

Mr JENKS: I do not, no.

CHAIR: Could you supply them to the Committee?

Mr JENKS: I can, yes.

CHAIR: It might be interesting to pass those around.

The Hon. R. T. M. BULL: You have made some interesting comments on a number of areas. I just want to talk about dual accountability because it is one of the main issues that came up from the inquiry. You say you support dual accountability of fire control officers. Are you familiar with the association's submission, which canvasses a number of options, including option C? Would you like to comment on that proposal if you can deal with it? Presumably being a fire control officer, you are able to.

Mr JENKS: Yes, I am familiar with it. I believe that the option of dual accountability should

remain. There should be some sort of partial control of councils because councils, I believe, support the organisation in lots of ways. Without that input from those councils, I think it would be rather expensive to run by ourselves.

The Hon. R. T. M. BULL: There are some councils that are not enjoying the same co-operation or level of understanding that you do in Dubbo. In fact, one particular council up on the North Coast has asked to be taken out of the equation. Do you feel it should be a voluntary situation where the local brigades or the authorities and the councils can decide either to be part of the system or to be right out? Do you feel that it should be more optional in that regard?

Mr JENKS: I think it should be an option, yes. I think if councils do not want to play the role, sometimes it is probably best that they are not involved anyway, because the organisation for the volunteers locally would suffer, but where a council is very, very supportive of an organisation and actually supports it financially as well as with resources, I think that if we lost that it would be a great loss to the organisation.

The Hon. R. T. M. BULL: And do you feel that that opportunity can exist under the current regime or is that something that needs to be changed?

Mr JENKS: I think it can exist under the current regime as long as everyone has a clear understanding of what the role of a fire control officer is and what the role of the organisation is.

One of the biggest problems that we suffer throughout the State of New South Wales is that in the different councils fire control officers are treated differently rather than in the same respect. An example of that is that in Dubbo City Council I am a manager on the manager's team. In another council the fire control officer also is probably the dog catcher and the salesyard representative. The Rural Fire Service is a multimillion dollar organisation, and I think it does need managing properly with a manager in the chair.

The Hon. A. B. KELLY: I have a number of questions I would like to ask you, John. I had hoped that we could have got the local Motorola dealer here because there was some problem with the communications system earlier in the year. I heard the Motorola guy explain the problem on the radio one day. It was not really a Rural Fire Service problem; it was really a technical problem for Motorola.

Mr JENKS: That is correct.

The Hon. A. B. KELLY: Perhaps you might just explain that. The Committee hears a lot of disgruntled comment suggesting that it could be the Rural Fire Service.

Mr JENKS: With the new radio system the Motorola radios were reprogrammed to come to basically an automation so that the radio would automatically sense the strongest tower and hone in on that tower for better communications within a council area. However, when the operation started - and there was a rush, naturally, to get this up and running before the fire season hit us - and the teams went out and started reprogramming the radios they identified a fault fairly early in the piece.

The radios were not actually performing the way they were supposed to. This was a firmware problem within the radio. Motorola accepted responsibility for that fault and paid for all the repairs, I believe. So it definitely was nothing to do with the service and that sort of thing.

The Hon. A. B. KELLY: That is fixed now, is it?

Mr JENKS: That is fixed.

The Hon. M. I. JONES: As a fire control officer, would you like to comment on the process of consultation that takes place with local fire captains with local knowledge when a fire is declared a 44 fire?

Mr JENKS: Fortunately I have never had a 44 fire, but we have had considerable fires in the district that have created input from local captains and alike and, as I said in my statement before, I believe there should be some sort of planning going to that where the local knowledge is captured and identified.

We are endeavouring to document that within our council and have the understanding between the people that have the local knowledge of their role when that type of fire occurs, because a lot of the time naturally with a fire, it does not move slowly. There is a lot of confusion in the early stages as to who to contact and where to contact. If you have not got that contact list written up, you are relying on a lot of memory.

The Hon. M. I. JONES: Is this to be done or has been done?

Mr JENKS: It is being done as part of the risk management planning of the operations plan which came about through the change in the Rural Fires Act. So it is in the process of being done in some areas and has been done in others.

The Hon. C. J. S. LYNN: You have spoken in the report of the culture of the volunteer and there seems to be from my reading of a number of reports an alienation between east of the divide and west of the divide. In your report here you talk about resource allocation where Central East, representing 16 per cent of councils, is getting 26 per cent of the funding allocation across this State, the Blue Mountains getting three times the average of non-Central East councils, and there seems to be a feeling between what you would call the farmer volunteer and what the mayor of Wellington has called a centralised paramilitary-type force on the other side.

As part of breaking down this feeling, do you think it would be appropriate to look at a different sort of uniform for those west of the divide that reflected more the Australian bush-type thing, moleskins, shirt, and Akubras rather than the paramilitary-type uniform that you do have?

Mr JENKS: No, I totally disagree with that. Although we are under each separate council we still are a Rural Fire Service. What we need to do is look at improving the system so there is not that segregation between the so-called Central East. I think in clarification, too, I suppose you have got to realise that it does not matter what organisation, whether it is a government organisation, there will always be that sandstone curtain between the metropolitan area and the bush. That is felt with any government organisation as well as the Rural Fire Service.

As far as the uniform, the uniform greatly assists us in carrying out our work. If you go out to an emergency and you are dealing with the public, the public will always come to see the person in the uniform, whether it is overalls or the type of uniform I am wearing, for information and guidance. That proved very much so during the Nyngan flood. We had people passing police officers to talk to bush fire fighters to ask for assistance because the police officer was not dressed in his normal uniform. I think the uniform is an advantage in carrying out our duties as a fire service.

The Hon. J. R. JOHNSON: You express some concern about the manner in which the financial allocations are determined for the rural fire fighting fund, east versus west of the State, and you particularly mentioned the level of funding for the Central East Region. As a preamble to my question, are you aware that over the past five years the funding level for the Central Region of which

Dubbo is a part has increased 36 per cent, which is the second highest increase in the State out of eight regions, and the funding level for the Central East Region increased by only 13 per cent in the same period?

During that same period in excess of \$1 million was made available to Dubbo for the purchase of tankers. I was interested to read in your submission that although Dubbo is in the Central Region of the State, it supports the phasing out of tanker trailers. Could you expand on this?

Mr JENKS: Yes. I fully understand the funding levels and the improvements we have had and there is no way in the world I am knocking that. The part of the funding that I am saying we need increased out here is the comparison, and maybe it is through some of the supportive councils in the Central East Region who are driving around with their oldest vehicle being three years old and five years old and we are driving around here with 35-year-old tankers and 30-year-old tankers.

That is where I am saying we need a funding increase, whether it draws funding away from the Central East or just totally improves the funding system to give even more money to the other areas of the State and other areas besides the Central Region, the western region and other regions. Could I have that last part of your question again?

The Hon. J. R. JOHNSON: During that same period, are you aware that in excess of \$1 million has been made available to Dubbo for the purchase of tankers, and I was interested to read that although Dubbo is in the Central Region of the State, it supports the phasing out of tanker trailers?

Mr JENKS: Yes, we do support the phasing out of tanker trailers. When I first started here 10 years ago we were actually carrying out plant musters around the area. Not much of the equipment was put forward. The following year I went from property to property to look at the fire fighting equipment and found tanker trailers that were left out in the open, that were not operable, engines seized, pumps seized, they were in very poor condition and that is why we started phasing them out, the ones that were not being looked after.

As time drew on, it was found that hardly any of these tanker trailers ever went to an actual fire. All they did was property protection so far as stubble paddock burns, which really in itself is management of that land problem, not the problem of the Rural Fire Service. So, therefore, we accepted that basically that is what they were, a personal protective unit.

The other side of it, it had no safety features to protect firefighters. As with the tankers, we provide heat shields. Now we are providing other safety things like blankets, spray protection and everything else for these firefighting units. You cannot do that with tanker trailers.

The other situation is we have proven over the years that communication is a very valuable thing during firefighting operations. You do not have any communications with tanker trailers. They do not usually carry any communications and if they are on a tractor they can barely hear you, anyway.

The other side of the story is that they were being towed with incorrect vehicles at incorrect speeds and, even as late as last year, there was a very bad accident in part of the State where two people were actually riding on the tanker trailer and the tanker trailer came adrift from the towing vehicle and those two firefighters were badly injured. I believe they are an unsafe vehicle to use for fire operations.

The Hon. J. R. JOHNSON: In all situations?

Mr JENKS: In most situations. The only benefit of a tanker trailer has been in mopping up procedures, actually cleaning up after a fire or possibly a landowner who has a fire started on his property can grab that tanker trailer and be a first-aid effect to try to control that fire before it gets out of hand. Other than that I do not believe they have a use.

The Hon. A. B. KELLY: Some of the negatives that you were saying might have been overcome if you had a tanker on the back of a ute, but the problem with that is it takes time to be able to throw a tank and pump unit on the back of a ute compared to hooking up to a trailer. The situation that you talked about where you have a small fire start and you just hook on to a trailer and run out, the tanker trailer would be much better than having --

Mr JENKS: If you have the tanker trailer handy. It still takes time to couple up a tanker trailer and get it to the scene. If you have it on hand, yes, it is very appropriate, but at the same time are we talking about a land management problem or a Rural Fire Service problem?

CHAIR: You mentioned criticism of the South Australian model for funding. Could you explain that?

Mr JENKS: I believe the South Australian model appears, from what I have seen, to be a fairly good model where it actually captures everybody who pays towards the system, not people who just insure their properties. I believe in the media of late there has been quite a bit of criticism because all of a sudden it is coming out of the public pocket to pay for the service.

The Hon. R. T. M. BULL: In your submission you mentioned that the Rural Fire Service is one of the least efficient government departments that council deals with. Obviously this inquiry would like to try to overcome that. Would you like to elaborate on that?

Mr JENKS: Basically that has come out of some areas of our council where written communication is unanswered at times and return of telephone calls where you can leave several messages and not have them returned. That problem I believe is being worked on within head office but that is probably some of the main criticisms that we have.

The Hon. R. T. M. BULL: Do you believe, then, that the association's submission, which is actually similar to the submission of the New South Wales Farmers' Association, to have local management councils, in other words, decentralising a lot of the administration and decision making would overcome some of these concerns of Dubbo council?

Mr JENKS: Yes.

The Hon. J. R. JOHNSON: You claim that telephone calls are not being answered. Are they being directed to the correct person?

Mr JENKS: We are not saying that everybody in head office treats us the same. In some areas they are very good, but in some areas you can leave messages to the person you direct the message to and they do not return your call.

The Hon. J. R. JOHNSON: Ever?

Mr JENKS: If you are after information to give information either to a volunteer or part of the organisation, you probably want that answer within a couple of days and if you have not got it within a couple of days you keep phoning.

The Hon. J. R. JOHNSON: You claim among other things that the Rural Fire Service is not client-focused and that volunteers are not valued. Could we have some expansion on that proposition?

Mr JENKS: Probably some comments that have been made in the past where some staff have indicated that, you know, these volunteers are a bit of a pain, when really they are the clients and the most valuable clients we have. The saying, "client-focused", the way we are treated at times, we are not treated as a client, we are treated as being a bit of a pain for going down and asking these questions. I believe that in my training and in Dubbo City Council's training everybody is a client. It does not matter if they work for your organisation, in the next division or the next branch, they are your clients and that is the way you should treat people and that is where it needs improving within the organisation.

The Hon. M. I. JONES: Why is the public or landowner not considered the client?

Mr JENKS: Everybody is a client.

The Hon. M. I. JONES: In your opening statement you specifically said that the volunteers were the client.

Mr JENKS: Well, I correct that if that is the case. I believe anybody we deal with is a client.

The Hon. C. J. S. LYNN: John, you said here in answer to a previous question that the organisation is not client focused but that service to the Minister and the commissioner take precedence over all else. Would you like to elaborate on that?

Mr JENKS: Again, that comes back probably to the requests for information that we get which is probably driven ministerially or whatever. The requests have to be answered within a very short period. It is very difficult with the workload that we have already got to get that information.

In many cases, a lot of that information has already been sent to another division within head office, but there does not seem to be a central communication point where everybody can go and draw that information from. But it is believed that if you asked anybody down there who their client was they would look at the commissioner rather than at the volunteer.

The Hon. C. J. S. LYNN: That needs to change.

Mr JENKS: That needs to be changed, yes.

CHAIR: Time is up. Thank you, very much

(The witness withdrew)

MARK WILLIAM GRIGGS, Photojournalist and Mayor of Wellington Shire Council, 6 Nanima Crescent, Wellington,

LOUIS TOM KNOWLES, Farmer, Grazier and Councillor, Wellington Shire Council, "Argyle", Wellington, and

DONALD HENRY RAMSLAND, General Manager, Wellington Shire Council, Nanima Crescent, Wellington, sworn and examined:

CHAIR: Mr Griggs, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr GRIGGS: I have.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr GRIGGS: I am.

CHAIR: Mr Knowles, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr KNOWLES: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr KNOWLES: Yes.

CHAIR: Mr Ramsland, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr RAMSLAND: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr RAMSLAND: Yes

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public. Do you want to make a statement first?

Mr GRIGGS: Firstly, Mr Chairman, I thank you and on behalf of Wellington Council we thank you for the opportunity of making our submission and personally addressing you today.

Just as an introduction, sir, traditionally, local government has played the lead role at a local level in fire suppression and there have always been conflicts in relation to responsibilities. We believe that the majority of rural communities not only want local government to continue with the role and those responsibilities but that these should be expanded.

Most of the issues and concerns of those communities focus on the steady move towards centralisation of service provision by the New South Wales Rural Fire Service and of particular

concern to us is the dual accountability issue in relation to the fire control officer, which was never effectively addressed when the 1997 Act was introduced. It was to be the subject of a memorandum of agreement to be prepared by the New South Wales Rural Fire Service, but that memorandum, as I understand it, has never seen the light of day.

Today, very few local government fire control officers would identify themselves officially as council employees but rather as "officers of the New South Wales Rural Fire Service".

We note with interest, sir, the terms of reference of the inquiry because my council would have issues to be raised in respect of nearly every point. We have detailed these matters in our written submission but, obviously, we would like the opportunity to expand upon some and clarify others where the Committee has any questions.

Suffice it to say that whilst many of our problems have standing in their own right they are also symptomatic of the greater problem facing us today, and that is the adequacy of stakeholder representation in the operation of the Rural Fire Service.

First, we would like to raise what we see as the overriding problem. We believe that the whole crux of the whole issue, Mr Chairman, is the adequacy of the bushfire suppression services provided by the Rural Fire Service in rural communities in the State. That issue centres on the roles and the responsibilities of the Rural Fire Service and local authorities and, in particular, the relationships existing between those two stakeholders and how the change management process has been handled by both stakeholders following the coronial inquiries and findings and recommendations as a result of a series of recent bushfire events.

With the benefit of hindsight and after reviewing the transcripts of earlier hearings of this inquiry, we believe that neither local government nor the Rural Fire Service has handled the change management process very well at all.

You, of course, are well aware that the pressure for the change has been mounting for a number of years, and this culminated in the introduction of the 1997 Act.

At Wellington, we enjoy strong community support for and from our local bushfire organisation and we have structures that flow from local brigade members to deputy captains, captains, group captains and on to the fire control officer level.

We have now introduced a management structure that allows all our key stakeholders to be involved in regular meetings, and that is for captains and group captains and senior council staff, including the senior bushfire personnel and elected members. It appears to be working well. Any bugs get ironed out as we go.

We use a joint State Emergency Service and New South Wales Rural Fire Service control centre with our council's fire control officer being the locally appointed SES controller. Our system is similar to that being set up in a number of local government authorities to allow greater community input and transparency of the operation. We are encouraging a two-way communication flow throughout our bushfire organisation, and it appears to be working well.

We also are planning to publish a bimonthly bushfire newsletter, with the first edition due out in April.

One other thing we do, and the Hon. Mr Kelly would be most aware of this, is that this council has struck a special emergency rate levy. That basically is a minimum per household of about

\$15 up to around about \$150 depending on the size of the rural holding.

One problem we do have, Mr Chairman, is that the New South Wales Rural Fire Service appears to be intent on undermining our whole process by endeavouring to bypass the council level of input whenever it possibly can and, by short-circuiting the system and initiating dealings directly between the regional office level and group captains and the New South Wales Rural Fire Service, also opposing our joint FCO and SES controller model.

Community opinion lends support to the theory that the intention appears to have been to use this Act to allow the New South Wales Rural Fire Service to break away and set up as an independent fire rescue control authority answerable to nobody but its commissioner and, ultimately, the Minister.

The change of name to the New South Wales Rural Fire Service clearly signals the aim to take "bush" out of "bushfire service".

We recognise that the local government authority role in bushfire suppression has changed over the years, particularly in the last 10 years, and that after the introduction of the Act we should have acted quickly and been more proactive in the change process. We did not, and we now realise that this was a mistake.

In the past, some local government authorities abrogated their responsibilities. We believe this is no longer the case with the majority of councils. If they are lacking anything, then it is leadership and a clear way forward to resolve this issue.

Admittedly, sir, the strong push for change by the New South Wales Rural Fire Service as a result of coronial findings and recommendations had its place in the change process, but its role in that change process was also handled very badly indeed by the hierarchy of that organisation. First, the new legislation was steam-rolled through without adequate consultation and then the implementation phase was handled --

The Hon. J. R. JOHNSON: Steam-rolled through what?

Mr GRIGGS: The Act, through Parliament.

CHAIR: There will be time for comments later. Carry on.

Mr GRIGGS: Then the implementation phase was handled in a similar manner, sir. Change is occurring at a rapid rate and is fast approaching the stage where it should plateau off to allow the changes in place to be properly evaluated and assessed so that new strategies finalising the change process can be devised and tested before implementation. This appears to be where the New South Wales Rural Fire Service as the driving change agent went wrong in the first place and continues to go wrong.

In fact, we have here a classic example of change process theory in management. Any change agent has a use-by date when it reaches the end of its useful role and becomes redundant. As the change agent, if the Rural Fire Service is to have any valid future function, it must vary its role markedly.

We believe that the New South Wales Rural Fire Service to have an effective role in future bushfire suppression should now look to divorcing itself from any day-to-day administrative or operational role completely. This should immediately become the clear-cut responsibility of local government authorities and they should be made fully accountable through an entirely transparent

process.

The role of the New South Wales Rural Fire Service should revert to one of co-ordination of resources at statewide level only, with the existing regional level being eliminated entirely and replaced by a regional structure drawn from key stakeholders in local communities and local government authorities.

Mr Chairman, we do have problems with the way in which the New South Wales Rural Fire Service is currently performing. The dual accountability model operated reasonably effectively prior to the introduction of the 1997 Act. However, we at Wellington have observed since that time a concerted effort by the Rural Fire Service at both a State as well as a regional level to promote the single service concept in an attempt to effectively force local government out of the picture. This has been done very subtly, by stealth, in a number of ways.

To this end, I table a document, which comprises a letter dated 29 November 1999 from the Central Region Co-ordinator with attached extracts, sir, entitled "FCO Accountability and FCO Performance Ready Reckoner".

Letter dated 28 November 1999 and attachments tabled

Your special attention, gentlemen, is drawn to the second page of the list of FCO accountabilities, which highlights section 42 of the Act, dealing with the obstruction of the commissioner and other members of the Rural Fire Service. This document makes it quite clear where the Central Region of the New South Wales Rural Fire Service at least, if not the whole Rural Fire Service, sees the role for local government.

Since this inquiry was announced, there have been quite open comments attributed to those at the top echelons of the Rural Fire Service bureaucracy that local authority fire control officers will be State employees before Christmas and that it is only a matter of time.

The commissioner has been barnstorming around the State shoring up his support with what he sees as his foot soldiers in his private army, the bushfire volunteers.

At Geurie, in Wellington Council's area, a fire shed completed over five years ago was suddenly officially opened by the commissioner at a couple of weeks notice with a function which cost the local community \$2,500. Had the commissioner had a grid reference for the shed, he may have even been at the function on time.

One wonders why the commissioner should undertake such a role at all. Surely, officiating at this type of function is the province of the Minister.

The more cynical amongst us, Mr Chairman, would see this inquiry as being just another step in a predetermined process aimed at achieving the long sought after independence for the New South Wales Rural Fire Service.

One can only speculate whether a few timely changes in the senior ranks of the Rural Fire Service bureaucracy could have headed off community concerns and avoided the need for this inquiry.

In recent times we have found the attitudes and approach of the Rural Fire Service to range from those involving intimidation and standover tactics to condescending and patronisingly flippant.

In our submission, sir, we refer to the need for everyone to know what funds are available. We

would now like to table a letter dated June 1999 from the Minister saying this is not possible, together with a copy of sections 116 and 117 of the Rural Fires Act 1997.

Letter from Minister dated June 1999 tabled

Sections 116 and 117 of Rural Fires Act 1997 tabled

We still believe the basis for distribution of funds between regions and between councils needs to be justified.

We cannot see why there needs to be such a long delay of up to 18 months between the time a council incurs bush fire expenses and is then reimbursed for those expenses by the New South Wales Rural Fire Service. With other State Government agencies, for example, the RTA, this happens on a monthly basis and with major project works on payment in advance on an imprest system.

We are also concerned that the Young regional office retrospectively cut our 1998-99 vehicle maintenance allocation by \$47,305. This is an issue that bears out our concerns with regard to attitudes and approaches of the Rural Fire Service.

In common with most New South Wales councils, we cannot see or justify the reason being given for the huge increase in the administrative cost being incurred by the New South Wales Rural Fire Service. Unfortunately, unless we resort to the use of the freedom of information legislation to access relative information we will be unable to substantiate our opposition to those increases.

Put simply, local government does not have the time or resources to do this. We do know, however, that substantial savings could be achieved by eliminating the regional co-ordination level of the Rural Fire Service and replacing it with a local community government committee structure because these are the processes we are entirely familiar with.

On vehicle replacement, the following represents a breakdown of Wellington Council's bushfire fleet and personnel: five diesel tankers up to five years of age; three diesel tankers from five to 10 years; four diesel tankers from 10 to 15 years; three diesel and four petrol 15 to 20 years of age, and 36 petrol tankers over 20 years of age. That totals 55 tankers, 15 diesel, 40 petrol. We have 24 brigades and a total of 1,770 members, of which 316 are trained active, 104 are untrained active, 295 are not active, and two staff.

We have submitted a proposal to the Rural Fire Service for an accelerated replacement program under which council will immediately acquire five new Cat 7 vehicles at its own cost of approximately \$60,000 each and this is subject to the Rural Fire Service agreeing to repay council for those vehicles over the next two years without reducing normal vehicle replacements. A copy of a reply dated 23 November, 1999, from the Minister is also tabled.

Letter from Minister dated 23 November, tabled

Unable to determine whether the reply was a definite yes or no, council contacted the Sydney and Young regional offices for clarification. The result was a yes from one and a no from another. As a result, we cannot move forward to order the vehicles as we have yet to obtain appropriate clarification and are finding it difficult to locate someone who can. We are also unable to clarify the position with regard to ordering vehicles locally where we estimate that savings of up to \$20,000 could be achieved on just one Cat 9 vehicle.

We have been endeavouring also to gain approval to use locally-based aircraft during

emergencies instead of relying on those based in Sydney, thereby avoiding payment of stand-by costs, but we are now led to believe that stand-by aircraft have been placed at one or two major country centres, negating our efforts to reduce costs by using local operators with local knowledge and lower rates.

We thank you for allowing us to make this formal statement. Our prime concern is to provide an adequate service for our local community. We know our suggested approach outlined above is fairly radical and that it will not go down very well in some quarters, but we are sure it is one that will work effectively while local communities and local government are prepared to and, more essentially, allowed to get on with the task at hand. Most importantly, our communities want us to put the bush back into the local bushfire organisation..

The Hon. A. B. KELLY: You mentioned early in the piece that the Rural Fire Service opposed the joint model used in Wellington of the SES and the FCO being the same person. You did not spell out that the SES model is in his own time. Could you expand on that?

Mr RAMSLAND: The FCO is the local co-ordinator for the SES. You are right in that he does do that in his own time, but the whole thing works from the same regional control centre. It is actually the SES emergency control centre with adjuncts there to make it a combined rural fire control centre as well as an SES control centre. We have had a comment in the past as to the allocation of time between the two functions and that I think is where the Rural Fire Service opposition to the joint concept comes from.

The Hon. A. B. KELLY: Did they understand that he does that in his own time?

Mr RAMSLAND: They should.

The Hon. A. B. KELLY: Maybe they do not.

The Hon. C. J. S. LYNN: Could you expand on the sentence in regard to "it appears traditional control lines through local councils and volunteer organisations being replaced with a centralised paramilitary force with no local accountability"? The centralised paramilitary force is a fairly strong statement. Would you like to elaborate on that?

Mr GRIGGS: I think I mentioned there where the Commissioner is shoring up his support from what he probably sees as his foot soldiers or his private army. I do not know how I can stress that point more, that there is an empire being built and I believe it is being left too long.

The Hon. J. R. JOHNSON: Councillor Griggs, do you know how the New South Wales Parliament works?

Mr GRIGGS: I am certainly not completely au fait, sir.

The Hon. J. R. JOHNSON: Right. You claim in your submission that the 1997 Rural Fire Act was rushed through Parliament. Are you aware that in the New South Wales Legislative Council there is no time limit on speeches, there is no gag on any bill? Never can the New South Wales Legislative Council, an integral part of the Parliament, be accused of rushing anything through Parliament.

This is journalistic licence that one experiences frequently, that something is rushed through Parliament or behind closed doors. Where do they want you to go? Into the middle of a paddock? It is one of the greatest throw-away, stupid lines that I know, along with "rushed through parliament".

CHAIR: Do you have a question?

The Hon. J. R. JOHNSON: Yes. I hope one can glean much more light from the rest of your submission than a statement like that.

The Hon. R. T. M. BULL: I am interested in the problems that you are encountering through dual accountability, and this is a problem that has obviously come in very strongly through the inquiry. You talk about the Rural Fire Service divorcing itself from day-to-day operations and allowing local councils to manage, and this has also been a common theme through the submissions we have been getting. I just want to ask you about local management.

Apart from the local council, you spoke of having a regional or local structure to take over some of those Rosehill operations, I assume. Are you familiar with the Rural Fire Service Association's submission on having a local management council, and the New South Wales Farmers' Association which also had a similar submission? Would you like to comment on this regional structure?

Mr GRIGGS: I might pass the buck here.

The Hon. R. T. M. BULL: We are not talking about enhancing the regional structure that is already there, we are talking about a whole new structure.

Mr GRIGGS: I think I will pass over to the general manager to outline how we see those structures taking place.

Mr RAMSLAND: I read in the transcripts of the earlier hearings about this but I have not been able to lay my hands on a copy to make myself fully conversant at this stage.

The Hon. R. T. M. BULL: So you have not got any views on how this regional structure might operate? You have spoken about it in your submission.

The Hon. A. B. KELLY: You could take the question on notice.

Mr GRIGGS: Could we do that? Then we would have a better answer for you.

The Hon. M. I. JONES: I appreciate your comments about the change to centralised purchasing and preparation of equipment compared with locally built units built to fire service specification. Are you entirely happy with the recommendations that your members may make or are acted upon by the technical division in Rosehill?

Mr GRIGGS: As I understand it, sir, there are local manufacturers who can produce the same goods for a cheaper price, and obviously the dollar value is the prime concern. If I could pass over to the general manager to clarify that a little more, I think he would be able to enlighten you much better than I can.

Mr RAMSLAND: Yes, your question do the people in Rosehill listen to our request for variation of equipment from time to time, I would say, yes, they are most receptive. I do have a copy of an estimate here of a vehicle that we recently purchased for Dripstone. That quote is for \$60,176. All up now, a similar vehicle out of the bush fire catalogue bought through Government Stores in Sydney would cost in the order of \$80,000.

Now where we are trying to accelerate the replacement of vehicles, a saving of \$20,000 if you

are buying seven vehicles you could virtually get a couple of extra vehicles into the equation. I think that is very important.

CHAIR: I notice your comments in your submission and also the statement you made now about the delay in reimbursing, something like an 18-month delay in some cases. Could you expand on that? Is that length of delay normal?

Mr RAMSLAND: Yes, it is the standard. The B and C sections of the reimbursement, the B section in respect of the repayment that we received just before Christmas would cover the period from 1 July, 1998, to 31 December, 1998, and the C section, the period from 1 January, 1999, to 30 June, 1999. So you have a situation where, if you have a problem early in the year where you incur expense, then you are not likely to get that - if you had expenditure in, say, August, you are not likely to get that until December the year later.

CHAIR: We have run out of time but we may put more questions on notice possibly. Thank you very much.

(The witnesses withdrew)

BARRY MATTHEW GIBSON, Grazier and Volunteer Bushfire Captain, Bocobra Rural Fire Brigade, "Naroo", Manildra, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr GIBSON: I am here just to support the submissions we have sent to you.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr GIBSON: I have.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr GIBSON: Yes

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public. Do you wish to make a statement?

Mr GIBSON: I will make a statement.

CHAIR: Go ahead.

Mr GIBSON: I am captain of the Bocobra brigade, a position I have held for the last 19 years. Our major concern is control and fire management after the declaration of a section 44 and fires in national parks using the ICS system. At this point I would like to submit our "Response by Local Volunteers into Section 44 Wolabler Fire 1998" as documented evidence of the serious problems that arose in the control and management of that fire. That was posted to you with our submission.

During a period of 43 years we have had six major timber fires with an average acreage burnt in excess of 4,860 hectares. These fires in the main have occurred in country now controlled by the National Parks and Wildlife Service, namely Goobang National Park.

In every instance where the management of the fire was left in the hands of local captains and group captains the fires were contained on every control line and break point by especially implementing backburning. During four of these fires the control was taken from local captains on short sections on the control line. In every instance it was on a roadway or adjacent to where they either disallowed or hampered backburning procedures to the extent that adequate breaks could not be implemented, and in every case the fires failed to be contained.

Over the 43-year period, the total perimeter of six fires controlled by local brigades was approximately 420 kilometres and there was a 100 per cent success rate. During the same period, of a total of only 16 kilometres, professionals using their strategies allowed the fire to escape over the roadway or control line in every instance, and acreages were burnt needlessly. To put it bluntly: a 100 per cent failure rate.

In agricultural areas, where brigade members are protecting their own livelihood and are experienced in fire behaviour in that area they have an advantage over outsiders. For this reason, control, logically, should remain with the local captains in all cases.

With the increase of interference of professionals we can only envisage a rapid decline in the efficient and successful containing of fires in the future. I am concerned that the level of morale of the volunteers is declining rapidly and that without a change in direction immediately the volunteer service will become too fragmented to be effective.

CHAIR: Thank you. Could you please expand on this statement that the group captains are made virtually redundant by the fire control officers? Why is there a conflict there?

Mr GIBSON: Generally speaking, in our area when an FCO comes to the fire he seems to take over the role of the group captain. Normally, the group captain's job is to liaise with captains. In the bigger fires with the likes of a control centre on behalf of the captains, the fire control officers seem to move in and take over that role. They tend to want to act as the group captain should.

CHAIR: Is it because the fire control officers do not have the experience and local knowledge and, therefore, cannot take over that role or is it because the group captains are better versed in working with the volunteers?

Mr GIBSON: That is our belief, yes. Group captains are elected by brigade members in the areas. They are picked specifically because of their local knowledge. For that reason we think they can do the job a lot better than an FCO.

CHAIR: So the FCO's role should be what, then?

Mr GIBSON: I think the FCO's role perhaps should be, in the main, back at the office where the group captain can liaise with him and, really, I believe that the FCO's job is to source the requirements of those running the fire, that is, to arrange for the likes of dozers, graders, more units or whatever.

The Hon. R. T. M. BULL: You spoke about this fire that broke out on 19 January 1998 which caused a lot of problems, including the banning of backburning and so on. What sort of relationship did you have - I understand this was in the Goobang National Park - with the National Parks and Wildlife Service, if any? Were your captains or group captains or even the FCO in charge of the fire, or did the National Parks and Wildlife Service at any stage try to assume responsibility for that?

Mr GIBSON: I will go back a bit further than that. As I have mentioned to you, that particular area that burnt on that occasion, that was the third time that I had seen that area burnt. Local captains had run it in conjunction with the National Parks and Wildlife Service previously, in the main, without any interference from the National Parks and Wildlife Service.

In that particular case, when I requested permission for a backburn I was dealing with the fire control officer from Parkes. We adjoin the National Parks and Wildlife Service area but we are in Cabonne shire. The National Parks and Wildlife Service area is actually in the Parkes shire, so it was under the jurisdiction of the fire control officer from Parkes, and she did not have a very good understanding overall of the problem that was facing the national park.

The Hon. R. T. M. BULL: So there is obviously a problem dealing with these other bodies, whether it is State Forests or the National Parks and Wildlife Service. You believe, and I am just confirming what you have said, that it should be up to the group captains to assume control, regardless of where the fire is, and that the fire control officers should be in a co-ordinating role.

The Hon. M. I. JONES: I welcome your expanded comments. In your submission you talk about the appropriateness of equipment which is provided for you in confined and steep terrain and centralised purchasing and preparation of equipment compared with equipment that is built and supplied locally. Would you comment on that, please, and also perhaps comment on any recommendations on equipment that you put forward to the technical division and what sort of feedback you get from that?

Mr GIBSON: The first question: that particular fire, I guess, was the first time that we saw the twin-cab Isuzu there in any great number. A lot of brigades that took those trucks to the fire said they would never fight a fire in those conditions in that sort of terrain again with those trucks because they are so high. The centre of gravity is very high.

I do not know whether any of you are aware, but the army Accos were the first to have a creeping problem on the side of a hill. They just edged down. The Isuzu has the same problem on steep country because they are high. Besides, they are so big they are not very manoeuvrable. We are talking about fighting fires here on grabbed dozer lines through scrub, which is fairly narrow. To turn one of those trucks requires a fair area. Generally speaking, they are just a little bit cumbersome for that type of terrain.

The Hon. J. R. JOHNSON: Mr Gibson, on page 1 of your submission you make reference to the top-heavy structure of the organisation and to too much of the allotted funds for administration purposes leaving too little for genuine fire suppression equipment. What do you mean by this statement and where do you believe the savings can be achieved?

Mr GIBSON: From where we see it there just looks to be a lot of money spent on personnel and vehicles at that end. The last speaker here mentioned the setting up of another organisation this side of the mountains. To us, that is the sort of thing that absorbs an enormous amount. Every organisation you create has to be run, has to be funded, and that is the sort of thing we are referring to: too much money absorbed into administration maybe could be spent better on equipment.

The Hon. J. R. JOHNSON: But have you got facts?

Mr GIBSON: No, not really.

The Hon. J. R. JOHNSON: Just observations?

Mr GIBSON: Just observations.

The Hon. C. J. S. LYNN: Mr Gibson, how many section 44 fires have you experienced in your area over the past, say, 15 years?

Mr GIBSON: In my lifetime as a firefighter four section 44s.

The Hon. C. J. S. LYNN: And what would be the time gap between those four fires?

Mr GIBSON: I attended a fire at Canobolas which was a section 44. We had our own section 44 in 1998. I attended a fire on this end of the Goobang National Park about 1984 which was a section 44. There were two other fires where I mentioned interference. One was interference by a fire control officer on the Parkes-Orange Road who would not allow a backburn to go on at an appropriate time and the time prior to that it was the police who would not let a backburn go in on the same road as they said it was a hazard to motorists.

The Hon. C. J. S. LYNN: There is some argument that the fire control officer should be under the direct command of the Rural Fire Service until a section 44 fire and the other argument is that he should remain in local government management. In regard to the four section 44 fires in your lifetime, on the command and control we are talking about here, what is your view in regard to where the fire control officer should be?

Mr GIBSON: Well, I believe in all cases at his office.

The Hon. C. J. S. LYNN: Under local government or under the command of the Rural Fire Service?

Mr GIBSON: I do not know a lot about the position they are placed in. I can understand they are in a little difficulty - as we would say, they have a foot in each camp - but I think it is paramount that they get along with the council or the shire that employs them and also with the volunteers because, after all, that is where the job that they are put there to do is to be carried out.

The Hon. C. J. S. LYNN: So you would have no objection to a fire control officer being under the control of local government until a section 44 fire and then reverting to control under the Rural Fire Service?

Mr GIBSON: I do not like the control going any higher than the local shire, to be quite honest.

The Hon. C. J. S. LYNN: Even for a section 44?

Mr GIBSON: Even for a section 44 because I do not believe in taking the responsibility off local people. I cannot conceive at all how people at a distance who are not acquainted with the area have any decent sort of advice to give locals. We have all grown up in the areas where we are fighting our fires and I do not believe an outsider has anything to offer other than co-ordinating and sourcing the machinery and units as required.

The Hon. R. T. M. BULL: Except co-ordinating?

Mr GIBSON: Co-ordinating and sourcing the machinery and units as required.

The Hon. A. B. KELLY: There has been considerable debate about the applicability or otherwise of tanker trailers. Earlier today we heard from another witness within the region who stated that they should be phased out. You obviously support their retention. Can you expand on that?

Mr GIBSON: In our area, very hilly country, big areas of timber, we are subjected to lightening strikes. For this reason, our brigade, which is not a big brigade, has nine tanker trailers placed throughout the brigade and on numerous occasions those trailers put out fires before our tanker truck gets there. I think if we did not have them we would have a lot more bigger fires. In one instance we had seven lightening strikes in one day. Without tanker trailers we would have lost control completely. The district could have been burnt out.

CHAIR: Where are these tanker trailers actually held? Are they held on properties?

Mr GIBSON: Yes. The maintenance on tanker trailers is a pretty tough thing. We have an inspector going around prior to the fire season to inspect the tanker trailers to make sure they are up to scratch. It is his duty to make sure that they are right, and if they are continually out of order it is taken away from that property and given to another property.

CHAIR: What do you think about the idea of keeping tanker trailers and other equipment in a centralised place during the non-fire season and distributing them at the beginning of the fire season to properties?

Mr GIBSON: That could have some merit, perhaps. You would assume, though, in the event there was a small house fire, they are better distributed throughout the brigade.

CHAIR: I have heard in many cases that the pumps are inoperable and especially petrol pumps that have not been used for several months cannot be started.

Mr GIBSON: After all, they are a machinery mechanism. If they are not maintained properly they will give trouble. It is the duty, I think, of the captains. We have two chaps elected in the brigade and it is their duty to go around and make sure they are maintained properly. If you see a trailer out in the weather during the winter or being neglected, it is their duty to go in and say, "What is going on here?"

The Hon. A. B. KELLY: So the captains do that?

Mr GIBSON: No. It is just two members. It is not the captains' responsibility.

The Hon. R. T. M. BULL: Should it not be an offence to use the trailer for other purposes because this has been one of the problems with tanks, pumps and trailers over the years?

Mr GIBSON: There is one brigade down Goulburn way that has had a policy for many years that when you bought a tanker trailer or any other equipment, and I am going back to the time when the fund did not pay for them, you had to put in your 12 per cent or 8 per cent. The landholder where that apparatus was going to be shedded and operates from, he put in that 8 per cent or 10 per cent, whatever was required for the financing of it.

If that motor was worn out or required a service within the first five years, that landholder had to pay the cost because obviously he had either used it, abused it or not maintained it properly. Perhaps that is a system of merit, where the person responsible for the unit is responsible for the maintenance of it and he knows if he uses it for dipping or any use other than firefighting he is the one who maintains it or bears the brunt of the cost to maintain it.

The Hon. M. I. JONES: What is the relationship between your people and the National Parks and Wildlife Service staff in relation to backburning in national parks?

Mr GIBSON: I think you would know that one. It is not their policy. Fair enough? But how can you stop a timber fire, as we were told to do with that 1998 fire? We were told by the incident controller - I asked her what her option was when she said we were not allowed to backburn, and she said to extinguish the fire as it approaches the perimeter of the national park.

Over 90 per cent of that national park perimeter has timber on both sides. In actual fact, you would be putting trucks in on the dozer line with scrub both sides expecting them to hose down the fire as it approached. That fire jumped from a quarter to half a kilometre onto private land. We would have been engulfed by the fire as it came over the top of us. Does this make sense to anybody?

If I can just make one comment on training. Today there is a school of thought that if you have a dual cab Isuzu truck with spray bars on it and you have the safety overalls, et cetera, you are safe. That, in my experience with fire, is utter nonsense. I have been in a situation on a diesel tractor

engulfed by flame.

The fire takes all the oxygen out of air, and what happens? The motor stops. With the modern trucks, you cannot start the motor, which would be supposedly used on the spray bars, without getting off the truck. In a hot situation when you are in that cab for protection, how do you restart your motor?

One of our members from Manildra brigade recently attended a confined space safety school, and I think they may be on the right track. It was a week-long school and they were told that the last thing you depend on in any situation is your safety equipment, that is safety, protective clothing. Analyse the situation before you go into it and say, "Is there a safer way we can do this where we are not going to be relying on our protective clothing to save human life".

In a timber fire, it is far safer to start a backburn in the evening. You have half the daily temperatures. You can do the same job with half the men, with as little risk as possible, rather than confront a fire, a fire in the heat of the day where winds are usually stronger in the day time, and you are putting lives at risk by direct confronting of that fire.

This is why we believe strongly that in timbered areas there is only one way to fight the fire and that is with fire. It has to be done sensibly. Pick the appropriate time, and it is a last resort to ever have to start a backburn in the heat of the day. But normally in timbered areas, maybe it is luck, but in every case we have been able to implement a backburn safely in a safe time of the day which is usually in the cooling hours of the evening or through the night.

The Hon. J. R. JOHNSON: Mr Gibson, on page 1 you make a number of observations about the design of trucks. Can you elaborate on the three suggestions made in your submission, but could I also point out that the small slip on units you refer to on page 1 of your submission are in actual fact available?

Mr GIBSON: Yes, they are available. We do not have any in our brigade. There are neighbouring brigades with them. A lot of the chaps from harvest time on when they are working machinery in paddocks where it poses great risks, they put those units on their one tonners prior to harvest when conditions are dangerous, so that eliminates the problem of having to put them on physically in the event of a fire breaking out.

I think where that is the case they would be quite satisfactory. Straight away you eliminate the legal problems of trailers with registration, having the RTA approve, et cetera. To slip them on a registered vehicle straight away eliminates that problem.

On the design of the bigger trucks, it seems inappropriate to send a truck out to the bush when you can only fight a fire from one side of the truck. I do not know whether any of you are aware of them, but there is the body of the trailer truck, the tank is arranged there, the motor configuration there, you must be able to move right around the truck freely because if the fire is on that side of you there and you cannot operate on that side of the truck, it is pretty ineffective.

We want a truck where you can move right around the tank, fight a fire from either side of the tank and it is essential to be able to start that motor on the back whilst on the truck, not have to stop the truck to start the motor, which is the case with the modern vehicles.

THE Hon. A. B. KELLY: Have you put that suggestion to the technical committee because they are the ones who design all the tankers?

Mr GIBSON: No. Another thing is the driver not being able to talk at all with the crew on the back. In the old days, in the old blitzes, you had a hole in the cab. We used to carry what you called the Cockatoo, who stood in that hole and he would relate what the crew in the back required the driver to do.

In a modern truck there is no provision to be able to speak to the driver, and particularly in a crew cab, you are that much further away from him, you have no chance of telling him whether you want him to stop, reverse or anything. I think that should be looked at. The chaps on the back could be getting cooked for all the fellow in the front knows. He has no idea what is going on. To be able to converse somehow with the driver makes sense.

The Hon. R. T. M. BULL: You would have heard the evidence given by representatives of the Wellington Shire. From your experience, has the Cabonne Shire had similar frustrations or not and how is the dual accountability role operating in the Cabonne Shire?

Mr GIBSON: They have had problems because initially they had about five FCOs in about five years. It may not have been quite that many, but they did have trouble. I know that it is a sticky subject. We are fortunate at the moment in that we have a terrific chap in Brett Bowden. He gets on when well with the volunteers and he gets on pretty well with the council. He says he has to put a lot of weight on to get the things that he requires. From our end he does a good job.

The Hon. R. T. M. BULL: Your relationship as a captain with the council and the FCO is working very well?

Mr GIBSON: Pretty good. We have improved our position in that regard with all the agencies since that fire. We have made a point. We have had meetings with the National Parks and Wildlife representatives. We have yet to meet the new FCO from Parkes but we are striving to get along with these people and meet before the occasion of a fire so we know a little about where we are both coming from and what to expect.

The Hon. C. J. S. LYNN: You mentioned before about the impact on volunteer morale. Some other submissions have mentioned a divide between the east and the west. Would you like to elaborate on that a little, and if there is a divide, what would be your ideas as to how you could solve that problem?

Mr GIBSON: That is a pretty ticklish one. I do not know the answer. When I mention morale there, I am talking mainly on a local level where people are called to a fire, go to a fire, particularly a section 44 under their management, and are not allowed to do anything. It does not matter what they have to do, they cannot get permission to do it and people say, "Well, what are we here for".

I travelled 80 miles to one fire several years ago and was asked, because of our experience in backburning, to implement a backburn. The trucks were bumper to bumper on the section of road to be backburned. We were to start the backburn at 8 o'clock but the backburn was not allowed to be done.

At 2 o'clock the fire came through over our heads. You take people out of their own areas with their trucks, leaving them a bit vulnerable, to do a job and when you get there you are not allowed to do it. This causes frustration. You get the ones who go away and say, "I will never go again".

The Hon. C. J. S. LYNN: Is it because of a lack of information flow that comes down from high command?

Mr GIBSON: In that situation, it was a section 44, and they just could not decide or could not come to an agreement to start the burn. Those who were there and in control were too nervous to light at 8 o'clock in the morning. Common sense would tell you that if you are nervous at 8, how will you feel at 11, 12, 1 or 2?

The Hon. C. J. S. LYNN: You do not think there is enough allowance for local knowledge and common sense?

Mr GIBSON: Yes. If that section 447 had not been declared and the local captain was running the fire that would have been burnt the night before in the cool of the evening. It was taken out of the local captain's control by people who do not understand the country and know that the right time to backburn is at night. I mean, there are situations where you have a wild night. The wind may not drop, the temperatures may not drop and that would pose a lot of problems but you have to remember that in that situation you are still probably safer than you will be the following day in the heat of the day trying to hose in front of the fire.

The Hon. A. B. KELLY: Do the brigades you represent here today frequently receive communications from the New South Wales Rural Fire Service? We have heard that some of the districts are actually sending out a newsletter themselves, but do you receive anything from the New South Wales Rural Fire Service?

Mr GIBSON: Yes, we get those little booklets that come periodically, yes.

The Hon. A. B. KELLY: Just to follow up on the section 44, who actually picks the nominated person to control the section 44?

Mr GIBSON: That is a good question. That section 44 fire we had in 1998, the incident controller there, I think she would have been recommended by the National Parks and Wildlife Service and she was an employee of theirs, employed at Richmond. Normally there is a meeting called within the shire of advisers to decide. In that case they did not do it.

If I can quickly say, this year we have had two other fires in National Parks and Wildlife, small fires, and in each case one of the employees of the National Parks and Wildlife Service nominated himself as incident controller of both those fires. I hasten to say that the locals were let run the fire as they chose and there were no dramas, but I think looking ahead in a situation that could become a bigger fire, he has got to be jerked back into line. It is not right for him to nominate himself in that position. It should go back to this committee over a bigger area of the shire to nominate a person with the experience in that situation.

The Hon. M. I. JONES: You said that in the shire there are advisers, a panel of advisers. Then you went on to tell us how people decided to appoint themselves. Are you therefore saying that this system of a panel of advisers fails to work?

Mr GIBSON: If you go back to our 1998 fire, the Mayor of Parkes did not even know the fire was on. He was away. He said himself that he did not know the fire was on and he could not understand how his advice was not sought about who they would nominate within the shire. You have to realise that the National Parks and Wildlife Service likes to run its own thing, which is fair enough if it runs it right. It did not.

Prior to that when it came to a section 44 fire on their country, they wanted to run it. For that reason, it would be automatic that a National Parks and Wildlife Service employee got that job as incident controller. Now, to get around that problem, they say we sent a local volunteer member along

to the control centre to assist them but in that instance all the controlling of that fire came from the office back to us telling us what we could do. It can never work.

The people at the fire make the decisions and notify the control centre what they are doing. You cannot take away decision making from the actual fire front. That is where decisions have to be made because of the varying regions. You cannot be told 35 or 40 kilometres away how you should approach the management of that fire. It is an ongoing thing, minute-by-minute decision making on the fire front.

CHAIR: Thank you very much.

Mr GIBSON: Thank you for the opportunity of allowing me to be part of your inquiry

(The witness withdrew)

(Short adjournment)

PAUL FRANCIS WHITELEY, Farmer and Group Captain, "Waroona", Maryvale Road, Wellington, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr WHITELEY: I am a volunteer with the Rural Fire Service.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr WHITELEY: I did.

CHAIR: Are you familiar with the terms of reference of this inquiry?

Mr WHITELEY: I am

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public. Do you want to make an oral submission?

Mr WHITELEY: Well, I believe I should just give you a quick rundown of who I am and what I am and then we could go into questions, if that pleases the Committee.

CHAIR: Go ahead.

Mr WHITELEY: Everyone is aware of my name. I am 42. At the moment I am the northern group captain for the Wellington shire. I have been in that position now for five years. Prior to that I was the captain of our local brigade. Prior to that I was a tanker operator for that brigade, which is one of the brigades in the Wellington shire that had been utilised for out-of-area assistance.

My main concern and, really, need to be here is to try to point out the lack of resources that Wellington council in particular and many other councils in the Central Region have with regard to their tankers.

Wellington council has a tanker fleet of 55. Of those, as the council has indicated, we have some newer diesel tankers but we have 42 petrol tankers and those tankers are basically made up of ex-army trucks, four-by-four petrol trucks. They are really, in my mind, not suitable for the role that we ask them to play.

I do not know if the Committee is aware of the way we fight grassland fires in the western area, but the trucks are all used with the firefighters on the back of the trucks. The trucks are driven up against the flame and we try to pinch out the flanks and put the fires out. So, really, it is paramount that those tankers be safe and be reliable because there is no disputing the fact that what we do is dangerous.

In the Wellington shire now we are having acceptance that training and wearing protective clothing have improved over the last period of time. When I say training I do not mean we are teaching people how to put fires out. Everybody knows how to do that. What we are looking at is a standard operation where everybody knows what everybody else is going to do. That is how I perceive training. If I am in a tanker behind another tanker, I will know roughly what he is going to do before

he does it, because we are all on a standard operating procedure.

Whilst I do not really need to get involved in the political side of the Rural Fire Service, I would just like to point out quickly some personal observations about the detractors of the system and the detractors of the way the system has changed.

I believe in many cases that the people who are having plenty to say are the people who were charged with the control and direction of the Rural Fire Service in years gone by. Many of the problems, or many of the reasons why now we are having these dramatic changes is because the Rural Fire Service, in my opinion, was left to roll down to such an extent that I do not think that the community that we were put there to protect could expect to receive the type of fire service that they expect.

There are a number of issues that I will quickly touch on that I do not think I need to bog down on. I think the funding arrangement for the Wellington shire in particular and the Central Region as well could do with some examination.

The Central Region has a pilot program now where our funding allocation is on a formula. They have capped repairs and maintenance bills and all the other incidental costs and they have a formula that allows for tanker replacement programs.

At the present time, Wellington's tanker replacement allocation has a unit figure of \$73,000. That \$73,000 will not fund even a category seven tanker, and in much of our area we need tankers of a greater capacity than category seven tankers. We would much rather in our open-space farming areas have category one and category two tankers.

If Central Region's funding could be improved by \$1.4 million, we would then move our unit cost from \$73,000 to \$120,000. \$120,000 still will not fund a category one tanker but it will go fairly close to funding a category three tanker.

In my dealings with other volunteers at training and conferences, I have learnt that many of the other western shires are in the same boat. If we were looking at increased funding or a reallocation of funding, may I suggest that that formula be put across the whole State. If the tanker replacement program was put on a funding-for-needs basis as assessed by the standard of fire cover and Central Region could have a doubling of its tanker replacement costs for three to four years, many of the problems with the substandard tankers we have out here in the country would be immensely addressed.

I think then we could go back to just our present normal allocation of two a year. We would have broken the back of the problem with the ageing fleet. Thank you, sir.

CHAIR: Wellington council made some very severe criticisms as you perhaps heard earlier. Do you share those views? If so, which ones do you share?

Mr WHITELEY: To be totally honest, as a volunteer from the Wellington council, I would like to distance myself from quite a lot of what they said. Our local community does have problems. The fact that we wait 18 months for the local community to get its money back is a problem.

The dual accountability of the fire control officer is also a concern of mine. In the Wellington shire we now have what we call a management team, which is made up of the group captains, our two fire control officers and the director from the Wellington council, whom we work under. At the present time our general manager comes along and also an elected councillor comes along as the

elected emergency controller.

That is only in its infancy at the moment and we are still having a little bit of a debate as to whether we are only going to make recommendations to the local council or whether we are able to make policy. I think that is where the local control should come from. It should come from the volunteers, the people who are in the field, who do the job, who know what is required, rather than elected councillors, who may or may not have any interest in and/or understanding of bushfires.

The Hon. A. B. KELLY: I think you started off by giving an outline to your background. I think you skirted over a few things. Perhaps you might explain to the Committee how you are involved in instituting the emergency services levy to get new trucks, and you might go on to tell us whether you support the general direction of a more cohesive and professional fire service.

Mr WHITELEY: Just prior to the emergency services levy, Wellington Council has always been struck with the problem of repair and maintenance of these old vehicles. So, in conjunction with the then general manager, Mr Kelly, we worked on a loan arrangement where our local community funded five new tankers, with the understanding that we would be able to recoup the cost from the Rural Fire Service at one per year over five years.

Now, admittedly at the end of the five years the status quo is still the same, but the benefit is in the first two or three where you have actually taken possession of the tankers, utilised them and are paying them off over five years.

With the emergency services levy, we had an instance in Wellington Shire where, prior to the change of the Act, the new equipment was funded by the volunteers. So if you wanted a new truck, you had to come up with an eighth of the money. So if you wanted an \$80,000 truck your little brigade had to come up with \$10,000. I had spoken numerously to a lot of the council indicating that I did not think that was fair.

I thought if it was a community fire service the community should pay for it. In the end, in conjunction with the council and the Rural Fire Service, Wellington Council struck an emergency services levy which, as the shire representative indicated, is a minimum of \$15. It is worked out on a percentage basis.

So now everyone in the community supports the emergency services and the Rural Fire Service gets a percentage of that. That funding at the moment is only for new tankers. The council cannot use that funding for salaries of the fire control officers or their contribution to the fund. It is set aside just to pay for the 12.3 per cent of the new tankers.

The Hon. C. J. S. LYNN: I want to go back to the responsibility of the fire control officer. Is it your view that the fire control officer should be under the command, control and direction of the Rural Fire Service or of local government or local government up to a section 44 fire and then the Rural Fire Service?

Mr WHITELEY: It is a very interesting point and I suppose it depends on which side of the fence you want to debate from. I do not believe that when we say the Rural Fire Service we mean Rosehill, Young or whatever. My belief is they should be controlled by the Rural Fire Service but the Rural Fire Service also encompasses their volunteers and their command structure that they already have in the shire. I think it would be fair to say that the fire control officers now listen to their volunteers and to their command structure rather than local government. It all depends on what your association is with your general manager and your local government.

The Hon. C. J. S. LYNN: For normal day-to-day operations. We heard from a previous speaker that there have been four section 44 fires in this area over his lifetime. So, in the normal day-to-day operations the fire control officer should be under the control of the rural service at Rosehill I would imagine or your regional office or working in conjunction with council for the day-to-day co-ordination of resources and training.

Mr WHITELEY: So far as actual fire fighting is concerned, I do not think council really has much of a part to play. I do not think they have the training or the expertise to control any of that. Managerial, there probably is a need there for some local government involvement. For section 44 fires, the system is in place.

It makes me laugh every now and then to hear that we have no local involvement. It is all there. If you have your local bush fire management committee and your local bush fire management team, they are the ones that are going to make the recommendation that the thing is out of control and beyond your resources.

There is also the position for them to nominate a section 44 controller. We have standing operational procedures and there are three names, of which two are local, that we would nominate to take that position.

The Hon. M. I. JONES: You mentioned in your remarks that you visited out-of-area fires. Assume they are very large fires and in attending such fires, have you discovered any problems with the control and the firefighting of those large fires?

Mr WHITELEY: Just by the nature of large fires, once they become large there is always going to be some amount of problems with communication. That was brought home typically when I was in Coonabarabran for four days. The control was there but because of the shortfall in the communication system up in the forest, there were problems. So that getting the information, one from the field into town and from town was a definite concern. But once they put a plane in the air and we had radio communication, it was a lot simpler.

The Hon. R. T. M. BULL: I gather from answers to questions from my colleague, Mr Lynn, that you are sort of erring on the side of having less local council involvement and rather leaving most of the decisions up to the group captains and the local management committees and so on.

Are you aware of submissions from the association which would like to see the local council role lessened so that the responsibility would be to the Rural Fire Service of the FCOs and then back through a local management council? Would you like to comment on how you feel about that as a possible structure?

Mr WHITELEY: I have read it but I was just quickly looking at that overview. There is probably some argument for that. I believe that sometimes in local government areas their agenda is not really the agenda that the rural volunteers want the council to have. They are obviously the elected leaders of our community, so it is really up to them to address who they are listening to.

So far as Wellington council is concerned, I believe over the four years they have been listening to the wrong people so far as rural fire services or bush fire fighting is concerned. They have not been listening to the people who actually go out there and do the job and know all about it. They are listening to the rabble rousers down the back and I do not believe that is the right way to do it. So at the moment I probably have a leaning towards moving local government somewhat aside.

The Hon. R. T. M. BULL: You talk about rabble rousers and earlier in your comments you

talked about detractors. Would you like to elaborate on that?

Mr WHITELEY: Initially, I will go back to when we started trying to rectify the tanker problem we have in Wellington. At that stage I was only a captain but a number of our captains went to an estimates meeting in local government and we tried to point out that we needed capital injection into the Rural Fire Service. We thought we put our case fairly well and we thought the council took that on board.

The New South Wales Farmers' Association local branch then addressed the meeting and somewhere between listening to us and standing up, they forgot what they were there for and they took an all out attack on how the council could listen to these three bushfire captains spend more money, put up the rates and so forth. They were totally negative to it. With due respect to the New South Wales Farmers, I read their submission to your Committee and I am still not sure that they have a full grasp of the situation.

The Hon. R. T. M. BULL: So the rabble rousers and detractors are landowners in the main; is that what you say?

Mr WHITELEY: Yes, I suppose you could say that.

The Hon. J. R. JOHNSON: You will recall that earlier this morning Councillor Mark Griggs of Wellington Council claimed that the rural bush fires bill was pushed through the Parliament. Are you aware that the former President of the Local Governments and Shires Association, Mr John Wearne, is on record as thanking the Government for the extensive consultation with the association throughout the drafting of the legislation?

To give you some statistics, over a three-month period 1,200 submissions were received; 87 per cent of those submissions were supported. It would appear and be fair to say that, based on these rates, the comments that I referred to earlier were misleading and incorrect.

Mr WHITELEY: I would concur with you on that, yes.

CHAIR: How do you see the relationship between fire control officers and group captains?

Mr WHITELEY: I can really only speak for my instance but the working relationship is, could I say, perfect.

CHAIR: There are no problems with one crossing the other?

Mr WHITELEY: No. The committee we have, obviously it is the fire control officer's call, but I believe that he has enough belief in us as group captains that we will come to some consensus and the right decision hopefully will be made.

CHAIR: It usually is hopefully.

The Hon. R. T. M. BULL: Just going back to this dual accountability, do you believe that the current regime of dual accountability can survive and, if so, does it need modifying or do you believe we ought to be going to the straight model that I mentioned earlier of the Rural Fire Service having control over the FCOs?

Mr WHITELEY: I believe there needs to be some modification of it. It is obviously a very grey area. They talk about administration and actual fire fighting. That is a grey area. There is no line

that says, okay, the fire control officer answers to, you know, Central Region on this and answers to the GM on that. It is a difficult situation in as much as the Rural Fire Service is dependent on some local financial commitment. It is probably very difficult in a shire such as Wellington where their rate base is probably no where near as great as many councils on the eastern seaboard.

So as a group captain in the Wellington Shire, I must appreciate the ability of the Wellington Shire to pay. I have also got to appreciate the fact that if we take too much of our share of the cake, some other service in the town will miss out.

There is a part, I believe, for local government to play. I do not really think that I am the one to make that decision on where that fence ought to be built.

The Hon. R. T. M. BULL: Everyone seems to be doing that?

Mr WHITELEY: Ducking that question.

The Hon. A. B. KELLY: A number of submissions have been critical of the non-utilisation of the local resources during section 44 emergencies. Have you got any particular views on that? You mentioned about Coonabarabran. We heard some evidence, particularly over on the coast, actually, about Coonabarabran. Everyone said there were a lot of difficulties there. A lot of people were left standing around not being utilised and the local knowledge was not being used. Was that to do with the communications problem, as you have said, or was it some other problem?

Mr WHITELEY: I believe in the Rural Fire Service, and I think it has now been identified, that there are people in middle management who were a bit unsure of their role. I think when you see task forces sitting down on the side of the road or people sitting around at a large fire with nothing to do, it is not their fault; it is the fault of middle management.

As a group captain, I must put my hand up and say that. Part of my role is to engage and direct those people. So whilst I am aware that in Coonabarabran that sort of thing happened, that puts a bit more responsibility on someone like myself to say, "Listen, here I am. I have got 60 tankers in a task force. What should we do?" If you want to sit down and wait for someone to come and tell you what to do you might sit there all the time.

On a number of occasions I went into the control centre in Coonabarabran and got tasks for the Central Region task force. I must just explain that when I went up there - I was one of three group captains with this task force - the leader of our task force was seconded to another job and that left three group captains trying to run a task force of 90-odd blokes and 60 trucks. So it was up to us to take the lead and get in and find out what needed to be done.

The Hon. M. I. JONES: In that situation where all these people are as you have just described, who is in overall control? Compared with a military camp, there is a general at the top of the tree. There are lots of middle officers, as you have described, but who was in overall control in the Coonabarabran situation? Who must take responsibility?

Mr WHITELEY: At the end of the line, it is the incident controller, but if his structure and the structure that is in the Act, if that is put in place and, say, the Central Region was sent Bravo sector, we would go and find the controller of the Bravo sector and get tasks out of him. The process is there, the chain of command is there, but where I believe the chain has been broken is somewhere in the middle.

You have had a number of speakers talk about the blokes on the ground and say they do not

have any input. They have had their bit to say but --

The Hon. M. I. JONES: Just coming back to Coonabarabran, there are a number of group captains down from fire control. From what you have said, the inference I gained was that you had to virtually find your own work to do. Were there no specific instructions coming down from a single authority on the fighting of that fire in that incident?

Mr WHITELEY: To answer that I will give you a brief summation of how our task force worked. We would all meet and have breakfast at 5.30. We would be tasked out of Coonabarabran so we would be sent to one sector of the fire. We would go to that sector and find the sector controller, who was usually in a communications van, and he would task us to our job. We had no problem with that.

The Hon. M. I. JONES: But the situation in Coonabarabran - correct me if I am wrong - was that a lot of people who attended the Coonabarabran fire were sitting around for long periods of time with nothing to do. You implied that that would have been the case with your people had you not gone into the control centre in the town. Either there are clear and concise instructions coming down from a general, for want of a better word, or people are not getting clear instructions and can sit on the side of the road waiting to receive such instructions?

Mr WHITELEY: I agree with you.

The Hon. M. I. JONES: That is a question.

Mr WHITELEY: Yes. The group leaders must take some responsibility to look after the men and find the task. We were dealing with a fire that was so large that one night to go home we drove 140 kilometres from one side of the fire back to Coonabarabran. A lot of detractors do not appreciate the size of that thing.

You could have been tasked out to a job that someone else could have done or you could have been tasked out to a job where you had no radio communications and what you found out there was completely different from what you were sent to do.

On one occasion we were sent on the first day to a road where they said they had stopped the fire. On the map, one of the few maps that we got hold of, they were two or three kilometres out. The fire had gone two or three kilometres further than the office in town was aware. There has got to be a little bit of responsibility and forward thinking done by middle management, and group captains too.

The Hon. M. I. JONES: I accept the initiative on the ground but I what I want to come back to is that someone was taking overall responsibility for this catastrophe that was taking place. It would occur to me from what you say that people can either receive clear instruction and act upon them or they have to go out and find some form of instruction if it is not forthcoming. The alternative is just sitting around doing nothing.

Mr WHITELEY: Yes. The forward instruction that you get in the morning by lunchtime is ancient history. What happened in Coonabarabran, in my opinion, is that the fire did things that it had not done before and it just spread so that the instruction that you were given in the morning was not relevant by lunchtime.

The Hon. C. J. S. LYNN: What is your assessment of the attitude of the volunteers in the Western Division towards the Rural Fire Service bureaucracy?

The Hon. A. B. KELLY: He is not in the Western Division. That is about 300 miles on the other side.

Mr WHITELEY: The Central Region.

The Hon. C. J. S. LYNN: The Central Region?

Mr WHITELEY: I think that those who have an understanding of how the system works are quite happy with it as far as the command structure and that is concerned. They probably are a bit concerned, or they are very concerned, that the tankers that they are asked to climb on are not reliable to do the job that they are asked to do, and they would like to see better equipment in that line supplied.

CHAIR: Thank you very much.

(The witness withdrew)

WALTER HENRY MITCHELL, Grazier and Volunteer, Kerrigundi Rural Fire Brigade, Bourke Shire Council, "Landsdowne", Louth, sworn and examined:

CHAIR: In what capacity do you appear before the Committee?

Mr MITCHELL: As a volunteer of the Kerrigundi Bushfire Brigade. I am a member of two other rural bushfire brigades. I am a representative also of Bourke Shire Council.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr MITCHELL: Yes.

CHAIR: Are you familiar with the terms of reference of this inquiry?

Mr MITCHELL: I have read them

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session, but I should warn you that the Parliament may override that decision at any time and may make your evidence public. Would you like to make an oral submission?

Mr MITCHELL: I would like to add to the submission which has been written on behalf of the Kerrigundi Rural Fire Brigade. There is one small correction. It is typographic. In the third-last paragraph the original wording was "one old outmoded unit". Here it has "an outmoded old ute". There is some comparison, Mr Chairman, but I would like to make that correction, please.

CHAIR: Would you care to make any comments further than that?

Mr MITCHELL: Yes, please. The Western Division is a very separate part of the State, and we fully appreciate that all of the other sectors have issues peculiar only to them. So does the Western Division. I am going to table a map of the Western Division. I am sure that most of the members are aware of it.

The Hon. A. B. KELLY: Mr Lynn would be interested in that.

Mr MITCHELL: It is, from that, very clearly seen that the Western Division is 42 per cent of the State, 32 million hectares and extremely low population density. There is an average land value of, say, \$10 per acre. The difference in population is such from the rest of this State that it is hard for people to actually accept that the town where we are right now would have 400 people living in a square kilometre but the shire of Bourke has 5,000 people living in 44,000 square kilometres.

The pastoral part of that area has an average population density of one person to every 100 square kilometres. Now, that is totally different from the escarpment, with high value housing every couple of hundred metres and a massive fire fuel risk generating every year.

I would like to point out to the Committee that the fire seasons of the Western Division are very variable. In fact, they are very rare. Because of that fact, we need to have the Western Division seen as a separate entity in determining how to manage and control fire.

At the Western Division Shires Conference at Menindee last week the Minister and Mr

Koperberg were present when a resolution was carried by the whole of the Western Division shires stating that a code of practice be established between the Rural Fire Service and the western shires for the management and control of fires in the Western Division.

We certainly do not profess to know enough about other areas but we do know about the Western Division, and in that area, where our families have lived for over 100 years, the only fire seasons that the properties that we are intimately involved with have had were in 1921 - I will table this list of notes, Mr Chairman - 1938, 1957, 1974, 1984 and, most certainly, 2001.

The circumstances that bring about a fire season in the far western pastoral parts of this State are when you get a massive influx of the torrential summer rains when a monsoon moves further down into this continent than it usually does. That generates a tremendous body of fire fuel, which then becomes your huge risk in the following summer. Now, that is the case right now, so the Western Division has a great concern to be prepared specifically for an ensuing fire season.

I would like to bring your attention to the scope of a fire in the Western Division and in the middle of the submission that I have presented I mention a particular fire that started in December 1974. It travelled from Balranald to the Louth-Cobar Road. That fire consumed 3.5 million acres of country and 29,000 sheep.

Now, the only way it was controlled was by the use of local government plant and private plant in earthmoving equipment.

So the whole demography is different; the methodology is totally different. That is why we are keen to establish a code of practice which will ensure efficient control and, looking at your terms of reference, remove much of the risk and danger to life which a major fire presents.

The training of people in those areas is tremendously important and the congruence of their old-established bushfire units because they are built on trust. People in this case will be relying on their bushfire captains to ensure that homesteads and shearing quarters and the like are adequately protected by hazard reduction burns prior to the fire season being imminent in this coming year.

That then relieves the very few people who live in that area from the care of those instrumentalities and lets them handle stock, which is tremendously important, and enables them to operate in their brigade role.

Now, the brigade roles are very different as well and the type of plant which they use. They are totally dependent on local government equipment in that area and, I say again, only in that area. The shire plant in those areas cuts fire breaks with road graders; the fire captains burn back from existing roads.

Since the last large fire season we now have a system of powerlines throughout that whole area. We seemed a little backward in that we did not have grid electricity before the last fire season but we have it now. The county councils that established it before they were removed had a policy whereby, working with the shire councils, they kept those powerlines graded for access for serviceability to the line and also for its protection where they do have some timber poles, and it is a tremendous fire control adjunct because they were normally parallel to a major road.

Power lines feed the properties; so do the roads. If you have a 400-metre gap between them, and let us consider this as totally pastoral country, it is feasible to burn that 400 metres between the two graded areas and cut a whole shire into blocks of controllable area.

The advent of woody weeds into the Western Division has been such that in the last 20 years that there will have to be careful consideration here in a massive fire season as to whether pastoralists want to put out a fire. That is a very real part of their survival. Previously the natives allowed fires to travel through country and in fact lit fires to get rid of woody weeds to enable them to live in the country.

We are back to that now where some fires will be generated and, in fact, the fire controller in Bourke and the Western Lands Commission officer are working closely together, encouraging burns in that country now. So that will have to be considered in the code of practice as to how far you would consider allowing a fire to go. It may be encouraged to go through some areas.

Also the practice of fighting fires is different in the Western Division. We understand how men are at risk and vehicles are at risk in cropping country where, if it gets through into adjoining paddocks, somebody is in a disastrous situation or a town is threatened. In the Western Division the policy has never been to fight a fire. You prevent it from going to an area where it must not go, so you mainly burn back, and the equipment that they use does not have to be as fire protective as modern equipment in the other areas now must be.

So that we rely heavily on station plant for patrolling and containing fires within graded breaks that are burnt back from and, as I say, areas that are very, very, very large. Some of the points we found extremely difficult, and we understand how they work in the other part of the State, and one is the removal of trailers.

In that area the country is tremendously flat. Towns like Bourke are only 370 metres above sea level although they are almost in the middle of this continent, so you have no dangerous hilly roads to traverse. You have very low traffic density. The average daily traffic density on a road, say, Louth-Bourke, is 20 units per day, so you remove the risk of a trailer causing problems to traffic.

Also with the need to register vehicles, I was delighted with the Minister's call for flexibility at Menindee the other day. Mr Koperberg distributed this document which I will happily table. It makes a great deal of sense on the front page. It tells you of the flexibility and the leniency that will be in there in relation to unregistered vehicles. But when you turn it over, you find all the reasons why there is no way in the world that you will ever get away with it, that the responsibility and legal problems will go back to the fire control officer who is not simply game to say, "You can use that vehicle".

The other day in the Western Division the Minister did make it clear that an unregistered unit on your own property is fine. Most of those properties average 50,000 acres, so you do have some flexibility. The fire captains have asked me to put it to this Committee that that be extended to a brigade area because of the reasons we have outlined, the rarity of fire, and the situation where if you are 100 kilometres or 250 kilometres from town, as some of our people are, to get a vehicle checked for registration once a year and to lay in the shed for another 10 years does not make a lot of sense. So there needs to be flexibility, a totally different attitude to fire control and management in the Western Division.

We place this submission before you and also we would like to remind you that the shire plants in those areas need to be controlled by shire people. In a fire in the Cobar area in 1975, the army was brought in to assist and they almost wrecked the road plant belonging to that shire.

A Cat 12 grader lost a circle in that fire, hit a stump so round and took the circle out of a grader, which nobody would believe is possible. So the care and operation of the plant always must remain with the shire. The engineers must have a close liaison with fire control officers and fire captains so that machinery is not ever ordered into a situation at great risk.

Part of the code of practice we used to use was that graders only operated in pairs so that one does not become involved in a locked-in high-risk situation because of a few punctures. The other one is that they have a better communication system than the fire service bodies.

Three of the Bourke Shire graders, for instance, use satellite phones in their graders because they camp out, say, up to 250 kilometres from the town. For the sheer efficiency of them, those systems are already working, so we would ask that in a code of practice for the Western Division consideration be given to stepping over the line, getting outside the square and dealing with the unique situation of the Western Division in a modern way.

The Hon. J. R. JOHNSON: On page 2 of your submission you make reference to the registration of vehicles and, indeed, you have made some reference to it here this morning. My understanding is that the Traffic Act regulation exempts vehicles for firefighting purposes from registration, including privately-owned units. What is the difficulty?

Mr MITCHELL: We would like to believe that was workable but the material we have tabled indicates that each of those units to be able to be worked without legal impediment has to be inspected by an RTA inspector once a year and has to be found to be sound through all of the stipulations which would normally give you a pink slip. We find that in rural plant, be it tractors, Toyotas, trailers, whatever, in the Western Division of low density populations and traffic movement we seek a further flexibility, that there be no need for registration of those units within your own brigade area.

The Hon. R. T. M. BULL: Does that cover you for comprehensive and third party insurance?

Mr MITCHELL: We are stipulating that it should.

The Hon. R. T. M. BULL: Has that been a problem, though?

Mr MITCHELL: It has been the problem. Of course, the fire services are tremendously protective of that and in being zealous, they have taken the whole scope of the plant right out of the fire scene. So we ask for that flexibility. The fire captains certainly have the capacity to tell somebody to leave that unit right where it is if they see it as a risk to anybody or a danger to either the fire situation or personnel.

The Hon. M. I. JONES: The precis of your notes states, "Restrictions relating to the use of 650-litre fire tanks mounted on Toyota Landcruisers has removed the patrol effectiveness of brigade members". Can you spend a moment discussing these restrictions, please?

Mr MITCHELL: The 650 fire unit is the standard tank that we were buying and being issued within the Western Division because it is a good, handy load for a Toyota Landcruiser which is the standard work unit on all of those properties. The 650-litre tank is handy and we are finding now that we are being advised that RTA is not allowing a vehicle to legally carry that load, a Toyota, even though we register those vehicles to carry a tonne, and 650 litres of water - it used to be a kilo to a litre when I was younger and I do not think that has changed - so it is a ridiculously close line that they are running.

They are claiming that possibly personnel, possibly weight of pumps may take that above the tonne limit. This is ridiculous when, imagine that tanker is only full for a short period of time of its operation and during the time it is full it is getting to a situation. So the risk factor is not even there.

We are finding that these are ridiculous strictures that are being placed on the use of existing plant, the plant that normally patrols the fire and watches it for days and is the backbone of the whole local private operators power fire fighting unit.

The Hon. M. I. JONES: That is an RTA restriction, not a Rural Fire Service restriction?

Mr MITCHELL: It has been imposed on us by the Rural Fire Service fire control officers who are quoting the RTA.

The Hon. C. J. S. LYNN: The figures you have given us basically work out that there is a major fire every 16 years or thereabouts. In your view on the employment of fire control officers, should they be responsible directly to the Rural Fire Service as has been proposed by some or should they be under the command, control and administration of the local government area or should they be under the command, control and administration of the local government area and under the technical control of the Rural Fire Service when, say, one of those fires break out every 16 years?

Mr MITCHELL: It is very complicated because the fire control officer is trying to serve two masters. There is no easy answer that it should be one or the other. For his own training and for the regimentation of the whole issue, certainly the fire service is a very necessary factor of it. When it gets down to plant use and implementation in the area, his experience often is very lacking in that area. He may not have been about for the last 20 years to see the last fire season, and to be conversant with local conditions can place him in a position of unnecessary stricture.

A small spinifex fire in the Bourke Shire last year where Enngonia had had quite some season, a small spinifex fire which they would not have taken much note of, they would have let it burn out on to claypan country, the fire control officer unfortunately believed it had to be exterminated and it happened to be a weekend, so he engaged a grader from an adjoining shire and sent an ambulance out to a small spinifex fire on a sandhill.

He had not experienced a fire in that area before and these things are totally out of place. To take one ambulance from a town into a remote part of the shire where the normal controlling would be to let it burn out to a break on the road and then to order brigade members up into the sandhill to confront it is not the way it is done in those areas.

It is very difficult. He has a code of practice obviously and training and his role has been trained to put out fire, whereas in that region you control fire. You let it do the hard part and you look after yourself and your stock. It is very different.

The Hon. C. J. S. LYNN: What difference would that make to the command and control structure? He is getting technical advice, training, control command from the Rural Fire Service but he has an administrative role basically and the co-ordination of resources at local level with local government who provide the plant, equipment, resources and so forth?

Mr MITCHELL: It is difficult because he is in both of those situations, but when something like that happens that the fire controller has not been conversant with before, it erodes his credibility. That then makes the training and liaison difficult right through. So there has to be a code of practice just for that particular area where he can clarify each of those issues, at what point the fire control officer has authority, at what stage he must consult his fire captains, for instance, and at what stage local government bodies are in control particularly of their plant.

The Hon. A. B. KELLY: Just following on from that line of questioning and the involvement of local government, do you believe that the standards should be set by these bodies rather than New

South Wales Rural Fire Service and that a grant should be made to the councils direct by the State for utilisation however the council wants to utilise it?

Mr MITCHELL: No, I see the process coming along very well. There has been a lot of work done. A lot of equipment has gone out into areas and certainly in other parts of the State it must have worked very well. I do not want to see that undermined, but I do believe there has to be a close liaison so that one does not impinge on the other and you do not have unnecessary strictures that can prevent efficiency and probably impose risk to life.

We see young people volunteering as firefighters keen to put their services to the public good and developing a great esprit de corps. A lot of these people are coming into fire services and we fear they are going to be placed at great risk if you are going to use petrol tankers to confront fires where it may be 100 kilometre to the nearest support unit.

We feel there has to be a very close understanding of how fire operates in those vast areas so that those people are not at risk and so that the time and the dedication that they put into the job is extremely beneficial.

The Hon. A. B. KELLY: Just for the Committee's benefit, I am not sure that Mr Mitchell is not understating his past. I am not sure that everybody realises that Wally was the former President of the Shires Association in this State.

The Hon. J. R. JOHNSON: Inter alia.

The Hon. A. B. KELLY: Amongst other things?

Mr MITCHELL: I heard you giving my mate John Wearne a chewing so I did not proffer that information. We have had some experience. I have had 35 years as a volunteer in bushfires, in local government 27 years and 14 years on county councils, having built these powerlines in that area, and, yes, a couple of years as President of the New South Wales Shires Association.

The Hon. R. T. M. BULL: Firstly, just on the fire you were talking about, that spinnifex fire in the sandhills, should that not have been under the control of the local fire captain, the brigade captain?

Mr MITCHELL: You have just touched the very nerve of it. Yes, exactly, and that needs definition. This is what we are seeking in these discussions between the Rural Fire Service, local government bodies and the bushfire captains, of course, so that you get a clear understanding of responsibilities and actions. Very much so.

The Hon. R. T. M. BULL: Do you have group captains?

Mr MITCHELL: They do, yes. As you see, though, with very scarce and scant fire seasons you do not have a lot of matches to generate efficiencies, but we must get those efficiencies up now with this imminent fire season.

The Hon. R. T. M. BULL: Just going back to your submission, you said that the control of the bushfire situation in the Western Division should be placed wholly within the realms of local authorities. I assume you are indicating there that when you do get a section 44, which used to be a section 17, I think - I was actually out there in the big Cobar fires, in 1986 I think it was - they are very serious. At that stage it was well before this latest Act. Are you saying that even fires like the Cobar fires of 1986 should be controlled locally rather than from Rosehill?

Mr MITCHELL: The bushfire captains and particularly the Kerrigundi brigade have put that point into their submission because of the Cobar fire. They were very much involved with that and the understanding that the cutting edge is the local government equipment and staff and, to that extent, decisions made in a section 44 situation where, for instance, Cobar would have been crippled in the use of their own plant and the damage to it and yet, had that been declared earlier, neighbouring councils' coming in there would have been able to be reimbursed, to be paid for the use of their equipment.

So we have a situation here where the shires carry the brunt of the cost and at this stage there is not a reimbursement factor for that council for the use of or the damage to their own plant, and that all needs to be discussed thoroughly for the Western Division with the fire control service.

The Hon. R. T. M. BULL: Just taking you back to Mr Kelly's prompt about the Shires Association, you would have a fair idea of how councils feel about this dual accountability. I know there are mixed feelings, but could you offer some direction to the Committee on how we should be dealing with this dual accountability issue?

Mr MITCHELL: There is a process within the Shires Association, a division - there are plenty of divisions - but they have divisions of local government throughout the State and they meet regularly, they have small conferences, and the fire services are represented at each of those.

But I think, just as the crux of this proposal is that you develop a code of conduct for the Western Division, each of those local government divisions should have the same right and autonomy to exercise their input into how the service should be operated for fire control within their local government group.

When you see these divisions - I have run out of maps, Mr Chairman - for instance, you have the North Coast, which is a very separate entity to any of the rest of the State; you have the pastoral areas in the back of the Western Division group; and then you have another eight divisions of farming country, escarpment. All of those local government divisions are quite concise in the fact that they have a common role and a common purpose so that you have communities of common concern that deal through those local government shires association divisions.

In answer to the question, I would be very pleased to see a close liaison of the local government divisional groups with fire control services.

The Hon. R. T. M. BULL: Or something like the association's submission, which came up with local management councils, and the New South Wales Farmers Association, which came up with a grouping of councils along similar lines?

Mr MITCHELL: And, again, from area to area you would run into big problems if you did not discuss it and finalise it locally because of the great differences. If you take, say, the Cootamundra area, where, with vast cropping and heavy pasture growth, a fire can destroy 100,000 sheep and homesteads and things in a day, it is totally different and more at risk than any of the other farming parts of the State. And then there are different pressures in the Coonabarabran area, and the forest fire situation and the risk factors are all very different.

I would rely on the elected people and the people who support them and their bushfire captains in those areas to come up with the service with the correct methodology to handle it within their division.

CHAIR: Is your voice common to other people in the area? Do you speak for everybody, do you think?

Mr MITCHELL: Only the Western Division. The comment in relation to the New South Wales Shires Association: I am no longer President, but I do see the need for each of those divisions to become somewhat autonomous in determining how the system should work there.

CHAIR: The Western Division is quite different, though, is it not?

Mr MITCHELL: Quite different.

CHAIR: So others in the Western Division concur with you?

Mr MITCHELL: Very much so. In fact, the resolution that is attached there to my notes was passed unanimously by all of the shire councils of the Western Division at their annual conference in Menindee last Friday week in the presence of the Minister and Mr Koperberg.

CHAIR: So there may well be a separate situation for the Western Division compared with other parts of the State perhaps?

Mr MITCHELL: Most certainly.

The Hon. J. R. JOHNSON: Throughout your submission you make reference to the greater involvement of local government. Do you believe that the standards should be set by these bodies rather than the New South Wales Rural Fire Service and that grants should be made to these councils by the State for utilisation at the council's discretion?

Mr MITCHELL: Not exactly, no, Mr Johnson. We see the service as having a role which it has fulfilled in improving training and improving communications and providing a very different style of equipment, and in villages, for instance, with their fire truck and their sheds and things. That has all been a move forward.

But, as I say, in the Western Division the basic firefighting unit is the local government earthmoving plant, and that is why we see an urgency for it to remain dominant in that fire control effort, but there needs to be a very close understanding with the fire service and the bushfire captains as to how you are going to get the most efficiency out of that at the least risk to personnel particularly and of course to property and stock.

CHAIR: You referred to a resolution just now. Do you have a copy of that resolution that you can provide to the Committee?

Mr MITCHELL: Yes, Mr Chairman, amongst my scattered notes here we have it:

That a code of practice be established between the Rural Fire Service and western shires for the management and control of fires in the Western Division.

CHAIR: That is tabled.

The Hon. R. T. M. BULL: Could I just ask another question going back to these regions? Are you familiar with the bushfire regions?

Mr MITCHELL: Yes.

The Hon. R. T. M. BULL: Would they be regions that you had in mind that would coagulate those areas of common topography and natural conditions?

Mr MITCHELL: They do have a gross similarity to the shire divisions, as you display them there - in fact, 8 is almost the Western Division - the North Coast sectors, the difficult areas of the escarpments and the South Coast and then the farming productive areas 5, 6 and 7 through the centre of the State. It would be feasible that those areas could work with local government and the fire services closely.

CHAIR: Who exactly moved this resolution and who passed it?

Mr MITCHELL: The resolution was moved by Bourke Shire Council, and the constituent councils in that Western Division are Wentworth, Broken Hill, Nyngan, Cobar, Bourke, Brewarrina, Walgett, Balranald and Hay.

The Hon. A. B. KELLY: And Moree?

Mr MITCHELL: And the unincorporated area, which does not have the advantages of local government, beyond the Paroo. There are 20 million hectares of country with some 1,800 people. They have a representative who voted there, who is the Western Lands Commissioner. The vote was unanimous.

CHAIR: And this was where and when, again?

Mr MITCHELL: The vote was at the Menindee conference of the Western Division Shires Association last Friday week. The resolution was put by Bourke Shire and was carried unanimously after discussion.

The Hon. A. B. KELLY: I was going to ask whether there is some uniformity in the decisions of local government and the feelings of local government. In the 1986 fire I think a mayor got into some legal problems over that particular fire so I will not proceed down that track - a friend of yours, both friends of yours, I think?

Mr MITCHELL: I have a lot of those.

The Hon. A. B. KELLY: If the area for the use of unregistered vehicles is extended beyond the property so, therefore, it would have to be on a public road, who would you suggest would indemnify the driver and the community if an accident occurred on the public road? The vehicle could still go on a public road?

Mr MITCHELL: I would suggest that the bushfire captain should be able to be given the autonomy to say, "That vehicle is out." If that were the case, then there would be a responsibility being held by a person in a capacity and you could get the use, and it could be an extremely valuable use at a particular time, of a unit or personnel.

I would like to point out that there is a fair bit of responsibility amongst those landholders, and it might be due to their age, Mr Chairman. I will table page 11. I do not go much on ABARE generally, but I found something in it that did agree with me so I will use it. This little page and map indicates that that part of Australia --

CHAIR: Which document is this from? Could you give the title of that?

Mr MITCHELL: Yes, it is from the ABARE report "Changes in non-metropolitan population jobs and industries" just released. It indicates that this is one of the few parts of Australia, the area that I am talking about of this Kerrigundi brigade and surrounding country and much of the Western Division, where the average age of farmers is over 65.

The Hon. A. B. KELLY: You are a bit of a pup, then.

Mr MITCHELL: I am a pup. That, of course, places a totally different demography. They do not rush out and fight things. They are like the very old story we know of people going more quietly to do things efficiently.

The Hon. R. T. M. BULL: You are taking my name in vain there.

Mr MITCHELL: Could I table this page too?

The Hon. M. I. JONES: With new equipment, with the equipment the men receive to wear, are boots supplied?

Mr MITCHELL: There is a problem in the Western Division with boots. They refuse to lace them up. Ted Davey and others have resolved this issue in the Western Division with the commissioner - very lengthy it was; as long as the laces. Yes, they wear elastic-sided boots in the Western Division fire brigades.

The Hon. M. I. JONES: With rubber soles?

Mr MITCHELL: I cannot be sure. I will not commit myself to that, but they have resolved the boot issue in that area.

The Hon. M. I. JONES: With the equipment, particularly new equipment, are there any problems with that equipment being not purpose-built but adapted for fire use and containing a high percentage of plastic?

Mr MITCHELL: Not really, no. They do not have a particular grievance on any particular piece of equipment at this stage. They appreciate the zeal of the fire control service in putting them into their coats and things and they see the purpose of these. They require some flexibility in a practical way in their operation and the code of practice but, no, they are a very practical lot of people and they appreciate the efforts being made for safety.

Map tabled

CHAIR: Time is up. Thank you very much.

Mr MITCHELL: Thank you. It has been a pleasure to come and visit you and see all of you old friends again and not so old ones.

(The witness withdrew)

JAMES PERCY THOMPSON, Farmer and Mudgee Shire Representative, Rural Fire Service, "Mornington", Mebul via Gulgong,

BARRY DANIEL GRADY, Self-employed and Member, Consultative Committee, Mudgee Rural Fire Service, "Meroo Lodge", Windeyer, and

HELEN COLE, Records Officer and Member, Consultative Committee, Mudgee Rural Fire Service, Bocoble Road, Bocoble, Mudgee, sworn and examined:

CHAIR: Mr Thompson, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr THOMPSON: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr THOMPSON: Yes.

CHAIR: Mr Grady, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr GRADY: Yes.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr GRADY: Yes.

CHAIR: Ms Cole, did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Ms COLE: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Ms COLE: I am.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee will be willing to accede to your request and resolve into confidential session. But I should warn you that the Parliament may override that decision at any time and make your evidence public. Would you like to make an oral presentation first?

Mr THOMPSON: The Mudgee Rural Fire Service consultative committee has been set up by Mudgee Shire Council to represent the volunteers of the Rural Fire Service in the Mudgee Shire. The Mudgee Shire bush fire district covers 5,683 square kilometres.

Many areas of the shire are large tracts of rugged country which require specialist vehicles to be able to control a fire. There are also areas of grazing land, along with vineyards, lucerne growing and small holdings. There are over 4,000 small holdings in the shire which in itself presents mounting problems and concerns for our firefighters.

Mudgee Shire Rural Fire Service is also responsible for 4,558 square kilometres of national

park, 35 square kilometres of State forest, 420 square kilometres of vacant Crown land, 4 square kilometres which is the Ulan coalmine, 212 square kilometres of land and water, 4,212 square kilometres of private land, 52 square kilometres of council managed land and 289 kilometres of State Rail land.

You would have also received a submission from the Hargraves Rural Fire Service and we have several submissions from our consultative committee. I do not know whether you would like us to read them or refer to the things in there.

CHAIR: Go ahead.

Mr THOMPSON: The members of the Rural Fire Service consultative committee respectfully submit their submissions to the General Purpose Standing Committee No. 5. We wish to address the following terms of reference: providing for accountability arrangements for fire control officers to both the Commissioner, the New South Wales Rural Fire Service and the general manager of local councils.

At present, our fire control officer is employed by local government and funded through State Government. They are responsible to council for administration and responsible to the Commissioner for operations. It would be more satisfactory for a fire control officer to be employed by the State, working under the Rural Fire Service. The present situation of working for two bosses causes confusion and conflict, placing the fire control officers in a difficult situation.

Within local government, the guidelines can change according to the serving councillors or general manager at that time. This can change from one term of councillors or general manager to another how they support the fire control office in the area. Depending on what council or fire control officers are employed, he could be responsible to the general manager, engineering services, health and building or manager of the plant and depot, none of whom have had the required experience in bush fire management and funding to make the correct decision.

CHAIR: May I suggest that you have this in your written submission so there is no need to read out what you have in your submission. Do you have anything else apart from that?

Mr THOMPSON: No. That is what I asked you in the first place but I do not think you understood.

CHAIR: Mudgee Shire has in the past manufactured vehicles and saved a fair bit of money doing that, I understand. Can you give any examples of the actual money saved and how that fitted in to the requirements of the Rural Fire Service?

Mr GRADY: The vehicles the shire used to build were costing us around \$54,000 at that stage. To buy the same vehicle through the service was \$75,000. Our latest pricing to build those vehicles is up around \$56,000 now which is still \$19,000 cheaper than through the service.

The Hon. A. B. KELLY: Do you get them through that guy in Gulgong?

Mr GRADY: Yes.

Mr THOMPSON: The fellow in Gulgong has employed apprentices over the years, which is pretty hard to get employment for them. He has also made them for a lot of other different areas around rural fire services and they have been very satisfactory, but now they cannot be built in Gulgong until he meets some certain requirements so it is not only taking work out of the area but it is

also costing the Rural Fire Service people a lot of extra money for the cost of their vehicles.

CHAIR: There is a much quicker delivery time I understand, too?

Mr THOMPSON: Yes.

The Hon. A. B. KELLY: On page 6 of your submission, reference is made to the removal of tanks, pumps and tanker trailers from the equipment catalogue. Could you elaborate on this? It is my understanding that these are still available, particularly I think the tanker trailers were taken off and have now been put back.

Mr GRADY: That is only in the western region.

The Hon. A. B. KELLY: Western Division?

Mr GRADY: Of the Rural Fire Service.

Ms COLE: Central Region still cannot get tanker trailers.

The Hon. A. B. KELLY: Would you like to elaborate on that?

Mr GRADY: There is a submission from one of the brigades in the Mudgee area about what vehicles are privately owned and used in their own local area with tanks and pumps on them. When you look at all the figures, it works out fairly cheap for fire protection. In that particular area the tanks and pumps are very suitable. There is a lot of areas in that brigade area where the bigger trucks are just not suitable.

CHAIR: What submission was that?

Mr GRADY: It is the one from Hargraves.

CHAIR: These tanks and pumps are kept on properties normally?

Mr GRADY: Yes.

CHAIR: Have you thought of the idea of centralising these during the non-bushfire season and issuing them at the beginning of the bushfire season to ensure they are in good condition and are working for the bushfire season starts?

Mr GRADY: That particular brigade with the equipment inspections every year, they present them and they are in perfect working order. Some of those pumps are over 20 year old but they are still in perfect order.

The Hon. A. B. KELLY: Somebody suggested earlier that that sort of equipment is really property protection equipment.

Mr GRADY: Yes, but they use it in the whole area, not just on their own properties. All the private vehicles can respond a lot quicker than what it takes to get a full firefighting unit there.

The Hon. J. R. JOHNSON: But you do not have power to confiscate them, do you?

Mr THOMPSON: No, but we do make sure every year before the start of the bushfire

season they come in and they are all inspected to make sure that they are in working order for the protection of the firefighters.

CHAIR: I was actually on Nulla Mountain this morning and they are 30 kilometres from the nearest facility. They have their own tank up there. If they did not have it they would be in serious trouble.

Ms COLE: We find a big problem in a lot of areas where we are told we cannot have bush fire brigade protection per house. Nobody is asking that. We are saying that we are not given the money and our budget is being cut quite considerably, and we want to put these vehicles strategically around the shire for a quick response, but we do not have that. We were given no money at all to purchase or maintain pumps this year. It was taken off us.

If you have a shed 30 kilometres away, by the time the man gets from his property to the shed and takes a Cat 1 out and tries to get it up the hill and through a bush scrub the fire has gone.

CHAIR: That is what they were telling me this morning at dawn, or before dawn, actually.

The Hon. C. J. S. LYNN: I was of the view that the funds had increased in the Rural Fire Service. Are you saying that your budget has decreased?

Ms COLE: Our budget gets cut in certain sections. I can quote figures here. You will have to excuse me. I had a stroke a while ago so it is a bit awkward. Our maintenance budget has been cut. We have vehicles 30 years old. I have a list of the vehicles that we do have, and we do not have all modern vehicles at all.

We are given enough money to purchase one and a half Cat 1s which is of great use to us. We could buy three Cat 7s if we can purchase them locally, but that still does not solve our problem with 15-year-old vehicles, which are all very well maintained. That is fine. But our budget this year has been worked out to \$1,000 per vehicle. They are allowed \$100 per year for their fuel. That is how much we have to spread around our vehicles.

Some of our brigades have to come in quite a distance to fuel up, so they could have two trips to town to fuel up and they have run out of their allocation. If we have a 30-year-old vehicle - which we have, good old Bedfords that still plug on, as we all know, that do not melt - if that budget goes over \$1,100 what do we do? Do we say, "Sorry, scrap heap. Put it down the backyard." We are then down a vehicle. We do not have the money to replace them and we are not given the money to replace them.

I think the budget from the Central Region has to be increased immediately, and I do not think we are the only brigade area that has the same problem.

CHAIR: So you are asking for deregulation so you can actually spend the money more to your purposes?

Ms COLE: Yes, it is allocated to set things, and if you are only allocated so much for maintenance, then that is the end of the matter. You cannot spend it on anything else.

CHAIR: So global budgeting would help you more than specific budgeting?

Ms COLE: Yes but we got \$267,000 for vehicles. With the price of a vehicle, that does not go very far when you have a lot of old vehicles, and we do have a lot of old vehicles. We are trying to

update them but we have been stopped from purchasing second-hand ones.

Our fire control officer purchased a few from Victoria that were probably 15 years old, but they were still a damn sight younger than the ones we have got, and we remodelled them and updated them. We are not allowed to spend money like that any more.

The Hon. J. R. JOHNSON: I am astonished at that submission. In one of your submissions you make reference to the allocation to the Mudgee Shire, in 1999-2000, \$847,722. Were you aware that this allocation represents an increase over the last year of 42 per cent?

Ms COLE: We did not get \$847,000.

The Hon. J. R. JOHNSON: \$496,395, and that provision was made in this year, allocation for the purchase of three category one tankers totalling \$267,000 as requested by the council?

Mr GRADY: For three Cat 1 tankers you are looking at \$150,000-plus for each one, so how can you buy three for that?

The Hon. J. R. JOHNSON: But it is 42 per cent?

Ms COLE: Okay, you said we got \$847,000. We did not get \$847,000; we got \$601,000. Insurance took out \$31,000 and the Rural Fire Service retained \$214,723, so what we actually got was \$601,000.

The Hon. J. R. JOHNSON: Well, as you would well realise, some of the allocation is returned to the Rural Fire Service at Rosehill for public liability insurance, workers compensation for volunteers, training for volunteers and welfare arrangements. Now, if you get local autonomy, those things that are looked after by the central fund now would have to come out of the regional fund.

Ms COLE: We are not saying that we want autonomy. We are just saying that we think it would be nice if we had some extra money.

Mr THOMPSON: That figure that goes back there of around 29 per cent was nearly a third of the allocation. Also, if you look at the amount it is costing extra for trucks now which would have been built in our shire, we would have had \$120,000 that we would have been able to spend on a second pump and other equipment.

The Hon. J. R. JOHNSON: But I am quoting from your submission. On page 1 of your submission you make reference to the allocation to Mudgee Shire of \$847,722.

Ms COLE: And it says less.

Mr GRADY: There is \$55,000 in there that was carried over from a few years ago that we bought a vehicle for and had it built, and it has come back into this year's budget. It was already allocated a few years ago and was not spent, but it is still on the books at that figure, so that \$55,000 is money that was owed from several years ago.

The Hon. A. B. KELLY: Why was the money not spent?

Mr GRADY: It was spent. It just took a couple of years to get reimbursement for the council. The council spent that money and built the truck. That truck has been in service now for two years, so we are just getting the reimbursement back.

The Hon. A. B. KELLY: So it was one that was not allocated?

Mr GRADY: It was allocated to be built.

Ms COLE: We built it locally.

Mr GRADY: We built it and it has taken that long to get the money back for the shire.

The Hon. R. T. M. BULL: I just want to go on to your submission. You referred to the dual accountability of the fire control officer causing confusion and conflict and you go on to say that the fire control officer should be employed by the Rural Fire Service not by the council. Is this sentiment right across the shire?

Mr THOMPSON: There is something of a problem with the general manager being in charge of the fire control officer because in Mudgee Shire since I have been in it over 12 years now we have had three different general managers. One came from Newcastle and the other two came from Wollongong. They have never been in a rural area and they have never actually seen a fire.

In fact, the latest general manager we got went out with me to have a look at the rural roads in our area and he asked me would I drive on the gravel road because he said he had never driven on one. He also asked me was grass in the paddock wheat.

So when you talk about fighting fires and you are talking about the importance to our volunteer members, to have somebody in charge of the fire control officer who knows nothing about our firefighting or even a rural area it is pretty hard for him to be answerable to somebody who does not know what he is talking about. Do you understand what I mean?

The Hon. R. T. M. BULL: Yes, I do. So you think that all of the FCO's responsibilities should be with the Rural Fire Service. But what about councils that put a fair bit of money into the Rural Fire Service? Where should their participation be?

Mr GRADY: Well, the council is represented on the bushfire management committee. The council has a representative on that. The council has a representative on the consultative committee.

The Hon. R. T. M. BULL: What instructions has the fire control officer been receiving from the general manager since the last Act was brought in?

Ms COLE: I do not think the general manager has probably read it. It is a problem because I think the fire control officer, or fire control officers, are fully aware and up-to-date with all the facts all the time but they have to try to explain that to a council to try to get more money or assistance with a problem, and they are explaining it to someone who does not really understand. They could be under the health inspector, and he knows even less. It just makes it exceedingly awkward.

The Hon. R. T. M. BULL: So is cutting this one line of communication going to improve the situation?

Ms COLE: I do not really know. I think it is something that has to be thought of very carefully?

Mr GRADY: If he is under only the one boss, he has got only the one body to answer to. He does not have two conflicting sides telling him what to do.

The Hon. R. T. M. BULL: There would be some people, including someone here today from your shire who has given evidence to us, who would contend that there is too much power in Rosehill already and that by having the fire control officers under the control of the Rural Fire Service rather than having any accountability to the local council or the general manager would only compound that problem.

Mr THOMPSON: Our fire control officer is actually the manager of a depot and he is the actual boss. Then it is handed back to the general manager. So he tells him to go down and train. The manager of the depot actually came out of the army. I do not know whether he actually fought any fires. He actually came out of the army, and he is the manager of a depot.

Like I said before, it is pretty hard for a bloke to answer to three or four bosses. If you need somebody to be actually in charge of fire control in our area and the fire control officer has been employed, he is supposed to be the man who knows all about how to run fires. So if he has a couple of other fellows he is answerable to in between and they do not really know what they are actually talking about, it is pretty hard to do your job properly.

The Hon. R. T. M. BULL: Has your fire control officer got a good relationship with the brigades and the group captains?

Mr THOMPSON: I think you will find that most fire control officers in different fire brigades and fire areas would have some brigades that are very happy with them and some that are not. That is a natural thing with humans. They like somebody and they do not like other people. So it would depend what you have had to do with them.

If there has been a bit of trouble there and you have to use your authority, some might get upset with you and other people might say, "He is doing a good job. At least he has pulled a few people into order. He has done the right thing." It is a bit like a policeman. You are happy if you ring him up if you are in trouble but if he books you out on the road you do not like him.

Ms COLE: With our group captain situation there was a little bit of a problem that some were not always happy with who was selected, so this year we have left it completely up to the brigades to pick their own. They had a voting system. We gave them nominations and they selected the group captains that they wished to work with. And that seems to work well. We are consulting with them a lot more and letting them have more input, and it seems to be quite good.

The Hon. A. B. KELLY: Did that result in a change of group captains?

Ms COLE: Yes. They have selected three group captains and three deputies. That is on a voting system, and they voted. We handed out the forms who was nominated for the positions, their qualifications, all about them, and they voted on who they wished.

The Hon. C. J. S. LYNN: So what you are saying is that the further down you push democracy the better it works?

Ms COLE: Basically, yes. I think it saves any confrontation.

Mr GRADY: It comes back to the fire control officer being answerable to one boss as well. I have had it as a group captain. I get one thing told to me by the council, the depot manager, and the fire control officer is telling me something different, but the fire control officer has been told to say one thing and the other bloke has told me something different, so it makes it hard all round.

Ms COLE: This is local government politics.

The Hon. C. J. S. LYNN: How would that situation change, which seems to be more a personality management problem, if the fire control officer was responsible directly to the Rural Fire Service for everything at the local level?

Mr GRADY: Then the council would not be involved and could not be telling you what to do or what you should be doing.

The Hon. C. J. S. LYNN: But is the council not the lowest form of --

Ms COLE: I am glad you said that.

The Hon. C. J. S. LYNN: Not the lowest form, the lowest tier of government and, therefore, allowed that democratic process, if you like, of decision making?

Ms COLE: It does happen but I think it depends who your manager is at the council. That is what we are saying. It depends on who it is. You can get an absolutely wonderful person at the council who is responsible for the Rural Fire Service but with a change of council, a change of staff, it can vary from year to year.

He might make a decision and he is confronted by a couple of irate ratepayers. So he goes to the fire control officer and says, "Now, hang on. You go and fix this." The fire control officer says, "Hang on. I am not allowed to according to the Rural Fire Service." Now, who does what? He then has to try to meet in the middle, and they can be the meat in the sandwich sometimes. It is only sometimes. We are just saying it is not always.

The Hon. J. R. JOHNSON: Friends, on page 4 of your submission reference was made to locally constructed vehicles with specific reference made to category seven tankers. Now, I note the considerable price variation of these units. Are these units identical to the category seven tankers being constructed by the New South Wales Rural Fire Service?

Are you aware or not whether the company that you are talking about has tendered for the contract to build on behalf of the New South Wales Rural Fire Service, and is this company still building units for the Mudgee Shire?

Mr GRADY: No, he is not building any at the moment because he has not got approval to build them at the moment. He has to wait until the tenders go out and retender.

The Hon. J. R. JOHNSON: Did he tender?

Ms COLE: This is where the confusion comes. We notified the Rural Fire Service that we would like to purchase locally so that we could buy an extra tanker because they were cheaper. No problem, we were told, as long as he is accredited. I thought, well, three or four weeks and the gentleman can do that. We said, "Fine".

The commissioner came up and we asked, "Look, if there is a bit of a delay, can we transfer this money over to the following year so we do not lose out on our allocation?" "Yes," we were told, "No problem with that." About a week later we got a phone call saying, "Either order your new vehicles or you miss out on the money for the region." So I rang up.

The Hon. J. R. JOHNSON: Did he tender?

Ms COLE: He was not told. All we were told was that he had to be accredited with the Rural Fire Service to build them. We were not told there was a tender. I was not aware of that.

Mr THOMPSON: He had to be accredited before he could tender, and I do not think he has been accredited. I am not sure, but he already built them for years from all over the place and met everyone's requirement and now, all of a sudden, they have brought in a requirement that he had to meet a higher specification to be accredited. He intended to go ahead and try to get accredited but sometimes these sorts of things do not happen overnight. The last time I spoke to him, which was some time back, he was not accredited, so he could not tender.

The Hon. J. R. JOHNSON: Did he make application for accreditation?

Mr THOMPSON: He has made application to get accredited, yes.

Ms COLE: But we can make applications to be accredited to purchase or build these locally to the requirements that are required and then we got informed, "Sorry, the tender does not come up for two years." I said, "What tender?" I said, "He only wants to build three for us." All we want is for him to be accredited to prove he is a safe man, or whatever, to build these vehicles. He does not want to build 300. He wants to build three. The tenders are not due for two years. I said, "Well, when was this brought in?"

The Hon. M. I. JONES: You said before that locally made vehicles were better. Why is that?

Mr GRADY: They are built to suit the local conditions. Some of the Cat 7s that you see coming out of Sydney have pumps on them that are way too big for what you use in the bush. It is all right if you run off mains pressure and are hooking up to a standpipe in the city but they are no good in the bush.

The Hon. M. I. JONES: The specification, then, organised by Rosehill is not appropriate for your needs?

Ms COLE: Not all the time, no?

Mr GRADY: The ones that we have had built by this company in Gulgong are very suitable for the terrain in Mudgee Shire.

Mr THOMPSON: And they are \$25,000 cheaper, which is very important not only for us but for all the other areas that he built some for as well, and he has to build them to meet the specifications.

The Hon. J. R. JOHNSON: Do you know what other areas he did?

Mr THOMPSON: Well, there were some for Wellington.

The Hon. A. B. KELLY: He built five for me.

Mr THOMPSON: He built five for Mr Kelly.

CHAIR: What's the name of the manufacturer?

Mr THOMPSON: R. and J. Andrews Engineering in Gulgong. They not only meet the fire specifications but for different areas. Like we said when we went out earlier, our area has a lot of mountainous country in it so actually to meet that area it is a bit different from if you are out on the western plains and you are on flat terrain.

The Hon. A. B. KELLY: So what is the problem with the accreditation?

Mr THOMPSON: They changed the rules. Those people had to get accredited. In the meantime, he could not get accredited fast enough to build them so it was going to cost us \$25,000 a tanker more and also people like Wellington Shire and others as well.

Mr GRADY: We have ordered three Cat 7s through the service this year. The money it is going to cost us for those three we could have got four so we are actually down a vehicle when you look at it in those terms.

Ms COLE: It seems to me to be red tape.

Mr GRADY: It is going to take a lot longer to get the vehicles updated.

Mr THOMPSON: We had to put the order in or we did not get the money. He could not get accredited soon enough, so we had to buy them off Rosehill at \$25,000 more.

The Hon. A. B. KELLY: I think Phil Koperberg handed one over only a few weeks ago in Wellington that was actually built there.

Mr GRADY: That was okay because it was out of last year's funding.

Ms COLE: Out of last year's budget. The rules change.

The Hon. C. J. S. LYNN: And this is the bureaucracy you reckon would be better off running your fire control officer?

Ms COLE: That is his problem.

Mr GRADY: That vehicle that was built in Wellington on an Isuzu cab chassis cost them \$65,000. For an Isuzu through the Rural Fire Service it is \$86,000, so there is \$21,000 difference.

Mr THOMPSON: Just to answer your question about the bureaucracy, if we are controlled by local government it comes through you people, the State Government, as you know. What we need to do is to get through to this bureaucracy to take the right direction, not the wrong direction.

The Hon. A. B. KELLY: Just in relation to the funding, I am not sure whether you have got these figures on hand, but you could simplify the issue and provide us with details - take it on notice if you like - of the amounts allocated to Mudgee council over the past four years and just take the base allocation, take the program changes out of it. My understanding is that it went from about \$407,000 up to \$540,000 in that period. Could you provide us with those figures?

Ms COLE: We are still being cut in certain things, though.

Mr GRADY: Maintenance and repairs. We have an old fleet. Last year it was \$75,000, this year it is \$39,000, so we have less money to maintain the trucks that are getting older.

The Hon. A. B. KELLY: But if you have got \$545,000 this year and you only had \$407,000 it has roughly gone up about \$140,000.

Mr THOMPSON: It is only going to a certain amount of vehicles now.

The Hon. A. B. KELLY: So it must be going to vehicles or something. There could not have been too many vehicles before.

Mr THOMPSON: And the amount of vehicles that money can be spent on has been cut down as well, so if the brigades want to have more vehicles, they will have to pay for the maintenance and bring them up to a certain standard. I have approached our council about having a certain fire standard in our shire and all those vehicles have to meet that standard, not only make sure we get the fires out but for the safety of the firefighters.

The Hon. A. B. KELLY: So, in a nutshell, I think what you are saying to us is that it costs a lot to maintain these old vehicles. What you would like to actually see is the money being spent on maintenance but for the Central Region to get a bigger allocation for tankers in the future?

Mr THOMPSON: And pumps as well.

Mr GRADY: There is a tanker replacement program that is worked out there. To bring all our vehicles up to under 15 years of age is going to cost over \$4 million.

The Hon. A. B. KELLY: How many vehicles have you got?

Vehicle fleet details tabled

Mr GRADY: On a 10-year replacement program that is going to cost \$409,900 a year. That is only to bring them up to what is recommended in the standards of fire cover.

Mr THOMPSON: We would have more than two or three vehicles to meet the requirements in an area. Where I live at Goolma, I live 10 miles from where the major trucks are. Last year a fire started just down along the road. I had a fire trailer there and I saw the smoke. I rushed straight in and hooked it on the back of my four-wheel drive and rushed down with the fellows who work for me and put it out.

There was a strong westerly breeze blowing. It was on the eastern side of the road and it was a really bad fire time, but had we not got it out quickly it could have made a terrific fire. By the time we got it out someone arrived from next door. It is important that we have these around and that they are working properly so you can get on to it quickly. If I had to go to Goolma to pick up a vehicle and come back, it would have been a major fire.

CHAIR: Thank you very much.

(The witnesses withdrew)

(Luncheon adjournment)

GRAHAME GEOFFREY PRYOR, Farmer and Member, Tambar Springs Rural Fire Brigade, "Killawarra", Mullaley, and

KEITH ROBERT PRYOR, Farmer and Grazier, Landholder and Volunteer Firefighter, "Fairfield", Tambar Springs, sworn and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr G. PRYOR: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr G. PRYOR: Yes.

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr K. PRYOR: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr K. PRYOR: Yes, I am

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee will accede to your request and resolve into confidential session. But I should warn you that the Parliament may override that decision at any time and make your evidence public. Do you want to make an oral submission?

Mr G. PRYOR: Yes. Stakeholder representation: giving power back to landholders. My most serious concerns about the Rural Fire Service is their belief in absolute power, in their lack of accountability. When a fire was threatening our land and we disagreed with the backburning strategy that the FCO and the local brigades wished to employ they tried to arrange to have the police to come and arrest us so that they could enter our land and do whatever they like. They believed they had every right to do this.

At the moment FCOs with no practical experience of putting out fires are making decisions that they are not qualified to make and are failing to take advice from those with superior knowledge and skills. Landholders will almost always have a better idea of how the fires are best tackled on their land and should be given back the power to make the decisions. There is also a great difference between local knowledge and landholder knowledge. Any landholder who has lived on the land for years knows the lay of that land far better than any other local or the FCO.

Accountability is another major issue. At the moment, the Rural Fire Service can burn thousands of acres of private land in backburns and/or allow far more damage than need be by refusing to approach a fire and preventing others from doing so.

I believe that landholders should have the right of compensation for damages if they believe or can demonstrate that the Rural Fire Service has deliberately let a fire go against their wishes or badly managed it in a way that has resulted in more damage to their property than would have occurred without Rural Fire Service intervention.

The Rural Fire Service should be subject to the same laws as individuals. How much credibility does it leave the Government when the Rural Fire Service can apparently burn anything that they want whenever they want without any concern for the environment or the native vegetation whereas if private individuals did the same thing they would be prosecuted under the Native Vegetation Act.

Another aspect of accountability is when an FCO or any member of the paid section have failed their duties under the Act and an immediate cover-up is instigated, and it is amazing what lengths they will go to to see that this is done. In the documents I tabled with my submission there was an urgent memo. That is what I was referring to there. Have you got that urgent memo?

CHAIR: Yes, I have got it.

Mr G. PRYOR: The terms of reference of this inquiry include the provision of adequacy of firefighter training. We now have a two-tiered volunteer system in the Rural Fire Service. The first is the old-type brigade firefighter who is there to put out the fires as quick as possible and to minimise damage to property and the environment, and the new volunteer generation-type trained Rural Fire Service instructors who train to light fires and tell people what a good thing it is to burn the bush.

There is apparently no training in risk analysis, that is, how to assess whether or not a fire is safe to approach. As a result, no one seems to be prepared to take the responsibility of asking men to approach a fire. They now almost invariably prefer the fall-back position and light huge backburns, often miles away from the fire front. It seems the only method they know is to light more fires, which always turns a relatively small fire into a big fire, and we have seen this so many times recently.

The other major concern with training is now the wide-spread attitude that all Australia needs a good burn to maintain bio-diversity. So do the white collars really want to put out these fires? This theory is often used as an excuse to do nothing and let the fire get away and then turn them into major hazard reduction burns. Another excuse often used is that the fire is too dangerous to go near, so they immediately go to the fall-back position of lighting these huge backburns.

Those who have no stake in the land should not have the power to decide whether it is worth saving. Why should they have the right to decide that landholders should be happy to lose thousands of dollars worth of timber and fencing and be up for the cost of replacement in the name of possibly improving bio-diversity through hazard reduction burning? Where fires affect private land, the owner should be in control of the fire strategy and supported by the Rural Fire Service but it now seems to be working in reverse.

Joint role of employers for FCOs is another major problem in the current system. Shires are obligated to employ an FCO but have no power to dismiss him as he is jointly employed by both the State and local governments with only the Rural Fire Service Commissioner having the power to cancel the FCO's warrant.

This arrangement is totally unsatisfactory. It should be up to the individual shire as to whether or not they employ an FCO. Until we have some accountability back in the system I do not think things with the New South Wales Rural Fire Service will improve. There needs to be some very major changes.

CHAIR: Are you aware, then, of evidence that where an area is not burnt for 20, 30 or 40 years, there is actually less hazard than those areas that have recently been burnt? I have seen it myself. Areas that were burnt four years ago are more of a hazard today than they were they were when they were not burnt.

Mr K. PRYOR: In relation to the last fairly big fire that we were at, the Tambar Springs mountain fire, some of the country was so bare in parts of that country before the fire took place that it could not burn. Where that has been burnt, because of the trees that have fallen down, et cetera, it is a bigger fire risk now.

It allows all the rubbish to come up through the timber and you have rubbish higher than this table. It is a bigger fire risk now and it is just a fallacy to think that by burning something and calling it hazard reduction it will make it safer in the future. It is just a fallacy and it does not exist.

CHAIR: I have also heard anecdotal evidence that where an area is not burnt, a lot of fire resistant trees and shrubs grow. Where an area is burnt frequently, the vegetation that comes up is mostly fire prone.

Mr K. PRYOR: That is right and also the ones that come up are not eaten. Like, even for the wildlife, it is more of a rubbish-type plant that is virtually useless. It seems to take away the ground cover and all of a sudden you have this bare vegetation that gives more light and allows this rubbish to germinate. If the timbered country is left alone they do not seem to come.

The Hon. M. I. JONES: Are you saying this is the situation in all terrain?

Mr K. PRYOR: No, I am saying in most timbered country it seems to be where it has been hazard reduced and you finish up with a lot more of a fire hazard afterwards than what it was before.

CHAIR: I understand that the National Parks and Wildlife Service is also concerned that hazard burning actually increases the risk of fire. One of the reasons, evidently, is that the micro fauna, the creatures that actually eat the litter, are destroyed in the fire and they take a while to build up again and the litter builds up more than before the fire.

Mr G. PRYOR: I would agree with that.

CHAIR: So the whole idea of hazard burning creates more of a hazard.

Mr K. PRYOR: Exactly, and that is what we have been saying for quite a while.

CHAIR: I think you are absolutely right, and I wish the Rural Fire Service would realise that and get some idea of the ecology of the land and realise that hazard burning creates more of a hazard for some 10 or 15 years afterwards.

Mr K. PRYOR: It is a bit unfortunate because the Rural Fire Service now wants to turf people like myself out of the Rural Fire Service because we do not concur with their strategy of deliberately using these backburns as a means to say, "We will protect this country over there". We have notifications from our local shire trying to kick us out.

Mr G. PRYOR: Mr Chairman, I would like to present some of this documentation that we have got trying to oust us from the Rural Fire Service because we disagree with the strategy of the Rural Fire Service.

CHAIR: You would like to table them?

Mr G. PRYOR: I would like to table them, yes.

Documents tabled

I will just run through these briefly. Keith and I have been members of the Tambar Springs Rural Brigade. I have been a member since I was 16 and I am now 47. We are both accredited members of that. Now, when we disagreed with their strategy at the Tambar Mountain fire, the next thing we received in the mail was this refusal of membership. The reason they have given us is because we did not co-operate with what they wanted us to do, so they want us out. And I would also add that this notice is invalid because it is not done according to the rules and regulations. I will just table those.

Documents tabled

The Hon. J. R. JOHNSON: And that is from your local brigade?

Mr G. PRYOR: That is from the local brigade?

Mr K. PRYOR: The other thing that is going on with the brigades around the State is these amalgamations. Now, this brigade that we were members of has amalgamated with a village brigade and because of logistics of, most probably, record-keeping on the part of the Rural Fire Service, they find that if they amalgamate as many brigades as they can, it will be easier to keep their records.

That brigade has amalgamated with another brigade. Since then we have received another notice from this brigade doing a secret ballot that they want us ousted again.

Now, I have also a letter here from the Assistant Commissioner, Tony Howe, who informed me that once those brigades were amalgamated I would be automatically considered a member but yet they put me back on to probation. On what grounds did they put me back on probation? Because I disagreed with their philosophy, and the philosophy that we used in the Tambar Springs Mountain fire is what they used in the Pilliga fire in the form of a blue line, only on a much smaller scale.

Our aim was to minimise the damage and save as much of the country as possible, and yet they withdrew all services and support, so much so that they were willing to get the police to try to escort us off so that they could come in and, to use their own words, which happened in the coronial inquiry, burn the lot, to burn 11,000 acres when we had a fire that at one stage was contained on less than 60 to 70 acres.

The man who viewed that fire on 27 January 1998 walked away from it, turned his back on it, and he said to the coronial inquiry that it was only too hot because he had nothing in his hands and if he had had a McLeod tool he would have been able to contain it himself. Yet in one of those other internal documents that I put with my submission, he stated no country in New South Wales should be allowed to build up a fuel load for 50 years and not allow it to be hazard reduced. Well, that certainly explains why he turned his back on a fire that was only too hot for him because he had nothing in his hands.

We have got real problems in the volunteer fire service at the moment. They stem from the bottom to the top and because we have got these two different types of firefighters now. One feels that the only way to combat a fire is to light another one, and it is just totally absurd. They are killing more people, I believe, now than what they were 20 years ago. It does not matter how much money you give the Rural Fire Service. It will never be enough.

The Hon. J. R. JOHNSON: We had evidence this morning from Wally Mitchell in the Western Division that the only way to fight a fire is to start a fire.

Mr K. PRYOR: That is right. I heard that, and I have to agree that in different places different circumstances apply, but we are not in the Western Division where we are and the circumstances are different. To take someone like myself out to the Western Division and say, "Here, you are, you manage this fire," I would be out of my area of expertise.

It is a bit like taking fire control officers out of the city and placing them out here in the country and saying, "Now, you are in charge of this fire." They do not know. They have not got the practical experience. You can read manuals, you can watch videos, you can do whatever you like, but there is no experience that will come near practical experience.

I think what that fellow from the Western Division was saying was that their knowledge out there is better than the knowledge of someone from somewhere else, and I would have to agree.

The Hon. M. I. JONES: In the 1994 bushfires in Wollemi National Park the loads of fuel were high and an absolute holocaust started and swept across that park. It only came under control in the regions where fire hazard reduction practices had been undertaken in the past to contain such things. Now, these are wooded areas, and I would imagine it would be terrain similar to Tambar Springs, so that simply contradicts what you are saying to us.

Mr K. PRYOR: No, because each fire in its own terrain, even though you say they are similar, has its differences. Tambar Springs, for argument's sake, is situated at the bottom of the eastern descent of Tambar Springs Mountain, and it is a very steep descent.

The training modules of the Rural Fire Service tell you that if you understand the simple laws that govern fires, which is heat, fuel and oxygen, you can accurately predict what they are going to do. Fires cannot burn down steep descents because they cannot pre-heat the fuel in order to form combustion.

Now, in the case of the Tambar Springs Mountain fire they lit a backburn behind the village that burnt for three days and two nights in 40-degree heat and a total fire ban in the middle of the day and never ever met the head of the bushfire. Situations are different for each fire, and it is a bit hard to, say, use the one brush and cover all fires the same even though they are in timbered country.

The Hon. M. I. JONES: But, with due respect, the evidence which you have already given here today would imply in the manner in which you delivered your evidence that this practice of not backburning is the correct one vis-a-vis other practices which are incorrect?

Mr K. PRYOR: I am saying there is a place in big fires in certain circumstances to light a backburn in order to stop it under those circumstances that you described a little while ago.

The Hon. M. I. JONES: What about a general practice of hazard reduction?

Mr K. PRYOR: No.

The Hon. M. I. JONES: Well, I am saying that in the Wollemi area, and you have said horses for courses, that was done and that contained the fire.

Mr K. PRYOR: That is right, and I am saying that in the Tambar Springs Mountain fire, where they tried to light backburns, and did on three occasions, they were totally ineffectual and useless and did more damage to the environment and to people's private property than they ever set out to achieve. That is what I am saying about different areas, different terrain. Even though they are all timbered, they still have their own little things that tell you what you should and should not do in

relation to a fire. That is what I call landowner knowledge.

I do not know the Wollemi National Park at all. Sure, it is timbered, but just how that timbered country comes down in relation to the other country that adjoins it - see on the eastern side of Tambar Springs it is that steep, whereas on the north-western side the mountain actually runs off and comes on to a plateau, and that would allow it to escape on to open country.

The Hon. M. I. JONES: Well, in that situation would hazard reduction be advantageous?

Mr K. PRYOR: No.

Mr G. PRYOR: With my practical experience over the years in timbered country, anywhere a fire goes through it, as Keith was saying before, when you get rain after you get a regeneration of all your lower type scrub material like saffron bush and all that sort of thing that comes up underneath, whereas if the scrub had been left unburnt you do not have that to near the extent, and once you get all this scrubby type of undergrowth, that is when you have got a bigger fire problem than you had originally.

Mr K. PRYOR: That is when you cannot get near a fire, when you get this undergrowth in what they call a second storey or lower storey in the timbered country.

CHAIR: How many years does it take to stabilise? I have heard 15 years before it is stable again. Can you identify that?

Mr K. PRYOR: I could not actually honestly give you an answer on that.

Mr G. PRYOR: But every time you burn timbered country you finish up with your timbered country thicker as a result of the fire. It might take several years, but you get all this undergrowth and sometimes you can have a fairly open scrub where you can drive through it quite easily, but every time there is a fire it gets a bit thicker and it gets to the stage where if you burn it often enough you will have a job to walk through it.

CHAIR: It has the reverse effect.

The Hon. R. T. M. BULL: In your submission you spoke about the shires being able to choose whether they want to employ a fire control officer or not. Is this the sentiment of Gunnedah Shire or any other shire that you know of?

Mr G. PRYOR: Well, I have talked to people from other districts, and the people whom I have talked to have got the same views as I have. Years ago before there were any fire control officers employed what used to happen if there was a fire was that you immediately contacted the shire engineer. He was notified and he was put in charge of sending you the resources that you needed. In those days we had far fewer fires and I believe far smaller fires than what we are seeing today.

The Hon. R. T. M. BULL: So you are saying that the engineer was the fire control officer on those occasions?

Mr G. PRYOR: On those occasions he was in charge of the firefighting operations.

The Hon. R. T. M. BULL: What are you objecting to now - the fire control officers being full-time?

Mr G. PRYOR: Well, they are inexperienced. The ones that we have had dealings with seem to be inexperienced. They have no hands-on practical experience at putting fires out, whereas if it is left up to the shire engineer, and especially if the shire has to foot some of the bills, it is in their interest to put the fires out as quickly as possible to minimise the cost.

The Hon. R. T. M. BULL: But in the event of fires - and I am not talking about the Tambar Springs Mountain fire but just generally speaking about fires in your area - have the fire control officers assumed control or have the group captains and captains retained their responsibility?

Mr G. PRYOR: That depends on the size of the fire. I think in the smaller fires they have delegated to a captain or a group captain in that area wherever the fire is situated.

The Hon. R. T. M. BULL: Do they actually take over and then delegate?

Mr G. PRYOR: I was at a recent small grassfire just outside of Gunnedah. Now, the first tanker on the scene was a captain from a neighbouring village. He was automatically in contact with the fire control officer on the radio and instructions were sort of going backwards and forwards, so I think it would be most probably wrong to assume that one delegated, symbolising the truck as a passenger, to say that it was actually delegated.

I think that they just worked in conjunction with one another, and I think that most probably happens most of the time. I do not think they actually say, "Well, righto, you are specifically in charge of this," which I perceive is a problem at a lot of fires. No-one seems to be designated as to who is in control until something goes wrong and then they look for someone to say, "Well, it is your problem."

The Hon. A. B. KELLY: Mr Pryor, you said in your earlier comments that you felt that more firefighters were killed now than ever before. We heard evidence, I think on the first day of our hearings, that over the last 10 years three firefighters were killed as opposed to 17 in the 10 years prior to that. Whilst any deaths are unacceptable, obviously --

Mr K. PRYOR: I am sort of looking further back than 20 years I think, because if you look at the way the rural fire brigades have changed over the last 20 years, they seem to have more money, more equipment, and I think that while that is needed, I would like to see better value for the money that is spent because I think the tankers are great for the villages - they need them - but out in the country we need more of the trailer units because they are readily available, quicker on the scene.

I think if you go back further than 20 years I do not know whether the statistics would then back you up. But, then, I do not have those statistics on that.

The Hon. R. T. M. BULL: What equipment do you actually have on your properties which has been issued?

Mr K. PRYOR: None. I do not even have any clothing, like the overalls, et cetera. I have been in the brigade for 25 years.

The Hon. R. T. M. BULL: And you have your own units?

Mr K. PRYOR: We have our own units. We have one unit we use as a spray rig with an 1,100-litre tank on it and we use that with a tractor on it in some ordinary going country and then we have a small truck with a tank in front of it.

The Hon. J. R. JOHNSON: Gentlemen, much of your submission is based around the fire

of 1998 now referred to as the Tambar Mountain fire. You make mention that there was no independent report, yet in your own submission you have provided a copy of an independent report carried out by Chief Superintendent Barry Belt. Is it not true that this fire was also the subject of a full coronial inquiry at your insistence?

Mr K. PRYOR: Yes, but I think your definition of independence is somewhat different from mine. I believe independence is someone totally outside the organisation that you are talking about. In this case we are talking about the Rural Fire Service.

I do not believe that total independence and autonomy can come from within, and that was borne out in the fact that when Mr Belt came up, and he spent three hours with Grahame and I, we could not even get him to go and have a look at the fire origin site. He spent three hours at our verandah table and three times we asked him yet he would not even go and have a look.

Now, to my way of thinking, if his role was to be independent, he had to form his own opinion, not adopt the opinion of other fire control officers, which he did. I have documented evidence that he wrote his report from all these other reports. So you say independence.

Firstly, I think we need something similar to the land board to oversee the conduct and the role of the FCOs. I believe the coroner's inquiry, and we have the evidence to show that, is tainted, so much so that when we got the transcript from that coroner's inquiry, we found it was not complete.

There are sections missing from it, and I mean complete sections where a witness was called three times in the first half of that coroner's inquiry yet the third time he was called when he was asked a series of questions that were very damaging to the Rural Fire Service, that whole section is gone.

We have evidence where Mr Geoff Reid, State Forest, committed perjury on the stand, yet that has gone from the transcript. When we went to the coroner requesting the tapes, he refused permission and said we were not entitled to them, which was wrong. I sought legal advice.

Our council told us not to do anything while the coroner's inquiry was still in progress, so we waited. We have now got the tapes and there is enough evidence on the tapes to show that the transcript is not a true and full record of what happened. So we will be going to the ICAC with that.

The Hon. J. R. JOHNSON: Did you have the opportunity to make representations to that inquiry?

Mr K. PRYOR: Yes.

The Hon. J. R. JOHNSON: Were you satisfied with the outcome of the inquiry?

Mr G. PRYOR: No. The reason that we were not satisfied being that a lot of the vital evidence was not allowed to be presented.

Mr K. PRYOR: All these internal documents we have here, and this is not all of them, when we went to present them to the inquiry we were refused, the reason being that those internal documents contradict the evidence given under oath by FCOs and other fire personnel and, of course, they did not want them in and that is the reason. I do not know whether you know Mr Peter Long, solicitor of Gunnedah, but he has read all the internal documents and if we are willing, he is ready to keep going.

The Hon. J. R. JOHNSON: I have in front of me a copy of the coroner's report and that

coroner's report in its finding was not critical of the actions of the Rural Fire Service at the fire in question.

Mr K. PRYOR: That is right, and he never saw all the evidence because he did not want to see all the evidence. He did not see that internal memo, would not allow it to be introduced. There is a question and answer document that I provided with my submission which contradicts the evidence given by FCO Wilson, and yet none of that was allowed in.

There is a letter from Paul Gruber who stated that no country in New South Wales should be allowed to build up a fuel load for 50 years and not be hazard reduced, yet he is the man who turned his back and walked away from a fire because it was too hot and he had nothing in his hands. If he had had a McLeod tool he could have contained it himself.

Mr G. PRYOR: I would also like to table these documents. This is in relation to a second brigade when we joined it. Two of these chaps went and did their training course. They then received a letter of congratulations from the local FCO saying, "Congratulations on attaining your basic firefighter certificate".

They then received this certificate with Phil Koperberg's signature, the officers who did the training and the local fire control officer, and a couple of months later they received this, refusing membership, telling them their membership application was unsuccessful and they had been voted out in a secret ballot, after paying their full year's subscriptions.

Documents tabled.

Mr G. PRYOR: I would also like to present this lot. This is just to give you an example of what happens when you lodge a genuine complaint with the Rural Fire Service. It is received at head office. It is date stamped and that is about as far as it ever gets. That is our experience.

The Hon. A. B. KELLY: How did you get it back?

Mr G. PRYOR: Through freedom of information.

Mr K. PRYOR: It is the best organisation that the Government has got, I think. Could I table this one also?

CHAIR: We are running out of time here.

Mr G. PRYOR: We have another couple yet. I want to table both of these.

Mr K. PRYOR: And I would like to table this.

Documents tabled.

The Hon. J. R. JOHNSON: How many members are there of the Rural Fire Service at Tambar Springs? There were 13 at the meeting. There were 13 who participated in the ballot. How many were entitled to vote?

Mr K. PRYOR: I honestly could not tell you.

Mr G. PRYOR: Since the two brigades have amalgamated, if everybody had been there, there would have been a lot more members, but a lot of the members were not there.

The Hon. J. R. JOHNSON: No, it says a secret ballot was held. That does not say that it had to happen at the meeting.

Mr G. PRYOR: No, but if you turn over the back of that page, that is the minutes of the meeting, and on the top of that is listed who was present at the meeting and it is interesting to note that the scrutineer was the local policeman.

The Hon. J. R. JOHNSON: So what?

Mr K. PRYOR: In relation to those minutes, one of the other documents that I tabled does have the group captain's and the captain's signatures on the bottom of it. I highlighted a couple of paragraphs in that. He feels his work has been somewhat emasculated because the hazard reduction that he has been allowed to do since the Tambar Springs mountain fire has lowered his esteem and morale and so forth.

Because we actually like to put out these fires, that is one of the reason they want us out. When we go to a fire, one of our objectives is to put it out. Unfortunately, we have an element now that derives some sort of pleasure in having fires which I cannot comprehend at all. They want us out because they do not want us there.

The Hon. R. T. M. BULL: I find it very hard to believe that members of Rural Fire Service local brigades would share that sentiment. There might be the odd individual from time to time but you are reflecting on everyone in the Tambar brigades.

The Hon. J. R. JOHNSON: That is inferring that they are pyromaniacs.

Mr K. PRYOR: They are. There is another hazard reduction between Tambar Springs and Mullaley. This local brigade was involved with that. The deputy captain is the owner of that. What was done was nothing more than environmental vandalism. I think there will be something come of that, and they just seem to like fires. I do not know why. They seem to like lighting fires. As hard as what it might be for you to believe, it is absolutely true.

I do not think it is the norm to be quite honest, but in our area it is the norm and as hard as what it is to believe, as much as you cannot divert your plane when you leave this afternoon to fly between Tambar Springs and Mullaley to fly over this hill, 80 per cent of the trees I think will die because it was done on 26 February this year in 38-degree heat in the middle of the day and it just went white hot up the top of this hill. They lit it around the base. We are adjacent landowners. We got no notification because they knew we would object. Hazard reduction, yes, as a tool, but it should be done in the right months of the year.

The Hon. R. T. M. BULL: A hazard reduction took place without notifying you?

Mr K. PRYOR: Yes, because they knew we would object. I am not a real avid greenie where you go out and chain yourself to a tree, but I am a second generation landowner. I have two boys, one of whom I think would be interested in the land, and I would like to think we can leave him something that is viable to go on with if he chooses to do so, but when we do this sort of thing it gives us a bad name, every landowner in New South Wales. We get more government restrictions and interference. Those sorts of people give us all a bad name.

Mr G. PRYOR: I would like to leave you with that photo. That was taken at Cooper Dam in New South Wales on Sunday, 9 January, 2000. It was a fire control officer's vehicle. We observed him.

He was at the dam all day. When he left that afternoon he was towing a private ski boat. Is it permissible for fire control officer vehicles to be used for that sort of purpose?

The Hon. M. I. JONES: I suggest we do not receive this.

(The witnesses withdrew)

KELVIN JOHN GARDINER, Commercial and Emergency Services Manager and Superintendent, Orange City Council, "Mayfield", Cadia Road, Orange, sworn and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr GARDINER: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr GARDINER: I am.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session. But I warn you that the Parliament may override that decision at any time and make your evidence public. Would you like to make an oral submission now?

Mr GARDINER: Yes. As we stated in our submission, Orange City Council generally has had a good working relationship with the Rural Fire Service and we also endorse the general direction of the service. If anything is to come out of the inquiry, it must be to further enhance the working environment for our volunteers in providing necessary equipment and correct training. I believe the Rural Fire Service is trying to address these two issues. I believe our volunteers deserve the best we can offer, as we as an organisation ask more and more of them.

Probably the main issue for us in regional New South Wales is the funding issue and getting the necessary equipment so the volunteers can do their job. While I understand there is certainly a greater risk in the Blue Mountains and around Sydney, it does not negate the need for the necessary equipment and funding for the remainder of the State.

I believe the necessary funding should be available to supply new tankers to those councils that are prepared to wear the extra cost in funding. Some councils would not be prepared to do that, but certainly Orange City Council is.

I am sure the council will be criticised by some parties to even suggest that training should be compulsory or there should be a set criteria to become a member of the Rural Fire Service. It has been suggested that some brigades and members should be categorised as to what type of incidents they attend and that will fall back also in help in regard to training. I do not believe we have any other choice but to provide the training to ensure our volunteers can do the task they are asked to do.

The accreditation process has now been made relatively easy with recognition of prior learning. This means in some cases if a person has been doing the job for a number of years and they can be certified as being competent, they can get this accreditation. Improved information flow can also overcome a lot of the problems, both in the service and the Rural Fire Service.

I attended an Rural Fire Service State conference meeting in Tamworth on Saturday and information flow was one of the issues discussed at that meeting. The State Council has recognised this and is going to endeavour to put a system in place to attract motions that come from different districts and hopefully this will ensure that motions are dealt with correctly and the volunteers then get some sort of an answer back from the Rural Fire Service.

The service is undergoing significant change and needs to do so. Whether the change is too

fast or too slow is debatable. The commissioner, as with all of us, has specific ideas on the way the service should proceed in the future. If we are not happy with the ways things are going, there are avenues to voice our opinion. And one of these is through the Rural Fire Service Association.

The commissioner has stated that he is always able to be contacted should the need arise, and I say to people we should take him up on that offer and let him know what our opinion is.

I would be very surprised if he does not take some of the ideas on board from this inquiry and make some changes.

I think a lot of the problems raised through this inquiry would be similar to a lot of large organisations. This should not be used as an excuse, however, and I do believe that problems can be overcome with consultation.

I do not believe we can go back to the way things have been done in the past. We owe it to our volunteers to move forward. While we cannot change the environment in which they work, we can make it as safe as possible for them to undertake the tasks we ask them to do.

Accountability: under the current legislation, I, as the fire control officer, or superintendent, am accountable under the Act, and I think captains and group captains need to be aware of that. I certainly take on board local experience and knowledge and I have full faith in the people who I have in the field and vice versa. They need to have faith in me to make decisions as I feel need to be taken in the fire control situation as needs be.

If our captains ask me to go out into the field, I will go out into the field and certainly give them advice. We have a very good working relationship.

I would just like to make comment on tanker builds. We built three Cat 1 tankers through Deans, which was under contract for the department going back probably four or five years ago.

The Hon. J. R. JOHNSON: Where are Deans?

Mr GARDINER: Deans are down in Bowral. I do not think they are under contract at the moment. I purchased the cab chassis locally. We built the tankers as per the Rural Fire Service specifications, so they were identical to Rural Fire Service units, and they cost us more money to build than buying them through the service. Thank you, Mr Chairman.

CHAIR: Thank you. In your submission you say:

There appears to be a lack of consultation between internal departments within the service. Each seems to be protective of its own specific information. This can cause immense problems when trying to get information on a specific problem.

Can you expand on that?

Mr GARDINER: Mr Chairman, a lot of that has come through various people being on committees within the service. It is probably a perception as much as anything, and perceptions need to be dealt with as much as realities, if you like. I cannot give you specifics as such. I can only go on what people have been telling me.

The Hon. C. J. S. LYNN: You mentioned in your report and again here that the dual accountability of the fire control officer is working well in Orange but you are aware that it is not

working as well in other places. Why has it worked well in Orange and, in your view, why is it not working as well in other places?

Mr GARDINER: I think I am very lucky. I have an extremely supportive council and general manager. While I do not report directly to him, the door is always open. If I have a problem and I need to discuss it with him, he is only too happy to do so. He employs me as a manager to undertake the tasks I do. I am accountable for the things I do and he lets me do my job, basically. I think that is how it works. He lets me do the job.

The Hon. C. J. S. LYNN: So in the areas where it is not working, do you see that as being a local management problem that needs to be worked out or a local procedural problem?

Mr GARDINER: Yes, certainly it comes down to a local issue. I think there are quite a number of councils around the State where the system does work and, again, there are probably just as many where it does not work. It certainly is an internal matter.

The Hon. C. J. S. LYNN: Do you think the answer for those where it does not work is to have the fire control officer under the direct command of the Rural Fire Service for technical and local command and administration?

Mr GARDINER: From a personal perspective, as I say, our system is working extremely well, but in the broader sense maybe that is the way to go. I think as the service evolves and goes through change, that may be certainly one of the directions it has to go in so the fire control officer can do his job.

The Hon. J. R. JOHNSON: Mr Gardiner, I am trying to understand. You had two Cat 7 tankers built by the contractor at Gulgong. Are you aware of any problems with these units and are they exactly the same as the units supplied and built by the Rural Fire Service?

Mr GARDINER: We bought two Cat 7 tankers through Mudgee Shire Council. It was contracted through Andrews. They are not the same as the Cat 7s supplied through the fund. The service had an independent engineer come and look at these vehicles going back probably 18 months ago, and these reports are with the Rural Fire Service, and there were a few problems with the vehicles. I cannot tell you what those problems were, but those reports are available if you need a copy.

The Hon. J. R. JOHNSON: Were they old vehicles?

Mr GARDINER: No, they were brand new. A brand new cab chassis. They were bought as new firefighting vehicles.

The Hon. J. R. JOHNSON: How many times has your council constructed tankers outside of those that are supplied through the Rural Fire Service?

Mr GARDINER: Twice. Initially in 1995 we purchased or built, if you like, three category one tankers, and that was through Deans at Bowral. Those tankers were built along the Rural Fire Service specifications so they virtually were an identical Rural Fire Service vehicle, if you like.

The council funded those vehicles and we have claimed the money back through the Rural Fire Fighting Fund over a period of time to get reimbursement. The other purchase was the two Cat 7s. We have not purchased any outside the fund other than those.

The Hon. J. R. JOHNSON: On the first occasion did you supply the chassis?

Mr GARDINER: We bought the cab chassis locally and we shipped that down to Bowral.

The Hon. J. R. JOHNSON: And it still cost more?

Mr GARDINER: Yes, it certainly did. That was with me sourcing all the pumps and all the equipment that goes on the vehicle, the lights, the signs, the whole shebang, and supplying the cab chassis. All Deans did was really put the thing together and supply the tank, I think.

The Hon. A. B. KELLY: Was your oncost factored into it?

Mr GARDINER: No.

The Hon. J. R. JOHNSON: So all of the hassles that you would have in getting all of this impedimenta together would not have been worth the hassle? It is not worth the hassle considering that you can just get them from the Rural Fire Service?

Mr GARDINER: No, I would not do it again. Since that time, the council has funded another vehicle, another category one vehicle, and we have actually purchased that vehicle through the Rural Fire Service. We paid for it outright but we bought it off the service, if you like, and then we will claim the money back through the fund.

The Hon. M. I. JONES: With the two units which you purchased through Mudgee, and you said that you were not quite sure of the problems, we heard earlier today that Mudgee purchased equipment and it was more to their specification because the equipment which they received from Rosehill had different sized pumps and different pieces. Could it be that these problems relating to these units were perhaps because they were bought to a Mudgee specification rather than to what was required in Orange?

Mr GARDINER: No, I am not talking about problems in the specification and what was supplied with the vehicle. I am talking purely from an engineering point of view.

The Hon. M. I. JONES: You say everything is going well in Orange, and we have no reason to doubt that. How is morale in your area?

Mr GARDINER: Excellent. When I say that, there is always going to be the odd volunteer, if you like, who you cannot keep satisfied or keep happy but, in broad terms, I think the morale is very good.

The Hon. M. I. JONES: And do you have adequate numbers of volunteers?

Mr GARDINER: We have about 120 active firefighters.

The Hon. M. I. JONES: Is that sufficient?

Mr GARDINER: I believe so. We have only got six brigades. We are only a small local government area. We have got 287 square kilometres.

The Hon. A. B. KELLY: There has been a divorce with Cabonne.

Mr GARDINER: Yes, we had a joint rural firefighting --

The Hon. A. B. KELLY: I am trying to put it tactfully.

Mr GARDINER: We had a joint firefighting arrangement with the shire which virtually surrounds us, and in 1995 the council decided to split from that agreement. I think it was the right move, especially for the volunteers. They have not looked back since.

The Hon. R. T. M. BULL: I notice your title is Commercial and Emergency Services Manager, Orange City Council. Does that mean that you have other tasks?

Mr GARDINER: Certainly. I am responsible for the administration of the airport, the saleyards, the swimming pool, obviously fire control, and emergency management.

The Hon. R. T. M. BULL: That is because you do not have a rural area in the city?

Mr GARDINER: That is correct.

The Hon. R. T. M. BULL: You talk about your responsibility under the Act and working with captains and group captains. One of the issues, and you have addressed it through the ICS, that has been raised today and on other occasions is who is actually in charge of the fire and at what level does the FCO take over. You might just like to expand on your relationship with captains and group captains?

Mr GARDINER: Okay. Firstly, we do not have a group captain in Orange at all. We have got six captains and we have regular meetings with those captains. We asked them whether they wanted to have a group captain and they have all decided not to. I am quite happy with that. I admire their decision, if you like, to sort of be a little bit autonomous in their own area.

It means that when a captain has an incident in his particular area he becomes a group captain and takes a step back from the incident, if you like, and if other brigades come in he has the overall control. Each one of those captains is aware of that situation.

As far as responsibility is concerned, I am responsible, and we cannot get away from that. However, I have faith in my captains, and unless I think they are going to do something that is completely outrageous, I will not change the course on the way they want to deal with an incident.

The Hon. R. T. M. BULL: So they are basically in charge of the fire scene?

Mr GARDINER: Yes. They have only got their own brigade. They are the captains in charge. If more than one brigade arrives, they will take a step back, if you like, and become the group captain, and he will then co-ordinate the firefighting activities.

The Hon. R. T. M. BULL: I assume you are a member of the association?

Mr GARDINER: The Rural Fire Service Association, yes.

The Hon. R. T. M. BULL: And are you aware of its submission?

Mr GARDINER: Yes.

The Hon. R. T. M. BULL: What are your thoughts on the cost of having these local management councils?

Mr GARDINER: It is a difficult question because we are going so well at the moment.

The Hon. R. T. M. BULL: You have heard other evidence and especially just prior to yours?

Mr GARDINER: Exactly, yes, and maybe that is the way to go. I would have to look into it a bit further. I think there has to be a lot more consultation between the Rural Fire Service and, if you like, the Rural Fire Service Association and other people before we sort of come to one arrangement or the other.

The Hon. R. T. M. BULL: It was suggested in evidence this morning that you may have been sitting in on that there should be various protocols for different areas such as the Western Division. Do you feel we can have different protocols for different areas of the State, in other words, a central zone, which you are a member of, that could have its own protocols, which could be the same as everyone else's for that matter, but they would have a bit of local input?

Mr GARDINER: I do not know that we need to have different protocols. I think we have such a diversification from the coast to Bourke, if you like, to get to a place. All the fires that occur in the State are different. It does not matter if we are fighting a fire in our particular district this year or next year. It is always different depending on the circumstances.

I think the basic grounding is there to have enough local input to deal with fire management including having volunteers on our committees, having people from National Parks, forestry and the like, and you get that cross-pollination, if you like, or a cohesive approach, co-ordinated firefighting, if you like, towards firefighting.

The Hon. A. B. KELLY: You mentioned that you are a member of the Rural Fire Service Association. This question is in relation to some other discussion we have got to have shortly. What union would cover fire control officers, do you think? Is it the MEU or the union that covers the town brigades?

Mr GARDINER: That is very hard to answer.

The Hon. A. B. KELLY: You mentioned in your report that fire stations can be built in Orange for about \$30,000 or \$40,000 while in the Central East Region they are up to three times that amount. Could that have something to do with the planning regulations of the different councils?

Mr GARDINER: It certainly could. It comes back to the funding situation. I am not saying that we take funding away from Central East. I am saying that we need more funding in regional New South Wales to get the necessary gear that we have not got at the moment.

I understand that places like Hornsby, Baulkham Hills, those councils put in significant funds into their rural firefighting side of things above and beyond what they get through the fund and so forth, and that enables them to get a lot more gear than we can get, but by the same token, it is very hard when our volunteers go to Sydney and they see all this gear and they come home and we cannot give them enough.

You have councils like Orange, probably Dubbo and others that are prepared to put in more than what they should, but we still cannot get enough funding out this way to get the gear that we need.

The Hon. M. I. JONES: Because your area is virtually confined to a rural city, have you and your teams been involved in fighting any major fires?

Mr GARDINER: Over the years when we had the joint arrangement with - it does not matter about the joint arrangement - certainly our fellows have been in Coonabarabran fires. They got involved in the Parkes fire, as I did. They have been to the Sydney storm damage. They are prepared to go out of area.

The Hon. M. I. JONES: So you attend out-of-area fires but --

Mr GARDINER: Yes, but no major ones in Orange as such. Probably the biggest fire we have had in five years is 250 acres.

The Hon. R. T. M. BULL: You talked about the appropriateness of apparatus and you mentioned that the phasing out of tanker trailers is supported by local captains.

Mr GARDINER: Yes. I have regular meetings with our captains, if you like. If you like, it is a de facto management committee. Where we have not got group captains, I use the captains. That was raised at a meeting by them and it was a joint decision by us that over a period of time we will phase them out.

The Hon. R. T. M. BULL: What category of tanker trailers are you more likely to use?

Mr GARDINER: Probably category one.

CHAIR: You talk about the problem of volunteers going to advisory committees. Do those committees never come to Orange? Do you always have to go to the city?

Mr GARDINER: No, they go to Sydney.

CHAIR: They never come to Orange?

Mr GARDINER: Not that I am aware of. I think it is a bit of a problem. Whether we can get it out in the bush and change around, like, for example, the Rural Fire Service Association tries to move around the State to get different volunteers to different meeting.

Maybe that is an avenue that the Rural Fire Service can look at, of trying to bring the meetings out into the bush occasionally so that there is more access for the volunteers. It is very difficult for volunteers, whether they be self-employed or employed by other people, to take the time to get to Sydney and go on to these committees.

CHAIR: Being the Rural Fire Service they should come out to rural areas occasionally, you think.

The Hon. C. J. S. LYNN: Could you give us a feel of the attitude of your members towards - in early discussions there has been an indication that there is a divide east of the range and west of the range. What is your view and the view of your members on that?

Mr GARDINER: I think if you talked to any of the Orange rural firefighter volunteers they would give wholehearted support to the Rural Fire Service and their council, obviously. There do not seem to be any great problems there at all. As I say, you might find other persons not completely happy but in broad terms I think they are very happy.

(The witness withdrew)

PETER GERARD RYAN, Regional Co-ordinator, Central Region, PO Box, 620, Young, New South Wales, sworn and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr RYAN: Yes, I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr RYAN: Yes.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session. But I should warn you that the Parliament may override that decision at any time and make your evidence public. Would you like to make an oral submission now?

Mr RYAN: Yes, a five-minute one if you do not mind. In my opening address I wish to express mainly my concerns about the treatment of fire control officers within the Central Region and other matters. These men within the region are working in extremely difficult circumstances in that they have dual accountability.

Leaving aside the councils of Orange, Dubbo and Cowra, and the Committee can see from those submissions their thoughts on the service, generally FCO treatment can only be described as abysmal and disgraceful. Mostly this is brought about in council areas that have a councillor representation mainly made up of farmers.

The FCO's life is often made very difficult because of the political interference of councillors which I know is in direct contravention of the Local Government Act 1993. Perhaps that is an issue for another inquiry on another day.

Some of the issues that concern me greatly since taking the position in Central Region are: different rules being applied in each district to FCOs; varying disparity of wages and conditions for FCOs across the region; non-payment of overtime and on-call allowances as per the award; diversity and inadequacy of accommodation from which to work; total misunderstanding of FCO duties by many councils; general managers allowing interference of an employee by elected councillors; lack of delegations to fire control officers by general managers; FCOs expected to be on-call 24 hours a day; and FCOs expected to be all things to all persons at all times.

Inconsistencies of management of the FCO is a major problem. Some regional councils do respect the FCO as a manager who must perform and is given authority by way of delegation to do that. They are often treated as political tools, particularly at local government election time, or a nuisance that must be tolerated.

So concerned was I about the issue of the FCO that in March 1999 I organised a one-day regional general managers seminar in my office. I called together all the GMs from the region. Some 13 of the 20 were represented, and for that I was thankful. Among other things, my staff and I tried to paint a picture of what the FCO's job was. It was also hoped that some degree of standardisation could be workshopped at that meeting.

Generally the conference went well and the general managers went away with a lot more

knowledge of the Rural Fire Service. The problem is, though, that except for one glaring example in Junee-Coolamon, not much has changed for the FCO.

My relationship with the general managers is generally good, with one or two exceptions - one of those we saw today - but the lot of the fire control officer has not improved significantly. This situation needs to be rectified. Fire control officers need to fit where they belong, and that is under the direct control of the Rural Fire Service.

I produce for the Committee copies of my address to that general managers conference, a copy of the address of Parry Shire General Manager, Mr Glenn Ingliss, to that conference and a letter from the general manager of Temora Shire to me.

Documents tabled

This region has met its responsibilities and continues to do that. We have developed in conjunction with training services the divisional commanders workshop to ensure that our senior personnel - that is the volunteers - within the region know what their job is in fires at a management level. They do have those responsibilities.

Since 1998 over 180 personnel in this region have been trained to this level. Often, people who never have been involved in training, attend these courses. The success of this workshop cannot be overstated. For once we are training the volunteers in control management to ensure on-going control for them in the field.

We have held a group captains seminar, the first such seminar in the State. So successful was it that Central East Region picked it up and held one earlier this year. The group captains in this region have demanded another one this year. They have also demanded that captains be afforded a similar seminar this year, so in June of this year there will be a four one-day seminar held for captains across the region. This will be followed by the group captains seminar a week later. I produce the outcomes of that group captain seminar held in Cowra last year.

Another matter of interest to me, the treatment of women in the region and beyond, is of particular concern. Rarely at medal ceremonies are they recognised. There is a mayor in this region who almost has kittens every time a female firefighter is mentioned.

This same mayor interferes at every operational level when there is a fire. To rectify this issue I organised and held a regional women's seminar in Parkes in February of this year. The theme of the seminar was "equality", but the outcome showed that the theme should have been "recognition".

Over 40 women from across the region were in attendance and it was a resounding success. There would have been more in attendance if some of the councils, and some of the FCOs for that matter, had treated this seminar more seriously. The report for this has not been prepared so I do not have a copy for this Committee but it is hoped to be concluded in early April.

The region has introduced a new funding formula that achieves many things and should be introduced statewide in this or a similar form. It ensures equity across the region based on recommendations of fire cover. All it does is produce the bare bones Rural Fire Service for each district. It has shown us that we can only supply a \$73,000 unit rate for vehicles when what is required is between 125,000 and 130,000 per unit rate. This formula now gives us a reason to go to Treasury and ask for more money because for the first time we can show why we need the money, not based upon political pull or whatever.

The formula also puts a deal of accountability upon councils to ensure that their FCO properly manages the funds allocated. This has caused a little controversy, but in the main has been well accepted region wide. I rely upon results and lines of communication we have opened in the region.

I do not rely upon emotion based upon a longing for a return to the so-called good old days. The service does not solely belong to the farmers of this State. Certainly they are a big part of it, but they do not own it as they would have this Committee and the community believe. It belongs to New South Wales.

I have a number of documents I wish to table: Central Region strategic plan formulated on 18 June, 1998; outcomes of the group captains seminar held at Cowra on 7 and 8 August and a list of the personnel who attended; numerous copies of a document titled, "FCO accountabilities" and attached to that - this quotes certain sections out of the Act for the information of general managers.

Following that is a document marked "FCO Performance Ready Reckoner" where my Deputy Regional Co-ordinator went through the Act and other documents and produced 88 jobs that FCOs are expected to do as listed there. I have also a document titled "Funding Formula, Central Region Estimates 1999-2000" and a matrix that outlines what the funding was for across the region, and also a pie graph which indicates that, and I have also got the colour legend to that as well.

Documents tabled

CHAIR: On page 11 of your submission you say:

An anomaly exists whereby councils may build a fire tanker on a second hand cab chassis but because of government tendering rules it is not capable of building on a new cab chassis unless an exhaustive and expensive tendering process is completed. Many of the second hand trucks meet specifications and often exceed them. To allow councils to build new tankers locally would ensure money stays in rural areas. Some employment may be created and a good and often cheaper alternative is found.

Can you see that happening and a situation where councils will be able to build on new chassis? We have heard some evidence that it is cheaper and other evidence that it is not cheaper. What is your view of that?

Mr RYAN: Looking around the region and beyond, I do not think they can build them much cheaper because people are trying to compare apples with oranges and you have got to compare apples with apples. So until that exercise is gone through I do not think the comparisons can be truly made. I think the point Kel Gardiner raised, the previous speaker, was that he tried to build one himself and found that it was about \$3,000 or \$4,000 dearer to build it than what the department did, and that was comparing an apple to an apple.

CHAIR: So if we could build at the same price it would be a good idea to create rural jobs?

Mr RYAN: Yes, the department has gone down that road by way of calling for tenders recently to build category one and category three tankers. A number of country people have applied for the tender and that process is going on at the moment. In fact, inspections are being carried out, I believe, as we speak of those premises, and some of those are in country areas.

The Hon. M. I. JONES: Is that Deans or Andrews?

Mr RYAN: I would imagine so.

The Hon. A. B. KELLY: I will ask the question I started to ask before in relation to what union would cover various people in the fire service. Firstly, fire control officers employed by council, what union would cover them; a salaried officer of the Rural Fire Service, if he joined the appropriate union; and perhaps somebody who might be employed at the Rural Fire Service headquarters in Sydney. So there are three different types of people.

Mr RYAN: When I was an FCO I was a member of the MEU, and I understand any fire control officers who are union members are members of the MEU. In relation to myself, I am a member of the Public Service Association, the PSA.

The Hon. A. B. KELLY: As a government employee?

Mr RYAN: As a government employee, and the same for people in Rosehill.

The Hon. A. B. KELLY: Just a point of clarification. The group captains conference that you held, was it just for group captains?

Mr RYAN: With the exception of one person, yes, who came along for the consultation.

The Hon. A. B. KELLY: That is why I asked the question. You talk about in your area, the Central Region, standards of fire fighting. It has been suggested to me that if that were used for a system of funding across the State, not just in your area but in the central area, that the central area would get much greater funding for tankers.

Mr RYAN: Again, like Kel Gardiner said, I am a bit loathe to take money from somewhere else, some other region. My philosophy is and my belief is that we need more funding basically because of that unit rate issue that I spoke about in my address, because I think if they worked that formula across the State it would probably work out pretty well the same, probably except for the central east and perhaps the Hunter.

The Hon. C. J. S. LYNN: I have two things. The first thing, Mr Ryan, is that you alluded to or mentioned before that councillors' interference with fire control officers is a major problem.

Mr RYAN: Yes.

The Hon. C. J. S. LYNN: These councillors are elected to represent their community.

Mr RYAN: Certainly.

The Hon. C. J. S. LYNN: And I think that should be kept in mind. I would like to just quote from a report we received from Araluen by Mr John Snell, who is the President of the Araluen Fire Brigade or a brigade in the Tallaganda Shire. He is a former army lieutenant-colonel. He is a graduate of the Staff College in the United Kingdom, and he has done post-graduate studies in the United States. He says a lot of significance I would like to quote here in regard to the command and control problems of the fire control officers. He says here:

The main reasons for this stance [of why they should stay with the councils] is to do with knowledge of local conditions and ratepayers needs and expectations which are best articulated by the people elected to represent them, the shire councillors. It is also a supplementary way of ensuring that consensus views of volunteers are included in local bush fire management matters rather than simply those of a coterie of those to whom the FCO chooses to listen and/or consult.

There are perfectly workable models of handling the apparent dichotomy of the present shared arrangement. The Army's support services model provides for support of a given force by allocating appropriate resources to the force commander. These services, however, take their *technical* direction from their respective support service chiefs. The support service adviser, therefore, works according to the commander's wishes, but within the technical parameters laid down by his service chief. Whenever there is conflict there are mechanisms for resolution, usually by higher authority. However, many in these positions regard it as a mark of personal failure if they are unable to satisfy the demands of their commander. The FCO's position is directly comparable; they are there to support their local councils and obtain their technical guidance from the RFS organisation.

If the military can make a command and control system work like that in war, why can we not make it work at local government level?

Mr RYAN: One is fighting a war and one is fighting a fire, I suppose.

The Hon. C. J. S. LYNN: But we are talking about command and control. I am talking about the process. For example, if you were to have an education program, and I appreciate the difficulty and diversity of the problem, in which someone like yourself, for example, went round to educate the councils - some have more money than others and some have part-time and full-time - together with the fire control officers, do you think that would be a possible solution?

Mr RYAN: Mr Lynn, I have gone to great lengths to ensure that I visit councils regularly. The conference they held last year was followed up by regular visits to councils, where the mayors, the fire control officers and the general managers were invited to come and speak to us, as well as the volunteers if they had problems. All these issues that I have outlined here today I have discussed and I have given the information to those people, and still the problems persist.

In relation to your command and control issue, generally we do not have too many problems with command and control. If it falls down, the main reason is that either one section does not know what it is supposed to do, and that is why I recognised that in the 1998 Parkes fire that has been spoken about here this morning, and the divisional commanders workshop was held as a direct result of that fire.

We had experienced firefighters who did not know their management role. So we have addressed that. The issue of fire control officers not understanding their role we have also addressed. They have been put into incident control management courses and the like throughout the region, so those matters have been addressed. Ever so slowly you can see, and I can feel it and I can see it, the whole attitude is beginning to change because of the initiatives that we have put into place.

The Hon. J. R. JOHNSON: I have been waiting for you.

Mr RYAN: I know.

The Hon. J. R. JOHNSON: Mr Ryan, before you were appointed to the position of Regional Co-ordinator Central Region, I understand that you were located in the northern region of the State and held the position of fire control officer. As a fire control officer, what, if any, were problems regarding dual accountability?

Mr RYAN: I will not call Kel Gardiner up to answer that one, Mr Johnson. I was very fortunate in that at both Kyogle and Richmond River councils, where I was a fire control officer, I had

very good general managers and very good supervisors over me who understood and listened to me and listened to what the volunteers had to say because we had management teams in place.

Where some of the problems arose, though, was, again, and unfortunately - and Mr Lynn has alluded to the fact that councillors are elected people - the only time that we had problems was when council decided to become involved in the situation, and that was where the dual accountability fell down for me, as a fire control officer anyway.

The Hon. J. R. JOHNSON: Councillors?

Mr RYAN: Councillors, yes.

The Hon. J. R. JOHNSON: It seems to be a disease of the councils.

Mr RYAN: I am not sure. I am sure they have the community at heart and all that but they cause untold problems when they go outside the bounds.

The Hon. R. T. M. BULL: In your submission you talk about the dual accountability, that fire control officers should be responsible to the Rural Fire Service. There is nothing new about that. But is this a common theme right through your region?

Mr RYAN: It is, Mr Bull. I travel very extensively in the region and I take a lot of time to talk to volunteers, in particular, about it. I talk to the fire control officers on a regular basis, on a day-to-day issue, anyway, so I understand where they are coming from. Generally, they want to come under the Rural Fire Service. More and more am I hearing from the volunteers that they want to break away from local government. They understand that there should be some local government involvement but they want the fire control officers and themselves to be treated as a State resource.

The Hon. R. T. M. BULL: In this document here which you have tabled "My Stuff from the G.M. Conference" you have actually commented on rural landholders and their old cry for tanks and pumps.

Mr RYAN: Yes.

The Hon. R. T. M. BULL: I assume that you have a very firm view on what works best for the equipment that is given by the service, and that is only for tankers. Is that right?

Mr RYAN: It is a two-edged question. I think the line has got to be drawn between farming and bush fire fighting. Landholders, no matter whether it is national parks or the local farmer, have a responsibility to ensure fire does not escape from his or her property. Now, I often hear, "We can stamp on it quickly," and so they should stamp on it quickly. They have a responsibility to make sure they do. But the office should not come into play until such time as they cannot handle the fire.

So it comes back to the farmer's responsibility or the landholder's responsibility in State Forests and National Parks to ensure they have the equipment to be able to handle those little situations so that they do not become big situations, otherwise our people would be out fighting fires every day of the week if it was not for them, and I accept that.

However, in the south-west group, and I think there are people from there who will speak later on this afternoon, we have come to a compromise with that group in that we have gone beyond the standards of fire cover. Each brigade has two tankers issued to it. We have allowed, and we will maintain for them, four strategically placed pumps and tanks throughout each brigade district. So it is

not the closed shop that people would have this Committee believe.

The Hon. R. T. M. BULL: So strategically placed in terms of access to anyone to get them or just one on each property?

Mr RYAN: No, strategically placed around the brigade area. The brigade area may be 100 square kilometres, so in each corner you may have a tanker trailer and in the middle you have your brigade station or on Farmer Jones' property or whatever with two tankers.

The Hon. R. T. M. BULL: Where the service is not supplying pumps and tanks any longer are you finding that farmers usually have their own anyway?

Mr RYAN: They do, and more and more they are going and buying their stuff and realising their responsibility under the Act. In fact, they come to my office in Young, fairly regularly, I would not say often, and ask, "Where and what is the best pump I can go and buy for firefighting?"

The Hon. R. T. M. BULL: In your submission, prior to us asking you questions, you spoke about typical interference. I was not quite sure exactly what you were referring to. Are you just referring to councillors inappropriately interfering in the work you are doing or are they using the Rural Fire Service to promote their re-election chance?

Mr RYAN: Sometimes, yes, I think that is the case. I will refer back to my employment at Richmond River, if you like, where I had a very good relationship with the mayor and the councillors there. That relationship was good because there was an understanding that they could speak to me or any member of staff as long as they ran it by the general manager first. Often what happens out here is

--

The Hon. A. B. KELLY: Was that Muldoon?

Mr RYAN: Muldoon was one, yes. Now, you have put me off track. I am thinking about touch football. But where the general manager perhaps does not I will not say do his job properly but where he allows councillors to speak willy-nilly to employees, which goes against the grain, that is when the problems seem to occur with that question you have asked. I hope I have answered that right.

The Hon. R. T. M. BULL: I do not know whether it makes you feel any better but I come from Holbrook Shire and we have not spent any money on tanks and pumps for very many years?

Mr RYAN: Well, I have just got your DFCO. Actually he is now virtually out at Condo.

CHAIR: Consultation with volunteers. How are you improving that?

Mr RYAN: Extremely well. The initiatives brought into play with the group captains seminars, captain seminars, brigade field day on Saturday at Forbes, I mingle with the people. They ask me the hard questions and I answer them. I have given directives to my staff in my office that they are to do the same, to consult with volunteers whenever possible at all times.

CHAIR: We have had comments about volunteers feeling left out and they are not really understood and their skills are not appreciated.

Mr RYAN: If I have a criticism of the department, it would be that we have gone down this road of change and probably quite inadvertently left behind the old farmer volunteer. I put a solution forward, as others have, in relation to categorising members and brigades, categorising membership

and accrediting brigades across the State to make sure we include those people who have given such wonderful service over so many years, instead of leaving them high and dry.

We should recognise there are volunteers within the service who will not leave their immediate area but will fight a fire if it comes to their immediate area and they should be treated as a volunteer, the same as the person who does all the training and drives all the flash trucks and takes on the whole gamut of the Rural Fire Service.

The Hon. M. I. JONES: With the allocation of equipment, am I right in thinking that each brigade orders its own for its specific terrain?

Mr RYAN: Some do and some do not.

The Hon. M. I. JONES: With the ones that do not, what do they get?

Mr RYAN: Normally you find the ones who do not have an FCO who manages a store. He or she will buy a certain amount of equipment based on observations of the last 12 months. That person will order, usually in consultation with group captains, equipment based upon putting it in the store room. If brigade X comes along and says, "I need, blah, blah, blah," he can go to the store and get it if it is available, if they need 10 pairs of overalls, different types of fittings, hoses. That is how I ran my shop in both those shires I worked at. Big equipment, again that is done in consultation with the group captain. If you want to order a category one tanker, for example, we will prioritise where it has to go.

CHAIR: Would any RFS salaried officer be a member of the New South Wales Fire Brigades union to your knowledge?

Mr RYAN: I certainly hope not.

The Hon. A. B. KELLY: Why do you say that?

Mr RYAN: We are not the New South Wales Fire Brigades. We are the New South Wales Rural Fire Service. I must say I have a great fear if anything changes that we go under the FBEU. I fear that in a very short time there will be a meeting held and there will be a question as to one fire service in the State and I can see the Rural Fire Service getting rolled 3,500 to 200.

The Hon. R. T. M. BULL: You talked about the FCOs coming out of the RFS. That takes away one level of local input in management. How do you feel about local management councils?

Mr RYAN: If they are set up correctly - they are not owned by anybody; no one owns them except the State perhaps owns them - I think it would be a good idea. If council owns them I think the problems I have explained to you today will continue.

The Hon. R. T. M. BULL: Council would be --

Mr RYAN: Represented. They are a major stakeholder. It is not in my philosophy to have local government chopped out.

The Hon. R. T. M. BULL: The current regions that exist at the moment, would they be adequate for that proposal?

Mr RYAN: That is opening up a can of worms. I prepared a submission, as asked, mid way through last year and I have submitted that to Assistant Commissioner Ross Smith, on my feelings

about any further regionalisation. To answer your question, I have said we should have four or five regions with enough staff and resources to accommodate that.

(The witness withdrew)

(Short adjournment)

HOWARD MANGELSDORF, Farmer, Representative, New South Wales Farmers' Association, "Corran", West Wyalong, sworn and examined:

CHAIR: Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr MANGELSDORF: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr MANGELSDORF: I am.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would be willing to accede to your request and resolve into confidential session. But I should warn you that the Parliament may override that decision at any time and make your evidence public. Would you like to make an oral submission?

Mr MANGELSDORF: Thank you. I am here to represent the New South Wales Farmers' submission that was placed before you in Sydney, I believe, but I would like to make a few comments of my own in support of that submission and my interest in the fire business. Funding for the Rural Fire Service has risen dramatically in the last 10 years and it is now at \$80.4 million dollars.

The main contributor to this fund is the policyholder and the people I represent, the levy on their policy is now at 39 per cent and I suggest at \$80.4 million it will probably be something like 50 per cent next year, given the history of how the levy has risen over that time.

This Government and all previous governments get a great deal of lip service from the fire fighting fund being at that amount. Bearing in mind that the Government's contribution is only 14 per cent, the people we represent subscribe a great deal of money to this fund. The feeling that I get is that a lot of those dollars are not transpiring on to the ground, particularly in the western areas but the other side of the hills often said in the western areas of New South Wales.

We do not believe that has been equitable and in our submission you will notice that there is a change to the funding arrangements and, as I say, at the moment the bids that a council puts in at any given time are probably represented by the amount that they can bid. What I am saying is that a large or a small, wealthy or not so wealthy council determines the equipment they get and not necessarily the risk to the assets that might be in any given area, which is more important.

Another issue of concern is local builds and I think with the new directives from the Rural Fire Service, local builds on new prime movers that was done by local shires in the past that from that gained local employment, use of local services and the money staying in the area, that now has been changed by that directive and I believe probably made too hard for those local councils to participate in tanker builds.

The Hon. A. B. KELLY: Did you mean prime movers or cab chassis?

Mr MANGELSDORF: Cab chassis. Admittedly, we can still build on second-hand ones but is the new ones I am concerned about. FCO accountability is, I am sure you have heard this many times, an issue of great concern to the Rural Fire Service as I see it at the moment. We see that since the new Act of 1997 where we have the dual accountability, that is operations responsible to the Commissioner and day-to-day affairs responsible to the general manager, is causing problems in many

councils in so far neither the GM of that council area nor the service have total control over that FCO.

We see a situation where we have FCOs that have loyalties to local council and will obviously stay loyal to the council and those with loyalties to the Rural Fire Service, their loyalty is shown in that direction. I do not suggest this happens for one minute, but there is the opportunity for a manager to play one against the other and I think you see my point there.

So the New South Wales Farmers' Association believes that, even if our submission is not accepted in its entirety, this situation should be changed quickly and we believe that the fire control officers should be the responsibility of local council general managers except in a section 44 situation.

The volunteers believe, and there are the two types of volunteers in the service, both very important to the service, the self-protectionist and the community spirited person, belongs to the villages, headquarters brigades and urban interface areas, et cetera, that do it for their recreation, both very important players in the service but they need to be directed in different ways. I am concerned that with some of the requirements expected of the self-protectionist, we will lose those people.

They will not walk away from the system as a volunteer simply because the only person who is going to look after their patch in the western area is them, so there is no one else to put out the fires so they are always going to be there and always going to be volunteers. In my opinion that will never change but we must be careful that we do not turn some of those good leaders away.

I think the service in some ways is participating in that by encouraging amalgamation along the lines of standard of fire cover as the tool to get standard of fire cover to work and I think there is a real threat that we will lose some of these good leaders who want to get out and do their job on their patch and go home. Standards of fire cover I believe is a very important formula for the direction of equipment and moneys to the ground area, to the area where it is needed, but in the western area we must make sure that formula is right and at any given time the asset value at a particular time, for instance, pre harvest is a very high asset and we must keep that in mind in terms of fire cover, and I am not sure that is addressed at the moment.

CHAIR: Has the association done any calculation as to how much a levy would raise compared to the existing system?

Mr MANGELSDORF: No we have not, but I can take that question under consideration and come back with some background.

The Hon. R. T. M. BULL: Just following on, there was evidence this morning from one of our councils that the levy should be changed, the raising of funds should be changed, to the South Australian model, which is a land-based system. I understand that the association is proposing a similar sort of funding mechanism?

Mr MANGELSDORF: We are. It will be on local government rates, and it will mean that all landowners, for instance, or all ratepayers, would be levied accordingly but according to the risk and area that it is rather than, at the moment, the policyholders, which might be only a small percentage of the total people who receive a service from the Rural Fire Service.

The Hon. R. T. M. BULL: Given that landholders or farmers pay quite a bit in shire rates, would this not unnecessarily impose a higher levy on them than the one that they are paying at the moment?

Mr MANGELSDORF: Well, I suggest that it would not because of that reason, that not all ratepayers are policy owners, so there are quite a few who are not paying their contribution towards the service. Just as a side line to that, the Rural Fire Service Advisory Council is looking at some funding options at the moment. A subcommittee is looking at the other States to see how they raise their funds. Obviously this is very early ground at this stage.

The Hon. J. R. JOHNSON: Could I suggest that you really have a look at South Australia, because in South Australia now under the new system that you are advocating they are paying more now than they were under the old system, and that is subject to review in South Australia. There are real ructions in South Australia over this system. It may be at your peril what you are advocating?

Mr MANGELSDORF: At this stage, as I say, it is very early stages. I am not suggesting that we are able to come up with a better system than it is now but the system that we have now is the line of least resistance in that the policyowners really do not have a say in it unless the State were to take on some form of compulsory insurance where they would all then be contributors, but at the moment if you are a non-policyowner, as I say, the lion's share, 73 per cent of the funding is raised by policyowners. If you do not have a policy, the same truck will more than likely turn up to your fire as a fire at the home of one who insures.

The Hon. R. T. M. BULL: I just want to follow up on a couple of issues. You raised the idea of fire control officers being responsible to their local councils except in the case of a section 44 occasion. There are a number of reasons why fire control officers would need to be under the responsibility of the Rural Fire Service, such as training, the transfer of information back to brigades and so on.

I am not quite sure whether you consider all those things, but from all of the evidence that we have taken, and this is our third day of hearings, there is quite a strong body of opinion that believes that the Rural Fire Service would be better out of local government and that fire control officers should come under the command of the Rural Fire Service on the condition, and this is part of your submission, that there be local input through a local management council. Would you like to comment any further on that?

Mr MANGELSDORF: As I say, if our submission fails and if we do not achieve all our objectives, we want the fire control officer to go back to the jurisdiction of the general management. In our submission it clearly states that they would be regional boards. When I say regional, it is probably a bad choice of word.

They would consist only of two or three fire districts depending on the size of the area, but that would have a board in itself. They would be represented by local government - equally, this is - by volunteers, by the service and by the New South Wales Farmers, and it would be a board that would do the employing of the fire control officer and run the management of that area, whatever it be called, not aligning them to the regions of the Rural Fire Service as it is at the moment.

The Hon. A. B. KELLY: Why should the New South Wales Farmers have a special representative there? Surely all the volunteers on the board who are firefighters are farmers anyway?

Mr MANGELSDORF: Well, particularly in the western areas we see farmers as major players in fire control in the State.

The Hon. A. B. KELLY: But the point is that they would already be on that board.

Mr MANGELSDORF: How?

The Hon. A. B. KELLY: As volunteers in the fire brigades.

Mr MANGELSDORF: Not all volunteers are farmers. Some are from village brigades and some other work.

The Hon. A. B. KELLY: The majority of them, though?

Mr MANGELSDORF: Yes.

The Hon. R. T. M. BULL: Just finally, Mr Chairman, the submission of the Rural Fire Service Association has come up with a similar proposal, which is a local matter for the council. I suspect that it would be bigger than what you have envisaged. Have you had a look at the proposal? Does the association have an opinion on that?

Mr MANGELSDORF: I have not personally, but my association has consulted with the Rural Fire Service Association and there are areas where there is agreement, yes. But it is still early days with that and there are further discussions going on.

The Hon. R. T. M. BULL: When do you think these discussions might conclude in terms of our inquiry? We are not going to be sitting forever.

Mr MANGELSDORF: I would have to ask the people who are negotiating that on behalf of the association. I have not been party to those discussions. I know that the association has and the directors and vice presidents have consulted with the Rural Fire Service Association. I have not been part of that so I really cannot comment at this time.

The Hon. M. I. JONES: What is your estimate of the amount of money that is generated from insurance policies towards the \$80 million budget?

Mr MANGELSDORF: It is stated that 73 per cent is put in by the Insurance Council. The total fund is made up of \$80.4 million for this year, for instance, or the last fund. There is now a new year starting. Of that, 14.3 per cent comes from Treasury; 12 point something per cent comes from local government, and 73 per cent comes from the insurance industry.

The Hon. J. R. JOHNSON: Mr Mangelsdorf, I note on page 10 of your submission under the a heading "Compensation" that you say that the Farmers Association is the recognition of self-employed volunteers and their financial circumstances when calculating workers compensation claims. Are you aware that a policy has recently been agreed between the Rural Fire Service and the WorkCover Authority that allows for extended periods to be used when calculating the average weekly earnings of self-employed volunteers and that this policy recognises the variables that can affect weekly earnings of a self-employed person such as floods, poor crops, et cetera, that is, of recent times?

Mr MANGELSDORF: I am aware that there have been changes made to the compensation made to volunteer firefighters along those lines of self-employment, yes.

The Hon. C. J. S. LYNN: I just want your views. If the fire control officers reverted to the direct command of the Rural Fire Service, what impact do you think that would have in your relationship with the Rural Fire Service and local councils?

Mr MANGELSDORF: If they revert back to the Rural Fire Service?

The Hon. C. J. S. LYNN: If they were under the full command and control and employment of the Rural Fire Service and had nothing to do with local government.

Mr MANGELSDORF: We feel they would be less responsive in that if you have that local government involvement through the general manager, they must be under the control of the general manager, who, in turn, is governed by the local council. I am not suggesting that the local councils themselves get involved one little bit. This way it makes them more responsive because they are in tune to a local political system that might direct them one way or the other.

What I am saying is that it is the people's say in that area that they want a particular policy or a particular thing. If it comes from the Rural Fire Service and it is the statutory service, I suggest that that might not always happen.

The Hon. A. B. KELLY: You mentioned that you sit on various advisory committees, including the Rural Fire Service Advisory Committee and the Co-ordinating Committee but you are not necessarily representing them here today. You are representing the New South Wales Farmers. Is that correct?

Mr MANGELSDORF: I represent the New South Wales Farmers on both those bodies.

The Hon. A. B. KELLY: Here today you are representing the New South Wales Farmers, not those bodies?

Mr MANGELSDORF: No, definitely not. I represent New South Wales Farmers today.

The Hon. A. B. KELLY: I think Mr Bull may have asked you some questions about the funding and you mentioned that not necessarily are all farmers covered by insurance. I have been led to believe that in this general area because the majority of farms would be geared in some way and have perhaps some mortgage over their property to a greater or lesser degree that in order to comply with the bank's regulations in regard to giving them a mortgage, they would have to be insured. I have been led to believe that something like 95 per cent - we are talking about real farmers, not perhaps a hobby farmer - at least 95 per cent of them might be insured anyway, if not the lot.

Mr MANGELSDORF: I am not aware of the figure. I am only assuming a figure like that.

The Hon. A. B. KELLY: Like 95 per cent?

Mr MANGELSDORF: Not at all. No, I do not think it is anywhere near as high as that. I definitely agree that any land that is indebted, that has an encumbrance on it definitely has to be insured, but I suggest to you that there is quite a bit of land that is not encumbered. Therefore, that requirement for insurance protection over buildings, fences, structures, et cetera, is not there.

The Hon. A. B. KELLY: So you think privately only, and we are not talking about the National Parks and Wildlife Service or Crown land that might be encumbered, but privately owned farming land. You believe that the majority of buildings would not be encumbered?

Mr MANGELSDORF: I would suggest it would be nowhere near 95 per cent. Could I just follow on there? It was actually suggested to me by a New South Wales Fire Brigades person, a highly ranked one, that in his area it was more like 20 per cent of buildings, of houses.

The Hon. A. B. KELLY: The Fire Brigades?

Mr MANGELSDORF: Yes.

The Hon. A. B. KELLY: So that is the town brigades?

Mr MANGELSDORF: That is the town brigades. There were only 20 per cent of houses insured.

The Hon. A. B. KELLY: That is different from a rural situation?

Mr MANGELSDORF: I would have thought that there would be more than 20 per cent of houses encumbered. But I do not know.

The Hon. A. B. KELLY: It is probably a little bit easier for them to get away with it. They do not have the bank manager calling every year and asking them to sit down and do a review.

Mr MANGELSDORF: Certainly in the rural areas if it is encumbered, it must be insured. I totally agree with that.

The Hon. R. T. M. BULL: In your local area of West Wyalong, what problems have you encountered in West Wyalong as a volunteer firefighter or in your other held positions on this dual accountability issue? Would be perhaps like to tell us about the local scene?

Mr MANGELSDORF: On the local scene it is probably not a big issue in that I think the local fire controller does operate under the auspices of the shire. There is no point when the general manager says, if for instance there is a day-to-day matter out at some brigade out west, "You attend to that," and the fire control officer says, "Well, no, I have to go to a conference somewhere organised by the service."

The general manager is not sure where the operational or where the day-to-day matters come in, so, therefore, there is this area of not knowing where the responsibility is. I do not suggest it happens in our area so much, but there is that opportunity for it to happen.

The Hon. R. T. M. BULL: You do not think it is more desirable that the Rural Fire Service would be indicating what the priorities of the FCO might be and if the conference was an important FCO conference the Rural Fire Service would no doubt be undertaking that conference and the general manager would appreciate that that would take priority? I guess it does not matter who is in charge, it is going to be a problem. But you might like to comment on that.

Mr MANGELSDORF: If I could comment on my own personal experience. I said I have been an FCO for 10 years. At that stage I was under the control of the general manager. He vetted all the things that I did at any given time that I was representing the shire so far as fire matters. Now, if they were not happy with that, that was fine. The buck stopped there. It did not go any further. I just feel now there is a grey area where I think most general managers recognise that, and at that time the Rural Fire Service acted as an advisory capacity and quite frankly I could not see anything wrong with that. It worked well.

The Hon. M. I. JONES: In your submission under hazard reduction you talk about the conflicting objectives within the Rural Fires Act. Would you like to express your personal opinion on those two issues please?

Mr MANGELSDORF: As regards to our association? What page are you referring to?

The Hon. M. I. JONES: Page 10.

Mr MANGELSDORF: Can I take that and answer that later?

CHAIR: Fine, you can take that on notice.

Mr MANGELSDORF: I appreciate that.

The Hon. A. B. KELLY: Just on that insurance issue again, you said you were led to believe that only 20 per cent of urban dwellers insured their houses. We have received a submission from the Insurance Council of Australia, which claims that one-third of homeowners were uninsured. So in other words they were actually saying 66.6 per cent were insured. But there is some question as to that because statistics were taken after the recent hailstorms in Sydney by the Southern Sydney Recovery Task Force.

It doorknocked every house in that area and of the 20,000 damaged homes, only 8.5 per cent were uninsured, so 91.5 per cent were insured in the urban area. Therefore, if you suggest that the urban area is less insured than rural areas, you would probably agree with my first suggestion that 95 per cent of farms are insured.

Mr MANGELSDORF: I do not agree with 95 per cent and I take your point that you have come up with information that I am not aware of either. The New South Wales Fire Brigades personnel I was talking to was high ranking and it was just a comment he made to me.

The Hon. A. B. KELLY: Obviously he did not have the facts.

Mr MANGELSDORF: Yes, by the sound of that but I still - I mean, it could well be and those are the people who would know who is insuring and who is not insuring but I think that is too high.

(The witness withdrew)

ALAN WILLIAM HOLDING, Farmer, Central Region Chairman, Rural Fire Service Association, PO Box 102, Harden, and

KENNETH JAMES HALL, Joint Fire Control Officer, South-west Rural Fire Group, Incorporating the Shires of Boorowa, Cootamundra, Harden and Young, and Member, New South Wales Rural Fire Service Association, PO Box 1233, Young, sworn and examined:

CHAIR: Mr Holding, Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr HOLDING: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr HOLDING: I am.

CHAIR: Mr Hall, Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901?

Mr HALL: I did.

CHAIR: Are you conversant with the terms of reference of this inquiry?

Mr HALL: I am.

CHAIR: If you should consider at any stage during your evidence that in the public interest certain evidence or documents you may wish to present should be heard or seen only by the Committee, the Committee would willingly accede to your request and resolve into confidential session. But I should warn you that Parliament may override that decision at any time and make your evidence public. Would either of you like to make an oral submission?

Mr HOLDING: I might lead off if I may. First of all, I have got some paper here that I would like to deal with and table. Because the time is short, I do not really wish to, and I am not suggesting you people do not ask me the questions, go into my submission. What I would like to do is deal with three items: standards of fire cover which is what that paper deals with; dual accountability and the RFSA.

CHAIR: So you want to answer questions or --

Mr HOLDING: I would like to introduce the standards of fire cover item. There has not been a great deal said about standards of fire cover. The comment was made that it is not really relevant. To me, the standards of fire cover is a benchmark, if you like, to funding, to membership and with the equipment that is available. Now the standards of fire cover in my way of thinking is not the end all of every. It is just a benchmark. It is not the ultimate in coming to a standards of fire cover because, as has been said earlier, this has been in for a few years now.

But there is no value placed upon cropping, the standing crop. In a lot of cases in the primary industry, the crop is worth more than what the residence is worth and if you understand standards of fire cover, a residence is worth one unit. A hotel is probably worth six units. I am not too sure about these figures, but that is the kind of relationship with standards of fire cover. There are such things as fire threat and fire hazards and population and transport which are all parts of the equation that go into coming to a decision on the standards of fire cover.

In that paper that I just handed around for the south-west rural fire group, across the top we have got recommended standards of fire cover. We have got Cootamundra 17, Boorowa 18, Harden 21 and Young 25, giving us a total of 81 Cat 1 equivalents. That is Cat 1 tankers. In the south-west rural fire group, at the moment on hand in standard of fire cover equivalents, Cootamundra has 35, Boorowa has 25, Harden 44 and Young 46, which gives us 150 Cat 1 equivalents which is almost double what the standards of fire cover recommend.

Privately on hand, and these are units that were not inspected but they have been issued by the fire service over the last 10 years, you have another 65 units and then on top of all that we have 43 other private units which have been written off that are over 10 years old but are still in good order, and I have got one of these myself; it is 18 years old and it is good as the day it was purchased. So if you look at all those figures, in the south-west group we have got 258 in the Cat 1 equivalents when the recommended standards of fire cover says we need 81. My superintendent can give you further information on that if you wish to go further with that.

The point is that whilst we are giving all this equipment away and, by the way another side issue, the secretary of a brigade in the Cootamundra area told me on Thursday that they have got 57 tanks and pumps in their brigade. They have got a membership of 90 people and they have an active membership of 30 people. So if you take the active members who are going to use these 57 pumps - one in each hand. To me, that is sacrilege and it is something we should be looking at. This is one of the prime arguments that I have been stating for quite a long time.

Mr HALL: If I can carry on with what Mr Holding was saying, basically when I started with the south-west rural fire group, this was a problem that we had. We put in place some inspections and so forth to get a handle on the equipment that is out there. It has been long recognised that there is a lot of equipment out there, we do not know where it is and we are not controlling it. So we went through and said that anything that is over 10 years old we will write off our books so we have an accurate figure. The figure that came out was what Mr Holding said.

To put in place then a bit of management into our group, we recognised that we did not need the 92 tankers that we have, mainly because we could not replace them with a 15-year replacement program with the money that was available. We also put in place to reduce those to 75 and that is it still allowing one and a half basically to each brigade that we have.

We also put in place that each brigade has four tanks and pumps. This came about by talking to brigade members. When we worked out how many pumps and tanks and how many members some of the areas of the south-west group had, we realised we did not have enough members to run the equipment that we wanted. So the four pumps and tanks and the tankers is why we came up with this result.

Moving on from that, we then brought in brigade classifications which we only recently went through. We asked our brigades to put up their hands and say what part of the job they wanted to do. After some meetings with brigade members and the public, the question was asked, "Do I have to go to motor vehicle accidents?" My answer was, "No you do not, you are a volunteer but please let me know if you do not want to go because I do not need to ring you. When time is of the essence, I need to talk to people who want to do the job."

That is how we solved the classifications. We had three levels, one being the rapid response front line member, the next one being the back-up member who is the person who would do all those jobs if there was a need and a which will to do it and the third member was the person who was there to look after his brigade area. So that was his mate's place down the road or his own area.

The whole idea of this was to bring a bit of management into what we were trying to do. As I said, we have limited funds. We have to spend our funds correctly and at the right place and give it to the right people and so that is why we came up with that. If you like I can table the brigade classifications.

Brigade classifications document tabled

CHAIR: On page 2 of your submission to the Committee you say that the New South Wales Farmers and Shires Association need to investigate the real reasons and culture behind their members' outburst in relation to the Rural Fire Service". Do you believe there is some justification for some of these outbursts?

Mr HOLDING: I thought that might bring a question, Mr Chairman. Yes, I think Mr Ryan answered that question, and the way I see it and I have said so here in my submission, and I think your question earlier to the last speaker that we got councillors. I have been a councillor for 10 years. I am not now, but the point is that the way I see it is that councillors allow their egos and their position to get in the way of good government.

I say this with all sincerity and the fact that I have been on the council, and I use the example of an engineer's job, to get right away from fire control, if you like, where the working committee is five people and when we get out on to the job and we are looking at a road we have five or seven engineers, and they are all experts.

The Hon. A. B. KELLY: And only one qualified?

Mr HOLDING: That is right. And the same thing with fire control officers. You have got my history of where I sit in the fire organisation and yet my advice is not accepted in a lot of cases in my own brigade. That is probably my personality and my forthrightness. I do not know. I call a spade a spade.

It is not only my council; it is councils right across the central region. I have had people come to me, fire control officers, of all people, and say that they cannot attend certain conferences because the general manager will not allow them - these are fire brigade conferences, by the way - or they are restricted in sending out propaganda, as the general manager calls it, to the brigade members.

Now, this is a communication problem we have got with our volunteers. I, being the Chairman of the Central Region, use my superintendent's office to do the work. I have never bothered to ask my GM whether he approves or agrees with what I do, but that is not my problem I do not suppose. But the thing is that I believe, as Chairman of the Central Region - I am getting off the track a little bit - I need to communicate with all these volunteers, the members across the Central Region as the Rural Fire Service Association Chairman.

The Hon. A. B. KELLY: You have been a volunteer for 50 years. What are your views on the comments made by individuals that protective clothing is unnecessary and that fires can be fought wearing thongs and shorts?

Mr HOLDING: Well, you would not get me fighting fires with thongs and shorts, I can tell you that, because I have been there, done that. I am fully equipped. I have a truck down the road with all the equipment in it and I can respond as quickly as my pager goes off. I thought I might have been able to borrow the walking stick over here on my left. I do not think I am quite to that age yet, but when I do get to that stage I will retire. Thank you very much.

The Hon. J. R. JOHNSON: Where are you from, mate?

CHAIR: He has a bad knee.

Mr HOLDING: Well, I have a bad knee, too, so he is one of my mates.

The Hon. J. R. JOHNSON: Mine is only bad; yours is crook.

The Hon. A. B. KELLY: With your lengthy association with the Rural Fire Service, are you happy with the direction in which it is heading?

Mr HOLDING: More than pleased, yes. Everything is not rosy in the garden. We have got our problems, and you have heard some of the problems here today - I could give you an example of the problems with communication - but communication is the problem and how we are going to do that.

The Rural Fire Service Association is looking at ways and means of overcoming that. I think the Rural Fire Service is looking at ways of overcoming that. One of the recent ways was that the Manager of Technical Service was out and he has done a tour now.

There was a communication problem with the current catalogue of equipment and that, I think, has been cleaned up. Richard Donarski was at Cootamundra. The sad part of that visit was that this gentleman came from the Rural Fire Service in Sydney especially to speak on the catalogue and equipment items, and out of the 25 people there - there were only about 25 people there and then about eight or nine of us come from the south-west group anyway - there was not one councillor present.

Now, I ask you gentlemen: where are the councillors? We are talking about dual accountability and they will not even attend these important meetings that affect their funding.

The Hon. A. B. KELLY: Yet you say that some of the problems with dual accountability is that the councillors in some areas try to give instructions to the fire control officers and get involved in the day-to-day management?

Mr HOLDING: Yes.

The Hon. A. B. KELLY: Is that a fairly common thing?

Mr HOLDING: Well, in my view, it is from the information that I am getting, and I can give you comments of a fire control officer from out a little bit further west where there was an illegal burnoff. He went out and investigated it and got all the evidence and everything, talked to the captain and so forth, then went back to the general manager, and the general manager squashed it because he was a mate of one of the councillors.

The Hon. A. B. KELLY: One of the best things that Gerald Beresford Ponsonby Peacock, the former member for Dubbo and now the Mayor of Dubbo, did was bring in a new Local Government Act in 1993 which kept councillors out of the day-to-day management of local government. Obviously a lot of them have not read that Act yet.

Mr HOLDING: I do not think they can read.

The Hon. J. R. JOHNSON: This transcript is going to make great reading.

The Hon. M. I. JONES: I would like to seek clarification, please. My colleague and Chairman the Hon. Richard Jones asked you about your comments on page 2 relating to "the real reasons and culture behind members' outbursts". In response to that you went on to relate this to councillors in various local government areas getting involved. You later on went on to make reference to the sorts of problems we hear about today.

In your comments here, the comments on page 2, are you saying that there are not any problems and this is just mischief made by these councillors or are you actually acknowledging the fact that people do have real problems as they are brought here today?

Mr HOLDING: Yes, I agree they do have problems.

The Hon. M. I. JONES: Would you like to retract this statement?

Mr HOLDING: Who are we talking about? I am sorry, but I might be missing your question.

The Hon. M. I. JONES: If I can just refer to what you have said, to paraphrase you slightly, you said that problems have been brought out and we should investigate the real reasons of culture behind their members' outbursts in relation to the Rural Fire Service. I am suggesting that we are looking at the problems as they are presented to us.

Mr HOLDING: I am sorry, but what I am saying there is that there are two bodies represented on the statutory authorities in the make-up of question 2, I think it is, of the terms of reference. Two bodies representing it at the executive level and at the management level, namely, the New South Wales Farmers and the Shires Association need to investigate the real reasons and culture behind their members' outbursts in relation to the Rural Fire Service as a whole.

The Hon. M. I. JONES: Are not the members the volunteers?

Mr HOLDING: No, I am not talking about the members. I am talking about the executive of these two organisations.

The Hon. A. B. KELLY: He is saying those two organisations should investigate the reasons.

Mr HOLDING: I am not talking about the volunteers or the members. There are some very good members who are not happy with the association, and I am one of them.

The Hon. M. I. JONES: Point made, okay.

The Hon. R. T. M. BULL: This south-west group that you have got, is that unique in New South Wales?

Mr HOLDING: Yes and no. There are other groups around, and I cannot name them off the top of my head as to where they are.

The Hon. R. T. M. BULL: Do they have a shared fire control officer?

Mr HALL: I think Junee-Coolamon, which are councils that adjoin us, have a shared fire control officer. There are a few others starting to creep into the place. I know there are three shires trying. We are the only joint shire in the State at the moment.

If I can just expand on that, the South-west Rural Fire Group has a management committee that is two local members from each council that sit on the committee, as well as the fire control officer and the general manager for Harden Shire.

The Hon. R. T. M. BULL: So the relationship between you as fire control officer and those councils, four different councils, I guess, is a little less participatory than it would be on a one-to-one situation?

Mr HALL: That is right. Basically I meet with the management committee quarterly and we take our policies and so forth, like our funding policy and our tanks and pump reports and so forth, to that committee. If there are any recommendations that we want to implement in the area we go through the process of our captains' meetings and group captains' meetings, and they are our management at operational level, and that is taken up. The management committee has only just recently allowed volunteers to sit on the committee, but they have no voting rights.

The Hon. R. T. M. BULL: What you have actually done here is the subject of much discussion in this inquiry and is actually part of two major submissions, including the New South Wales Farmers Association submission, to have this grouping which inevitably will lead to more co-ordination between shires and cut down probably the number of fire control officers. Do you believe that there is a need for a lot of these councils to have fire control officers or do you believe it is working well?

Mr HALL: It is working well. There are some problems. We have still four different councils that have four different budgets, have four different administrations that one fire control officer looks after, which is time consuming. Each council puts up how much money it wishes to put into it and we are in the process of trying to get a single set of estimates combined for this group.

I think the concept is good. We have three fire control staff with three vehicles for four shires, so there is a cost cutting there which a lot of the volunteers are seeing. They see the white vehicles running around, and that is their major problem. So if we can do that, that, so far as I am concerned, is great.

What I have in the south-west group is a very good group captain structure. Well, we are in the process of forming it, but we have got some very good group captains. We have a lot of group captains that do not even get involved as well. So, again, there is a lot of getting our place in order because we have been through so much change with fire control officer changeover and so forth that we need to get them to the point of where if I change as fire control officer their role and their whole world does not change because I change, and that is where our place is at the moment in the group, to make that happen.

If we can get those people on to committees and to be active members of those committees, as it states in section C of the Rural Fires Act, that would be a much better way of going.

The Hon. R. T. M. BULL: You talked about, and I am talking about, equipment, tanks and pumps. Are you still issuing them?

Mr HALL: We have not issued them for several years. The report I did, and I can give the Committee a copy of the report I have done, basically at the end of it we have cut out our tankers.

With the funding formula that the Central Region has provided, we can supply a replacement program for those 75 trucks over 15 years and we can also have a replacement program for our tanks

and pumps over the 15-year period. That is all a matter of these four shires getting together and having a single set of estimates.

This year we still have not gone down that path. They are still individual councils. So that means that one council is spending all its money on a tanker, for instance, and in another shire you could not cut and change where all the money went.

The Hon. J. R. JOHNSON: Gentlemen, do you buy your equipment locally?

Mr HALL: We buy our tankers, we build our tankers. We have been building them from the second-hand market.

The Hon. J. R. JOHNSON: Do they perform?

Mr HALL: Yes, they do. We had our last two tankers built at Coopers in Windsor, and the idea why we went through that was because with the changes that have happened in the Rural Fire Service we did not want to be caught with a tanker that did not conform, so we went to one of the organised tanker builders and they built the tanker for us on a second-hand cab chassis continuing on.

CHAIR: Mr Holding, you said on page 3 of your submission:

It is my belief that with the advent of the Rural Fires Act some belligerent councillors and New South Wales Farmers executives have allowed their egos to get in the way of good government and have become blinded to the future of the RFS as expected by the majority of community citizens.

Do you really think that is a fair comment to make?

Mr HOLDING: Do you mean a fair comment about the councillors?

CHAIR: About the councillors and the New South Wales Farmers executives.

Mr HOLDING: From where I sit it is, yes.

CHAIR: It is really a harsh statement.

Mr HOLDING: I realise that, and I comment on the bottom:

This is a rather sad situation but one that is very common in rural New South Wales.

And I guess I cannot give you too many more examples of where - well, I was an honorary deputy FCO. We have had eight fire control officers in the last five years in Harden in the south-west group so it has been a bit of a struggle. But that is beside the way. But the thing is that before all that I was the honorary deputy FCO and one of these - what did I call them - belligerent councillors came in and demanded that he be given a pump.

Now, I can say that it is only in the last 18 months that the comment was made, again, "Give the fellow a pump and he will go away and we will not hear any more about it." He wanted it for his own rural farming business, and my belief is that as a community organisation we are a community, and I think Mr Ryan has explained that situation.

We have a dual purpose. We are a farmer first, and if the fire gets out of our own property or

we cannot handle the fire, then we call the fire brigade, but the fact that Joe Bloggs belongs to a fire service, a fire brigade, does not necessarily mean that he is entitled to a pump and a tank, which is what used to happen.

CHAIR: We are actually out of time now. Thank you very much?

Mr HOLDING: Just before we go, sir, can I say that the South-west Rural Fire Group is option B in that submission. It is the advisory council, and that is the downfall of our proposition. With option C, if we were a statutory body, I think the thing would work. Thank you

(The witnesses withdrew)

(The Committee adjourned at 4.15 p.m.)