

# TRANSCRIPT

## STANDING COMMITTEE ON THE ENVIRONMENT AND PLANNING

### Inquiry into fire season preparedness

Melbourne — 18 October 2016

#### Members

Mr David Davis — Chair

Ms Harriet Shing — Deputy Chair

Ms Melina Bath

Mr Richard Dalla-Riva

Ms Samantha Dunn

Mr Khalil Eideh

Mr Cesar Melhem

Mr Daniel Young

#### Participating Members

Mr Greg Barber

Mr Jeff Bourman

Ms Colleen Hartland

Mr James Purcell

Mr Simon Ramsay

#### Staff

Secretary: Mr Michael Baker

#### Witnesses

Mr Craig Lapsley, emergency management commissioner (sworn), and  
Mr Neil Robertson, chief executive (affirmed), Emergency Management Victoria.

**The CHAIR** — I declare open this hearing of the environment and planning committee on its inquiry into fire season preparedness and welcome Craig Lapsley, the emergency services commissioner, and Neil Robertson, the chief executive of Emergency Management Victoria. I indicate that evidence provided here is protected by parliamentary privilege but evidence given outside may not be. I am going to ask Neil and Craig to provide a short submission, and then we will follow with questions.

**Mr LAPSLEY** — There is a handout that we may walk you through this morning, instead of a PowerPoint. Thank you for the opportunity. Obviously we — in my role as emergency management commissioner and also Neil in his as the chief executive of Emergency Management Victoria and the deputy secretary of justice — have the accountability for and the leadership responsibility over emergency management. This slide pack presentation will hopefully be fairly short. I do not think it will be new to where we are in the state of Victoria, because it is about reform and change.

I will start on the front page just to stop for a second. The term ‘all communities, all emergencies’ is really important in the sense that in the last number of years we have been about all hazards and all agencies. This year we have changed that to make sure that the planning legislation that is being considered later on considers that we are focused on all communities. When we say ‘all communities’, I will explain a little bit later that it is not just geographically based communities; it is broader than that. ‘All emergencies’ is obviously an area that I have responsibility for but also the Chief Commissioner of Police has responsibility in, and I will explain that as we move through.

The second slide — we have done a lot of work about the emergency management system. Since 2009 it has been absolutely fundamental to make sure the Victorian community understand the system. Although it is built on some good science and direction around what prevention, preparedness, response and recovery are, we found that before, during and after is the bit that we can connect to the Victorian community to understand what is needed to be done in the before, what is done in the during and what is done in the after. The words there are tested with communities. The ‘before’ is about knowledge, the ‘during’ is about what is that active thing that needs to be done and the ‘after’ is about renewal of communities.

Down the bottom of that slide there is a little diagram, which I will just dwell on for a second. That is representing Victoria. So that is representing the agricultural community, with the sheep in the paddocks, right through to on the other side, if you can see it, the deep export harbour, which is the port of Hastings and the port of Melbourne. There is an end-to-end process where we have a responsibility to make sure all of the Victorian community is protected and connected about emergencies.

Shared vision — there are three words in the shared vision: it is about ‘safe’, it is about ‘resilience’ and it is about ‘community’. You put that into a sentence, and it is about safer and more resilient communities. Safety is a critical part of emergency, but not long after that it becomes about resilience. So a single house fire is the safety issue, but not long after that it is about, ‘Am I insured? Where are my economic impacts?’, and so on, so that is critical. The shared goal is about a systems approach, which was clear out of the royal commission, saying we needed a joined-up systems approach to emergency management.

The next slide is a simple one. We have badged that to say, ‘We work as one’. When we say ‘we’, we mean the Victorian community, the Victorian government — at local government level, state government level and reaching into the federal level — the agencies that provide the services and in partnership, and also business. We cannot do it without business. So whether that is the telcos or the water authorities, or whether it is small business or some of the major corporates, it is critical we do that. And you would know even with the Hazelwood fire how critical it was to actually connect back into that industry group in the work that we have done there.

The next slide is the definition about all communities, all emergencies. I simply say it is about horizontal and vertical connection to communities. It is about the faith-based communities. It is about geographical-based communities. It is about youth communities. It is about tourism communities. It is about business communities. And then ‘all emergencies’ is all of those things from whether it is a fire or flood — which is obviously the traditional footprints of what Victoria is emotionally attached to — but it reaches into heatwave and reaches to cyber as a new and emerging emergency and the security emergency, which police have a responsibility for. But it is all emergencies in the sense that it has got to be connected.

I will go to the next slide, and somebody is repeating what I have already said, but there are four circles there. Hopefully you can read them well in the colours we have got. We read left to right, and if you look at the focus, it has got to be community outcomes. It then talks about the consequences, the impacts and the emergency itself. We in Victoria have traditionally been very good at the emergency bit, and we have turned that around to show those. We normally do read left to right. The focal point is about community outcomes, and we have achieved great change in the last couple of years.

One of those examples will be Victoria Police, for example, which have done a significant amount of work on traffic management. If you lock communities up for long term after an emergency, you lose some of those community outcomes. You lose the connection, you lose the economics and you lose all the good that you do in the emergency itself by then locking communities up. Police have been just one example of many that become very focused on the community outcome to make sure that we get the best result in considering community connection.

The next slide is a few of our challenges. They are challenges, I think, that we face. Population change, changing climate — or climate change, whichever way you want to look at it — urbanisation, globalisation and community look and expectation are five things that are driving us. But they are underpinned by generational change, diversity and inclusion and by technology; these are some of the things that really do pin in there.

Just some of those figures on the right-hand side of that show that we have got significant growth in Victoria. We know that. It will look different in five years to what it looks like today, and we will see more change in Victoria in the next five years than we have probably seen in the last 15 years. That is the challenge for us all. What we have got to do is make sure the emergency management system is able to deal with that. So change in community, change in the economics of community and the drivers of climate change — or changing climate, whichever way you want to look at it — sees more intense weather events and more frequent intensity of events. You only have to look over the last week or so; we have had floods, we have had windstorms and we have had landslips in other parts. Also even over the weekend we had some fire.

The next one — one of the underpinning things is about resilience. I put resilience down to three key things: what is the stress on the community such as the chronic stresses, the stresses of every day like domestic violence, how communities connect, youth participation or whatever they may be; the acute shock is the shock that is then applied to the community, whether it be a fire, a flood or a power outage and those issues; and then how in which we see community connection. Now community connection — we have always used, traditionally, the words ‘community engagement’. We see the words ‘community connection’ as very important, in the sense that now we have got communities that are virtually connected, through the use of their phone or the device that they use every day, and community connection cannot be just seen as the traditional on-the-footpath connection of community; it is a lot broader. So that is there.

Leading change — everything we have been doing is leading change. We have been doing this now since 2010. It is about setting new direction, it is about applying new legislation, it is setting standards, it is about making sure we have got shared responsibility — everyone is included — it is about shared obligation across community and it has got to be about community. So that has been successful.

The next slide talks about decision-making. If we want shared responsibility, we need to be able to provide information to allow people to make better decisions, and better decisions mean better outcomes, and if we get better outcomes, we get a safer community — fairly simple. To achieve that, though, means a lot of backhouse work to achieve systems to present information so that people can then make decisions about their safety. So that is the underpinning issue of the shared responsibility.

If I take you to something that is probably too much of a complex diagram, which is headed ‘EM-COP’ — emergency management common operating picture — there are two parts of that. One is about having a system that is a single system to make decisions for our people, whether it be the energy sector, whether it be an incident controller, whether it be land use planning; all of those inputs come into a single system. That allows us to make timely decisions and right decisions. But also, the next slide shows that we have got an emergency management common operating picture which is public facing, and that goes to that issue about having to have this relationship with the community. We in Victoria — and I will be as bold as to say — lead the world in this space, and it has been built from 2009 but it has also been built on the needs of what is flood and storm and even the blue-green algae this year, and we were able to do that in an effective way. So the public-facing information is as critical as the internal information.

Just as an example of the significant incidents for 2015–16 there is a map there. I will not go into all those boxes, but it starts with a ship fire down in the Portland harbour this time last year that had the potential to close the port of Portland — big economics — through to a peat fire that was just on the South Australian border. That land was owned by the Qatar government and was about the food bowl for Qatar, so we actually saw a whole different relationship with the traditional landowners. Then if you look at the Murray River, we finished the summer season with what was blue-green algae. That ran for over 17 weeks, and we managed it as an emergency but it was really about safety of community. But we used the emergency management system to manage that. If you take it to the extent now — which is not on this — you see that we have now got floods, and the Murray River is obviously the focus at the moment.

A little bit of what we do — 2009 brought the need to change some things significantly in Victoria. A credit to the then Chief Commissioner of Police, Ken Lay, and also a credit to the current Chief Commissioner of Police, Graham Ashton, is that we have now been able to work to a different model — we are the leaders in Australia to do that — which sees the position I sit in currently as being responsible for what they call class 1 emergencies and class 2. Class 1 is the flood, fire, storm, Hazmat rescue area; the class 2 is the human health, animal health and infrastructure emergency, and we obviously engage with chief fire officers, chief health officers, chief vets to achieve that; and the class 3 emergency is that the Chief Commissioner of Police has got the oversight, being the security emergency, and you could add to that the terrorist thing. But it is broader than terrorism; it is about security.

The changing thing in there is that the emergency management system over the years has been built on three Cs, being command, control and coordination. We have added to that to make sure it has got communications — critical with our partners and critical to the community; consequence management has been built into the legislation, that we are focused on consequences; and then obviously we have got the relief and recovery that then sits under our leadership, which means it is a joined-up system, from a single approach with partners across government agencies and into the business sector.

I think I have already mentioned the class 1 and class 2 emergencies by definition in legislation. The emergency management commissioner, my role, is obviously there to lead that.

Then we go to the heading of ‘State strategic priorities’, and I will dwell on this for one second because this is absolutely critical, about safety in the state. There are six dot points there. They are not listed 1 to 6, but they are really important about the direction. The first one is about the primacy of life. It is about protection and preservation of life — and that is all life, whether it be a responder, whether it be a vulnerable community member, whether it be a visitor to Victoria; it is about our communities, our lives. So primacy of life is no. 1 and will never be jeopardised. The second one is about being able to issue information to allow people to make decisions about their safety, so it goes into that ‘shared’. Those two, in my mind, are non-negotiable with our incident controllers. They set the direction of what we do.

And then there are the next four, depending on the circumstances, about the protection of critical infrastructure and community assets, the protection of residential property, the protection of what are livelihoods or economics in communities and the environment, on conservation values and assets. We do not list them 1 to 6, but as I said, they are non-negotiable, the first two, and the rest are depending on the circumstances of how they are utilised to set the direction. They are well tested, put in place in December 2010, and have now been used for fire, flood, storm, pandemic, and it moves across the emergency management footprint as a solid set of priorities that also, I will be bold enough to say, lead Australia and also lead the world in the way in which we set priorities.

From that there are a number of other slides. I am probably running out of time and I will not go into the details, but they talk about our arrangements where we set up tiers of response, which shows there are three tiers of response and how we do that. They go into the structures of what we use at the state control centre, the structures, a single control, and it is legislated that my role has the responsibility to lead that. And we are very solid about inclusion. As I said before, for example, the telcos and the water companies are part of that decision-making and have seats to sit in the state control centre. Traditionally they have been very much the fire and flood people; it is now about inclusion across the board, and we pick up consequence and communications as a critical part of that.

The last slide is not my drawing; that was a young child out of Lorne primary school that took the time to draw what he and his sister saw as an important thing for the Wye River fire. Thank you, and hopefully I have been able to give an overview of where we are in Victoria.

**Ms SHING** — Thank you, Mr Lapsley. Anything to add to that, Mr Robertson, before we get underway?

**Mr ROBERTSON** — No. I think it will come out in the hearing. Just one addition: Craig mentioned — and this is really a communication thing — the before, during and after as opposed to the traditional preparedness, planning, response, recovery model. I guess the focus area of this hearing is in the before, with a particular eye towards fire. Out of the royal commission we have a bit of a modern culture, to drop the slide on this, which is around four things broadly. One, and I think it is a key focus area for the committee, is around fuel management — obviously either stopping or reducing the likelihood of ignition. Then we get into the regulatory sphere. Again in fire we have total fire ban days around prevention or deterrence of ignition. We also have obviously criminal law around arson.

Then we have the community connection, to use that terminology, which is really where the information and warnings are important, because they are obviously more meaningful to people if they are prepared for the arrival of a warning as well as having prepared their own properties in terms of their fuel management on private land — a very important issue. Further upstream in the regulatory sphere, I suppose, are land use, planning, building controls, electricity distribution networks, all of which feature quite heavily in the royal commission's final report. Then there is the preparedness and planning of the operational folk, which we will probably go to in questioning, for the season to come. Really important, and I think something that has improved markedly since 2009, are actually the lessons learnt from previous events being fed back into the system and then into procedure and arrangements for the following season. That is part of the preseason briefing, training, exercising. So there are sort of four segments, if you like.

**Ms SHING** — Matrix, yes. Thank you.

**The CHAIR** — I have got a couple of questions for Craig, and the first one is around fuel management. This has been a central issue for the inquiry. The government has obviously taken a step in a new direction with more targeted burning, if I can describe it that way, but we have heard contradictory evidence — evidence on the one hand that says that the more targeted approach will work and will be sufficient. We have also heard evidence that volume of burning is also important. If I can preface it with a little editorial, you have been around a long time, Craig, as have I, and we went through a cycle where the fuel load built up and potentially was a part of underpinning a series of catastrophes; hence my constant questioning about this and my concern about a direction that might not deal with the volume.

**Mr LAPSLEY** — It is interesting. DELWP obviously, in their partnership with Melbourne Water, Parks Victoria and VicForests, have got the key responsibility about public land, but if we just stop there and look back a little while, if you go back to some public policy issues of the mid-1990s and the way in which we saw the timber industry operate and the value of timber, it has got some economic drivers in this as well about how you manage some of the big parcels of public land. I am not saying that is right or wrong. That is a fact of life — that there were a whole lot of issues about economic drivers, about the timber value, the timber proposition and how land was managed.

I will give you an example. When the timber business was operating successfully way back even in the 1960s, Wye River was a timber town, and the fires of 1962 saw the thinning of the forest managed totally differently, because it was an economic driver to lift the timber out of the forest around Wye River. We ran a fire into Wye River this year; totally different background in the forest. It is now locked up for conservation values and all those other things, so you have got a different set of priorities of how to manage it. I will not take you to Wye River first; I will take you somewhere else.

Then you have got the challenge of how you achieve successful fire management, and burning is one of those key issues. In the last couple of years — and it would have been presented, and I hope I can quote these figures exactly right — in 2014–15 they achieved about 90 per cent of their target. So they had a target of 275 000 hectares; they achieved close to 245 000 hectares or 250 000 hectares burnt, which is around a 90 per cent achievement against the target. That was a big year. That was a big year for DELWP, that was a big year for Parks Victoria and that was a big year for Melbourne Water to be able to do that.

The next year comes along. The same target was not able to be achieved to the same level, and I think it got to about 75 per cent or thereabouts. This year, think of where we are — wet season. The spring period is critical to do the burns, and there has been limited if any burning done, so we are behind the eight ball before we even start, because of the environment. Then you look at mechanical ways to achieve that. You will never achieve to that level with mechanical ways. DELWP might have the responsibility for public land and they may have the responsibility for planned burning which they have got, but there is a whole heap of other policy around this that actually complicates the way we do it, and not all of us have got control of these issues, so what we do have to do is then make some priority calls.

I believe there is a mix of what you have asked between what is a target and what is a priority, because if we only burn in the big areas — so we go and burn in the Big Desert, the Little Desert and in the back of the Alpine National Park — that might get a quota, but has it changed the protection to the community?

The current leading policy, *Safer together*, is a solid discussion in partnership, including with CFA, to get burns in the right place to protect communities, and those priority burnings are really important. East Gippsland is very strong through community lobby groups about — I take you to Cann River — ‘Thank you for burning miles out, but what about burning on the edge of town or adjacent to it?’.

There are other methods in that. It is really important to understand that not everyone wants to see a black backdrop if you live there. It can be very, I suppose, disengaging for a community to see that they have burnt up to the town, so sometimes — and this is the strategy of the Otways in recent times, particularly in the eastern Otways — is to try and leave the green facade, and I say it is a facade because the visual bit is important, but reduce the fuel behind and bring what you might call ‘the fire to the ground’, so reduce the fuels to get the fire to the ground at the earliest opportunity. So there are methods within methods to do that.

The policy *Safer together* I think is a solid piece of work about partnerships — about partnerships across agencies, about partnerships with community, about the community values and understandings — but we run into, and I say ‘we’ in the collective, to many other policies, because the management of the timber is different today than what it was when we had an economic outcome for timber. It is a different outcome, so we have to be across those policies as well. I am not sure I have answered in totality.

**The CHAIR** — If I can just engage for a minute there and say my humble suspicions here are that what will occur over time is there will be a bit more of that ever-targeted burning, which is a good thing, but bureaucrats will have no incentive to deal with the volume. We have heard evidence — contradicted evidence, but evidence — that the volume will build, and then one of those big fires will come through. So you might be able to protect the facade for a while, but then the big fire comes through. It may well be that we need both sets of targets.

**Mr LAPSLEY** — We do, yes. I think we do. I think it is about measurement of what is achievable, but one alone will not do it. So if we say we have got to achieve big broadacre burning and not connection about priority burning, it is not the right outcome, and nor if we go back to what is just some priority burning and not some of the big, because intensity of fire is the key issue here. We need to reduce the intensity, and we have got to manage the fuels to do that.

**The CHAIR** — Sometimes that is about the volume of the stuff.

**Mr LAPSLEY** — That is right, so it is both.

**The CHAIR** — You work in harmony, I am sure, with the bureaucrats on all occasions, but if I can perhaps ask the question: what incentives ought to be in place for the bureaucracy? I will again preface it. My concern is that narrow targets, priority targets, are important, but if they have no focus on a volume target of any kind, it will not happen.

**Mr LAPSLEY** — We have got to have both, and we have also got to have the ability to measure what we are doing. It has got to be a systems approach about measurement. It has got to be a systems approach about the investment and the understanding of the benefit of the investment. Some of that is not easy to prove in a Treasury paper example of why we need to invest X amount of dollars. It goes to a systems approach. It has got to be broader than public land. It has got to reach to private land and have the interfaces connected. It cannot just be that we think it is going to stop at the public land boundary; it has got to be extended, so integrated fire

management planning is critical. We have certainly moved that to the municipal footprint that it is about fire management planning not about fire prevention alone, so it is fire management. It is about managing fire in the landscape. It is about understanding the value of fire but also understanding that there are community expectations that not everyone wants a black spot, a black burnt area, next to their property, just like they do not want a mobile phone tower. Everyone wants mobile phone coverage, but it is not the tower I want in my backyard.

**The CHAIR** — They also do not want the big catastrophe coming through either.

**Mr LAPSLEY** — That is right, so we have got to manage those expectations. We cannot do it by ourselves. Like I said before — and I am being quite bold — with the model in Victoria, if we are allowed to take it to the full extent of the true partnerships, we will get there. We will get there. What we have got to do is have measurement of systems, though. We have got to measure what we are doing and make sure that we report on it and show benefit of the systems approach to management of the landscape. It cannot just be public land alone.

**The CHAIR** — And on the related issue of the risk of preparatory burning, which inherently carries some risk — smoke, fires getting out of control and so forth — there seems to be a natural reticence from bureaucrats to push the envelope there, but the consequence of not pushing the envelope over a longer period is that the load builds up.

**Mr LAPSLEY** — Yes, you are right. The fear here is that we will take our foot off the accelerator. That is what I am hearing — —

**The CHAIR** — Yes, it is, and because there is history for that. That is the history. That is right.

**Mr LAPSLEY** — That is right. One of my responsibilities, and why I am probably appointed as a GIC, is to make sure that we hold the system as a system. So I have an accountability, just like the secretaries of the departments do, the CEO of the agencies, and it has got to be a joined-up approach with Melbourne Water and Parks and VicForests and DELWP and CFA and private. And then you have also got private plantations, so the private plantation parties are as critical. Even the private plantations are legislated under the CFA act, being private land and have their needs for preparedness and response capability. So the system is there. What we have got to do is make sure the system is accountable, is well led, is accountable and is measured.

**The CHAIR** — My second question relates to the — —

**Ms SHING** — Is that only your second question?

**The CHAIR** — No, that was one — —

**Ms SHING** — It is all right. It is a gentle dig, Chair. It is a gentle dig. They were tranches of the first question.

**The CHAIR** — The second area of questioning relates to the EBA. You have made some comments in recent days, including I think telling Jon Faine:

... the commissioner did admit that the EBA contained clauses that would allow groups that did not want to work together, to not work together.

I wonder if you might explain to me your views on this?

**Mr LAPSLEY** — It is a very emotive issue, as we well know. It is well reported, it has got certainly many opinions that are out there, and we should respect all of those opinions. One thing that is for sure, though, is there will be an EBA signed at some point in time. It will not be my signatory; I am not a signatory to it. I have got a responsibility that has been now placed upon me to look at the implementation, and for parts of it in particular are about seven on the fireground, training, diversity and also the capability of our volunteers, which is absolutely fundamental. I might add also that there is legislation that I operate under that shows that I have a need to make sure the volunteer capability in this state is as strong as it can be, and we have got to do things around that all the time.

I would just take you back a step, if I may, in a bit of context about the EBA. The fire services review is, I think, a very, very important piece of work in the sense it was done by an independent person outside the state to come

and look at some of the issues. It has provided a framework and a series of recommendations, but it has also got the dialogue in the back of it when you read it about what are operations and interoperability, what are the culture of the services and some of the strengths of the culture but also the weaknesses of our cultures, and that is about societal change. Our fire services are very male dominated, and we need to do some serious work in that area, for example. It talks about the health and wellbeing of the workforce, and it talks about the integration and work between career and volunteers. I will come back to that, because that is one of the underpinning key issues. It talks about the management approaches. It talks about the blocks and barriers of how management are able to manage and not able to manage successfully. Now, I am putting these up not as negatives. These are real opportunities; they need to change.

It also talks about our resourcing and the need that goes back to the interoperability. When I started as a fire commissioner one of the key drivers of that, that came out of the royal commission, was about interoperability. We need to work better together. You will see the words in an earlier presentation about 'We work as one'. That philosophy is working in Victoria. Do we get it right 100 per cent of the time? No, we do not. Are we better today than what we were yesterday or 18 months ago or four years ago? Absolutely, we are.

However, there are things like enterprise agreements that come and test the relationships between individuals, organisations, industrial bodies and those that are there to represent the volunteers. I have watched with absolute interest about the behaviour, about the tone, about the emotion, about the direction, and there is huge emotion of people who have given lifetimes to our organisations that are now being tested about their loyalty or whether they want to be as loyal in the future.

One of the examples that I have watched with interest over the last number of weeks is about floods, about storms and activity. There is an absolutely stellar example that was based in Emerald only a week ago after the storms of Emerald, where the Emerald SES, Emerald CFA and neighbouring brigades were just together working. It was not because I was asking them to do it. It was the culture of working together that brought them together, and they work better together now than ever. That was only a week ago. I have got no doubt at all, and I have said this publicly, that when there is a call to action, they will work together and they will do it in a stellar way. We should not question that. We should make sure we support and give them the leadership they need to do that.

**The CHAIR** — That is if the reserves are there and we do not lose volunteer volume over the longer haul.

**Mr LAPSLEY** — I do not think we will lose volunteers. I have not seen yet any evidence of loss of volunteers. However, I am sure there will be someone out there that says, 'I don't like what's happening and on principle I'll stand aside'. I have heard of two examples of that, of individuals I know that are iconic in the CFA system, that have said, 'I don't want to play any more' — for whatever reason. Now, I have not actually spoken to those two, but I have heard that from a third party. That is a worry. But in the main, we have to lead the place. My message to a brigade captain, an SES unit leader, is: be a strong leader. It is about all of us leading. Some of those examples — I was in Nhill only last week, and to me the EBA will have limited, if any, impact on a volunteer at SES or CFA Nhill.

**The CHAIR** — You mentioned that you had done some assessment and looked at the implementation.

**Mr LAPSLEY** — Yes.

**The CHAIR** — Can you share the details of that with the committee? We would appreciate any materials you have got there.

**Mr LAPSLEY** — Absolutely. The fire services review I have done detailed understanding of what it means and the implementation of what we need to put in place. Some of those things have been delayed because of the EBA and mechanisms of consultation, but all of those things are really important to keep moving. Some of them are also mentioned in part in the EBA — so interoperability, how we achieve that between CFA, career and volunteers, issues about how do we get culture right, how do we change. Diversity is a really important thing.

One of the limitations of the EBA, as we currently see it on the table, is that it has got a single set of rosters. To be diverse we need flexible opportunities. I have given evidence to the modernisation of the award to say, 'That's an important step forward'. It is 2016; we need to do it. There are examples there that with the current

rosters some people would say it is not conducive to allow flexibility, particularly for a more diverse workforce. So they are the challenges that are in there, but I also read within the EBA to say that in the life of the EBA those things are on the table for discussion. So the door is open without necessarily offering up the next roster.

Our challenge as leaders in senior leadership positions is to take that challenge forward. That is why I say that some of these things are seen to be restrictive, but also we have got to look at the opportunity side of that. I think that is really important to be able to pick up and say. 'Where is the opportunity to take this?'. There is no doubt in my mind that we have got a fairly conservative workforce. It is not easy to get change. I have led change for the last five years, and sometimes it is actually hard — seriously hard. But by the same token if you are persistent, if you are a strong leader and if you understand the people around you and you are able to listen to the people, we will get change, and there is a generational change coming through that wants change.

**The CHAIR** — So if I can come back to the actual implementation of the EBA, you have obviously looked closely at that. Is there a costing of that? Is there a working through what that means in an operational sense?

**Mr LAPSLEY** — I have not done the costings. We have relied on CFA to do that, being the lead agency, of what the EBA would cost. The last I saw was something of 147, if not 163 — and I would have to get the right figure for you there, but it is somewhere in that figure there — to say that is the cost of the implementation. The implementation is the clauses within the EBA. Some people will then debate, 'What's outside those clauses?'. For example, the employment of 350 firefighters is outside that. That was going to happen anyway, whether it was going to be part of an EBA or not. So those figures there I have not got for you today. We have relied heavily on CFA to be the lead, and rightly so to take that. But obviously — —

**The CHAIR** — To the operational points, you have obviously got integration points. It seems to me that that is quite a critical role that you have got, and you must have looked at that closely.

**Mr LAPSLEY** — Yes, we have looked. I honestly have not got the figures here, apart from those figures of 147, 163 — wherever it is that field — of implementation cost to achieve in the life of the agreement. Some of the issues within the EBA that I will be primary to understand once it is signed are those four things that I indicated. I will have to report on a 6-month and 12-month period about what does seven on the fireground mean, and what does it mean in an operational sense. There are clauses in — —

**The CHAIR** — Have you assessed the impact of that on capacity for you to organise response?

**Mr LAPSLEY** — The draft statement of intent that goes and is attached to the EBA is to ensure that it is not restrictive of volunteers, that it is not about seven on the fireground.

**The CHAIR** — So we have heard evidence that the statement of intent is not worth the paper it is written on and will be overridden by the specific clauses. Can you shed light on that, or is that beyond your purview?

**Mr LAPSLEY** — I will give you my opinion, and others with some legal ideas and Neil might even wish to comment at some point. I take it that it is going to be signed by the parties. It is going to be handed up in the final certification or ratification of an agreement. I have taken the view that if it is clarification and putting process of implementation around it, we will work with it. I have been personally concerned that I am being asked to implement something that is a bit of a toothless tiger. We have taken advice that says that would not be the case, that it would be handed up, it would be signed by the parties and it would be attached to — not certified in, but attached to — the process. In some respects you might see it as similar to a second reading in Parliament — that when you want to get clarity to something, there are the principles you would use to get clarity. Those four key points — —

**The CHAIR** — The hard-letter lawyers tell us that with a second reading it does not trump the hard clause on — —

**Ms SHING** — Let us not be misleading in relation to some of the evidence that says that it would be able to be used for interpretation as a secondary evidence point, Chair.

**Mr LAPSLEY** — I am mindful of that. I am mindful of what that is, and I have taken on that it will be handed up, it will be signed. It is in the best interests of all the parties to actually have this level of concern monitored and reported on, and I am happy to do that. But I also know that in there there will be some challenges about how I collect the data to actually provide that in the time, which is my issue and I will work

that through. I suppose the other thing that is important is that I can only do that when I have got a certified agreement or a ratified agreement. So it has to be an actual agreement to work with, and I have not tried to second-guess what it is because it needs to be ratified at that point. When it is ratified, we will take it.

**The CHAIR** — Cabinet says they are going to do it, though. You must have looked — —

**Mr LAPSLEY** — I have been taking it very seriously that it is getting closer as we move through the process, but it has got some steps to go yet. It is not tomorrow that it is going to happen. It has got a period yet. But one thing is for sure: those four items that have been given to me about volunteer capability, impact of serving on the fireground and diversity. We are also publishing shortly a diversity and inclusion framework for the sector to make sure that we understand the issues of race, nationality, gender, sexuality, same sex, age and all of those things across the framework of what we are doing, which is important as well to actually set some frames around this of how this sector actually operates.

**The CHAIR** — My colleague says to me that the important question for you really is: ‘Would you sign that agreement?’.

**Mr LAPSLEY** — I have not looked at it from the point of view of being the CEO of the CFA, and they have gone into a lot more detail than I. If I was the signatory of that agreement, there is one thing that I would do in the management structure of the CFA, and that is to make sure that they can consult consistently in a way to get a consistent outcome.

**The CHAIR** — But you would not want your consultation to be on fire days when there are swift decisions to be made.

**Mr LAPSLEY** — No. The fact is that you need to have a relationship with the bodies in this day and age to ensure that it does not compromise safety. An EBA should not compromise safety. An EBA should be supporting the welfare of the employment of people and the way in which they operate. Unfortunately in the fire services we have got a lack of trust between the workforce and management, and that is well and truly described in the fire services review. I think that has been a driving factor of why we have got more prescription in an EBA than we would normally see.

We have got a cultural issue that we need to work through, and that is why I say that if it was me in the CFA, the first thing I would be spending time on is about the management structure and the relationship with these groups, including the volunteers and the UFU as a signatory, and knowing that an EBA is signed between two parties. I am not one of them. The VFBV is not one of them. Parks Victoria is not one of them. It is a CFA-UFU signature, but it has got other players.

**The CHAIR** — In a primarily volunteer organisation.

**Mr LAPSLEY** — Yes, and I will add to this. I am a huge supporter of volunteers. With the growth that we have got in Victoria, CFA’s model is seeing more career staff required to support volunteers to deliver the service every day. I think we have got to make sure the balance of understanding the career needs and the volunteers is better managed in the future.

I have spent 25 years — all of my life — connected to CFA. I was an employee for 25 years. I understand the dynamics of CFA extremely well. It is an integrated fire service. It is not solely a volunteer fire service, nor is it solely a career fire service. It is an integrated fire service, and that is challenging. It is actually quite unique, what CFA is, and it is unique in the sense that it is an urban fire service and a rural fire service and provides rescue services as well. We are the only state in Australia to operate that model. Every other state has a single urban fire service and a rural fire service. In Victoria we have two urban fire services, one called MFB and one called Country Fire Authority. Both have to deliver urban services to growth parts of Victoria, and CFA has had growing pains. That is not a negative comment. That is a reality factor of where we are in the state of Victoria.

**Ms SHING** — Thank you, gentlemen, for your presentation and also for attending to answer questions today. In the first instance, Mr Lapsley, thank you for your 25 years of service and for contributing to the CFA on the ground as well in the senior leadership role that you are taking now.

I would like to pick up on a number of things that emerged from your presentation and from questions from the Chair in relation to reducing the intensity of fires and the need to actually manage risk from the perspective of

minimising exposure to those major fire events and firestorms and the sorts of challenges that pose a significant risk to life, livestock and property. We have heard evidence in the course of this inquiry, particularly in our regional hearings, that the objectives that underpinned Aboriginal land management practices were, to quote Mr David Packham's evidence from a primary source, that fire should, like water, flow over the land and trickle over the land to, in effect and through a mosaic-style approach, minimise fuel build-up at the same time as leaving pockets for vegetation and biodiversity to be managed without adverse impact. What sort of work is being done through EMV and the interagency and interoperability approach to go back to those first principles on how to reduce intensity and fuel as well as risk in that dual-target approach that you indicated earlier to the Chair is a desirable one?

**Mr LAPSLEY** — Without trying to complicate something that is complex, it is a complex environment when you move into biodiversity and when you move into the value of land and how people see the value of land. I think we have seen community expectations — and when I say community expectations, some of them are from cross-functional communities — I can take you to East Gippsland where only decades ago some parts of the community of East Gippsland were very solid about locking up the land and allowing us to get back to something that had been timber land. That was very much the focus. The yield was about what we did regarding the economics of the sawmill.

Now it is interesting, and I have been in East Gippsland, that some of those groups that led those discussions would now say that thinning the forest is an option, whereas that would not have been an option 10 years ago. I think what we have got to do is be able to move with this connection of the value of the community and influence and understand what they see as important. So that is one part. I do not think we have done that. I think we have set policy and applied policy, and even *Safer together* is very much about connecting and understanding what the value of the communities are about these parcels of private bush and public land. From that you have got a whole lot of policy issues.

I think the words 'intensity' or 'fire intensity' is the key to it, because the intensity is what we are trying to reduce in a planned way of managing the landscape. To do that, one of the key things is investment in research. The bushfire CRC has been a critical part of — the Bushfire and Natural Hazards CRC — to make sure we understand those issues, and if we want to have an intellectual debate with communities, and we do need to have that, we need that level of research. It is evidence-based discussion; it is not just because Fred thinks it is a good idea or Mary thinks it is a bad idea. We have got to be able to actually influence communities by an evidence base and be able to present that in a way so that they can actually connect with it.

When I went back to about presenting in the before about knowledge, that is what communities are asking us: give us knowledge and present it in a way that it is information that we can absorb, understand and help us make the decision — absolutely critical. Again it is a different model about community, community centrics and community values but then making decisions and actions and doing it. That is sometimes where the lag is in there. A great plan — where is the action? I think that even goes back to some of the first questions that in the end, bureaucratically, it will not happen. We have got to be committed to programs that actually happen.

Again I hope that we can lead far better in that way, and I hope that we have actually seen some action in that space about getting the things that are concerning to communities on the table and actioned. I believe we have. There are some very good examples when we go back to engagement of our Aboriginal communities — very good examples. The CFA has led some of the best parts of that. There is a great little program — it is almost this quiet program that not a lot of people have talked about, but it is successful. It does not need to be on the front page of the papers. It is about local connection. That Aboriginal understanding of the values and the methods of how to deal with the land that they have traditionally looked after has been of huge value.

When I talk about our diversity and inclusion strategy, one of those target groups for us is the Aboriginal heritage council, because it is not just about the people; it is about understanding the value of the assets that we are protecting.

**Ms SHING** — And the way in which value is interpreted, obviously.

**Mr LAPSLEY** — That is right. It is not just about the people, because if we go and bulldoze what is a reference point or has a reduction burn or fire control operations, we have just disconnected that community alone. So it is broad.

**Ms SHING** — The difficulty in the course of this inquiry is that we heard some evidence early on from the modelling that indicated that we would have a later but more intense fire season in the north and the west. Since then we have had obviously some major flooding events that have impacted upon the resources that emergency services are required to use to manage inundation and clean-up and recovery. I note in Gippsland in July we had a lot of floods — it is not unusual for that time of the year — but how have the later floods in the other parts of the state affected the way in which we see risk building up around major fire events for this year's season?

**Mr LAPSLEY** — What the climate forecast was saying was that October would be wet — September, October. The last climate forecast started from October forward. We have seen it, we will see it then dry and it will be warm — we have already seen some of those days; last week in the southern part of the state it was 27 degrees — and that will generate growth. It is on target for what that forecast was for central and western Victoria to have grasslands that will have prolific growth in them, which means our fire prevention works need to be considered in a different way.

The message we have got clearly is: you may do the work in November, but be ready to do it again because there will be regrowth and regrowth will be quite prolific. But do not allow it to be December, because there will be so much growth it will be difficult to do the works you need to do. So whether that is VicRoads or a private landowner, that is important messaging. What we will see, though, is that the light bush areas will dry for the traditional summer period, so it is not just grasslands; it will be interface bush areas. Some of the deep-seated bushes will take a lot longer to dry without a doubt.

**Ms SHING** — When do we think they will cure off?

**Mr LAPSLEY** — On the current, it again will be north-west, so the Mildura corner will dry in December or late November. You could see fires in Victoria of significant size in December without a doubt, but certainly the greater part of Victoria will take the January–February period to be when the fuel will be available and at its driest.

It is interesting that last weekend, last Saturday, we had an 8-hectare fire in Gippsland. That is not large in size, but it surprised CFA and DELWP in the sense that it was burnt elevated fuels. When I say elevated fuels, the ground is wet but those in the trees and the limbs of the trees, with the amount of wind we had, had dried it. Fire starts burning in the upper parts. That tells you that even with the conditions of wind and the temperatures we have had, not everything is soaking wet. There are other parts that are ready to burn and will continue to do that in the drying process.

The other one that is interesting — and I was in Nhill last week, and Steve Warrington, the chief of the CFA, was at Warracknabeal and also in the south-west — is that it is a bumper crop year. So hopefully we will see fantastic agricultural outcomes as far as crops, but that also brings the risk of what we have got into fuel. So here we are — well done, farming, and hopefully it is a bumper crop — but it brings the added risk of then: what is the fire risk that goes with that? I think the farmers of Victoria are very conscious and very connected and understand fire, but what we have got to do, though, is get the interface right.

With the fire program, including Fire Action Week, which is next week, the message out there is exactly those fire prevention messages — what you do, how you do it — and then the message after that will be about what decisions you have to make as an individual and a family, as we always do. Then it will be in that readiness phase: are you ready to understand fire danger ratings and all of those and what decisions will you make on the day?

**Ms SHING** — So are we intensifying our efforts in Victoria to reduce and remove fuel wherever possible before all that build-up hits peak levels in December? And can you tell us a little bit about that?

**Mr LAPSLEY** — Yes we are; however, as I said before, the damper season, the wet season, and some parts that are soaked, is actually restricting what is the land management part to allow either mechanical-based programs or fire burning programs to be achieved in some of the target areas. We will have to move, and the program will get tight because it will dry and then we will move into those critical days. So it will be a very tight period, and that is what I mentioned in the introduction. We will struggle and DELWP will have struggled to achieve their targets because of the reduced period. It will be a very much reduced period.

But I think what is more important — it is not more important, it is as important — is aircraft strategy. There are 48 aircraft in the fleet this year, an increase of one. We run the best fleet, I believe, in Australia. They are strategically placed, and this year we are moving them into immediate response so a number of other machines come up where they are in automatic response.

The summer campaign, as far as we engage across Victoria, the peri-urban environments, the leave-and-live program of how we get that message and refresh it this year. Fire Action Week is there, but there are also a number of information tools. The VicEmergency app gets updated this year from Fire Ready to a VicEmergency app — smarter and more attuned to what communities need. The website is the same, the information line, and obviously as I said before the EM-COP is our system.

So we are in a good space, and in our true preparedness stuff we have got a great program and are engaged across all agencies. So we are in a good space, and people are attuned to it. But remember we are still in flood response so we have got a number of people who are still managing incidents as we talk. The ICC — incident control centres — in the northern part of the state are active, and we have still got the Great Ocean Road that is causing us a little bit of challenge every couple of days.

**Ms SHING** — Thank you. Just one final question, if I may: you have spoken earlier about the proposed enterprise agreement being somewhat of a flashpoint or a touchstone for other issues, which have been referred to in the fire services review, which obviously had been conducted way before any proposed agreement had been agreed in principle by the board. I would like to get your views on how you intend within the role around implementation of a proposed agreement to tackle really longstanding challenges and issues around culture. Bernie Teague indicated that he was not quite sure whether there was a solution to the intractable issues of volunteer perspectives and priorities on the one hand versus career perspectives on the other, and the overlay there with management and a toxic culture that has been referred to in numerous reports and inquiries is something that poses a series of really difficult challenges from a change management perspective. He said that it is in fact going to be difficult and that it is not easy to get change and you need to be persistent and to listen, but there is a generation coming through that wants change. How do you propose to lead that change in the areas of that implementation framework to in fact start to unpick this series of very longstanding tensions?

**Mr LAPSLEY** — Very good question.

**Ms SHING** — Thank you very much.

**Mr LAPSLEY** — Yes, thank you very much. It is hard, because what you have got are these cultures that are polarised in their beliefs and concerned that one or the other is doing something that is mischievous or out to cause harm.

**Ms SHING** — Blame culture, yes.

**Mr LAPSLEY** — Blame culture. To me, you have got to actually put that in the pot, we have got to get over this current period, put it in and be able to work together, and at the moment that is not the case.

**The CHAIR** — Cook it in the pot — is that what you are saying?

**Ms SHING** — Just take that as editorial, Mr Lapsley.

**The CHAIR** — I am just trying to understand the image you are depicting.

**Mr LAPSLEY** — Yes, you can actually do that. I have actually talked about how when you separate an egg, it is very hard but back together. Well, it is actually impossible to put back together. Be careful what we do in Victoria about our cultures and understanding of the service delivery of what we have got. It is a very sensitive issue and it has got lot of emotion behind it, but it cannot continue the way it is.

**Ms SHING** — Was the egg not separated generations ago in terms of the retreat by various parties to their corners without finding necessarily the common ground that they needed to work, call it, collaboratively?

**Mr LAPSLEY** — I think there is part of that. I still think the egg is together at the moment.

**Ms SHING** — Right.

**Mr LAPSLEY** — I do not think we have actually broken the egg yet. If people think we have broken the egg, wait until we really break it. That will be the day that a lot of tears will happen in this state because we will take away the goodwill of what is an integrated service that works together. My approach is to start to show respect to both career and volunteers. Do not underestimate what I just said. It is not about volunteers and careers; they both provide the service, and they have both got to be there together. That is the integrated service of what we do.

**Ms SHING** — The common ground they share is community safety, and that is unanimous.

**Mr LAPSLEY** — Absolutely. So come to the centre — and I am not saying I have got the answer to it — but if you put the community as the centre of what we do, you have a different debate about what are the internal issues of brigades or units or how people participate. That is important. I think many people do do that and understand it is about community safety, but we have got to make sure that that is the centre of discussion as we go through.

The second thing about it is that we have to modernise the place. I will give you an example of 158 youths at a forum only months ago from CFA, SES, the council of churches, Red Cross, Life Saving Victoria and the coast guard. Basically they are aged between 18 and 30, and they are saying, ‘We love these organisations — great opportunity — and they are important for us because of the social fabric of the leadership’, but they said, ‘The hierarchal structures you have got we don’t connect to and that does not connect to us, and we’re not heard’. Lack of technology, lack of technology, lack of technology.

**Ms SHING** — All echoed in the fire services report.

**Mr LAPSLEY** — All of these issues. They are all mentioned in here — the things we have got to challenge and to take forward — and if we do not set generational change today and tomorrow, we have missed an opportunity of a lifetime in this state. It is about generational change, and it is about connection. It is respecting those who have led the places for years, but also some of those who have led the places for years have to give a little bit of space. It has got to be an integrated model. It has got to be mature, and at the moment we have got polarised leadership from those representative bodies that we have got to get back in the house — easy to say, not easy to do, and I have tried that.

**Ms SHING** — And you are prepared to keep trying.

**Mr LAPSLEY** — Absolutely.

**Ms SHING** — Thank you very much, Mr Lapsley. Thanks, Mr Robertson; I am sorry I did not get to ask you questions.

**Ms BATH** — Thank you, Mr Lapsley and Mr Robertson. Thank you for your presentation. Mr Lapsley, you have a very large set of shoulders and a big umbrella under which you operate, in truth, with respect to the Emergency Management Act. I know from your submission today and from the discussion that you have embedded in your role emergency preparedness, response, recovery and communication, including — and I looked up your organisational chart — CFA volunteer development, and under that you have organisations such as VICSES, CFA, Red Cross, the coast guard — tell me if I am wrong?

**Mr LAPSLEY** — No, you are dead right — and a few more.

**Ms BATH** — And others that I will not go on to. In view of that volunteer perspective, what is your view of the federal legislation which is known as the respect for emergency services volunteers bill? What is your take on that legislation?

**Mr LAPSLEY** — It is interesting. With the legislation, obviously there has been a need for a group of people to suggest they have not been included, and that has prompted the need to seek legislation. The legislation is in its process to be passed and obviously it is mindful then of a third party, so in an enterprise agreement it is allowing a third party, being the volunteers, to be heard for some or part of what they see as important. That has actually been one of the emotive bits about: has this third party got the right to look at this EBA? Some people see that they do not have the right. I just think that in a modern world inclusion is important, so I do not see any problems with what is legislation. If that is an appropriate way to include people and have filters to do so, that is it.

The issue I do not understand and someone will explain to me one day is how that would work and what would be the types of things that would be there. That is probably not a debate for today, but it is a mechanism to ensure that people believe that they need to be heard, and I am sure they will be heard. To me, it is a process issue that allows a third party to have an opinion put through what might be a set of filters. I have got a fairly simple view of that and probably have not gone to the nth degree of what it really means in discussion process and what might be seen as formal discussion within mechanisms such as Fair Work or other courts.

**Ms BATH** — On the back of that comment, there is going to be a High Court challenge by the United Firefighters Union. Do you think that is in the best interests of the volunteers to have that challenge at this point?

**Mr LAPSLEY** — In some respects, it does not matter what I think in the sense that the parties are having trouble understanding why each other needs this level of legislation, and the two parties will take that to where they need to be heard. I am pleased it is inside the courts, if it is going to be heard. At least we will get an outcome or a decision made of what is seen, because I think if it is not heard, it will be one of these things that sits in the background forever and a day about — —

**Ms SHING** — Or on the front page of newspapers.

**Mr LAPSLEY** — Or just being played out as a negative. Let us get these things into solid process. If people think they need to be contributing in that way, let us put them in process, let us hear what it is about, let us get through this and get on with the job so we can get back to being focused on what we need to focus on and not what is a preconceived set of issues around how people are behaving at the moment. I am seeing that a lot of these are counterproductive, spending a lot of time and energy. Let us get it through. If we need courts to be involved, let us get the courts involved and hear what they have got to say and move it through.

**Ms BATH** — In respect of the egg conversation, the other day we were having a hearing with Mr Marshall. I raised a point around the differentiation in terms of uniform, and Mr Marshall gave commentary about safety issues and the need to differentiate as someone goes onto a fireground. UFU members or career firefighters would wear one colour and CFA the other. His contention was in the vicinity career would always have better training. I would argue, and others have argued, that — —

**Ms SHING** — No, that is not what he said. They are different skill sets across career and volunteers.

**Ms BATH** — So my question that I would like you to comment on is: in trying to integrate this one CFA, how does that fit?

**Mr LAPSLEY** — Not hearing what were the comments of the other day, I will give you as you have put it forward. The career, whether CFA or MFB, have got skill sets attached to their rank. So a leading firefighter has X and Y; a station officer has A, B, C or whatever. That is not the same in the volunteer ranks. A captain may have different skill sets, depending whether they are the captain at Scoresby or the captain at Bayswater. They still could be different skill sets.

The UFU, in my understanding — and I have actually been involved in a little of this — were trying to achieve interoperability of identification through helmets or uniform markings or whatever. The career ranks were saying very strongly, ‘Show us the rank of the person and we’ll then know what the skill sets are’. They will know it. A leading firefighter has A, B, C and D and would have a BA qualification, if that is appropriate. Not every one of the volunteers wearing a helmet would have a BA qualification, for example. So there was some process — and I am not in the current part of it — about how do you identify on the fireground who has got those skills of breathing apparatus, for example.

Some people see it as being trying to separate the volunteer and the career. There is another argument saying, ‘It’s simply about skill sets, and we are all different’.

**Ms SHING** — Mr Marshall’s evidence.

**Mr LAPSLEY** — Yes. I am not saying that Mr Marshall is wrong or wrong in what he has presented in here. I will give you my view of it, which is that for the safe system of work you need to be able to identify and say, ‘There are six people. Who’s got the breathing apparatus and who hasn’t?’. Some of that is identification through what they wear on the fireground.

**Ms BATH** — Just for comment on that, my son is 20, he is in the CFA, he has the breathing apparatus and he has been in there two years. Many would?

**Mr LAPSLEY** — That is right.

**Ms BATH** — But they could they not have the same uniform with a different badge identification on them?

**Mr LAPSLEY** — But I think that is the debate: what is the identification difference? Like I said, I have not gone into the nth degree of it, but it is about the identification of skill sets that is the safe system of work we should have. I have got a son who is a volunteer as well. On his helmet he has got X and Y because of his skill sets. Those sorts of things are important for us to understand.

I think we have moved to a very emotive thing about separation of this volunteer/career thing, and that is where the mature discussion may not be being had because we are at a polarised point of what the motivation of what some of these clauses is about. I simply say it is about a system of work that is about safety. Let us test it through that lens, and let us make sure we get the right system of work that caters for both volunteers and career staff together.

**Ms BATH** — On other comments that we had in the Morwell hearing, we heard from Mr King, who had two hats on. He was there to speak on Latrobe City Council and their fire preparedness, but he also is a volunteer in district 27. He made some comments. I am doing this from my memory. District 27, as you well know, was set up on the back of Black Saturday — some very significant fires with some very tragic outcomes — and also the need to protect important infrastructure to Victoria. He made some comments. He felt that the initial offer of resources was not free flowing or had not come to fruition, that they were not resourced to the extent that they thought they would be.

**Mr LAPSLEY** — This is about the establishment of district 27.

**Ms BATH** — District 27, and their resourcing and capabilities moving forward into the fire season.

**Mr LAPSLEY** — I think that is a reasonable observation of Mr King in the sense that district 27 is new to CFA, was established after the 2014 Hazelwood fire and was not one of the recommendations but was championed by the then government, in particular the minister and Deputy Premier, who was Peter Ryan. He saw by talking to multiple players — and I was one of them — about the Latrobe valley definitely needing some dedicated resources and about what that offers to Victoria in the protection of the power industry, the generators and so on.

I think it was solid thinking to establish district 27. I believe there has been a lag in the way in which they have established that, and my understanding of that is that it is near resolved, if not resolved, in the sense that I would chair a task force. We chaired the last task force only weeks ago, and one of the discussions in that last meeting was on a report from CFA and the district 27 operations manager about where they were in the implementation and establishment of district 27. Now, I have not got the detail here, but it was presented — —

**Ms BATH** — Could you provide that for the committee — that report?

**Mr LAPSLEY** — We could, yes. It was a verbal report, but we can show the minutes from that task force. There is also, and we are quite happy to provide, the final task force report, which is in its development now but will not be available for a number of weeks, that shows the whole of what has been established out of the task force, which includes district 27 and a number of other initiatives across the partnership with industry, how we actually engage with industry and achieve that and also what DEDJTR have done in a resource and energy resource sense. So that is quite a detailed report, but it is in its final stages of drafting now, and it will be available in a couple of weeks. Both of those things we are quite happy to provide.

District 27 I have been a very strong supporter of. I think it is a very necessary step, and I believe what Mr King was saying, if it has got a little bit of 8 months, 12 months when he said it, would have been a reasonable comment at that time — that there were still things unresolved in district 27 for how it would work and operate.

**Ms BATH** — Because it is vital. It is protecting this vital piece of infrastructure and lives and property et cetera. Two more questions, if I may, Chair. You were talking about a systems approach. I am interested in terms of the use of technology. We talk about drones now, planes, which have been around, and cameras in

terms of fire lookouts or fire spotting, so could you say what is happening — what you believe is happening — on that front?

**Mr LAPSLEY** — I can give you lots on this. So out of our 48 aircraft we operate, not all of them drop water; some of them are up there to gather intelligence. Firebird 300, which was put in the fleet about 12 or 18 months ago, is a dedicated machine to collect intelligence. It is an airborne, intelligence-gathering platform. It is a helicopter. It has got smart technologies on board for cameras. We have used that this year at Wye River and were able to see, both in a thermal and a video sense, what was happening with the fire. Firebird 300, although it has got a Firebird badge, has just been running the Murray River, as in picking up intelligence off the floods, and to the extent where it was also down on the Great Ocean Road to help VicRoads by flying out on the coast looking back in to see what erosion had occurred under the roads. So it has got multiple capabilities.

The latest technology, connected to the ground, and obviously then it is about decision-making, so it goes back to about better information, better decisions. DELWP are running a program with drones at the moment about hazardous trees, planned burning and areas that are difficult particularly in a hazardous trees environment, and EMV are sponsoring one in regards to impact assessment lifesaving, so they are going to work with lifesaving about sharks in there. So we have come away from what has been the traditional fire footprint to say, 'What else do we need to do in this broader emergency management footprint?', and that is a pilot that we will be operating this year. When I say a pilot, we are not out to test drones; there is plenty of technology that tells us what to use in the sky. It is about how you get the right cameras and technologies on board and therefore where you send it to make a good decision. So ours is about integration of data, not trying to test the right drone that —

**Ms BATH** — The technology that exists.

**Mr LAPSLEY** — The technology — take that off the shelf, and then attach it and apply in our area. So that is there.

There has been for a number of years a project that has talked about cameras attached to fire towers. That has not been implemented, and I have been at the front of that. The reasons that has not been implemented: one is that it is considered that fire towers with the eye of an individual that is well trained with the environment works better than that of a camera that takes a while to circle; and the second part of why it has not been implemented is the integration of the data, because one of the proposals clearly showed that we would then have to run a call centre with 24-hour coverage of 16 people — huge costs. We have not been able to integrate the data in decision-making. Otherwise we are paying huge costs for a call centre to monitor these towers.

I think all of those technologies are coming down in costs and integration, and it is about integration of the systems at the decision-making end. A lot of ours are not about the technology, the camera type, the drone, the aircraft; it is about how you get it to the person who has got to make the decision in a way that is useful. So our integration of those and really the trial are about the integration of data and decision-making.

**Ms BATH** — At the end of the day, too, it is funding a resource by putting a person up there. Is that going to be better or worse, or is it more cost-effective to put a camera or not?

**Mr LAPSLEY** — Or is it a bit of both?

**Ms BATH** — Yes.

**Mr LAPSLEY** — That is, I use the eyes to look here, and I put a camera where I cannot see from the eye to supplement it. So there is a bit of both.

**Ms BATH** — I will be really brief. I have been given an example of the Grampians Peaks Trail — a lovely space out there. It is not in my electorate, but the comment that has been made to me is that the trail is up and running, so to speak, but how much influence do you have on people maintaining that track and, in terms of fire-prepared people or fire-trained people, maintaining, I guess, recreational assets?

**Mr LAPSLEY** — Interesting. I do not have control over those issues. That is a decision for obviously the agencies, whether it is a Parks Victoria asset or a DELWP asset, depending on whose it is. What we do, though, from a safety point of view is try to make sure that that local planning of fire management plans — so the Grampians fire management plan — understands the use of tracks and understands the maintenance of tracks, and that is a responsibility of whoever is the key accountable agency. In the Grampians I would suggest the one

you are talking about would be Parks, and Parks certainly have big program across the Grampians about what is access, egress, what is there for recreational use and what is there for fire access. That has some sensitive discussion, too, with communities about what is there for fire access and what is there for recreational access. I do not know the detail of what you are talking about, but I do know that even this week there is a Grampians fire management conference in the Grampians with all the agencies to talk through all those sorts of things. One thing we are encouraging is to make sure they are more connected in those discussions with the community than ever before.

**Ms BATH** — I guess, noting that when we expand our assets we also have to be able to fund —

**Mr LAPSLEY** — That is right.

**Ms BATH** — their safety and security.

**Mr LAPSLEY** — And their maintenance, yes.

**Mr DALLA-RIVA** — Thanks, Mr Lapsley and Mr Robertson. Just a couple of questions and statements. You were a CFA volunteer, Mr Lapsley?

**Mr LAPSLEY** — Still am.

**Mr DALLA-RIVA** — Still are. And you were deputy chief officer of the CFA?

**Mr LAPSLEY** — CFA, yes.

**Mr DALLA-RIVA** — Until 2007?

**Mr LAPSLEY** — Yes.

**Mr DALLA-RIVA** — So you would have had some involvement at some point with Mr Peter Marshall?

**Mr LAPSLEY** — I have.

**Mr DALLA-RIVA** — And you continue to have a relationship with Mr Marshall?

**Mr LAPSLEY** — No. No, not really.

**Mr DALLA-RIVA** — Okay. In your time when you were the deputy chief officer of the CFA did you find your dealings with Mr Marshall quite difficult?

**Mr LAPSLEY** — Mr Marshall is a passionate person about his beliefs and his understanding of who he represents and what he does. Peter is extremely passionate for his cause. I have dealt with Peter in formal and informal environments, and you never walk away from the discussion wondering what is on the table.

**Mr DALLA-RIVA** — In your presentation you put up a screen ‘We work as one’.

**Mr LAPSLEY** — Yes.

**Mr DALLA-RIVA** — Do you think Mr Marshall is working as one in his pursuit, in what he is doing?

**Mr LAPSLEY** — Mr Marshall — and I have got to be careful here, because I have not spoken to Peter for some months — is of the opinion that the terms that he is trying to put on the table about interoperability are trying to achieve the ‘We work as one’. Other people might see that quite differently. But likewise, I suppose some people would say: the VFBV, as a representing body, are they working as one? And they would say they are too. So I think it is a little bit of the window you are looking through at the time. Both are there to represent their constituents, both of them are putting in their energy to do that. At the moment they have got a very emotionally fuelled, polarised issue, and in the true sense of ‘We work as one’, we can challenge that discussion. But I am sure that they would see that they are working towards ‘We work as one’.

**Mr DALLA-RIVA** — So in terms of working as one, we have obviously had evidence from people and concerns raised about the resignation of the then emergency services minister, which I believe — is that the minister you reported to?

**Mr LAPSLEY** — I did, yes.

**Mr DALLA-RIVA** — You did. You had a good relationship with Ms Garrett?

**Mr LAPSLEY** — Yes, yes.

**Mr DALLA-RIVA** — What was your view on her resigning in respect of the EBA agreement?

**Mr LAPSLEY** — On all of those that have resigned — so not just Minister Garrett but the CEO — —

**Mr DALLA-RIVA** — Well, Mr Buffone, Mr Rau — —

**Mr LAPSLEY** — All of them.

**Mr DALLA-RIVA** — There has been quite a few.

**Mr LAPSLEY** — There has been a few.

**Mr DALLA-RIVA** — Mr Marshall still stands.

**Mr LAPSLEY** — Yes, true. They have made a choice to resign, and I may have a personal belief about whether they prematurely resigned or not. They have made that choice based on the circumstances they had, whether it be Jane Garrett, Lucinda Nolan, Joe Buffone, Peter Rau — whoever they are.

**Mr DALLA-RIVA** — There is quite a few.

**Mr LAPSLEY** — There is quite a few. That is a fact, that they have made that choice. I have made a choice in my position that I do not intend to resign, and if I do, it will be because I am going to a new opportunity in a new space at the right time of when I do that. And I am very clear about that: I am not going to resign; I am going to work this through, and however difficult it is, I will continue. Let us also remember that the CFA EBA discussion is one part of the discussion. We have got a broad sector, and I do not want to see that that issue, that is highly fuelled with emotion and polarised, leads into other parts of the sector. I have to make sure that the sector works as a sector, and if anything, I have got to try and make sure that it stays within the environment and is as suppressed as much as we can to ensure that we have got a sector that works, and that is my leadership responsibility.

**Mr DALLA-RIVA** — Well, you are a strong man to be doing that against the wave of resignations and what has been going on.

**Mr LAPSLEY** — Yes. And it is unsettling. I will be very clear: it is unsettling to see resignations because I have had teams, and those people are all part of teams. So in CFA Steve Warrington has got the need to rebuild a team, but he has also got to be part of my team. The chiefs are part of my team, to help me lead. So I have got a bit of work to do this year. But remember, we have also seen the DELWP chief officer, Alan Goodwin, move to a new opportunity. That has not been anything about an EBA. That has just been: Alan has moved on to a new opportunity. So out of what I call the state response controllers, I have got five of those; three of them are either newly appointed — as in Stephanie — or are acting, waiting for appointments to occur. So that is a challenge to me. I am up for that. I have got to make a conscious decision about how I make those teams work. I will make them work, and I will give them all the support they need to do so, but I am very mindful that there is change in MFB and CFA that is significant, and we have got to help them rebuild their teams as well.

**Mr DALLA-RIVA** — You talk about the change needed in the CFA and the MFB, but what about the change needed in the UFU to move beyond the old thuggery days of unionism that pushes people out, bullies them, moves them into positions where they have to resign or move on? I am just curious. You talk about cultural change — you talk about that in terms of the organisations — but there is one organisation that perhaps needs a greater change.

**Mr LAPSLEY** — I think if we go back to the ‘we’, the ‘we’ is all of us. We all have to walk up. The fire services review talks about career and volunteer opportunities and some things that we have got to learn from, so let us all that lead volunteers and all that lead the career ranks make sure we are up to it, and let us not deny ourselves the opportunity to change what we have got to change. This is an opportunity that we have to take, and those leaders at any rank, at any position across any organisation, need to step up and understand what change means. As I said before, we have got drivers of change, we have got communities that are going to look different, we have got challenges about the viability of volunteers. I am a strong believer that the volunteers across our agencies will survive, will be as strong as they have been, but it needs to look a little different, because we need generational change. We need to understand and learn from that.

The Volunteer Consultative Forum, which is a mechanism that brings the agencies together — whether it is the council of churches or lifesaving or CFA or SES or whoever they may be, Ambulance Victoria — we have got a program of work about engagement of youth and we have got a program of work about how we get cross-pollination across agencies, so I can volunteer at lifesaving and the skills that I acquire at lifesaving are not lost when I move across to another organisation. So the Volunteer Consultative Forum, we believe, is a mechanism to assist us to get there, and we have even signed a statement of intent of where we want to go in that group. I think that is important. The career people might think, ‘Why aren’t we included in that?’. Well, it is about volunteers, and we need to take time to grow volunteers in the state and give them opportunities. It is not about isolation; it is simply that that is the focus of that group that allows us to integrate with others at an appropriate time.

**Mr DALLA-RIVA** — So the Volunteer Consultative Forum — have we got information on that? If not, I would like it. If we have, that is fine.

**Ms SHING** — It is publicly available as well, Mr Dalla-Riva.

**Mr DALLA-RIVA** — I would just like to get some more info. Final question. Obviously there has been a massive loss of experience — you have indicated that in your group, your leadership group, on being prepared for the fire season. You also indicated on the radio about the war — I am not using the words, but it was reported in the *Age* and obviously on 774. You indicated in your evidence just before along the lines of ‘Wait till the egg breaks’ — you do not think the egg had broken yet. ‘Wait till the egg breaks’ — what do you mean by that, because I am curious?

**Mr LAPSLEY** — We need to be really careful in a structural sense. This is a footpath discussion, but if you want to separate and only have a career organisation and a volunteer organisation, and you structurally separate them, that is separation of the egg, in my mind. We need to be able to deliver services that are integrated, and when I say ‘integrated’, I mean career and volunteers work together, train together — all of those. That is one of my concerns. If we separate and only have a career organisation and a volunteer organisation, we are going backwards in this state by mega steps.

I will give you a practical example. If I take you to a provincial city like Bendigo or Ballarat, in a fire service delivery sense or a rescue service, there are career staff that ride the career pumps out at Bendigo, that pull up at Kangaroo Flat, Eaglehawk or Golden Square with volunteers. I was there only weeks ago, and I took time to listen to the career staff that were on duty. They respected, understood and were giving not only respect to but accountability for the fireground and to those volunteer officers. A young captain at Eaglehawk who is under 30 years old — it is a big step for him to lead the Eaglehawk fire brigade, and he is doing a fantastic job. He is fully integrated and respects the staff and looks for them to be there. If we were to separate that so we have career in one organisation and volunteers in another, I do not think that is a smart move for Victoria. Let us have an integrated model that allows us to move.

But even the boundary we put in place of having the metropolitan fire district versus country area Victoria, we have had to move that so that we get transparency. Secondments between career of whatever. A joint recruit course, so they train together from the start of their things. Some people were horrified that we put that on the table. I have been a strong champion of that — that a career person from day one works together with others. They train together, and they might go off to the CFA to work or the MFB to work after that 17 weeks, but they train together, and later in life they have got cross-pollination of skills, cross-pollination of culture that we move to the new world. This old model of wanting to be two services within the state and separate in the way we do things is not acceptable today. It has got to be interoperable in every aspect.

Now, some people are shocked and horrified that in some parts we have still got things like BA sets that are different in the two services. We have just got that together in a contract and acquisition process to make sure that when we have the next Portland ship fire, MFB can go down there and utilise the gear that CFA uses in a transparent manner. That is not the case now; they have got different gear. That, in 2016, is not the place to be. Let us move forward in every aspect of what we are doing.

**Mr DALLA-RIVA** — Final question: given that this is the fire season preparedness inquiry, can you assure the people of Victoria that they are safe this fire season?

**Mr LAPSLEY** — Yes, I can, but when I say that I qualify it — we all have the responsibility to do that. So the community of Victoria have a responsibility, like the fire services and every other agency, and together we will be safe, and that is a critical part — that we need to do this together. It is not about, ‘They will do it for us’. We will do it together, and we are the Victorian community.

**Mr EIDEH** — Just quickly, and it is a simple one, Mr Lapsley, you have stated that you have a community focus, so I just ask: how does that community focus manifest itself?

**Mr LAPSLEY** — The community focus — I think we have moved miles ahead of what the community focus is and building in. I have given some examples today of where decision-making had been — for example, the VicPol example I gave before about road closures to get people back in earlier — about community. That is one example. Go to Wye River this year. Wye River had the potential to have significant death with the way that fire moved on Christmas Day. We had systems in place, management systems in place, that were there before, that engaged with communities to let them know the risk, the potential and the decision-making they would make, and when it happened the community reacted in a way so that they were not there to suffer the onslaught of a fire. Yes, we lost property — extremely sad, extremely traumatic — but we did not have death, we did not have injury and we did not have people in there that suffered the trauma of experiencing a fire, particularly young people, because that has an impact on them over life.

How do you measure community involvement? It is very difficult to measure it, but on some of the outputs and outcomes we have seen we have changed this state significantly to be a safer state that focuses on community and gets that shared responsibility. I overstate it, but it is absolutely a shared responsibility. It is not me, it is not you alone; it is we. That is about how we engage with our communities, and I think we are in a good space. I give credit to the Victorian community about fire. It is a very emotional thing. You will hear me say, ‘We don’t have to be scared of fire; we just need to take it seriously and build it into the way we operate all the time’.

**Mr EIDEH** — That is great. Thank you very much.

**Mr MELHEM** — I will be very quick. Mr Lapsley, thank you very much for your presentation, and thank God you are in charge of our emergency services. It is good to see someone with strong leadership —

**Ms SHING** — Big shoulders, as Ms Bath has indicated.

**Mr MELHEM** — who knows exactly what they are talking about and is a commonsense person. My question is this — and it concerns what I heard you say this morning and what you have said in the past — whether the EBA is ratified tomorrow, once the Supreme Court action is finalised, the federal legislation, all these sorts of things, is that going to make any difference or prohibit you from doing your job to make sure we are fire ready? You gave a couple of examples about how volunteers in the SES and — —

**Ms SHING** — Last week in the Emerald — —

**Mr MELHEM** — the career firefighters are working together. What I am basically saying is: am I hearing you correctly — that it is not going to make a difference because people actually go out and do their job?

**Mr LAPSLEY** — People do go out and do their job. The signing of an EBA will mean that there are a number of things that need to be — —

Because it has got so much attention — one, to understand it, and one, to understand the implementation of it. But at the end of the day if we have got strong management, if we understand what we have signed up to, if we understand that some of that is change, we have to understand — and I will have to understand — what that means and measure that to show that it is in the best interests of the Victorian community, what we are doing,

and be bold enough, if it is not, to say, 'We've got some issues to deal with', and I am up for that. What we have got is an EBA that there is a group of people who believe is in the best interests of their membership to have that level of detail, and there are others suggesting that it is overreaching, which is why you have got mechanisms that it is.

One thing I would hope to think is that we go back and start to respect each other as people, and whether they are a volunteer or a career person, all of them take a deep breath and understand that people are committing to the state to protect the state. I have heard volunteers say, 'I don't mind what they get paid, but let's work together'. That is the important one, and that has got to be a principle out of this that we all champion, to say, 'Let's have a system that works, has strong relationships, respectful relationships, and we achieve the best for the Victorian community'. Easy to say; there is a lot of emotion that needs to get unravelled for us to be able to do that.

We have also got to show that these organisations are organisations that, one, people want to participate in, and two, the Victorian community has got confidence in. We should never erode that, because we have got some of the best agencies across the world. I say it — I am not overstating that. We achieve good outcomes, but let us not lose sight of the fact that the fire services review has been very clear about opportunities for improvement, and let us work on them to improve.

**The CHAIR** — Thank you. I note there are a number of documents and other pieces of information that we will need to follow up, and the secretariat will do that. I thank both of you for your presentation; a lot of material has been covered.

**Witnesses withdrew.**