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TRANSCRIPT OF PROCEEDINGS

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2014 HAZELWOOD MINE FIRE INQUIRY

MORWELL

FRIDAY, 6 JUNE 2014

(10th day of hearing)

BEFORE:

THE HONOURABLE BERNARD TEAGUE AO - Chairman

PROFESSOR EMERITUS JOHN CATFORD - Board Member

MS SONIA PETERING - Board Member

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1 MS RICHARDS: Good morning. To recap on the order of  
2 proceedings for today, we'll complete Mr Mitchell's  
3 evidence now, we'll then call Mr Hall from the  
4 Department of Human Services, then Mr Harkins from GDF  
5 Suez and Karen Andrew, our community witness. If  
6 Mr Mitchell could come forward.

10.06AM

7 <JOHN LESLIE MITCHELL, recalled:

8 MS RICHARDS: Good morning, Mr Mitchell?---Good morning.  
9 We ended yesterday by talking about the impact of the fire  
10 and the resultant smoke and ash on the council's own  
11 operations. I'd like to move now to some other areas.  
12 On page 13 of your statement under the heading, "Item  
13 9", you elaborate on a matter that was raised in the  
14 council's submission about confusion and challenges  
15 during the recovery phase.

10.07AM

10.07AM

16 At paragraph 87 you say, "The recovery phase has  
17 seen the DHS, the Department of Human Services and the  
18 council share the lead recovery role, which has  
19 necessarily involved working through new issues which  
20 the council has not had had to conform to before."

10.08AM

21 The usual state of affairs after an emergency, for  
22 example a bushfire, is that council leads the recovery  
23 effort. Is that correct?---That is correct, yes.

24 In response to the mine fire we see a different arrangement  
25 for the first time in the city of Latrobe. Can you  
26 explain how the current arrangements vary from the  
27 usual arrangements for recovery?---The current  
28 arrangements changed in as much that, in terms of the  
29 response phase, it was normally very quick; this time  
30 the response phase was a prolonged area in terms of the  
31 nature of the event. In that response phase we were

10.08AM

10.08AM

1 required to support the Chief Fire Commissioner and the  
2 other agencies. Usually in an event we would move  
3 quickly to recovery phase and that's when the council  
4 was in sole control of that and responsible for it.  
5 This time was the first time that in the recovery phase 10.09AM  
6 we had a dual control in terms of DHS and the council.  
7 How did that come about? How did it come about that DHS is  
8 involved in the recovery phase?---That was a legislated  
9 or a Government decision in terms of the fire recovery  
10 response and management. 10.09AM  
11 Just to be clear, it's not a legislative position?---No, but  
12 it's - - -  
13 The usual position under the Emergency Management Manual of  
14 Victoria is that the council would lead the recovery  
15 phase, is it not?---That's right. 10.09AM  
16 So how did it come about that DHS is involved in this  
17 recovery?---Well, this came down through Mr Lapsley in  
18 his powers, that it was decided that we would have dual  
19 recovery management.  
20 You say in paragraph 87 that that's involved some new 10.10AM  
21 issues; what are those new issues?---Well, it just adds  
22 complexity, I guess. Previously the council  
23 organisation, we'd been organised and trained on the  
24 basis that that when we got into the recovery phase we  
25 were the lead authority. This time managing with dual 10.10AM  
26 management, if you like, you've got more relationship  
27 issues and coordination issues to actually undertake.  
28 Is it the reality that DHS is leading the recovery with  
29 assistance from council?---You could say that, yes.  
30 Moving to information distribution and communications, I 10.10AM  
31 thought a good place to start might be by asking you

1 about the communications resources that council has at  
2 its disposal. How many communications staff does  
3 council employ?---3.8 equivalent full-time.

4 When there is not an emergency happening, what are their  
5 day-to-day responsibilities?---Their day-to-day 10.11AM  
6 responsibilities are to support council and the  
7 administration in communicating effectively with our  
8 whole range of stakeholders - community, internally and  
9 also external stakeholders.

10 Can you give us an idea of who those communications staff 10.11AM  
11 are and where they fit within the organisation?---We've  
12 got Emma Lewis and we've got Shuk who are basically -  
13 one's the acting manager of communications and the  
14 other one's the coordinator of communications and they  
15 have support staff. 10.12AM

16 So there are two, if you like, communications practitioners  
17 with 1.8 full-time equivalent support staff? Have I  
18 understood that correctly?---Some of the support staff  
19 I'd say are good communication practitioners as well,  
20 so they're, in my opinion, a highly competent group and 10.12AM  
21 they perform their task very well.

22 The Inquiry's not directed at the competence of your staff,  
23 it's really trying to get an understanding of what  
24 resources are available to council during an event  
25 which clearly required communications well over and 10.12AM  
26 above your normal operations?---Yes. Well, we had to  
27 supplement our communications team. We had a  
28 specialist media person brought in who was in fact  
29 funded by the CFA to provide support for both our staff  
30 and also our council and particularly the Mayor and 10.13AM  
31 myself.

1 Who was that?---That was Chanmali - I forget Chanmali's last  
2 name.

3 Was she from an external consultancy or actually from the  
4 CFA?---No, she was sourced through the MAV.

5 The Municipal Association of Victoria?---Yes, that's right. 10.13AM  
6 You tell us that council had a two part communication  
7 strategy; what were the two parts?---The two parts  
8 were, firstly we were supporting the event and  
9 incident, and secondly, we were responsible for  
10 communicating issues about our own services. 10.13AM  
11 When it came to support, did that involve any more than  
12 being available and present at joint media  
13 events?---No. The support was provided by way of us  
14 providing input into the Incident Control Centre and  
15 also being a conduit, if you like, between community 10.14AM  
16 and the people within the Centre, and I guess providing  
17 input too from council's perspective in terms of the  
18 event and the matters that had to be taken into  
19 consideration.

20 So input into the communication strategy and a conduit for 10.14AM  
21 information from other agencies. Have I understood  
22 that correctly? Was there more to it than that?---Our  
23 comms staff, they monitored social media, they  
24 undertook consultation with various groups, because  
25 naturally in an event like that we had a lot of 10.14AM  
26 community contact, and our staff made every effort to  
27 provide the - I suppose, the factual grounding about  
28 issues and matters which community were raising and  
29 other stakeholders were raising and putting that into  
30 the Incident Control Centre for their information. 10.15AM  
31 We had some evidence yesterday about EMJPIC and its regional

1 equivalent, which I suppose is called REMJPIC. Was  
2 council involved at the regional level?---We weren't  
3 initially. In about I think two weeks into the event,  
4 was it 17 February or thereabouts, - 21 February  
5 actually, we were invited to join both those public 10.15AM  
6 information committees. From our perspective, I think  
7 that worked much better and also I think communication  
8 from many people's perspective improved from that  
9 point.

10 So from the start of the second week of the fire, is that 10.16AM  
11 correct?---Yes, it was on 21 February it was effective,  
12 so when both Emma and Shuk were actually embedded into  
13 both of those public information committees and that  
14 certainly enabled better integration.

15 So perhaps that would have been useful if it happened at an 10.16AM  
16 earlier stage of the fire, that integration?---Well,  
17 hindsight would support that view, yes.

18 We all have the advantage of hindsight here, don't we?---We  
19 do.

20 On page 16 under the heading, "Item 12", you respond to our 10.16AM  
21 request to set out how council assessed the  
22 effectiveness of its communication strategy and you  
23 refer to some feedback from the community that was  
24 gathered. Can you give the Board a sense of what  
25 feedback council was receiving from the community about 10.17AM

26 its communications?---The feedback was from many  
27 sources. I've indicated our staff did monitor social  
28 media, we had people actually phoning in and talking,  
29 we had councillors picking up bits of information,  
30 officers were picking up bits of information with all 10.17AM  
31 of that interaction and we were endeavouring to provide

1 all of those salient points back into the Incident  
2 Centre.

3 One area for improvement that you identified as a result of  
4 that feedback was that there were instances where the  
5 call centre was not as up-to-date as it could have been 10.17AM  
6 with information?---Yes.

7 One example that will be given by a community witness next  
8 week is that, on hearing on the radio about the  
9 Community Health Assessment Centre he rang council  
10 which was not able to give him correct information 10.18AM  
11 about where the Community Health Assessment Centre was.  
12 That's consistent with paragraph 96 of your statement,  
13 is it not?---Yes, it is, it is. Then we identified  
14 there were issues there and then we actually had daily  
15 briefings where someone would - you know, we had daily 10.18AM  
16 briefings within council with all the relevant staff  
17 and then we had the call centre staff briefed on the  
18 issues and information that was raised the day before.

19 The call centre staff, are they located here in the Latrobe  
20 Valley?---They're located at the Traralgon Service 10.18AM  
21 Centre, the call centre which was established for that  
22 event - the 1800 number.

23 So it was an event-specific call centre?---That's right.  
24 Not an offshore call centre?---No.

25 At what stage did council change that practice and go to a 10.19AM  
26 daily briefing of call centre staff?---I'm just trying  
27 to remember that.

28 I'm asking you because it doesn't appear in your  
29 statement?---No, and I'm unable to have a guess about  
30 that, but I think it was probably about two - would be 10.19AM  
31 two weeks after the event happened, I think.

1 Another refinement, as you've identified, was council's  
2 involvement in REMJPIC and EMJPIC which, your evidence  
3 is, improved the coordination of communication  
4 considerably?---Yes, it did.

5 The next area I'd like to ask you about, Mr Mitchell, is the 10.20AM  
6 clean up assistance package the council has been  
7 responsible for delivering. Can you explain how the  
8 clean up assistance package was developed?---The  
9 construct of the clean up package was really input from  
10 many different people, I guess it was certainly a 10.20AM  
11 multi-faceted type of approach. There were discussions  
12 initially with myself and our Premier and Cabinet and  
13 the MAV regarding perhaps the scope of that. There  
14 were also discussions with David Elder who's our  
15 Community Liveability Manager and his staff and Local 10.21AM  
16 Government Victoria and DHS. During all of those  
17 discussions there were a series, I guess, of options  
18 actually established.

19 Discussions get underway in earnest in early March, about  
20 5 March, is that correct, and that's done by David 10.21AM  
21 Elder at the council meeting with officers from Local  
22 Government Victoria? Was there a formal process, for  
23 example an Advisory Committee, set up to work out what  
24 the content of the cleaning assistance package should  
25 be?---Are you talking about locally or in Melbourne? 10.21AM

26 Either?---Locally. Well, in the local sense we were  
27 endeavouring to understand what the impact was on homes  
28 and we were in close and constant daily contact with  
29 our departmental representatives. The question of  
30 clean up internally within the house, clean up 10.22AM  
31 externally within the house, clean up within the



1 hardstanding areas in properties and within the CDs,  
2 they were all matters which we were discussing  
3 extensively.

4 At paragraph 138 you say that council initially proposed  
5 that for people who were undertaking a self-clean, 10.22AM  
6 they'd be provided with vouchers up to a value of \$150  
7 to obtain cleaning products of their choice and that,  
8 for those who received an assisted clean up, a larger  
9 sum, \$750 approximately, would be spent on each  
10 household which would involve someone coming in to do 10.22AM  
11 the clean?---That's right.

12 That was proposed by council to whom?---Would have been  
13 through Local Government Victoria and Local Government  
14 Victoria would then have been relaying that to the MAV,  
15 DHS and Premier and Cabinet. 10.23AM

16 Can you explain the basis on which Local Government Victoria  
17 became involved? DHS is sharing the lead in the  
18 recovery effort. What was Local Government Victoria's  
19 role?---Local Government Victoria, they were, if you  
20 like, our key departmental representative and they play 10.23AM  
21 a major role in terms of the Resilience Committee and  
22 also through the MAV, so there's a close connection  
23 with the MAV and the Department in helping us as a  
24 council take the response areas, in this case clean up,  
25 back into the Committee and Government for approval. 10.24AM

26 I'm sorry, Mr Mitchell, I just didn't follow that. DHS and  
27 council are leading the recovery effort?---Yes.

28 Sharing the lead?---Yes.

29 Why is Local Government Victoria involved? What does it add  
30 to determining what is an appropriate clean up 10.24AM  
31 assistance package?---Well, Local Government Victoria

1 are taking the various options back into Government, if  
2 you like, into the Resilience Committee which is - - -  
3 Are you talking about the State Crisis and Resilience  
4 Council?---Yes, and there's a process within there that  
5 I'm not exactly over, but there's a decision made about 10.24AM  
6 what is going to be funded and, I guess the scope, if  
7 you like, of the recovery clean up packages.  
8 So council made its proposal - - -?---So those packages have  
9 to be approved for funding.  
10 So council made its proposal through Local Government 10.25AM  
11 Victoria which conveyed it to the State Crisis and  
12 Resilience Council, a decision was made there?---Yes.  
13 And communicated back to council through Local Government  
14 Victoria? Have I understood that correctly?---Yes, we  
15 would have got that through Local Government Victoria. 10.25AM  
16 After that proposal was made, what was the decision that was  
17 communicated back to council?---The decision was made  
18 that there was going to be a two-part process; it was  
19 one where there would be clean up packs provided and  
20 also clean up to the range of about \$700 for HACC 10.25AM  
21 entitled people and HACC eligible - - -  
22 HACC being Home and Community Care?---That's right, and also  
23 people that actually received DHS relocation payments.  
24 Just to be clear, how did the package that was ultimately  
25 decided on at the State level vary from what council 10.26AM  
26 had initially proposed?---The \$150 voucher for homes  
27 impacted was not provided, and so there was a clean up  
28 kit provided in lieu of that, and the persons around  
29 the home, there was a lesser value provided for them in  
30 terms of the internal clean and any external clean in 10.26AM  
31 the home.

1 There are still two categories, there's the self clean and  
2 the assisted clean?---Yes.

3 The package that was ultimately made available for those who  
4 were judged to be able to clean their own home was a  
5 bucket, face mask, goggles and gloves?---Yes. 10.26AM

6 Two laundry vouchers per household at a value of \$15 each  
7 and two car wash vouchers per household at a value of  
8 \$10 each?---That's right.

9 That amounts to \$50 worth of vouchers for specific things,  
10 and the bucket, face mask, goggles and gloves?---That's 10.27AM  
11 right.

12 Before we move to the assisted clean, how has that self  
13 clean package been received by the community?---It's  
14 been well used; I think there were something like 840  
15 clean up packs issued as of today or as of this week. 10.27AM  
16 If you ask me what the view of the clean up packages  
17 are, I guess the comments would vary. I think it's  
18 fair to say some of the community expressed  
19 disappointment in that regard, but then again there's  
20 been 840 packs issued and I know that some people have 10.28AM  
21 come back for a second pack.

22 And that's been made available, has it, where they've come  
23 back and requested a second bucket and set of  
24 vouchers?---Yes, it has.

25 Not to put too fine a point on it, Mr Mitchell, the self 10.28AM  
26 clean package that was made available was inadequate to  
27 the scope of the task of cleaning up after the fire,  
28 was it not? It didn't meet the need that people had to  
29 clean their homes?---Well, I think that would be a  
30 judgment that different home owners would make; I'm not 10.28AM  
31 in a position to indicate whether it was unsatisfactory

1           for many but - - -

2       Mr Mitchell, I think you are in a position to indicate your

3           opinion. Council proposed a more generous self clean

4           package, did it not?---Yes.

5       So it must have been council's view that that more generous       10.29AM

6           self clean package was appropriate or more appropriate

7           to the need that council had identified?---I think it's

8           fair to say we would have preferred the original

9           package put up, but there were I guess a lot of

10          complexities about the scope of the packages that were       10.29AM

11          being discussed. But I suspect you'll be asking about

12          the roof cavity area as well, the clean up of those

13          areas, which was a very complex matter.

14       Before I do ask you about the roof cavity areas, it must

15          follow that it was council's opinion, and you're The       10.29AM

16          Chief Executive of the council, that a more generous

17          clean up package was appropriate in the

18          circumstances?---Yes, you'd have to conclude that.

19       The decision to offer the clean up package that was in fact

20          made available for those in the self clean category was       10.30AM

21          not made by council, was it?---No, not at all.

22       Are you able to identify who within State Government made

23          that decision?---No, I'm not.

24       Moving now to the cleaning of roof cavities. Again, let's

25          look at what council first proposed and what was       10.30AM

26          ultimately provided?---For clarity, the council did not

27          propose anything. What the council actually did, we

28          undertook an assessment of what the cleaning of roof

29          cavities would actually entail. That was a discussion

30          which was going back and forwards between the       10.30AM

31          departments, and in fact it was raised with me by

1 senior Government Ministers and our local Member, so  
2 we'd come to one point where myself and Alan Wilson,  
3 who's the Managing Director of Alan Wilson Insurance  
4 Brokers, and also a contractor, we met and actually  
5 undertook I suppose a very broad metric in establishing 10.31AM  
6 what the clean up cost of roof cavities would actually  
7 entail. That basic cost estimate has been provided as  
8 part of my statement.

9 Yes, that's part of your statement at Attachment 11?---Yes.  
10 There's an estimate that removal of installation and removal 10.31AM  
11 of roof cavities, essentially the cleaning up of roof  
12 cavities and the replacing of insulation would cost  
13 about \$6,500 per house?---For an average 20 square  
14 home, yes.

15 There are other cost estimates given there for cleaning 10.31AM  
16 window coverings, so curtains, blinds?---Yes.

17 And also soft furnishing and carpet?---That's right, and  
18 also solar panels which was another matter that I guess  
19 some of the community had actually raised with us.

20 You say in paragraph 144 of your statement that that 10.32AM  
21 memorandum was provided to Russell Northe who is the  
22 State Member for Morwell. What happened  
23 next - - -?---And his advisor, I think, Lea Bacon.

24 Has there been any decision taken to provide assistance with  
25 cleaning roof cavities?---No, there hasn't. The only 10.32AM  
26 assistance there is being provided for those people  
27 through insured companies in some instances.

28 Yes, and we heard about the outcome of that from Brooke  
29 Burke yesterday, did we not, that insurance companies -  
30 or at least GIO in her case, had decided to make a 10.33AM  
31 goodwill payment towards the cleaning of her roof

1 cavity?---That's right. But those companies, I think  
2 it's fair to say, only made those ex gratia payments  
3 with considerable representation by Alan Wilson from  
4 Alan Wilson Insurance Brokers, and that was an  
5 initiative which Alan and the council actually agreed  
6 we'd undertake, and I know that we're very grateful for  
7 the strong supportive role which Alan's played in that  
8 process.

10.33AM

9 Mr Wilson, to be clear, is an insurance broker who's been  
10 available here at the Community Information and  
11 Recovery Centre to give advice to people about where  
12 they stand with their insurance and claims that they  
13 might make?---Yes, he has. One of his staff have been  
14 here one day a week but they've also been available for  
15 direct calls and Alan has indicated that the call  
16 site's been quite actively used. He's also been, I  
17 guess, successful in arranging with one underwriter, I  
18 think something like 200 homes with a \$5,000 ex gratia  
19 payment, and there's also been movement with a couple  
20 of other insurance brokers where they've actually now  
21 agreed, and I think there's one more currently now  
22 being negotiated.

10.33AM

10.34AM

10.34AM

23 For those who don't have insurance or for those who live in  
24 rental accommodation, that issue remains  
25 unassisted?---That's correct.

10.34AM

26 Before I move to the question of assisted cleans, what the  
27 council proposed and what was ultimately provided, can  
28 I ask you about the high pressure cleaners that were  
29 initially included in the equipment that would be made  
30 available for those undertaking a self clean. Whose  
31 idea was that?---That came out of discussions again

10.35AM

1 with council and departments such as Local Government  
2 Victoria. The idea there was that we would actually  
3 get a range of high pressure water jetters to actually  
4 clean down the outside of homes and pavement areas and  
5 hardstanding, so that was a concept that was supported. 10.35AM  
6 We actually purchased some high pressure water jets and  
7 then at the same time one of our local - the GARDS  
8 group, advocate group in terms of asbestos, raised the  
9 issue about, well, what happens if the water jet  
10 actually breaks a piece of asbestos in the home, and we 10.35AM  
11 then acknowledged that was a very good point and we  
12 undertook a risk assessment there and it was  
13 subsequently decided that we would not issue those  
14 water jets to residents.

15 The assisted clean package was initially proposed by 10.36AM  
16 council, as you've said, was a sum of approximately  
17 \$750 to be spent on each household and someone would  
18 come in and do the cleaning. What was the package that  
19 was ultimately approved? You set that out at  
20 paragraph 146?---The assisted cleans, we actually had 10.36AM  
21 contractors going in performing internal surface clean  
22 and vacuum and dust, and the council also undertook  
23 some cleaning of pavements and areas outside. So,  
24 those assisted cleans we undertook through accredited  
25 contractors. 10.37AM

26 Was the assisted clean package as extensive as the package  
27 that council had initially proposed?---My recollection  
28 would be that the cost of those cleans were still in  
29 the order of about \$700 or \$800.

30 What about the eligibility criteria for assisted 10.37AM  
31 cleans?---The eligibility criteria were HACC qualified

1 people, so in other words, our home and community care  
2 residents who were already there and also DHS  
3 relocation recipients, and then there was another  
4 classification of people who were vulnerable, in other  
5 words, HACC entitled people but perhaps not receiving  
6 the formal HACC service. 10.37AM

7 While you had anticipated that about 1,800 people or  
8 households would be eligible, to date approximately 800  
9 people have used that service?---I think 840, as I  
10 understand. 10.38AM

11 As we sit here today. There was an issue with the  
12 timeliness of being able to actually deliver this  
13 service, was there not? When was the announcement  
14 actually made about the assisted cleaning package?---I  
15 can't recall the exact date, but in terms of the 10.38AM  
16 timing, there was; because as soon as the package had  
17 been agreed within Government the Premier made that  
18 announcement, and then we of course, the council, had  
19 to set about organising the implementation of that  
20 announcement. 10.38AM

21 The delay occurred because we actually had to have  
22 accredited contractors going into homes, in other  
23 words, we had to make sure that police checks and the  
24 contractors were credible so that you couldn't put them  
25 into private people's home, particularly the more 10.39AM  
26 vulnerable in our community, so there was a bit of a  
27 delay in terms of working up to get to the desired  
28 threshold of 50 house cleans or something a day.

29 Another criteria of course was that the whole  
30 recovery effort was intended to boost the local economy 10.39AM  
31 and so we had a preference for local workers in that



1 process, and it turned out that we subsequently had to  
2 augment some of the local work with people from outside  
3 the region.

4 You said there was a bit of a delay, what was the delay  
5 between the announcement of the cleaning assistance 10.39AM  
6 package and the first assisted clean that was  
7 done?---Look, I can't - it would be in the order of  
8 probably three weeks I imagine before we actually built  
9 up to a reasonable out-turn in terms of cleans per day.  
10 I'm not sure whether my statement actually gives that 10.40AM  
11 date.

12 I'm being prompted that the announcement was made on  
13 18 March, and so it was another three weeks before  
14 council was actually able - - -?---Well, I can't be too  
15 precise about that, but it would be a matter of weeks 10.40AM  
16 before we actually built up to the required - you know,  
17 what we thought was an acceptable threshold, if you  
18 like, in terms of cleans per day.

19 Why had council not gone ahead and engaged contractors ready  
20 to start the assisted clean up process as soon as the 10.40AM  
21 announcement of the package was made?---You have to  
22 actually have a scope of works to engage a contractor.  
23 It would depend upon whether, for example, we were  
24 going to be water jetting the outside of the home, it  
25 would depend upon whether the clean up package was 10.41AM  
26 actually going to involve cleaning of roof cavities.  
27 You can only engage contractors once you are clear  
28 about what that scope of works is.

29 Was council clear on 18 March?---We were clear as soon as  
30 the parameters, if you like, of the clean up package 10.41AM  
31 had been agreed. We knew that it wasn't going to

1 entail the cleaning of the roof cavity, we knew that it  
2 was going to entail a clean up within the house, and we  
3 knew it was going to entail some clean up outside the  
4 house.

5 You tell us in paragraph 151 of your statement that council 10.41AM  
6 was instructed by the Victorian Government not to  
7 commence any work towards implementing the clean up  
8 process, including taking steps to advertise for  
9 cleaning service or obtaining quotes until the details  
10 of the clean up package were formally announced?---Yes. 10.42AM

11 Was there a period when the details of the clean up package  
12 had been decided but not yet announced when council  
13 could have gone ahead and done that?---No, by the  
14 time - my understanding is, as soon as the clean up  
15 package had been decided by the Government, they made 10.42AM  
16 that announcement, and then we set about then moving on  
17 and implementing it. In the lead-up, though, we did in  
18 fact undertake consultations with a contractor, and in  
19 the negotiations, if you like, or the discussions with  
20 Local Government Victoria, we actually arranged for 10.42AM  
21 Local Government Victoria representatives and others to  
22 come and inspect a sample of homes within the township  
23 so that they could actually appreciate the extent of  
24 the ash fallout within the home and also outside the  
25 home. 10.43AM

26 That exercise was in the period during which the scope of  
27 the clean up assistance package was still under  
28 consideration?---That's right, yes.

29 And this was an effort that council made to represent that  
30 the clean up package should be at the more generous end 10.43AM  
31 of the range of possible alternatives?---That's

1 correct, yes. If my memory's correct, that inspection  
2 actually took place after we'd heard about what might  
3 be the likely scope of the work and we said, come down  
4 and we'll arrange for an inspection of the homes, so  
5 there were a number of homes selected as a sample so 10.43AM  
6 that, you know, I guess the Local Government and other  
7 departmental representatives understood in fact the  
8 condition that our residents were enduring.

9 In any event, the announcement was made on 18 March and it  
10 was some weeks, possibly three, before council was 10.44AM  
11 actually in a position to deliver the assisted clean up  
12 package?---I think within the three week area, it was  
13 before we were actually delivering a reasonable number  
14 of clean ups during the day, that's my recollection.

15 Given that delay, it would be expected that a number of 10.44AM  
16 people would have made their own arrangements?---Yes.  
17 Rather than live in a dusty house with ash on every  
18 surface?---That would be my understanding, yes.

19 I want to ask you about something that Mr Harkins raises in  
20 his statement; you know Mr Harkins from GDF Suez?---I 10.44AM  
21 do.

22 He says in his statement that he'll be giving evidence about  
23 later this morning that in the latter weeks of the fire  
24 he discussed with you GDF Suez's desire to contribute  
25 \$100,000 towards the clean up effort. Do you recall 10.45AM  
26 having a conversation like that with him?---Yes, I do.

27 He says that he was advised that a lot of the clean up work  
28 had already been undertaken and was being funded by  
29 State Government and, as a result, that \$100,000 was  
30 not being directed towards the clean up effort. Do you 10.45AM  
31 agree with that evidence?---Yes, I would.

1 That seems unfortunate, does it not, that GDF Suez wishes to  
2 make a contribution of \$100,000 towards a clean up  
3 effort and no avenue for that to happen is made  
4 available?---I think there were issues, I guess, in how  
5 we would be applying that. Like, we weren't suggesting 10.46AM  
6 that there was going to be additional scope in terms of  
7 the clean up, and if we were going to significantly  
8 expand the scope of the clean up, \$100,000 wasn't  
9 really going to make a significant effort there. So,  
10 if you were going to maintain the same scope, we're 10.46AM  
11 probably better off to have that \$100,000 allocated  
12 elsewhere, and indeed that's my understanding of where  
13 Mr Harkins and his company actually then focused,  
14 because we had a range of discussions in about - I  
15 guess there were three main packages which GDF Suez 10.46AM  
16 actually put out to the community; one of those is the  
17 debit card which I understand is about 90 or  
18 95 per cent expended as of today. So the debit card  
19 was a \$100 payment made to each household which they  
20 were able to spend within the Morwell community. 10.46AM

21 I guess the point I'm making is, I don't think the  
22 monetary effort provided by the company changed, it was  
23 just that the focus of that changed.

24 The money was re-allocated elsewhere?---Well, yes - well,  
25 when I say re-allocated, it was only a suggestion and 10.47AM  
26 we went through the discussion and it was thought then  
27 it would be better if it was handled within the GDF  
28 Suez package.

29 Just to be clear, approximately when did that discussion  
30 take place? Perhaps you could identify it by whether 10.47AM  
31 it was before or after the clean up assistance package

1 had been announced on the 18th?---No, it was well  
2 after; well after.

3 The last thing I'd like to ask you about, Mr Mitchell, is  
4 about the last part of your statement under the  
5 heading, "General Comment", where you set out council's 10.48AM  
6 strong belief - and I take it that this is a position  
7 of the councillors sitting as a council?---By the  
8 council, yes.

9 That the liveability of the town of Morwell should be  
10 prioritised over coal extraction when considering 10.48AM  
11 remediation plans. Could you enlarge on that? Given  
12 the Board will be looking at issues of fire risk  
13 mitigation and prevention next week, which includes  
14 rehabilitation of the mine, what is council's overall  
15 view about the future direction that should be 10.48AM  
16 taken?---The question of liveability and amenity are  
17 all - they're key elements for the community and  
18 particularly key elements for council as the  
19 responsible authority in terms of the Planning Act.

20 It's clear that, whilst council are essentially 10.49AM  
21 the planning authority outside, if you like, of the  
22 mine areas, and I guess we're acknowledging that, again  
23 with hindsight, the location of the Morwell township  
24 and the freeway and the mine in this instance are very  
25 close and we have obviously attendant risks in that 10.49AM  
26 area.

27 This region has a vast coal and lignite resource  
28 and clearly I think in the current Government areas the  
29 value of that lignite resource, there are still  
30 aspirations to utilise, and what we're saying is that 10.49AM  
31 that the future utilisation of that lignite resource

1 should be carefully considered and the council should  
2 be a major player at the table when those decisions are  
3 made. So that the question of setback, buffer zones,  
4 all those things we fully understand, you know would be  
5 very important, the council should actually have a  
6 major role in deciding those issues.

10.50AM

7 You say in the last paragraph of your statement that at  
8 present the council is not generally a part of those  
9 discussions. Although council is the local planning  
10 authority, is it the case that council is not involved  
11 in discussions about development within the boundaries  
12 of a mining licence?---No, that's exactly right, yes.  
13 I think, too, that again, if we look back in the  
14 history, my own personal view is that when the SECV was  
15 in operation we were - essentially this area was a  
16 company town and the SECV and Government made major  
17 decisions, and at one stage it was the plan that  
18 Morwell would actually be relocated, and I think that  
19 would explain the proximity of the mine, and the fact  
20 that we've got the freeway going between that and the  
21 Morwell township. I don't think you'd set out to  
22 actually plan it like that if you could.

10.50AM

10.50AM

10.51AM

23 No?---So I guess, again, that's the centre point of the  
24 council's strong statement that for future use of the  
25 lignite resource, that we actually need to have a  
26 better seat and influence over those decisions so that  
27 the question of amenity and buffer and other areas  
28 critical to the community can actually be taken into  
29 account.

10.51AM

30 Thank you, Mr Mitchell. Do Members of the Board have any  
31 questions for Mr Mitchell?

10.51AM

1 MEMBER CATFORD: Thank you Mr Mitchell. Could I pick up on  
2 this point you've just moved on to about proximity of  
3 settlements to coal mines. I asked both the CEO of the  
4 EPA and the Chief Health Officer if they had a view  
5 about this, and they said they didn't have a view about  
6 proximity of people to open cut mines, but clearly the  
7 council does.

10.52AM

8 Is there a view about how close a mine should be  
9 to human settlement?---I guess, how close would again  
10 depend upon how big the mine is. I'm not a technical  
11 person, but the reality is that when you have a big  
12 mine, you've got a hole there and mother nature's  
13 trying to get equilibrium, in other words we're  
14 constantly moving. The northern batter here of the  
15 Morwell Mine is a highly unstable area, and yet across  
16 that area we have the Princes Freeway which is  
17 Gippsland's lifeblood, so I guess there's a whole range  
18 of questions there. When we talk about what's an  
19 adequate setback, we've got to have regard to exactly  
20 what the characteristics of the mine are, how deep it  
21 is et cetera, but ideally it would be good if it was at  
22 least 1 to 2 kilometres I suppose in terms of buffer or  
23 setback. But again, I think you'd need geotechnical  
24 information to help guide you to determine what is an  
25 appropriate buffer and setback.

10.52AM

10.52AM

10.53AM

10.53AM

26 And obviously, there is the risk of a coal fire in that mine  
27 too and, as we've seen here, the proximity of people to  
28 an active coal fire is quite deleterious to their  
29 health and well-being?---Absolutely, so again in that  
30 assessment it would depend upon the nature and scope of  
31 the actual operation that you're looking at so that the

10.53AM

1 question of buffer and setback and wind direction and  
2 all those things would actually need to be taken into  
3 account, together with of course what are the risk  
4 management issues within the mine operation.

5 In your statement you talk about a possible site west of 10.54AM  
6 Traralgon known as Area H. I don't know where that is.  
7 Is that far from Traralgon or how close to settlements  
8 would that area be?---I actually have a map there. I'm  
9 not sure whether you can see that.

10 Is this map attached to your statement, Mr Mitchell?---No, 10.54AM  
11 it's not.

12 MS RICHARDS: We've got another map?---No, it's another map.  
13 But essentially, here is the Morwell township, there's  
14 the Hazelwood Mine, there is Traralgon, Traralgon's  
15 here, and Area H is there, so I can tender that to you 10.54AM  
16 if you wish.

17 MEMBER CATFORD: Thank you very much. Just to summarise, so  
18 is Area H actually bordering the city of  
19 Traralgon?---No, you would describe it as being  
20 immediately west of the existing Loy Yang mine and 10.55AM  
21 south of the Princes Highway.

22 And this is under active consideration at the moment, is  
23 it?---It's a map which identifies Rating 1 areas, so  
24 there's probably about five Rating 1 areas, including  
25 one west of the existing Hazelwood Mine, and there's 10.55AM  
26 also Rating 2 areas, and Rating 1 and 2, I think  
27 they're just indicating that they're most likely to  
28 proceed because of coal quality and location et cetera.

29 I anticipate there's some urgency then in working on this if  
30 these things are being considered at the 10.55AM  
31 moment?---Well, there is. I think any new use or



1 extraction of that coal or lignite resource, we  
2 certainly need to consider amenity and liveability, and  
3 particularly I think given the recent event where the  
4 risks in that regard are obvious.

5 Does the council have a view about remediation with the 10.56AM  
6 existing location of Morwell so close to Hazelwood?

7 Are there things that should be done to reduce the risk  
8 of health and well-being threats?---Certainly in the  
9 Council's submission we've indicated that remediation  
10 is an issue and that we'd like to see remediation plans 10.56AM

11 actually established. I guess one of the other matters  
12 we've got, that we've also got some older facilities  
13 even within the municipality which have been based or  
14 have arisen because of the coal resource, like the old  
15 coal to oil plant. I guess, using some colourful 10.57AM

16 language, I guess those rust bucket-type enterprises we  
17 really do need a strategy too that we can address. In  
18 my appointment since December, that's a strategic issue  
19 that I've raised with council and we are actually  
20 pursuing a strategy so that we can have better 10.57AM

21 engagement with Government and other decision-makers in  
22 terms of a whole range of issues, including the older  
23 premises, rehabilitation et cetera, because they are  
24 key community matters which council needs to advocate  
25 and influence, I think, our decisions in that regard. 10.57AM

26 In the Council's submission, JM-2 I think it is, there is a  
27 section on information distribution and communications.  
28 Do you remember that? There isn't a page number I've  
29 got. Okay, 0067. There is a section which is  
30 labelled, "Information distribution and 10.58AM  
31 communications." I presume as Chief Executive Officer

1           you agree with those statements there, do you?---Yes, I  
2           do.

3           Towards the end of that section the council is really quite  
4           critical about the significant lack of health  
5           information provided to the community, and that's your           10.58AM  
6           position as well?---Yes.

7           What should we all be doing to improve this? You've talked  
8           a bit about the difficulties you've had with connecting  
9           to other agencies providing information through your  
10          call centre. Do you or the council have a view about           10.59AM  
11          how the co-ordination of communication could be managed  
12          better, and ways in which you might have assisted with  
13          that?---The council, I personally see, has a role in  
14          coordinating community input and concerns. The  
15          question about how best that is arranged is not           10.59AM  
16          something I've actually got a firm solution on for you  
17          today. If we think about the current event, the  
18          Community Advisory Committee in fact, my understanding  
19          was, it was an instrument set up so that we could bring  
20          in key people into that area to provide, you know, a           10.59AM  
21          bit of two-way communication.

22                 One of the problems, if you do set up a situation  
23                 and say, we are going to get these key groups there,  
24                 how do you define who's a key group, and wherever you  
25                 draw a line, you know, there's always going to be           11.00AM  
26                 people saying, well, I should be part of that area too.  
27                 I think we can be a little more strategic and  
28                 sophisticated in the way that we decide how we actually  
29                 can better coordinate input from community and to  
30                 improve communication.                                       11.00AM

31          Do you think there's a case for essentially a combined

1 information resource, communication resource between  
2 agencies and the council, rather than, if you like,  
3 running separate operations?---No, look, I think  
4 collaboration, a really well framed collaborative  
5 effort is certainly the way to go. I think, to make 11.01AM  
6 that run effectively though, too, we've really got to  
7 have I suppose committed and skilled people within that  
8 area to ensure that the focus is always about  
9 co-ordination and perhaps the - like, the interest of  
10 the entity, if you like, is not the important thing, 11.01AM  
11 the interest has got to be on factual and well tailored  
12 information, if I can make that point subtly.

13 Thank you.

14 MS RICHARDS: Just a couple of matters arising from your  
15 exchange with Professor Catford. This map that you've 11.01AM  
16 provided to the Inquiry, where has that come from?---I  
17 think it's sourced there.

18 It appears to have been produced by GHD, who I understand is  
19 a private engineering consultancy. But what status  
20 does the map have?---Look, I can't - I understand GHD 11.02AM  
21 were engaged to actually produce that report.

22 By whom?---I'm not sure, I can't answer that.

23 Without that information, the map's actually not of much  
24 assistance if we don't know what the status of the map  
25 is or who commissioned its production. Do you think 11.02AM  
26 you could clarify that and provide the Inquiry with  
27 that information?---I'm more than happy to.

28 The other matter arising is, I'm not sure that you actually  
29 answered Professor Catford's question about what  
30 council's attitude is to remediation of the mine, 11.02AM  
31 particularly those parts of the Hazelwood Mine that are

1 closest to the Morwell township. What would council  
2 like to see done in future, both in terms of  
3 remediation or mitigation of what we now know to be a  
4 very significant fire risk?---The simple answer is that  
5 we'd like to understand exactly what the remediation 11.03AM  
6 plans are and what the timeframe for those remediation  
7 plans are.

8 Well, stick around next week, you'll find out that  
9 information in the course of next week. Beyond having  
10 a better understanding, does council have a view?---No, 11.03AM  
11 I think the council would have to understand exactly  
12 what the implications and options and, I guess,  
13 management issues were in terms of remediation. The  
14 council is not expert in that area.

15 Thank you. I understand Dr Wilson for the State has some 11.03AM  
16 questions for you.

17 MEMBER PETERING: Just before you do, Ms Richards. I guess  
18 it's more a related point, but the council in its  
19 submission is talking about the prioritisation of  
20 liveability. Could you just explain that a little bit 11.04AM  
21 further, please?---I guess we're saying that the  
22 amenity and aesthetic and health issues of a township  
23 have got to be uppermost in our minds. I think this  
24 community has contributed significantly to the  
25 competitiveness, if you like, like of Victoria as a 11.04AM  
26 competitive entity in economic terms, and I think  
27 there's a feeling within the community that Victorians  
28 and people interstate have had advantage of our low  
29 cost baseload power and which has supported in the past  
30 at least a strong manufacturing industry et cetera, but 11.04AM  
31 we perhaps haven't had I guess enough consideration in

1 other terms, so that would be one stream of response.

2 The other one is that the needs of the community  
3 must again be uppermost in our minds so that a  
4 community like Morwell, for example, doesn't suffer a  
5 detrimental impact from industrial operations around. 11.05AM  
6 I hope that answers your question. The solution is  
7 clearly in the planning for future events. I guess we  
8 are where we are at the moment, but how we undertake  
9 planning in a remediation sense in terms of existing  
10 establishments is important, how we undertake planning 11.05AM  
11 and execution for future resource development issues is  
12 obviously critical and they're the areas where we can  
13 make significant improvement.

14 Thank you.

15 MEMBER CATFORD: Can I just follow briefly? Does that raise 11.06AM  
16 then another question about the future of the valley  
17 and its economic and social development? I think  
18 clearly this has been a setback, we have to try and  
19 improvement on the situation, but there's a bigger  
20 picture here, isn't there, about where this community's 11.06AM  
21 going and what is the council's view about that? Do  
22 you have a vision for the future and how would other  
23 agencies help you with that?---I think council and the  
24 community, we're very optimistic about our future. I  
25 think the strength of Gippsland is that it's got 11.06AM  
26 abundant natural resources and I'm personally confident  
27 that the lignite resource will in fact be better  
28 utilised with the advent of new technology and lower  
29 emission areas.

30 We can see a future where in fact the lignite 11.06AM  
31 resource could in fact become low emission baseload

1 power and in that sense be the batteries, if you like,  
2 for renewable energy sources. But at the same time we  
3 think that, I guess the setting with energy policy  
4 provides this region with - if we have better energy  
5 setting or better policy settings, we're very confident 11.07AM  
6 that this region will continue to play a role in energy  
7 production, and it should. I guess what we're saying  
8 is that, as we take up that challenge we've got to be  
9 more conscious of amenity and, I suppose, the  
10 well-being of communities. 11.07AM

11 <CROSS-EXAMINED BY DR WILSON:

12 Mr Mitchell, paragraph 88 of your witness statement refers  
13 to the date 14 May as the date when you signed the  
14 official documentation that transitioned the event into  
15 recovery mode. Do you see that?---Yes, I do. 11.08AM

16 That date, being May, was not obviously the actual date of  
17 transition, I take it; is that right?---That's correct.

18 But this was an official document that you had signed,  
19 albeit that you signed it a bit late?---That's right.

20 Do I understand therefore that, even though you might have 11.08AM  
21 signed the official record for the transition, work in  
22 the nature of recovery work commenced as soon as  
23 possible after the fire was declared safe?---That's  
24 correct.

25 If we work on a date in March as being the date on which the 11.08AM  
26 fire was declared safe, work in recovery mode began on  
27 and from that date and possibly even earlier,  
28 progressively increasing in its intensity in recovery  
29 mode from that date; is that right?---Yes.

30 Does it follow that recovery work was well underway, and 11.09AM  
31 even at an advanced stage, by the time you signed the

1 official document on 14 May?---Yes.

2 Do you agree with me that one of the essential keys, if not  
3 the key to effective recovery work, is  
4 collaboration?---I do.

5 Collaboration of you as a council, state agencies, community 11.09AM  
6 itself and all persons who have interest in getting the  
7 job done quickest, most effectively and to the  
8 satisfaction of those affected?---Yes.

9 So far as agencies beyond your council were concerned,  
10 you've given us some of the names of state agencies, 11.09AM  
11 but it's fair to say it involved a huge array of state  
12 agencies; do you agree with that?---I do.

13 We've heard of DPC, LGC, DHS, DEECD - we'll get the acronyms  
14 to Member Petering in due course if need be - but at  
15 all events an enormous array of Government agencies 11.10AM  
16 were involved in the collaborative effort of the  
17 recovery process?---Yes, that's correct.

18 It had to be done that way to be effective; correct?---Yes,  
19 I agree.

20 We know that a number of vulnerable people were affected by 11.10AM  
21 this incident. Do we understand, therefore, that  
22 DEECD, the Department of Education an Early Childhood  
23 Development, was intimately involved in particular in  
24 the recovery work?---They weren't intimately involved  
25 in our preschool and maternal and child healthcare 11.10AM  
26 decisions, but they were involved in their areas, yes.

27 That involved them being actively involved, almost on a  
28 daily basis, giving advice and providing whatever input  
29 they could do?---Yes, that would be a fair statement.

30 And they otherwise helped, I'd take it you'd agree, in the 11.11AM  
31 coordinated effort to assist you to assist the

1 vulnerable?---Yes.

2 I take it, you're quite happy with the assistance they gave  
3 you?---As a general comment, I'd have to say that every  
4 Government Department were doing their best to help.

5 To that end, the State of Victoria granted \$2 million by way 11.11AM  
6 of financial assistance to the affected community; is  
7 that right?---Yes, that's correct.

8 That was made available for the clean up effort. Is it  
9 correct to say that the financial regime worked on a  
10 reimbursement basis?---Yes. 11.12AM

11 So, \$2 million was there to be basically drawn down and  
12 reimbursed to the people who were involved in the clean  
13 up effort?---Yes.

14 Have I got these numbers right: So far the amount of  
15 \$900,000 to \$1 million has been expended in the clean 11.12AM  
16 up effort?---It would be more than expended; I think  
17 we've submitted a claim for reimbursement of about  
18 \$900,000.

19 Do we understand that to mean, given that no doubt the  
20 recovery work in the nature of clean up has probably 11.12AM  
21 been done to completion by now; is that right?---It's  
22 being cleaned up, it hasn't quite finished, but there's  
23 some clean up areas that are still being done.

24 Even though you may have incurred expenses of about  
25 \$900,000, you still have an additional possibly 11.13AM  
26 \$1.1 million available to you to make good the clean up  
27 effort?---There is some funds still available, yes.

28 It's \$1.1 million or thereabouts?---Well, I'm not sure of  
29 the exact today, but the point is, we've spent more  
30 than the \$900,000. The \$900,000 is a claim which has 11.13AM  
31 just been approved.



1 The simple point I'm trying to share with you, Mr Mitchell,  
2 is there is still a vast amount of money that can be  
3 applied in the clean up effort?---Yes.

4 Do we understand from information you've given to us so far  
5 that no-one has been refused any financial assistance 11.13AM  
6 if they've asked for it for the recovery  
7 effort?---Well, those eligible for financial assistance  
8 have got it. We want to be clear about this; people  
9 have made applications but they have been refused.

10 Of course, I'm only talking about eligible people. I mean, 11.14AM  
11 someone's not obviously going to be eligible if it's  
12 not for a purpose related to the fire?---I'm sorry, I  
13 just...

14 You mention in paragraph 144 of your statement that on  
15 11 March the Local Government staff toured the affected 11.14AM  
16 properties; have I got that right?---Yes.

17 How many Local Government Victoria staff were involved in  
18 the tour that you mention?---I think there were two,  
19 but I'm not sure about that.

20 You took them to see either the whole or a representative 11.14AM  
21 sample of areas that needed to be cleaned up and the  
22 types of things that needed to be done?---I didn't take  
23 them; David Elder, our General Manager of Community  
24 Liveability did take them on a tour of selected  
25 properties. 11.15AM

26 Thereafter is it correct to say that the State has assisted  
27 with the acquiring of costings for the cleaning  
28 effort?---Yes.

29 And has assisted actively in cleaning schools; is that  
30 right?---Yes. 11.15AM

31 Also actively assisted in cleaning aged care facilities and

1 early childhood centres?---Yes.

2 Is it also correct to say that various state agencies have  
3 assisted by the provision of advice between your  
4 council and Treasury, for example, about eligibility  
5 for payments under the Natural Disaster Relief and 11.15AM  
6 Recovery Assistance Scheme?---Yes.

7 Is it also correct to say that Local Government Victoria  
8 chairs a sub-committee of the Mine Fire Recovery  
9 Committee? Are you aware of that?---Yes.

10 Actively participating at that level as well?---Yes. 11.16AM

11 Can you help me with this: Local Government Victoria staff,  
12 is it correct to say, has made over 30 visits to  
13 Morwell to provide Emergency Management  
14 advice?---They've made many visits; I'd be surprised if  
15 it wasn't over 30, yes. 11.16AM

16 Possibly even more, to your way of thinking; is that  
17 right?---Well, could be, yes, I'd say so; we saw them  
18 frequently.

19 Local Government Victoria has offered council, your council  
20 that is, senior level representation to assist in the 11.16AM  
21 managing of critical local issues associated with the  
22 fire?---Yes, I agree.

23 You speak in paragraph 134 of your witness statement of a  
24 large number of discussions involving representatives  
25 of the State of Victoria - large can mean different 11.17AM  
26 things to different people, but the long story short  
27 is, and I hope you agree with me, that various people  
28 from various Government agencies have been actively,  
29 continually and helpfully engaged with your council in  
30 the recovery effort for the benefit of those 11.17AM  
31 affected?---I wholeheartedly agree with that.

1 During the period of the fire is it also correct to say that  
2 your council was under a period of restructure, or  
3 change at least?---Well, certainly change. I was  
4 appointed on 24 December and during the period of March  
5 I did undertake an organisational review, a structural 11.17AM  
6 review of the council administration.

7 What date was that, if you can help us?---Some time in  
8 early March. We actually made the decision earlier  
9 than that, and I had a conversation with the council on  
10 my first council meeting with them on 28 January and we 11.18AM  
11 agreed that, given the fact that we had five divisions,  
12 three of those had acting positions, so three General  
13 Managers had left, so we had two insubstantive roles  
14 that we needed to undertake a review and the council  
15 was happy for that to be done. 11.18AM

16 That necessarily involved the loss of key people and, with  
17 it, a degree of accumulated knowledge. Is that  
18 right?---Yes.

19 Timing wasn't wonderful for that, but that was the  
20 consequence of the restructure; is that right?---Yes, 11.18AM  
21 that's right, but in that stage we were only doing -  
22 I'd brought in a consultant early in March, so there  
23 was consultation going on within the organisation.

24 At the risk of stating the self-evident, with any change of  
25 important organisational people, a getting up to speed 11.19AM  
26 time is involved for the successor?---Yes.

27 Transitions have with them the necessary side effect that  
28 people take time to become familiar with what the job  
29 involves and it just so happens that that time in  
30 getting to know the new job took place during the 11.19AM  
31 currency of this event?---Yes, that's true.

1 You'd probably describe that as not a great time to be  
2 making these organisational changes, but that was the  
3 fact?---That's true.

4 How many people were involved in the restructure? You've  
5 mentioned three. Were there people of a junior level 11.19AM  
6 as well?---Yes. As I said, Cheryl Woollard, who was  
7 the consultant selected, came into the organisation  
8 early in March, and she was there over a period of  
9 about three weeks on a couple of days at a time, and so  
10 she was available within an office so people could pop 11.20AM  
11 in and provide her with comment on the organisational  
12 effectiveness, I guess and then she produced a report  
13 which outlined three options.

14 We don't really need to go into that. You've mentioned, is  
15 that four? Were there any more than four people of an 11.20AM  
16 organisational nature affected by the staff turnover  
17 during the currency of the fire?---No. No, look, we  
18 were still all in, we were still all in acting roles at  
19 that time.

20 We have spent a bit of time yesterday looking at the 11.20AM  
21 Maryvale closure; do you recall being questioned about  
22 that?---Yes. Do you mean the Maryvale Preschool?  
23 Yes?---Yes.

24 Would you mind helping us, if you can. All council centres  
25 closed on 10 February, is that date right?---Yes. 11.21AM  
26 Maryvale remained closed on 17 and 18 February; is that  
27 right?---Yes. Maryvale remained closed from  
28 10 February.

29 And in fact relocated to Moe on 24 February?---Yes.

30 Can you help us with the date that it returned?---I can. I 11.21AM  
31 think it was after Dr Lester had indicated that it was

1 safe to return to Morwell. I'm just looking for my  
2 statement now. 24 March.

3 This morning you spoke of a significant lack of health  
4 information, and you pointed to a note on the screen.  
5 No doubt you, occupying the position that you did in 11.22AM  
6 the Council, were very keen to stay up-to-date on a  
7 daily basis with every health issue?---Yes.

8 Pardon me, every issue of health information as given on a  
9 daily basis by Dr Lester; is that right?---Yes.

10 You did in fact get that daily information from her and tell 11.22AM  
11 whoever asked about it. You have to answer because the  
12 recording device only records what you say?---There was  
13 very regular information and interaction from Dr Lester  
14 from John Merritt, the EPA and Craig Lapsley, so we had  
15 regular meetings on making a distinction between every 11.22AM  
16 day and their involvement with us.

17 No doubt you were telling your constituents that they needed  
18 to go to all the websites, all the social media  
19 information, all the newspaper, radio announcements, TV  
20 broadcast and every other evolving piece of information 11.23AM  
21 that was unfolding as given by Dr Lester and  
22 others?---Yes.

23 You made it very clear to anyone who asked you that they had  
24 to keep up-to-date with the information on the fire and  
25 its air quality effects as it was evolving?---Yes, we 11.23AM  
26 advised people in that manner.

27 That was the best source of the information to your way of  
28 thinking, wasn't it?---It was, yes.

29 If the Board pleases, those are the questions of this  
30 witness. 11.23AM

31 MR SLATTERY: If the Board pleases, if I may ask a couple of

1 questions of Mr Mitchell.

2 <CROSS-EXAMINED BY MR SLATTERY:

3 Mr Mitchell, you were asked questions about a \$2 million  
4 fund for clean up by Dr Wilson a moment ago and you  
5 said, if I heard you correctly, that about \$1 million 11.24AM  
6 of that has currently been spent. Is that  
7 correct?---Well, I said that I'm expecting more than  
8 that has been expended by council and what I have said  
9 is that we've made a claim for \$900,000 which has  
10 recently been approved. I'm not sure how much we've 11.24AM  
11 expended, it's certainly in excess of \$1 million.  
12 Of that \$900,000-odd for which the council has made a claim,  
13 does that include monies spent in relation to the  
14 assisted and unassisted clean up programs that the  
15 council helped roll out?---Yes. 11.24AM

16 Those programs, the assisted and the unassisted programs,  
17 had to be approved by the relevant State Government  
18 Department, did they not, before the council was able  
19 to roll out those programs?---Yes, that's correct.

20 In relation to the remaining \$1 million-odd in this fund, is 11.25AM  
21 it also the case that the council needs specific  
22 approval from the relevant State department before it's  
23 able to expend those remaining funds?---That's correct.

24 Has the council put in a submission to your knowledge to the  
25 relevant State department about how it would like to 11.25AM  
26 see some or all of the remainder of those funds  
27 expended in the clean up effort?---We have got  
28 discussions underway.

29 As we sit here today, has any approval been given as yet by  
30 the relevant State department for any of those 11.25AM  
31 additional programs?---I'm not able to answer that

1 right now.

2 I have no further questions.

3 CHAIRMAN: Thank you.

4 MS RICHARDS: A couple of questions in re-examination.

5 <RE-EXAMINED BY MS RICHARDS:

11.26AM

6 Dr Wilson asked you whether anyone who had asked for  
7 financial assistance with the clean up had been refused  
8 it. Your answer, as I understood it, was that the  
9 council had refused assistance to those who were not  
10 eligible for the assistance package. Is that  
11 correct?---Well, people come in and ask for assistance  
12 and, if they weren't eligible, well then we'd have to  
13 say, no, you're not eligible.

11.26AM

14 And that's what council has done?---That's right, yes.

15 And the eligibility criteria were fixed by the State, were  
16 they not, not by council?---Yes, exactly.

11.26AM

17 So council hasn't been handing out clean up assistance  
18 outside of those eligibility criteria, has it?---No.

19 It was also put to you by Dr Wilson that there was a vast  
20 amount of money still available for the clean up. It  
21 is the case that the \$2 million clean up package was  
22 first made available on 18 March; is that right?---Yes.

11.26AM

23 Your evidence this morning has been that it was some weeks  
24 before the assisted clean up was being delivered to  
25 those people who were eligible for it at a satisfactory  
26 rate?---Yes.

11.27AM

27 You also agree, do you not, that there were a number of  
28 people who had already made their own arrangements to  
29 clean up their homes?---Yes.

30 And so, were not able to avail themselves of the assistance  
31 package that was offered?---That's my understanding.

11.27AM

1 Just one last matter to be completely clear. The Maryvale  
2 Crescent Early Learning Centre was closed on  
3 10 February and did not reopen until 24 March?---Yes,  
4 that's correct.  
5 It was relocated to Moe P.L.A.C.E from 24 February?---Yes. 11.27AM  
6 So at no stage while the fire was burning were children  
7 attending at the Maryvale Early Learning Centre?---No,  
8 that's correct.  
9 Thank you, there was just some confusion in Dr Wilson's  
10 question about that. 11.28AM  
11 CHAIRMAN: Yes, thank you.  
12 <(THE WITNESS WITHDREW)  
13 MR ROZEN: Members of the Board, the next witness is Alan  
14 Hall. I call Mr Hall.  
15 <ALAN GORDON HALL, sworn and examined: 11.28AM  
16 MR ROZEN: Good morning, Mr Hall?---Morning.  
17 Mr Hall, can you confirm for the transcript that your full  
18 name is Alan Gordon Hall?---Yes, I can.  
19 Your work address is level 24, 50 Lonsdale Street in the  
20 City of Melbourne?---That's correct. 11.29AM  
21 Mr Hall, you hold the substantive public service position of  
22 Director of Performance Regulation and Reporting in the  
23 Department of Human Services?---Yes.  
24 You also, importantly for the purposes of this Inquiry, are  
25 the State Recovery Coordinator, a statutory position 11.30AM  
26 under the Emergency Management Act 1986?---That's  
27 correct.  
28 Mr Hall, for the purposes of the Inquiry have you made a  
29 witness statement dated 20 May 2014?---Yes, I have.  
30 Just this morning the Inquiry's been notified that some 11.30AM  
31 changes need to be made to some of the attachments to



1           that statement. Are you familiar with those changes  
2           that have been notified today?---Yes, I am.  
3        I don't want to go through each of those because the  
4           substance of the statement is not affected by  
5           those?---That's correct. 11.30AM  
6        The statement remains as it was prepared by you on  
7           20 May?---It does.  
8        Can I just ask you about one date in it that appears to me  
9           to need amendment; it's at paragraph 85 which I think  
10          is on page 19. Do you see there's that date there, 11.31AM  
11         "6 March 2013", that should be "2014", should it  
12         not?---That's correct, yes, thank you.  
13        If we can make that change. With that change being made -  
14          have you read through the statement before coming along  
15          to the Inquiry today?---Yes, I have. 11.31AM  
16        Are the contents of your statement true and correct?---Yes.  
17        I'll tender the statement.  
18  
19        #EXHIBIT 56 - Statement of Alan Hall.  
20 11.31AM  
21        MR ROZEN: Mr Hall, as you've already told us, the position  
22           of State Recovery Coordinator is created under statute  
23           in the Emergency Management Act. As you say in  
24           paragraph 4 of your statement, the holder of that  
25           position is a senior officer appointed by the Secretary 11.31AM  
26           of the Department of Human Services to ensure the  
27           overall co-ordination of recovery activities across  
28           Victoria?---That's correct.  
29        You've held the role since January 2011?---Yes.  
30        Who held that position in the aftermath of the Black 11.32AM  
31          Saturday fires?---It was held by Pam White.

1 Pam White?---Yes.

2 You explain in some detail the roles performed by the State  
3 Recovery Coordinator. I don't need to take you to  
4 those in any detail, but I do want to ask you about  
5 what you say in paragraph 22 about the future of the 11.32AM  
6 role. You explain that when the Emergency Management  
7 Act 2013 comes into operation on 1 July this year, the  
8 position of State Recovery Coordinator will cease to  
9 exist; is that right?---Yes, the position that I hold  
10 is under the previous legislation, the 1986 Act, which 11.33AM  
11 I understand will disappear at that point.

12 You say that there will be a new Emergency Management  
13 Commissioner, and I don't think it's any secret that  
14 that will be Mr Lapsley?---That's correct.

15 The holder of that position will be accountable for recovery 11.33AM  
16 co-ordination with the power to delegate that?---That's  
17 correct.

18 Are there any plans that you're aware of in place for how  
19 that's going to work in a practical sense?---Yes. So  
20 we expect that responsibility will be delegated to the 11.33AM  
21 Secretary of the Department of Human Services, and I  
22 expect that at that point she will appoint someone,  
23 probably me, to continue the role that I'm currently  
24 playing, and that's forecast for the next 12 months at  
25 this point in time. 11.33AM

26 I want to ask you a little bit about the interaction between  
27 your role and particularly the Department of Human  
28 Services and the council in the recovery role after the  
29 Hazelwood Mine Fire. You deal with this at  
30 paragraph 32 of your statement. Have you been present 11.34AM  
31 in the Inquiry hearing room this morning whilst

1 Mr Mitchell has been giving evidence?---Yes, I have.  
2 You heard Mr Mitchell give evidence that DHS, the Department  
3 of Human Services, led the co-ordination of relief and  
4 recovery operations and was supported by council. Did  
5 you hear Mr Mitchell say that?---I did hear him say 11.34AM  
6 that.

7 In fairness, he also agreed with the suggestion from Counsel  
8 Assisting at a later point that the role was shared.  
9 You put it slightly differently; you say that DHS  
10 supported the council in that role. Now, this may all 11.35AM  
11 be semantics or it may be significant. Can you clarify  
12 the position for us?---I can. It remains the council's  
13 responsibility under the Emergency Management  
14 legislation to manage disaster at the municipal level  
15 and that remains the case. 11.35AM

16 The Department of Human Services has  
17 responsibility for co-ordination at both the State and  
18 regional level, and in doing that we obviously work  
19 with the municipalities that fit within a region, I  
20 guess. We don't do that in a way that takes away from 11.35AM  
21 the responsibility of the council but we are very  
22 conscious of providing every assistance we can so that  
23 the council is able to deliver the services they need  
24 to in a responsive and timely fashion, and I think  
25 that's what we've been doing with the Latrobe City 11.35AM  
26 Council.

27 Was it your experience during the recovery period in Morwell  
28 here that there was confusion on the ground about who  
29 was ultimately responsible?---No, I don't believe we  
30 saw that at all. 11.36AM

31 At paragraph 61 of your statement you refer to a matter that

1 was dealt with in evidence yesterday when Ms Tabain was  
2 giving evidence on the subject of communications. I  
3 don't think you were with us yesterday, were you,  
4 Mr Hall, when that evidence was being given?---Only in  
5 the last part of the afternoon. 11.36AM

6 I asked her a number of questions about demographic  
7 information that she was using to inform the  
8 communications response. Is that what you're referring  
9 to at paragraph 61, the provision of demographic  
10 profiles from ABS to Government agencies and 11.37AM  
11 departments? Are we talking about the same thing?---I  
12 think we are, yes.

13 That was provided on 17 February, as you explain in  
14 paragraph 61. It's obviously important information,  
15 isn't it, to inform the communications strategy in 11.37AM  
16 relation to an incident like this?---Yes.

17 What did it involve, the gathering of that information? Is  
18 that a difficult task? Is it a time-consuming task?  
19 Can you help us?---We sourced it from a number of  
20 public websites, and it was demographic information 11.37AM  
21 around the nature of the community, the income levels  
22 in the community and various other statuses of  
23 community health and well-being, I guess, and it just  
24 gives you a picture of the uniqueness of a particular  
25 community; it wasn't that hard to get, no. 11.37AM

26 It seems that that's information which could easily be  
27 pulled together at an early stage in an incident like  
28 this, could it not?---Yes.

29 Is there any reason why it wasn't until 17 February that  
30 that information was drawn together?---No, I think 11.38AM  
31 that's simply when we got to do it.

1 Was there a request for it earlier? That's what I'm really  
2 getting at?---Sorry, no, there wasn't, we did it as  
3 part of our own work up of relief and recovery activity  
4 that we'd be undertaking, and since this event was  
5 starting to become a longer event we started to go into 11.38AM  
6 more detail about the nature of it and the community  
7 that was involved.

8 I asked Ms Tabain yesterday and I should ask you today,  
9 given the helpfulness of information like that, it  
10 would be useful, wouldn't it, if it could be available 11.38AM  
11 as part of the planning for possible incidents like  
12 this in the future for a range of areas; would you  
13 agree with that?---Yes, I would.

14 Do you know if anything's been done from the recovery side  
15 of the exercise to achieve that in the future? Is that 11.39AM  
16 part of existing plans or is it being  
17 considered?---It's one of the things that we're  
18 thinking about as we go forward into the next season  
19 fundamentally to do a lot more of that in advance.

20 MEMBER PETERING: Mr Rozen, just before you move on to the 11.39AM  
21 next topic. The question you asked Mr Hall was around  
22 the clarification of roles, council versus Department  
23 of Human Services. You attest, Mr Hall, that there was  
24 no confusion on the ground, and I think I heard that  
25 differently from Mr Mitchell. 11.39AM

26 So, could you give me an example? I think your  
27 statement uses a few case studies, so could you give me  
28 an example perhaps of where the decision-making was  
29 initiated by council rather than the Department of  
30 Human Services?---Perhaps if I go back to some of the 11.39AM  
31 other disaster work we did in relation to floods in

1 particular - - -

2 No, I'd like to know about this incident, the Hazelwood Mine  
3 Fire?---All right. In our experience councils vary in  
4 capability and capacity to implement the municipal  
5 plans that they put in place and our experience has  
6 told us that, when we get a sense of that, it is better  
7 to intervene early and to provide assistance to support  
8 councils at an early stage.

11.40AM

9 In this case the example would have been, I think,  
10 around the preparation and implementation of the clean  
11 up package. There was a concern, for example, that  
12 that activity should take place in as timely a way as  
13 possible and as speedily as possible. Where we make  
14 the observation that it's not progressing, I guess at a  
15 pace that we might have liked, we put in extra  
16 resources in to help the council do the work to take it  
17 forward. So, that would be one example.

11.40AM

11.40AM

18 There would be another example, for example in  
19 relation to community engagement, where at one point we  
20 were aware that there was a need for more effort in  
21 that space and we employed a person on a contract basis  
22 to give to the council to provide extra support in that  
23 way.

11.41AM

24 Okay, thank you.

25 MR ROZEN: Mr Hall, if I could change topics and ask you  
26 about the assistance program that you refer to in your  
27 statement, and this is at paragraph 75. You note that  
28 the activities of the Department in relation to this  
29 incident fall under general guidance that is in  
30 operation or was in operation in Victoria before this  
31 fire started. You list the natural emergency events

11.41AM

11.41AM

1 that can trigger the operation of those in  
2 paragraph 76, bushfire, flood, storm, storm surge,  
3 landslide, earthquake, meteorite strike, tornado and  
4 tsunami, so you're obviously prepared for a wide range  
5 of natural disasters.

11.42AM

6 You say at paragraph 78 that the Morwell Mine Fire  
7 falls under the general guidance because it was started  
8 by a bushfire; is that right?---That's correct.

9 So, if it had been a fire that had started in the mine, then  
10 these assistance programs would simply not have been  
11 available; is that right?---That's correct.

11.42AM

12 On 28 February, as the Inquiry has heard, the Chief Health  
13 Officer, Dr Lester, made a recommendation to residents  
14 living in the south area of Morwell that they should  
15 temporarily relocate away from the smoke. You set out  
16 in your statement from paragraph 80 onwards discussions  
17 that had taken place, presumably before that  
18 announcement was made by the Resilience Committee; have  
19 I got that right?---The State Crisis and Resilience  
20 Committee.

11.42AM

11.43AM

21 The State Crisis and Resilience Committee, that there would  
22 be an eligibility for relocation assistance that would  
23 be available to people that were affected by that  
24 announcement; is that right?---That's correct.

25 We know the announcement was made by Dr Lester at about 1.30  
26 in the afternoon. Had the Committee met that morning;  
27 is that the position?---The Committee had met that  
28 morning, that's correct.

11.43AM

29 Was that a meeting that took place in Morwell or in  
30 Melbourne?---No, it was in Melbourne.

11.43AM

31 As I understand your statement, the assistance package and

1 the scope of the advice were very closely related; is  
2 that right?---Yes.

3 So for example, and we'll go into this in a bit more detail  
4 in a moment, Mr Hall, but a person falling within the  
5 category of the vulnerable people who happened to live 11.44AM  
6 just north of Commercial Road was not entitled to  
7 access the relocation assistance package?---No, that's  
8 not correct. The area of South Morwell, as it became  
9 known, was clearly related to the advice, as I  
10 understand it, from the EPA and then from Health. Our 11.44AM  
11 instructions to staff were to take a liberal approach,  
12 if you like, to that definition and to use their  
13 judgment about the circumstances of individuals living  
14 in the proximity, if you like, of that boundary of  
15 Commercial Road and to take a generous approach, if you 11.45AM  
16 like, to how they assess claims for people.

17 We did not want to be in a position where someone  
18 on the south side could get support and someone on the  
19 north side could not when it's not that exact a  
20 boundary in terms of how it might relate to people. 11.45AM  
21 So, a vulnerable person or a person in the vulnerable  
22 categories that the Chief Health Officer had described  
23 there who was living in the proximity of that area we  
24 treated quite reasonably and provided support to them  
25 as well. 11.45AM

26 Perhaps I could bring up a map of Morwell and just get some  
27 clarity around this if we could. If we look at that  
28 area south of Commercial Road there, and if I can take  
29 for example Davey Street. Now, you're probably not as  
30 familiar with the geography of Morwell as we are, but 11.46AM  
31 Davey Street is a location that is just north of



1 Commercial Road at the very western end of Morwell. I  
2 think it's being indicated there. Do you see that? My  
3 eyes aren't quite good enough but I'm pretty sure  
4 that's Davey Street, it's just being increased in size  
5 there. If we think about that location and its 11.46AM  
6 proximity to the coal mine, and then if we can move in  
7 an easterly direction along Commercial Road to the  
8 Sacred Heart school which is just there, and obviously  
9 there's people living in the vicinity there. You'd  
10 agree, wouldn't you, that people living in the vicinity 11.46AM  
11 of that school fall squarely within the location  
12 identified by Dr Lester?---Yes.

13 Referred to as South Morwell, but may in fact be  
14 geographically further from the mine and the smoke and  
15 the fire than someone living in Davey Street?---Yes. 11.47AM

16 As I've understood your evidence, the liberal view, as you  
17 say, of the location of South Morwell was not applied  
18 as arbitrarily as perhaps one might think from the  
19 delineation of people living south of Commercial Road;  
20 is that correct?---That's correct. 11.47AM

21 Without asking you to refer to specific cases, do you know,  
22 Mr Hall, whether there were people living north of  
23 Commercial Road who were provided with relocation  
24 assistance?---It's my understanding there were some,  
25 yes. 11.47AM

26 Do you have any idea of the numbers?---No, I'm sorry, I  
27 don't.

28 Is that information that would be available?---Yes, it would  
29 be available.

30 Could you source that and provide it to the Inquiry, 11.47AM  
31 please?---Yes, we can do that.

1 Thank you. We've heard evidence that there was a meeting  
2 involving Dr Lester and Mr Merritt from the EPA and  
3 Mr Lapsley, the Fire Service Commissioner where there  
4 was a discussion about the proposed advice and to whom  
5 it would apply. Were you a participant in such a 11.48AM  
6 meeting?---No, I wasn't.

7 Just so that that's clear, there's been reference to a map  
8 that was examined - from the EPA as we understand it -  
9 which showed areas particularly affected by the smoke  
10 and particulate matter from the smoke. That's not a 11.48AM  
11 map that informed your decision in relation to this  
12 relocation assistance package?---It's a map that  
13 informed the health advice, I think, and our decision  
14 related directly to the health advice.

15 MEMBER PETERING: Any advance on that map? 11.49AM

16 MR ROZEN: I'm looking to my left expectantly. Making  
17 enquiries, is the position. We'll explore that.

18 MEMBER PETERING: Thank you.

19 MR ROZEN: Returning to the decision, we have the  
20 announcement at a press conference on the afternoon of 11.49AM  
21 28 February by Dr Lester, and then, as I understand  
22 your statement, the way in which the relocation  
23 assistance package was communicated was by a letter  
24 drop to people in South Morwell. Is that  
25 correct?---That was part of it, yes. 11.49AM

26 There were a number of ways that it was made available, so  
27 I believe there was a media announcement about it and I  
28 think there were advertisements about the hotline that  
29 you could contact DHS on as well in local press and so  
30 forth, and we had a high level of take up of calls to 11.50AM  
31 that 1800 number from people seeking that assistance.

1 That's the DHS hotline that is referred to in the leaflets  
2 in the letterbox?---Yes, that's correct.

3 Could we go to the first of those leaflets, this is  
4 attachment 19 to your statement and it is referred to  
5 in paragraph 84. You tell us in your statement that 11.50AM  
6 there were two versions of this document; is that  
7 right?---There were changes, yes.

8 There were some changes made. This was, however, the first  
9 one which bears the date 28 February. Was that the one  
10 that was distributed on the afternoon of 28 February? 11.51AM  
11 Is that what happened?---I believe so, yes.

12 When you say you believe so, Mr Hall, that was an important  
13 issue, wasn't it? This announcement was made on  
14 28 February. For a lot of people as a practical matter  
15 they needed immediately to know - well, I've been told 11.51AM  
16 to leave but it's going to present financial  
17 difficulties for me, what's available? Do you agree  
18 with that?---That's correct.

19 Are you able to say on your oath, Mr Hall, that the document  
20 that we're looking at, this first version of the 11.51AM  
21 advice, was placed in people's letterboxes on the  
22 afternoon of 28 February ?---Yes.

23 It sets out on the first page the vulnerable groups that are  
24 identified, and we've heard a deal of evidence about  
25 that. If we could just go to the second page under the 11.52AM  
26 heading, "How much money is available?", we can see  
27 that there's a reference to the personal hardship  
28 respite payment which had already been available at  
29 this time, is that right?---That is correct.

30 I'll ask you a little bit about that in a moment, but this 11.52AM  
31 new payment, the personal hardship voluntary relocation

1 payment, for a person to be eligible they had to tick  
2 the four boxes, didn't they? They had to be in a  
3 vulnerable group, is that right?---That's correct.

4 They had to live near the mine in the South Morwell  
5 area?---That's correct.

11.52AM

6 Just in relation to that, it was well understood at this  
7 time that there was a view from Melbourne, if I can put  
8 it that way, that the South Morwell area meant south of  
9 Commercial Road. I'm not sure the locals tended to  
10 think of that as being South Morwell, but they soon  
11 understood that that was the perception from senior  
12 Government officers. What was done to communicate to  
13 people that, if they lived north of Commercial Road,  
14 the liberal view that you described would be applied to  
15 them?---We had a general message that anyone who was

11.53AM

16 suffering hardship as a result of the circumstances in  
17 Morwell and needed assistance should contact us on the  
18 hotline and talk to us about what might be available,  
19 so we saw that as a way of capturing everyone in a very  
20 simple way. We had over 10,000 calls to the hotline  
21 from the community, which I think was a high - which  
22 was a high proportion of people who we understood had  
23 understood that message and made use of the line.

11.53AM

11.53AM

24 How was that general message conveyed to the population of  
25 Morwell?---In all of the ways that we talked; so I  
26 think it was communicated in the messaging that we did  
27 through media, I think through the advertisements that  
28 we did in the local paper, and certainly in the way  
29 that we talked to people generally.

11.54AM

30 That's the second box that needs to be ticked. The third is  
31 that you have demonstrated hardship conditions. In

11.54AM

1 your statement you refer to that as the need to prove  
2 that the person was of low income. I'm looking at  
3 paragraph 88 and you say, for example, receiving a  
4 pension or benefit?---Yes.

5 Are they the same things, proof of hardship and proof of low 11.54AM  
6 income? Are you seeking to convey any different things  
7 by those two references?---Well, hardship as a result  
8 of the continuing emissions from the fire, I guess, is  
9 what we're saying there. The reference to proof of low  
10 income is not necessarily the same thing, but it was 11.55AM  
11 clearly an offer of assistance that was being made to  
12 people who had less ability to manage their own  
13 circumstances.

14 Do I understand that hardship and proof of low income are  
15 not the same thing? Hardship means being affected by 11.55AM  
16 the fire?---Yes.

17 Proof of low income, self-explanatory?---Is proof of low  
18 income, yes.

19 Is proof of low income. That's not referred to in this  
20 flyer, is it, that there was a need to prove low income 11.55AM  
21 to be eligible?---No, I don't think it's - it's not  
22 drawn out explicitly.

23 It's not mentioned at all, is it, Mr Hall?---It's not  
24 mentioned at all, that's correct.

25 Nor is it mentioned in any of the subsequent versions of the 11.56AM  
26 same document. You can look at them if you want to but  
27 I'll ask you to accept that from me if you would,  
28 please?---No, I accept that.

29 Why not? Why is that not mentioned in the community  
30 information leaflet?---I don't know, to be honest, 11.56AM  
31 because it was clear when people called the hotline,

1 that was one of the clear issues that was talked about  
2 in terms of eligibility and people making an  
3 appointment. It would have been clearer to have had it  
4 in here I think, as you say.

5 I'm more interested in a more substantive question, I'll put 11.57AM

6 it that way; why was that part of the eligibility  
7 criteria? Why was proof of low income  
8 required?---That's been a condition over all of the  
9 grants that have been applied in emergency relief and  
10 recovery circumstances except for relief payments, and 11.57AM  
11 relief payments weren't being made in relation to this  
12 event because of the, I guess, nature of the event.

13 Relief payments are made to help people who have been,  
14 if you like, not able to live in their homes for  
15 whatever reason, it's to help with provision of 11.58AM  
16 immediate benefits such as food or clothing or  
17 accommodation, it's a one-off payment that's normally  
18 made in other emergency settings.

19 In this case people weren't exiting their homes in  
20 the same way and that's why these two different types 11.58AM  
21 of grants were put in place because the traditional  
22 grants really simply didn't apply.

23 Sorry, is it your evidence, Mr Hall, that that was  
24 consistent with the approach that had been undertaken  
25 in relation to other similar emergency hardship 11.58AM  
26 programs?---Under the hardships programs, yes.

27 Just before leaving that, having a low income and having a  
28 healthcare card for example, are not synonymous, are  
29 they?---No, they're not.

30 How was that applied? Was that also applied liberally? In 11.58AM  
31 other words, were people who had low incomes but were

1 not recipients of a Centrelink entitlement, did they  
2 also fall under the eligibility criterion?---It was not  
3 tied explicitly to a Centrelink entitlement; they tend  
4 to be used as examples but they're not hard examples in  
5 that sense.

11.59AM

6 Was there a perception in the community that you had to have  
7 a Centrelink entitlement; did you hear that?---There  
8 was early on and in fact there was a perception that it  
9 only applied to people who had healthcare cards, and we  
10 believe that started in the early days of the operation  
11 of the call centre and, when we became aware of that, we  
12 corrected what was being said from the call centre and  
13 we arranged for them to ring back the people who'd been  
14 not allowed - you know, not given appointments to talk  
15 with us on that basis, so we believe we covered off the  
16 people who were affected by that more rigid advice, I  
17 guess, that went out in the first instance.

11.59AM

11.59AM

18 Can I ask you about the other payment, the \$500 payment  
19 which had been in place before the advice that was  
20 given on 28 February. The decision to make that  
21 available was made on 20 February; is that  
22 right?---That's right.

12.00PM

23 Why was that made nearly two weeks after the fire started?  
24 Why wasn't that a decision that was made earlier when  
25 it was clear that people within Morwell were seriously  
26 affected by the smoke?---That was made in relation to  
27 the health advice again which advised people to take  
28 respite from the smoke when they could.

12.00PM

29 But that advice had been given well before 20 February, had  
30 it not?---Yes, and I guess a number of other ways of  
31 providing respite had been put in place ahead of that.

12.00PM

1 I think it came down to our experience of people, so we  
2 opened the respite centre in Moe for example and  
3 council provided transport to that for people and so  
4 forth.

5 I think when we started to hear a range of stories 12.01PM  
6 from the community about options they might have had to  
7 take better respite had they had some financial support  
8 to do it, so the example that lingers in my mind was a  
9 family that had relatives in Adelaide but they needed  
10 petrol money in order to be able to go over there and 12.01PM  
11 stay with them, and that was the sort of example that  
12 we used back up through the State Crisis and Resilience  
13 Council arguing for the need for some new form of  
14 financial assistance to be made available.

15 There was no existing grant in the grants that we 12.01PM  
16 had that you can could apply and that applied in this  
17 circumstance, so we needed to, if you like, set new  
18 policy for something new to be applied, and that's the  
19 discussion that went on. I think it was partly the  
20 view that the event was going to be a much longer one 12.01PM  
21 than had been anticipated in the early days, and I  
22 think the experience of people who were taking advice  
23 to take a break but who clearly would of had more  
24 options had they had some financial support to do so,  
25 and we argued strongly for the ability to do that. 12.02PM

26 I assume that your position is that this grant was applied  
27 generously and liberally as per the other money that  
28 was made available to the community?---Yes.

29 I just want to ask you about one statement that is before  
30 the Inquiry, it's a statement of a gentleman, Mr Ray 12.02PM  
31 Whittaker, a recipient of an aged pension. This is



1 exhibit 42. Mr Whittaker was unwell when he was due to  
2 give evidence and his statement was tendered in his  
3 absence. He does refer at paragraph 20 to receiving  
4 the \$500. He refers to it as the relocation allowance;  
5 I think strictly speaking it's in the first 12.03PM  
6 category?---I presume it's the respite one, yes.

7 I think it was. He explains that he's an aged pensioner and  
8 he was caring for his adult son who is a disability  
9 pensioner. He says at paragraph 20, "I received  
10 \$500 ... My son received nothing and we were given no 12.03PM  
11 explanation for this unequal treatment. We applied for  
12 the relocation money at the Senior Citizens Branch in  
13 Morwell, where we were interviewed by a lady from DHS",  
14 and he goes on and complains that he feels he wasn't  
15 well treated by that lady. 12.03PM

16 I'm not concerned about that second part, but  
17 given that you say that one of the things that was  
18 taken into account was disabilities of other household  
19 members, does it surprise you that Mr Whittaker's son  
20 was not also given that money? Because he said it had 12.03PM  
21 a significant practical effect?---The grant was for a  
22 household rather than an individual, so I'm not aware  
23 of whether his son was living with him and they would  
24 have collectively made the household, I guess.

25 That seems to be the case, they were living 12.04PM  
26 together?---Seems to be the case.

27 But you do say that there was scope for providing up to  
28 \$1,250 per household at your discretion?---At our  
29 discretion, yes.

30 Does it surprise you that your discretion in this case 12.04PM  
31 wasn't exercised in favour of providing more money to

1 that household than the \$500?---I have no knowledge of  
2 what matters he would have put forward in relation to  
3 that, to be honest, so I don't think I can reasonably  
4 answer that.

5 If we can come back to your statement, please, I want to ask 12.04PM

6 you some questions about the clean up assistance  
7 program. I think you've been in the hearing room when  
8 Mr Mitchell explained that the Latrobe City Council put  
9 up a proposal about clean up; it would include, for  
10 example, assistance to clean roof cavities and some 12.05PM  
11 other areas. What was ultimately determined was, not  
12 to put too fine a point on it, a less generous package  
13 than the council was proposing. Do you agree in broad  
14 terms that that's what happened?---In broad terms, yes.

15 Were you involved in that decision?---In part, yes. 12.05PM

16 Why was it that the council's proposal was not  
17 accepted?---The council was one of a number of parties  
18 that worked to put together a range of options I guess  
19 for Government to consider in relation to clean up, and  
20 there were other Government parties involved in that as 12.05PM  
21 well. There had been no real precedent in Emergency  
22 Management work to provide clean up of domestic  
23 premises, so there was no precedent on which to base  
24 what a reasonable approach might be.

25 There were ultimately three levels of proposition 12.06PM

26 that came forward and Government settled on the middle  
27 one rather than the low one or the high one. So, I  
28 wasn't part of the process that made the actual  
29 decision of which one will they do, but those processes  
30 certainly came up through me. 12.06PM

31 The position is this, isn't it, Mr, Hall, that ultimately

1 Government made a decision about how much money it  
2 considered to be a reasonable allocation for the clean  
3 up of houses in Morwell?---And I think that's the  
4 \$2 million figure that we've heard about, yes.

5 You say in your statement, paragraph 157, that it was a 12.06PM  
6 generous contribution. That's your view?---Yes.

7 You say it twice in fact, so you think it really was  
8 generous?---Generous against the fact that in the past  
9 there's been no provision provided to people and there  
10 may not be in future emergencies either, so in that 12.07PM  
11 sense the giving of support in this way was generous in  
12 my view, yes.

13 You understand that there is a view within Morwell, not a  
14 universal view, but a view that would take issue with  
15 that description?---Yes, I do. 12.07PM

16 Mr Whittaker once again, I don't think we need to go to his  
17 statement, but in quite a colourful way describes it as  
18 a Mickey Mouse response to the clean up program. I'm  
19 not suggesting to you that's typical, but you would  
20 have heard that sort of response to the assistance that 12.07PM  
21 was provided?---I've heard a variety of views expressed  
22 about it, both positive and negative, yes.

23 I want to ask you about one aspect of it, this question of  
24 the use of high pressure hoses, do you know whose idea  
25 it was to make high pressure hoses available as part of 12.07PM  
26 the equipment?---No, not directly. I know it was part  
27 of the early proposals and I know that there was a  
28 concern in relation to the impact it might have on  
29 asbestos around properties and it was taken out on that  
30 basis as I understand it. 12.08PM

31 We understand from the evidence of Mr Mitchell that not all

1 of the \$2 million that was made available has in fact  
2 been spent. You say the same in paragraph 157, don't  
3 you?---Yes.

4 You say that that demonstrates the generosity of the  
5 package; is that right?---I do.

12.08PM

6 And you hold to that view?---I think, if there's more money  
7 provided than has been drawn down and used, yes, I  
8 think that goes to that point.

9 It's also consistent, though, with the evidence that,  
10 because of the delays that Mr Mitchell referred to in  
11 the roll out of the program, that a lot of people just  
12 went ahead and cleaned their houses at their own  
13 expense, doesn't it?---I think there have been people  
14 who had insurance cover which provided for extra  
15 cleaning for them; I think there were many people who  
16 were cleaning their houses throughout the entirety of  
17 the event, and that was the people who were not  
18 relocating who were continuing to live here, and so,  
19 yes, that's true.

12.09PM

12.09PM

20 The question of the delay: The announcement was  
21 made by Government, I think, the day after Dr Lester  
22 indicated that it was safe for people to return, and I  
23 think the question as to whether you would have started  
24 clean up while the circumstances of ash and so forth  
25 were still happening was part of the view there that  
26 the event needed to move through and come to an end in  
27 effect before you then started on what you'd hope would  
28 be a once-off clean up process.

12.09PM

12.09PM

29 I don't think the concern is so much about the delay before  
30 the announcement on 18 March; as I understood

12.10PM

31 Mr Mitchell he said an announcement's made on 18 March

1 and the council is then placed in an invidious position  
2 because it wasn't ready to roll out the program, the  
3 cleaners hadn't been accredited and sourced and so on.  
4 You understood that was Mr Mitchell's evidence?---It  
5 was my understanding that that clean up had started to 12.10PM  
6 happen and the council already had resources there to  
7 some degree but, as I think Mr Mitchell said, it took a  
8 while to build it up to a higher level and in the end  
9 they had to reach beyond the local resources, I guess,  
10 to bring in extra support to do it quickly, so there 12.10PM  
11 was a concern that the clean up could be carried out,  
12 the assisted clean, could be carried out in a speedy  
13 and timely way and that did warrant a ramping up, I  
14 guess, of activity to try to bring that about.

15 It would be preferable, wouldn't it, Mr Hall, for all of 12.11PM  
16 that preparatory work, such as the identification of  
17 contractors and the accreditation of them as required  
18 so they could enter private homes, ideally that would  
19 all be in place before the announcement is  
20 made?---Ideally that's correct, yes. 12.11PM

21 They're the questions that I have of Mr Hall. Do Members of  
22 the Board have any questions?

23 MEMBER PETERING: Mr Rozen, just to explore the question of  
24 the announcement on 20 February of the temporary  
25 location and whether or not the local offices were 12.11PM  
26 open, you might like to clarify that.

27 MR ROZEN: I did intend to ask that. Do you need me to  
28 repeat that question, Mr Hall? It's a matter that's  
29 been raised with the Inquiry by numerous people, and  
30 that is that Dr Lester makes the announcement, DHS 12.12PM  
31 announces the assistance package, and one of the places

1 that's identified on that flyer - we don't need to go  
2 back to it - but one of the places identified to get  
3 further information and more importantly to get some  
4 money is the DHS office in Hazelwood Road.

5 The announcement and the letterboxing took place 12.12PM  
6 on a Friday afternoon; was that office open on the  
7 weekend of 29 and 30 February?---We had our three  
8 locations open through the weekend and I think from  
9 memory we paid about 103 relocation grants on the  
10 Saturday, and I think we paid about another 40 to 50 on 12.12PM  
11 the Sunday, and the call centre was open making  
12 bookings, we kept that open late on the Friday night so  
13 that people who were getting the advice late and wanted  
14 to make that contact were able to do so, and the call  
15 centre operated all weekend as well. 12.13PM

16 Just to be clear, the three locations that were identified  
17 on the flyer are the DHS office in Hazelwood Road,  
18 Morwell?---Yes.

19 Is your evidence that that office was open on the weekend of  
20 29 and 30 February?---Yes, that's my understanding. 12.13PM

21 Commercial Road Primary School was another location that was  
22 identified; that was - - -?---Yes.

23 Sorry, I do mean the 1st and 2nd?---Sorry, yes, the 1st and  
24 2nd, yes.

25 Commercial Road Primary School is identified; that was also 12.13PM  
26 open and staffed?---Yes.

27 And the Senior Citizens Hall in Maryvale Crescent?---Yes.

28 Was it publicised that the DHS office, which presumably is  
29 not normally open on a Saturday and Sunday, was it  
30 publicised that it was open?---The arrangement we had 12.13PM  
31 was that people would ring the 1800 number and they

1 would be given a specific appointment in terms of a  
2 time and a place, so they would have been directed to  
3 one of the three offices and given a time over the next  
4 day or so and, if that had been the DHS office, that  
5 would have been the DHS office. 12.14PM

6 To be fair to you, Mr Hall, it does say that on the flyer,  
7 they are to ring that number and then they would be  
8 given an appointment time at one of those locations.  
9 Just to round that topic off, there were problems with  
10 the DHS office in terms of its ability to meet the 12.14PM  
11 demand, as I understand it, in the first few days of  
12 this roll out?---It was difficult doing this work as  
13 well as running the normal business of the office,  
14 that's right, so we closed that part down and moved it  
15 to another location just up the street. 12.14PM

16 We see that in the subsequent versions that was the change,  
17 wasn't it, to the flyer?---That was, yes.

18 Different locations to go to?---Yes.

19 MEMBER PETERING: So, Mr Hall, was the 1800 number available  
20 on the Friday afternoon and Saturday morning?---Yes, it 12.14PM  
21 was.

22 Okay, I'm quite curious as to why the community are saying  
23 they couldn't get through then?---We extended the call  
24 centre hours, I think from about - I think they  
25 normally operated until about 6, we extended them to 12.15PM  
26 9 p.m. on the Friday and it was in operation right  
27 through that time.

28 Thank you.

29 MEMBER CATFORD: Mr Hall, thank you very much for your  
30 statement and good afternoon. I wonder if we could 12.15PM  
31 just have a brief discussion about the psychosocial

1 impacts of the mine fire, and perhaps we could have a  
2 look at your statement relevant to this which is in  
3 paragraphs 179-181. I have to say, I have found some  
4 difficulties with the annexures, but if we were to have  
5 a look at what I think is Annexure 29, I'm actually 12.15PM  
6 looking for the one that's version 1.4 with a date  
7 3/6/14. I thought this was a very helpful document,  
8 particularly if you turn to page 3 which provides an  
9 overview of Morwell. If we actually turn over the  
10 page, what we're looking at is some of the differences 12.16PM  
11 between this population and the State as a whole.

12 At the top of that page we have some interesting  
13 information that the percentage of persons with high or  
14 very high degree of psychological distress is  
15 14.3 per cent here in Morwell compared to a State 12.17PM  
16 average of 11.4 per cent. We can see that drug and  
17 alcohol clients are significantly higher, mental health  
18 clients are significantly higher, so this is a  
19 community with above average levels of mental health  
20 issues. 12.17PM

21 Clearly, the fire caused huge anxiety, distress  
22 and worry amongst the residents, so clearly a part of  
23 the response strategy is to actually attend to their  
24 psychosocial health.

25 In your statement you say you were successful, as 12.17PM  
26 I read it, for bidding for some assistance to provide  
27 psychosocial health support in the next financial year;  
28 in paragraph 181, \$673,500 which I am sure is an  
29 excellent outcome.

30 My question really is, what support to the 12.18PM  
31 psychosocial needs has the Department been able to



1 provide in this financial year, and how does this link  
2 to your proposals for the next financial year? Of  
3 course what I'm particularly anxious about is to hear  
4 that there has been a really good response in the last  
5 few months to the psychosocial needs of Morwell 12.18PM  
6 residents?---I think we would say that the work we've  
7 done in a relief and recovery sense probably from the  
8 start of the fire in the mine has all had a focus on  
9 the well-being of the residents of Morwell in one way  
10 or another, and in part the provision of the respite 12.19PM  
11 support, the provision of the relocation support were  
12 all early parts of trying to do that I think.

13 I think the range of other options, the V/Line  
14 travel, the entrance to zoos and so forth were all part  
15 of helping people both have a physical exit from the 12.19PM  
16 smoke and so forth, but also a way of feeling better  
17 about the circumstance to counterbalance what they were  
18 otherwise experiencing.

19 I guess Health were quite active in that time with  
20 the Health Assessment Centre and so forth as well which 12.19PM  
21 was also looking to immediate needs, immediate needs of  
22 people. The money that we've sourced here, it is  
23 provided in a budget sense coming in for the 14/15  
24 budget, but in effect people are starting to implement  
25 that now, we're almost at the point where that budget 12.19PM  
26 kicks in, are starting to implement that now in any  
27 case.

28 We did some early work bringing Dr Rob Gordon in  
29 who's one of the clinical psychologists who we use  
30 regularly who's quite expert in the impacts of 12.20PM  
31 disasters and the impacts on communities and

1 individuals. He works with authorities in the shaping  
2 up of plans and activities as well as he does in  
3 educating participants therein about what needs to be  
4 provided.

5 We did get that amount of money up, the \$673,000. 12.20PM

6 I guess the purpose to which that will ultimately be  
7 put is still a bit flexible and it's coming out of the  
8 work of the Committees that are operating now within  
9 the town to shape up exactly what should and shouldn't  
10 be provided and what the best value will come out of 12.20PM

11 that. So, although we put up a bid to Government based  
12 on a set of activities, as you sort of have to do to  
13 get to a figure, in the end it's the same approach to  
14 being able to use that somewhat flexibly based on  
15 experience now as we go forward and the community's 12.21PM

16 response to the various things that are on offer. It's  
17 very hard to predict what the response might be for  
18 various types of counselling and case support or  
19 whatever.

20 I suppose the issue really is that it's good that you got 12.21PM  
21 this funding which is going to start flowing now, but  
22 what support really was being provided in those  
23 critical first two months when people almost certainly,  
24 or some people would have been very upset and anxious  
25 and needing support? 12.21PM

26 I guess the point is, is this money, worthy as it  
27 is, coming a bit late now, that in fact there could  
28 have been some more acute mental health support  
29 provided in those early weeks and months?---Look, to be  
30 honest, I'm not sure what the Mental Health Services 12.22PM  
31 experienced in that time; I wasn't aware of any

1 excessive demand that wasn't able to be managed and,  
2 had that been the case, I would have thought it would  
3 have come to notice. So, I hadn't been aware of that,  
4 to be honest.

5 I suppose it's broader than that - you know, the hard mental 12.22PM  
6 health end and the psychosocial support. I guess the  
7 point here is that you've been successful in bidding  
8 for funds for this coming financial year. Were there  
9 funds you could have used and applied to support the  
10 psychosocial needs of the community in this 12.22PM  
11 financial year?---This is the part where we were  
12 successful in getting money in terms of the respite  
13 grants and the relocation grants because in total - - -

14 But they're only focused on quite a small number of the  
15 population and in a particular geographical area, but 12.22PM  
16 the whole of the Morwell community was suffering from  
17 this, not just in the southern parts of Morwell?---Yes.  
18 In relation to the grants, we made 5,500 grants  
19 available and at a cost of almost \$3.5 million in that  
20 period, so a lot of money went to support a lot of 12.23PM  
21 households.

22 That's financial assistance, if I can suggest, it's not  
23 psychosocial support assistance?---Well, it helped them  
24 do things that would make their lives better in that  
25 period; it gave them options that they might not have 12.23PM  
26 otherwise have had, and we estimate that reached about  
27 65 per cent of the households in Morwell, so it reached  
28 quite well. I guess the money that we were able to get  
29 at that particular point went to those specific  
30 responses. But we would probably say that they are 12.23PM  
31 part of how you start to work with the community as

1 well which then broadens out in a range of more diffuse  
2 ways as you move through a longer-term recovery.

3 You have mentioned the long-term health study; will the  
4 Department be engaged in that, again looking at the  
5 longer-term psychosocial impact of the fire on the  
6 community?---The Health Department are the ones who  
7 will take that forward.

12.24PM

8 Yes, I understand but, I mean, could your Department not  
9 also be an active partner in this process, given the  
10 broader social impact of the fire?---No, I take your  
11 point, and we could at that. In general it is the  
12 Health Department that sort of looks to the  
13 psychosocial issues in a recovery sense, so it's not  
14 different from what they might do in other emergencies  
15 as well. But, yes, I think there will be a lot of  
16 interest in what comes out of that and it's in its  
17 design stage I think at the moment, and I know there's  
18 been quite a level of community consultation around the  
19 content of the study and I think there will be a lot of  
20 attention placed on what comes out of that as it starts  
21 to move forward.

12.24PM

12.24PM

12.24PM

22 This has been quite a hit on the Morwell community in terms  
23 of the sort of roles and responsibilities that your  
24 Department responds to. Will you be thinking about  
25 whether over the next few years you'll need to ramp up  
26 the support you can provide to this community in the  
27 broad areas that the Department offers?---We will be  
28 watching that quite keenly, and although we've got a  
29 package for I think 18 months or the next two  
30 financial years, I guess that was based on knowledge at  
31 the time rather than a definitive sense, and whether it

12.25PM

12.25PM

1 will be over by then, we don't know that.  
2 Consequences can go on for very long periods of time, can't  
3 they?---Yes, I would agree with that.

4 Thank you very much.

5 MEMBER PETERING: Mr Hall, thank you again for being here 12.25PM  
6 today. On paragraph 99, where I'm going to lead to is  
7 suggestions for how you may think about, and I  
8 understand the Emergency Management Victoria new  
9 framework which is going to modify to some degree the  
10 Department of Human Services' direct involvement, 12.26PM  
11 although I think your evidence was it's going to be  
12 substantially - in practice you're anticipating the  
13 same?---For the next year, yes.

14 Paragraph 99 is an example of an initiative that was an  
15 outcome of the recommendation from the Royal 12.26PM  
16 Commission, the Vulnerable People in Emergencies  
17 program, so I commend you on taking a recommendation  
18 and implementing that. So I guess for future this  
19 Inquiry is thinking about how we can do things better.  
20 What would be your reflections on some of the things 12.26PM  
21 that you might do better in the future?---I think we've  
22 all learnt about the issues of communication and  
23 engagement in communities and I think that's one of the  
24 graphic things that's come out this time. From our  
25 Department's point of view, we implement - we made a 12.26PM  
26 number of changes following the flood work and the  
27 reviews that had taken place there, and I think we  
28 probably thought we were in better shape than has  
29 probably turned out as a result of this, so I think  
30 that's one of the areas we'll look at quite closely as 12.27PM  
31 we go forward.

1 What do you mean by communication and engagement?---With the  
2 community. So I think it comes down to some of the  
3 issues around people from different linguistic  
4 backgrounds, I think some of the issues that the Koori  
5 community I've seen raised in this context. And I 12.27PM  
6 think, dare I say it, even to the issues with the  
7 flyers that were brought out a bit earlier about the  
8 completeness and the readiness of the information to be  
9 readily available to people. I think we have relied  
10 heavily on a web presence, on having materials 12.27PM  
11 available online, on having materials available online,  
12 and I accept that that hasn't worked for numbers of  
13 people in this community.

14 I think that, while we have material in I think 14  
15 languages available there, it's not much good if you 12.28PM  
16 can't actually get to it, I suppose, so we will  
17 probably look at how we - in the opening up of relief  
18 centres or centres like that, that we make technology  
19 available so that that's accessible to anyone who comes  
20 in and uses that as well. I guess it will be of 12.28PM  
21 interest where the Inquiry comes with its  
22 recommendations about communication overall.

23 I think it has been sort of noticeable how every  
24 Department has had its own part of the communications  
25 spectrum I suppose and, looking back at how that's 12.28PM  
26 worked this time, you'd have to say that that's  
27 probably not the best way to do it from the user's  
28 perspective. I think we would look at how we would  
29 contribute to reducing some of that in the future as  
30 well. 12.29PM

31 So, a more integrated, more whole-of-Government approach,

1 are you suggesting or?---I think that should be  
2 explored, yes.

3 Anything else other than communication?---From our point of  
4 view, I think we were strong in the way we were able to  
5 adapt a set of provisions that simply didn't apply to 12.29PM  
6 this event and get Government to the point where they  
7 made, if you like, new policy and new grants available  
8 which were pretty much tailored to circumstances quite  
9 quickly - much more quickly than might otherwise be the  
10 case. I think we will continue to look at that, 12.29PM  
11 potentially that sort of flexibility into the future  
12 and that approach into the future which is more a  
13 tailoring, if you like, of response to individual  
14 communities.

15 The other thing that we will probably do is a bit 12.29PM  
16 of a back of house thing, that we are going to increase  
17 our own technology in relation to the way that  
18 information flows and grants are administered with a  
19 view to doing - we have had some instances where issues  
20 of fraud have arisen at this time, not many, but some, 12.30PM  
21 and I think in part that's not been helped by the fact  
22 that we use a very paper-based system that doesn't  
23 really protect against that happening, and we're moving  
24 to something which will automate that so it will be  
25 much clearer who's had what sort of support and help 12.30PM  
26 everyone I guess avoid over-claiming or perhaps being  
27 caught out in that way.

28 Just lastly, issues about empathy have been raised in  
29 statements from the community, and I think Mr Rozen led  
30 the evidence from Mr Whittaker who said, and I'm just 12.30PM  
31 going on his statement, who may not have been listened

1 to and treated - and I think I've read that in a few  
2 other submissions. Do you think there's more  
3 opportunity for more frontline training around  
4 community engagement and application and  
5 empathy?---There always is, I think, to be honest. I 12.31PM  
6 would have hoped that, given the work that the  
7 Department of Human Services does anyway, that it was  
8 already in that space. We bring a lot of people in to  
9 work in these events whose jobs are not to do with  
10 Emergency Management and they're brought out of 12.31PM  
11 corporate and other roles, and I think we will look in  
12 fact at how we do the training in relation to the  
13 outcomes of this event, I think that's a good point.

14 I think it's important that when people are in a crisis and  
15 they're feeling anxious, and if they're not treated 12.31PM  
16 with empathy, that's just double pain and it makes it  
17 more difficult, so I'd encourage you to consider  
18 that?---And I would hope - I can't comment on the  
19 actual examples, I guess, but I would hope that  
20 by-in-large people have found the experience much more 12.31PM  
21 productive than those examples I guess.

22 Thank you, Mr Hall.

23 MR ROZEN: I've been informed that the council has, I think,  
24 one question for the witness, and then the State have -  
25 I won't hold them to one, but the State have some 12.32PM  
26 questions as well.

27 <CROSS-EXAMINED BY MR MCQUALTER:

28 Mr Hall, you mentioned earlier that DHS were assisting  
29 council in their recovery phase. Can you tell the  
30 Board who's funding the recovery phase?---Who's funding 12.32PM  
31 which, sorry?



1 The recovery phase of the Hazelwood Mine Fire?---So, the  
2 money that comes to us is coming through the State, it  
3 was in the State budget papers.

4 I just want to clarify my question. Who's administering the  
5 funding?---In a technical sense, the funds flow through 12.32PM  
6 us down to council or other providers. Some goes to  
7 departments, some goes to the council, it depends on  
8 the activity.

9 <CROSS-EXAMINED BY MR BURNS:

10 Mr Hall, you're a member of the State Emergency Management 12.32PM  
11 Team?---Yes.

12 Was that meeting on a daily basis from 9 February?---Yes,  
13 sometimes twice a day.

14 And you were in all those meetings?---The majority of them,  
15 yes. 12.33PM

16 You've been asked about the services that the Department of  
17 Human Services were offering. Was the response to the  
18 fire evolving? That is, was your response changing on  
19 the basis of advice you were getting?---In this  
20 circumstance, yes, I guess in the early days this was 12.33PM  
21 not seen to be a long drawn out event and no one quite  
22 appreciated what the effect of the prolonged - you  
23 know, of smoke and so forth would be, so yes, it did  
24 change in that.

25 Effectively, did it change after the weekend of the 15th and 12.33PM  
26 16th; was it ascertained because of the bad conditions  
27 on that weekend that it was going to be a longer  
28 campaign than first thought?---I think it became very  
29 clear then, yes.

30 What do you say about the speed at which assistance was 12.33PM  
31 given in the various ways that it was given?---In the

1 circumstances, I think it was done really promptly in  
2 relation to the circumstances as they unrolled, in the  
3 sense that there was no ready made package of responses  
4 that you could simply pull off the shelf and apply,  
5 which is how Emergency Management has worked in other 12.34PM  
6 events at other times. So I think the speed with which  
7 the governments, the State Crisis and Resilience  
8 Council, was able to adopt to make new policy, adopt  
9 new policy, was really significant. In fact, we were  
10 able to, on the two types of grants that we've talked 12.34PM  
11 about, there was about a 24-hour turn around really  
12 between the idea of the grant being accepted and then  
13 the work being done to operationalise it, so we pretty  
14 much had it operating on the ground within 24 hours of  
15 that, and I think that was quite effective. 12.34PM

16 Almost to the point of record time in terms of the way  
17 Government operates, would you say?---Yes, maybe.

18 Where were the various services and supports  
19 targeted?---They're targeted to people who were less  
20 able to help themselves manage their way through events 12.35PM  
21 or bring their lives back on track after an event. I  
22 think all of the effort goes to the more vulnerable  
23 people in the community or people with a greater level  
24 of disadvantage who actively need assistance to help  
25 themselves bring their lives back on track. 12.35PM

26 Ms Petering asked you a question about empathy. As I  
27 understand your evidence, you gave instructions that  
28 your staff should provide a flexible, generous and  
29 compassionate approach? Is that what you're  
30 told?---Yes, we use the words "generous" and 12.36PM  
31 "compassionate" as the guiding principles of how they

1 should work, and that went partly to the interactions  
2 with people and it went partly to the judgments about  
3 eligibility and entitlement, where the boundary was  
4 drawn for example and things of that sort.

5 What was the level of applications for assistance? Perhaps 12.36PM  
6 we can break it down. How many calls were made to your  
7 1800 hotline?---There were about 10,300 calls made over  
8 the period.

9 And that's in the context of a community of somewhere  
10 between 14,000 and 15,000 people?---Yes. 12.36PM

11 So there were calls from perhaps two-thirds of the  
12 population?---There was probably some repeat calls from  
13 people, however it was a high level of engagement I  
14 think.

15 In total, how many grants were made, either respite or 12.36PM  
16 relocation?---We made 4,202 respite grants worth about  
17 \$2 million; we made 1,307 relocation grants worth  
18 \$1.2 million, and in total that was 5,500,000 grants  
19 and almost \$3.5 million cost associated with them.

20 And the grants were to a household, not a person?---Yes. 12.37PM  
21 So is that 5,500 households received a grant in the context  
22 of about 6,000 houses in Morwell?---Yes, although some  
23 might have received multiple grants legitimately.

24 You've talked about the relocation grants and that there was  
25 no mechanism in place previously for those to be paid, 12.37PM  
26 so this was effectively breaking new ground; is that  
27 right?---That's correct.

28 These sort of things had never been offered before, this  
29 relocation grant had never been offered before in any  
30 previous natural disaster?---No, not in this way. 12.37PM

31 I think your evidence was, and it may not happen again?---It

1 has been done for this event; if there were similar  
2 circumstances we'd need to go back to Government and  
3 see whether they wish to do it again, I guess, yes.  
4 What do you say about how DHS and the council were able to  
5 work together?---I think it's been productive in terms 12.38PM  
6 of the outcomes that it's delivered.  
7 You were asked some questions about, after the decision was  
8 made on 18 March with regard to the clean up grant,  
9 there was some three-week delay after it was announced.  
10 I think Mr Mitchell's evidence was that it took about 12.38PM  
11 three weeks before there was a substantial number of  
12 clean ups occurring. Did DHS have any involvement in  
13 the implementation after the announcement of how the  
14 clean up would work at a practical level?---I think it  
15 was mostly Local Government Victoria who were working 12.39PM  
16 with the council in relation to that. We did have an  
17 interest in the rate at which the assisted cleans were  
18 being completed and the time it might take to get  
19 through what we believed would be the number, and we  
20 were very keen for the council to make every effort to 12.39PM  
21 bring in as many contractors, I guess, as they could to  
22 bring the timeframe down to the minimum to get those  
23 done, and I think they've just pretty much been  
24 completed now.  
25 Is it your understanding that about 1,900 homes were given 12.39PM  
26 assisted clean ups?---No, the way the package was  
27 costed up it would have allowed for about 1,900 homes,  
28 I think the take-up has been about 840, 850, somewhere  
29 in that mark.  
30 In terms of the self clean kit, the bucket and mask and 12.39PM  
31 gloves, did your Department have any involvement in the

1 contents of that kit and how it was provided?---No, I  
2 think that came together at the local level.  
3 Thank you, Mr Hall, those are the questions I have,  
4 Mr Chairman.

5 <RE-EXAMINED BY MR ROZEN:

12.40PM

6 Just one matter in re-examination. You were asked some  
7 questions by my learned friend, Mr Burns, about an  
8 appreciation of the anticipated length of the incident.  
9 As I've understood your evidence, you say that before  
10 the weekend of 15 and 16 February, if I've written it  
11 down correctly, no one quite appreciated how long the  
12 incident would last. Is that a fair summary of the  
13 evidence?---That was certainly our understanding, it  
14 was unclear at that time and it was certainly thought  
15 to be of shorter rather than longer duration.

12.40PM

12.40PM

16 The Inquiry has before it a situation report from Fire  
17 Services Commissioner Lapsley on 12 February. I'll  
18 just have it brought up, it's exhibit 3, I think a hard  
19 copy's being placed in front of you. The evidence is,  
20 do you see the second dot point there under the  
21 heading, "Latrobe Valley coal mine"?---Yes.

12.41PM

22 Mr Lapsley's evidence, he was the first witness called, his  
23 evidence was that he gave this estimate - of course it  
24 could only be an estimate - but you'd agree, wouldn't  
25 you, that an estimate from someone in Mr Lapsley's  
26 position should have attached to it - should be given  
27 some weight by others involved in the State Emergency  
28 Management Team?---Yes, I would.

12.41PM

29 That the fire would burn for up to a month. Do you recall  
30 that situation report being provided?---Not explicitly,  
31 to be honest, but I don't doubt that it was.

12.42PM

1 I suggest to you it's consistent with other statements that  
2 were made by Mr Lapsley at that time; that is, around  
3 about 11 and 12 February of this year. Did you not  
4 appreciate that at that time?---I think it was the  
5 weekend that brought it much more prominently to our 12.42PM  
6 attention, the activity of that following weekend.  
7 I think you've already said this - - -?---I'm not contesting  
8 what Mr Lapsley has said at all.

9 Thanks. I have no further questions for Mr Hall, could he  
10 be excused? 12.42PM

11 CHAIRMAN: Yes.

12 <(THE WITNESS WITHDREW)

13 MS RICHARDS: What I propose to do now in the short time  
14 available before lunch is to call Ms Andrews, the  
15 community witness, and we'll have Mr Harkins' evidence 12.43PM  
16 after lunch.

17 <KAREN GRACE ANDREW, sworn and examined:

18 MS RICHARDS: Good afternoon, Ms Andrew?---Good afternoon.  
19 Could you please tell the Inquiry your full name and your  
20 address?---Karen Grace Andrew, 48 Elgin Street, 12.44PM  
21 Morwell, Victoria.

22 You're currently employed, although not for much longer, as  
23 a youth suicide prevention counsellor, and I might ask  
24 you to - - -?---Ramahyuck.

25 Ramahyuck District Aboriginal Corporation?---Yes. 12.45PM

26 You've made a statement to the Inquiry?---I have, yes.

27 You have a copy of it there in front of you, and it's a  
28 statement of 39 paragraphs and it attaches a submission  
29 that you've made to the Inquiry?---Yes.

30 Have you re-read your statement recently, Ms Andrew?---Yes, 12.45PM  
31 I have.

1 Are there any corrections that you'd like to make?---No.  
2 Is your statement true and correct?---Yes, it's true and  
3 correct.

4 I tender that, Your Honour.

5 12.45PM

6 #EXHIBIT 57 - Statement of Karen Andrew.

7  
8 Ms Andrew, you live in Elgin Street in Morwell which is on  
9 the southern side of town, of Commercial Road?---Yes.

10 Would you like to point out on the map where in Elgin Street 12.45PM  
11 you are? There's a ruler just there next to your left  
12 hand, Ms Andrew?---About there.

13 So it's in the part of Elgin Street that runs between  
14 Hazelwood Road and Maryvale Crescent?---Yes, that's  
15 correct.

12.46PM

16 You've lived there since you moved down to Morwell from  
17 Queensland in September 2012?---I've lived in Morwell  
18 since September 2012 but in Elgin Street since February  
19 2013.

20 You're from Queensland originally?---Yes.

12.46PM

21 You tell us in your statement that you're of both South Sea  
22 Islander and indigenous descent?---Yes, I am.

23 Before coming to live in Morwell, you were a member of the  
24 indigenous community in around Mackay where you come  
25 from?---Yes.

12.47PM

26 Can I ask you about the organisation that you work for. Is  
27 it Ramahyuck?---Ramahyuck, yes.

28 You talk about it in paragraph 5 of your statement. That is  
29 based at Nindedana Quarenook, the Central Gippsland  
30 Aboriginal Health Service which is here in

12.47PM

31 Morwell?---Yes.

1 Where in Morwell is your office?---It's on the corner of  
2 Buckley and Collins Street on the other side of  
3 Commercial Road.

4 You're currently employed there as a youth suicide  
5 prevention counsellor, but the funding for your 12.47PM  
6 position ceases at the end of June?---Yes, that's  
7 correct.

8 I'll ask you a little bit about the indigenous community  
9 here in Morwell. About how large is the community?---I  
10 couldn't say how large the community is, sorry, I don't 12.48PM  
11 have a figure.

12 You talk in your statement that there is a very high level  
13 of disadvantage among the indigenous community  
14 here?---Absolutely, yes.

15 You've noted with some families there are three generations 12.48PM  
16 of unemployment?---Yes.

17 It's your personal experience that life expectancy is much  
18 lower than you're used to?---Yes.

19 Are there any other particular features of the Morwell  
20 indigenous community that you'd like to share with the 12.48PM  
21 Inquiry?---From the beginning of the fires I noted that  
22 Ramahyuck didn't receive any information that was out  
23 in the mainstream community because I was down at LCHS,  
24 Latrobe Community Health Service, one day and I found a  
25 flyer on the front desk and on the flyer, it was from 12.49PM  
26 DHS, and it was stating the recovery information, and  
27 that hadn't filtered through to Ramahyuck, so I took a  
28 copy of that back to work and photocopied it, I gave it  
29 to our finance person and we photocopied it and I've  
30 started then attending the meetings for the Hazelwood 12.49PM  
31 Mine Fire.



1 So that was quite early in the peace that you found that  
2 information at the Community Health Service?---Yes. I  
3 don't know whether it was a Tuesday or a Wednesday of  
4 the first week and I took the information to work.  
5 We've had a number of information sheets presented to the 12.49PM  
6 Inquiry, including alerts and advisories from the Chief  
7 Health Officer which are said to be directed to  
8 community groups. Did Ramahyuck receive any Chief  
9 Health Officer alerts or advisories during the course  
10 of the fire that you are aware of?---No, not before I 12.50PM  
11 started bringing stuff to work.  
12 The ones that you brought to work, you found  
13 elsewhere?---Yes.  
14 As far as you're aware, there were none that were sent  
15 directly to your organisation?---No, there was nothing 12.50PM  
16 sent directly to the Service at the beginning.  
17 You weren't in Morwell when the fires started on 9 February,  
18 were you, you were in Moe with your mother?---I was  
19 shopping, yes.  
20 Shopping with your mother. Your mother doesn't live in 12.51PM  
21 Morwell, does she?---No.  
22 She lives in Queensland?---Yes.  
23 And she was here visiting you and your son?---Yes.  
24 I'm at paragraph 13. The first challenge for you was to  
25 find your way home from Moe to Morwell?---Yes. 12.51PM  
26 With roadblocks in place?---Yes.  
27 How did you manage that?---With great difficulty. When I  
28 came out of Moe I couldn't get onto the freeway, so I  
29 had to turn around, because the police had a roadblock,  
30 and there was no signage and, not being from this 12.51PM  
31 place, I didn't know where else we could go so I just

1 followed a stream of cars and ended up in Newborough  
2 and then found my way around Tyers to get back, and  
3 then we were caught outside Latrobe Hospital on the  
4 highway there until we got back home again.

5 You were contacted by your manager on the Monday, 12.52PM  
6 10 February, and told not to come to work that  
7 day?---Yes.

8 But you returned to work on the Tuesday?---Yes.

9 Your mother was staying with you and, as you've told us in  
10 paragraph 16, she's not in the best of health?---No. 12.52PM  
11 No, she wasn't.

12 What were the health issues she was dealing with  
13 in February?---She's in the first stages of dementia  
14 and she's just forgetful, forgets to take her  
15 medication, forgets to eat. 12.52PM

16 That presented some challenges when you were leaving her at  
17 home with smoke in the air outside?---Yes.

18 What were the things that she forgot?---Hanging her washing  
19 on the line, leaving the house open. She wasn't used  
20 to being confined to the inside of the house. My mum's 12.53PM  
21 from Queensland and we're gardeners, so she's used to  
22 being outside in the sunshine, and keeping the house  
23 locked up, she wasn't used to it and she was leaving  
24 the doors open, there was smoke getting inside. She  
25 was hanging her washing on the line, there was ash 12.53PM  
26 dropping on her clothes. She ended up with a rash on  
27 her body and I feel it was from the ashes that was  
28 dropping on her clothes on the line. I had to come  
29 home every lunchtime and make sure that the house was  
30 closed, there was no washing on the line, nana was fed 12.53PM  
31 and watered, and then just see she was safe every day.

1 By 25 February you were concerned about the rash that she  
2 developed?---Yes.

3 You took her to the GP clinic?---Yes.

4 And she saw the practice nurse there?---And she saw the  
5 practice nurse there and she didn't think it was a 12.54PM  
6 worry, but I thought it was because she didn't have the  
7 rash the week before the fire.

8 In any event, you organised for your mother to fly back to  
9 Queensland at the end of February?---I did, yes.

10 What was it like living in your house during those first few 12.54PM  
11 weeks of the fire?---I felt isolated because I was sick  
12 at the time as well, I had chronic asthma, I've got  
13 asthma, and I couldn't get out of the house. Just  
14 being stuck in the town area, I was too sick to drive  
15 anywhere because I was on a lot of medication, so we 12.54PM  
16 just had to stay inside the house because it's an old  
17 house I rent. The smoke was coming in the little holes  
18 and everywhere else in the house and that, and just  
19 being in a confined space, it was quite difficult to  
20 live there. 12.55PM

21 Can I ask you about your own health. You've told us you're  
22 asthmatic, you were asthmatic before the fire  
23 started?---Yes.

24 How did the smoke affect your asthma?---It made it very  
25 difficult. I had an asthma attack on the Saturday 12.55PM  
26 after the fires started and I couldn't leave the house  
27 and I was too sick to even make a phone call. My son  
28 was at work, I had no way of getting outside, I was too  
29 sick to drive, so I just stayed in the house in case -  
30 it was a better place to be. 12.55PM

31 So you had a number of asthma attacks during the

1 fire?---Yes.

2 Including one at work where you were put on a  
3 ventilator?---Yes, it happened twice at work as well  
4 during the fire.

5 Did you go and see a doctor about your worsening 12.55PM  
6 asthma?---Yes.

7 What advice did the doctor give you?---The doctor told me to  
8 take two weeks off and to leave the valley for two  
9 weeks, but no work, no pay, so I had to stay in the  
10 area; I had no money to relocate anywhere, so I just 12.56PM  
11 had to go home and sit it out at home.

12 There were a couple of difficulties; one was that, if you  
13 didn't work, you wouldn't be paid?---Yes.

14 Were you not able to take some sick leave?---I had no sick  
15 leave and I had to take annual leave for the time that 12.56PM  
16 I did have off during the fires.

17 And then there was a question of paying rent on your house  
18 here in Morwell?---Yes.

19 As well as the mortgage on your house that you still own in  
20 Queensland?---Yes. 12.56PM

21 Did you apply for relocation assistance?---I went next door  
22 because it was - in the Greek community hall next-door  
23 to my house, and my son went over first and then he  
24 came back and he asked me if I'd go along with him so  
25 we could apply for some assistance, because he was 12.57PM  
26 working part-time at the time and because of the fires  
27 his hours had been cut as well, so I had no income, so  
28 I had to continue going to work. He wasn't a recipient  
29 of Centrelink benefit, so he didn't have any work and  
30 he had no money, so I had to keep working to keep the 12.57PM  
31 wolf away from the door for the entire time.

1 So, you and your son went to the Greek Church Hall?---Yes.  
2 To ask for relocation assistance?---Yes.  
3 Were you granted relocation assistance?---No, because we  
4 didn't have access to a healthcare card and we worked.  
5 You've told us you live in a rented house?---Yes. 12.58PM  
6 You told us you live in a rented house, and you've had a  
7 couple of particular difficulties with the clean up;  
8 one of them is the water flow that you have. Can you  
9 explain why water flow in your household's an  
10 issue?---At present there's a lock on my water meter. 12.58PM  
11 My bill went up to \$5,500 because there was a leak and  
12 it leaked during winter. Because it's a low house the  
13 water was leaking out underneath the house and I didn't  
14 get a bill until the meter lady came around and read  
15 the meter, and it was two days before that I'd noticed 12.58PM  
16 the water under the house and I rang my landlord and I  
17 rang the real estate and got onto it straight away and  
18 fixed that leak, but it's continued to leak and no-one  
19 came around to check that the use of the water was over  
20 the amount . 12.59PM  
21 And, because of that and because you and your landlord are  
22 still in dispute about who should pay for all of that  
23 water, you have a water flow restriction device?---Yes.  
24 What does that mean in practice for you?---It's quite  
25 difficult, it takes three hours to do my washing to 12.59PM  
26 fill the machine up, I've got to collect the hot water  
27 that runs out of the tap into a bucket and fill up a 20  
28 litre bucket of water to have a shower every day, twice  
29 a day, and it's just really quite difficult and I'm not  
30 paying the water bill because I did not use the water. 12.59PM  
31 You also have used a vacuum cleaner from the recovery centre

1 to clean your house?---I did.

2 But you say there's still dust falling from the

3 ceiling?---There's still dust falling from the ceiling

4 into the shower out of the vent in the bathroom.

5 Have you approached your landlord about having the roof 01.00PM

6 cavity cleaned?---No, I haven't because it's been too

7 hard trying to get water, the water fixed up.

8 The last area I'd like to ask you about, Ms Andrew, is about

9 contact with the indigenous community during the fire.

10 You've already told us that information sheets that 01.00PM

11 came into Ramahyuck were ones that you found elsewhere

12 and brought in, you're not aware of any being sent

13 directly. You also make the point that indigenous

14 people - at paragraph 35 - in your experience need

15 face-to-face contact?---Yes. 01.00PM

16 Is the internet a useful way to get information to the

17 indigenous community?---Not the internet; social media,

18 Facebook, because a lot of indigenous people here don't

19 have access to internet, and what I've seen through my

20 work, a lot of indigenous people here aren't literate 01.01PM

21 enough to read and process the information that's out

22 there, so it's best to speak face-to-face with people,

23 and that's what I did to the people that came into the

24 service, I spoke to them about where they needed to go

25 if they were sick and just sat with people and gave 01.01PM

26 them the information. Particularly, I was concerned

27 about people with health conditions, older people with

28 emphysema, young mums and bubs.

29 Nindedana Quarenook actually made contact individually with

30 clients in vulnerable groups who were sick or who had 01.01PM

31 young children or who were elderly?---Yes.

1 What assistance was provided to them?---We made contact with  
2 all of those people that we had on our register, and  
3 rang them and asked them to come in so everybody would  
4 have flu shots and get the information that was  
5 available there at work to assist them with anything. 01.02PM  
6 They didn't know about the recovery money until I'd  
7 mentioned it, because someone had lived down in  
8 Maryvale Crescent that was a client that had come in,  
9 and he was not aware of that, and he was the first one  
10 that came in and spoke to me about that and then I just 01.02PM  
11 referred him on to here, the Recovery Centre.

12 Thanks, Ms Andrew, those are the questions I had for you.

13 Do any Members of the Board have questions?

14 DR WILSON: No, thank you.

15 MS RICHARDS: Thank you very much for your time, may 01.02PM  
16 Ms Andrew be excused?

17 CHAIRMAN: Yes.

18 <(THE WITNESS WITHDREW)

19 MS RICHARDS: If we can resume after lunch with Mr Harkins,  
20 he will be the last witness for the week. 01.03PM

21 LUNCHEON ADJOURNMENT

22  
23  
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1 UPON RESUMING AT 2.05 P.M.:

2 MS RICHARDS: Members of the Board, Mr Harkins has been  
3 waiting patiently all day, but before I call him  
4 there's a couple of issues I want to raise formally  
5 with the Board and before the parties. 02.06PM

6 Yesterday during Mr Mitchell's evidence it emerged  
7 that there had been a high level meeting that occurred  
8 here on the morning of 28 February between Mr Mitchell  
9 and officers of the council, Dr Lester, Mr Merritt,  
10 Commissioner Lapsley and I think the Chief Commissioner 02.06PM  
11 of Police as well, and that was the first the Inquiry  
12 was aware of that meeting. On becoming aware of it  
13 Counsel Assisting called for production of the map that  
14 was discussed at that meeting and also any minutes or  
15 other record that was made of that meeting. 02.07PM

16 I have discussed it with Dr Wilson and Mr Burns  
17 for the State just over the luncheon adjournment and  
18 have asked that they identify those documents, and we  
19 are acutely aware that we only have one more week of  
20 evidence, so it's our request that those documents be 02.07PM  
21 provided over the weekend and be available for the  
22 Inquiry when it resumes hearings on Tuesday morning.

23 The other matter that I wish to raise is a  
24 communication - - -

25 MEMBER PETERING: Sorry, Ms Richards; Dr Wilson, could you 02.07PM  
26 just confirm that that could take place please?

27 DR WILSON: There's a couple of aspects to this. First, in  
28 keeping with our approach throughout we are acutely  
29 aware of the need to cooperate and be responsive to all  
30 requests, reasonable or otherwise, that's made from our 02.07PM  
31 friends, and we are doing that.





1 unnecessary warnings were not given. On another  
2 interpretation of the evidence there was a failure to  
3 monitor and to act on alarmingly high levels of carbon  
4 monoxide in the community. At this stage the evidence  
5 is capable of both of those interpretations.

02.09PM

6 CHAIRMAN: This was Mr Katsikis and Dr Torre and - - -

7 MS RICHARDS: And Dr Lester have given evidence.

8 CHAIRMAN: Have all talked about aspects of it.

9 MS RICHARDS: Yes, and the evidence doesn't give a complete  
10 picture, but there is a picture that emerges, and  
11 there's also questions about the appropriate standard  
12 for the monitoring that was being undertaken and the  
13 appropriate standard for decision-making and action  
14 consequent upon that monitoring.

02.10PM

15 The information that's come forward from the  
16 United Firefighters Union today is substantially an  
17 anonymous statement from a firefighter employed by the  
18 Metropolitan Fire Brigade who I'll refer to as  
19 firefighter L. The Union assert that it has not  
20 disclosed his identity due to concerns of possible  
21 retribution in the context that firefighters have been  
22 gagged from disclosing such information publicly. I  
23 have no idea of the substance of that assertion, but  
24 it's been made and it's the basis on which firefighter  
25 L's identity's not being disclosed to the Inquiry at  
26 this stage.

02.10PM

02.10PM

27 Firefighter L was here in Morwell fighting the  
28 fire over the weekend of the 15th and 16th and  
29 apparently has evidence that is relevant to the issue  
30 that the Inquiry's been exploring.

02.11PM

02.11PM

1 arrived after the relevant witnesses had already given  
2 evidence; it was also regrettable that it was aired in  
3 the media before being raised with the Inquiry. That  
4 said, the Inquiry would be very interested to speak  
5 with firefighter L and perhaps to hear his evidence in 02.11PM  
6 the course of next week. It occurs to me that the best  
7 way forward is to seek an assurance from the State on  
8 behalf of the Metropolitan Fire Brigade that any  
9 firefighter who has relevant evidence to give to the  
10 Inquiry will not suffer retributions as a consequence 02.12PM  
11 of having done so. If that assurance can be given,  
12 then perhaps we can move forward with the United  
13 Firefighters Union and actually speak to the  
14 firefighter who has relevant evidence to give.

15 CHAIRMAN: There's not enough available to be able to ask 02.12PM  
16 the VGSO to investigate at the moment whether there is  
17 anything that is relevant that could be otherwise  
18 obtained?

19 MS RICHARDS: It is difficult to act on an anonymous  
20 disclosure, without knowing who the firefighter is, I 02.12PM  
21 wouldn't expect my learned friends or those for whom  
22 they act to do anything.

23 CHAIRMAN: Do you want to say anything, doctor?

24 DR WILSON: It is very hard to respond to something about  
25 which we know nothing. Can we leave it at that? We 02.12PM  
26 have no idea what this is all about and haven't been  
27 favoured with a shred of paper about it, but I don't  
28 know how to proceed in that state of a vacuum.

29 CHAIRMAN: There is an appreciation of your position and I  
30 think we'll just continue to follow the matter through 02.13PM  
31 to the extent that we're able to do so.

1 DR WILSON: Exactly. Thank you, Board.

2 CHAIRMAN: There was this question that has been raised as  
3 to whether you can in effect make the enquiry as to  
4 whether, in that whistleblower domain, there's  
5 something that's appropriate to do that might be 02.13PM  
6 followed up.

7 DR WILSON: If my friend can tell me what she has in mind,  
8 beyond asking us to undertake that something won't be  
9 done which already is inherently illegal, we'll do it,  
10 but maybe a private conversation is a good start. 02.13PM

11 CHAIRMAN: Yes.

12 MS RICHARDS: I raise it publicly partly because there has  
13 been substantial airing of the issue in the media, and  
14 as I understand it the response from the Fire Services  
15 Commissioner in the media has been that this is a 02.14PM  
16 matter for the Inquiry. We're in a quandary because we  
17 can't have the evidence from firefighter L without some  
18 sort of assurance being given.

19 CHAIRMAN: It's appropriate that it be aired.

20 MS RICHARDS: And I just ask my learned friend to seek 02.14PM  
21 instructions from those who instruct him, and if he's  
22 able to give the assurance next week, that that be  
23 done.

24 After all of that, I recall Mr Harkins.

25 <STEVEN WILLIAM HARKINS, recalled: 02.14PM

26 MS RICHARDS: Welcome back for the second time, Mr Harkins,  
27 and I apologise for the long wait today?---That's fine.  
28 The reason we've asked you to come back this afternoon is to  
29 ask you to some questions about your second statement  
30 which you adopted last Friday. Before I do that, 02.15PM  
31 you've provided a third statement to the Inquiry

1 directly in response to an enquiry from Ms Petering  
2 about the number of employees who were present at the  
3 mine at various stages on 9 February. That statement  
4 has been provided by you.

5 The short answer is that, before midday there were 02.15PM  
6 35 personnel at the mine?---Yes.

7 At about 3.30 there were 58 personnel at the mine and by

8 7 p.m. there were 103 personnel at the mine?---Correct.

9 You've gone to the trouble of identifying them by reference  
10 to the shift that they work on or their various 02.15PM  
11 classifications within the mine. I should ask you  
12 formally, is that statement true and correct?---Yes, it  
13 is.

14 Thank you, I tender that if I might.

15 02.16PM

16 #EXHIBIT 58 - Third witness statement of Steven Harkins.

17

18 MS RICHARDS: Just to be clear, what was the source of the  
19 information that you have extracted into this

20 statement?---The source of the information is the 02.16PM  
21 rosters, HR payroll system and some security records.

22 Thank you for undertaking that exercise. Moving to your  
23 second statement, I wanted to start by asking you to  
24 recap on the range of your responsibilities as Director  
25 of People, Culture and Environment?---Fine. The 02.16PM  
26 Department covers human resources, industrial  
27 relations, occupational health and safety, internal  
28 communications and I think there's one I've forgotten,  
29 but that's generally the thrust.

30 So external communications is not strictly within your 02.17PM

31 responsibilities?---Local external communications fits

1 within the asset. We have a framework of resources of  
2 course, we have some resources down in our head office  
3 in Melbourne who provide advice and additional  
4 resources. I think you'll be aware that our external  
5 media consultant is Trevor Rowe, there's a number of 02.17PM  
6 attachments that include statements from Mr Rowe to the  
7 media, so we have access to those resources as well.  
8 But local external communications are generally handled  
9 at the asset with advice.

10 By you or by Mr Graham?---Generally by Mr Graham but 02.17PM  
11 prepared by my group and the external consulting  
12 resources that we have at our disposal.

13 Can I ask you about the communications staff or public  
14 affairs staff, I'm not sure of the terminology, that  
15 are employed at the Hazelwood asset?---At the Hazelwood 02.18PM  
16 asset we have one internal Communications Manager.

17 And her role - I think it's she?---Yes.

18 Is responsible for communication essentially between  
19 management and - - -?---Primarily, but her functions  
20 extend to community engagement and our local support 02.18PM  
21 programs and donations, sponsorships, local media, so  
22 it's probably not titled all that well as internal  
23 communications manager and has morphed over the last 12  
24 months into a broader role.

25 Local communications manager perhaps?---"Local" would 02.18PM  
26 probably be better.

27 Hazelwood is of course only one aspect of GDF Suez's  
28 Australian operations?---Correct.

29 Is there a communications capacity in the Melbourne  
30 office?---There is, and that's - - - 02.19PM

31 And what is that?--- - - - provided by Mr Rowe. So he

1 handles external media for GDF Suez Australian Energy,  
2 but he also handles communications locally for Rialto,  
3 and there is an internal communications resource at our  
4 partner asset, Loy Yang B over in Traralgon.

5 Is Mr Rowe employed by GDF Suez or is he a 02.19PM  
6 consultant?---He's a consultant.

7 Is he part of a larger public relations firm?---No, I don't  
8 believe so; I believe he works for himself.

9 Is he the extent of the public relations assistance  
10 that - - -?---We have other consultants that we use, PR 02.19PM  
11 consultancy as well as media monitoring and social  
12 media monitor, and of course we have a corporate  
13 affairs area that deals primarily with the political  
14 interface and so forth.

15 If I can go to your second statement, starting at 02.20PM  
16 paragraph 51 under the heading, "Community Engagement."  
17 In the normal course of events, regardless of mine  
18 fires, GDF Suez does engage in a range of community  
19 engagement activities here in the Latrobe  
20 Valley?---Correct. 02.20PM

21 Can you outline what those are?---Broadly the framework has  
22 three main areas; so we have a long-standing commitment  
23 to land care, a land care program both locally and I  
24 think primarily out at Phillip Island. We commit about  
25 \$200,000 a year to that program and run various events 02.21PM  
26 where employees are able to engage with that program  
27 directly.

28 We have last year established a relationship with  
29 Fairshare, which is best described as an organisation  
30 that rescues food - good food, not bad food - cooks it, 02.21PM  
31 prepares it, creates what's called wet packs, rather

1 than the dried foods, canned foods and so forth. We've  
2 entered into I think a three-year relationship with  
3 them. We've been able to bring that program to the  
4 Latrobe Valley, so we have a number of local charities  
5 that came on board with that and now distribute the wet 02.21PM  
6 packs to those that need it in the community.

7 Then we have an education element to it. At the  
8 moment that's been focused largely on electrical  
9 engineering development. As you would imagine that's a  
10 fairly important area of education for our particular 02.22PM  
11 industry, and I believe we sponsor at the moment two,  
12 but I believe there's another intake happening shortly.

13 Is this in the nature of internships or recruiting potential  
14 engineers to work at Hazelwood?---We would like them to  
15 stay with us, yes, but generally internships, we pay 02.22PM  
16 for part of their schooling, they are able to work when  
17 university is not happening for us in a paid  
18 environment, and generally to support that particular  
19 element of engineering.

20 As I was saying, there's a fourth element really 02.22PM  
21 which is what we'll call the local - I prefer to call  
22 it grassroots sponsorship donations program that small,  
23 medium and large businesses have, and that will range  
24 from sponsoring some small event for a sports club or  
25 equipment for a netball club and so forth, so we have a 02.23PM  
26 program each year for that.

27 You've given some examples of that in paragraph 53(d)?---I'm  
28 sure I have, yes. I think locally the total financial  
29 commitment, not the in-kind commitment and support  
30 through the employees doing land care programs, is 02.23PM  
31 around \$600,000 a year.



1 Then in the following paragraph, paragraph 54, you make what  
2 is possibly an obvious point, but it does need to be  
3 stated, that Hazelwood is one of the largest employers  
4 in the Latrobe Valley?---It is; it's not the largest, I  
5 understand that to be the Latrobe Valley Regional 02.24PM  
6 Hospital I think from memory. Yes, we're a substantial  
7 employer, we have 500 direct employees and we quote  
8 around 300 full-time contracting people fully engaged  
9 with the business. I won't be rude enough to quote the  
10 amount of salaries that I've put in my witness 02.24PM  
11 statement there.

12 We can see them?---Of course we spend, as you'd imagine with  
13 maintenance, ancillary services, other miscellaneous  
14 purchases, quite a substantial amount of money both in  
15 the local and broader community. 02.24PM

16 MEMBER PETERING: Mr Harkins, it's a commendable list. One  
17 of the things that came out in the community  
18 consultation sessions was around community engagement  
19 and my understanding was that there was a group, I'm  
20 going to call the CAG or the community engagement or 02.24PM  
21 community advisement group?---It's what we call the  
22 Corporate Social Capital Committee.

23 No?---No?  
24 So that you engage with members of the community around mine  
25 operations, future issues concerning the community?---I 02.25PM  
26 don't recall that specifically.

27 Some of the community consultations are talking around - I  
28 can't recall the exact title, but I think there's a  
29 member of the local council on a particular  
30 group?---This is the Environmental Management 02.25PM  
31 Committee?

1 Could be?---Yes, it's the Environmental Management  
2 Committee, so we have a Committee that meets quarterly  
3 reviewing our environmental performance and so forth,  
4 and that's made up of citizens, members of the Latrobe  
5 council, EPA and so forth. I really wouldn't say that 02.25PM  
6 that was in terms of the community engagement I've been  
7 talking about, that's much more around our performance  
8 in the environmental arena.

9 I would put that that is quite an integral part of being  
10 involved in the community, rather than just perhaps a 02.26PM  
11 list of sponsorships, but the actual engagement around  
12 issues that we'll cover next week on rehabilitation and  
13 how the mine impacts on the community. So, are those  
14 topics particularly covered under this Environmental  
15 Management Committee?---Certainly the mine plan and any 02.26PM  
16 variations to that would be discussed at the  
17 Environmental Management Committee, yes.

18 And implications or impacts to the community?---Would be  
19 discussed at that Committee.

20 And you meet quarterly?---I believe so. I haven't attended 02.26PM  
21 one yet.

22 MS RICHARDS: Are you a regular - - -

23 CHAIRMAN: Who does attend?---Generally we'll have our  
24 environmental manager and our operational managers will  
25 be there, and then a broad range of community and other 02.26PM  
26 representatives from council and so forth, as I said.

27 MEMBER PETERING: I think paragraph 52 of your statement  
28 talks about your engagement program, so meetings with  
29 leaders, departments, local councils to provide  
30 updates. So what's that? What are those meetings? 02.27PM

31 What Committee structure do they come under?---I

1 wouldn't say all those statements are about a formal  
2 Committee, we meet regularly with other community  
3 leaders, Advance Morwell, keep them up-to-date with  
4 what's happening at Hazelwood and the industry  
5 generally. These would be more informal rather than a  
6 Committee structure. 02.27PM

7 So how often might you meet?---Generally we try to get  
8 around to most of the community leaders, Government  
9 local members and so forth once a quarter. I wouldn't  
10 put my hand on my heart and say that we always do that, 02.27PM  
11 but certainly as you would imagine we haven't had one  
12 of those this year.

13 MS RICHARDS: Although you've had plenty of contact with all  
14 of those people?---We have indeed, yes.

15 This activity is separate and distinct from the activity of 02.27PM  
16 the - is it the Environment Review Committee or the  
17 Environment Management Committee?---I think it's the  
18 Environmental Review Committee.

19 And that Committee is a requirement of the mine's work plan,  
20 is it not?---Correct. 02.28PM

21 The Inquiry's been provided with a number of minutes of  
22 those Committee meetings.

23 MEMBER PETERING: Perhaps just lastly, if I may. In  
24 relation to the issue, perhaps that we've raised just  
25 after lunch on the carbon monoxide monitoring in the 02.28PM  
26 community, do GDF undertake monitoring of the carbon  
27 monoxide levels, is it only down on the floor of the  
28 mine? Could you just clarify for me the monitoring  
29 that GDF undertake of carbon monoxide levels?---In  
30 terms of routine monitoring? 02.28PM

31 Well, particularly if there's a fire?---If there's a fire it

1 will be area based, so primarily that will be around  
2 either personal - I think I've referred to them last  
3 week as the canaries.

4 Canaries, yes?---So I'm not aware that we have specifically  
5 any permanent stations, there may be one that does  
6 monitor carbon monoxide, but generally it would be, we  
7 have a fire, we're dispatching people to that fire and  
8 here is the personal monitor.

02.29PM

9 Anything on the perimeter of the mine?---Not that I'm aware  
10 of other than, I believe we do monitor fugitive dust.

02.29PM

11 What's that?---Basically dust that blows out of the mine on  
12 a windy day.

13 MS RICHARDS: Dust that escapes?---Yes, so that is regularly  
14 monitored and reported.

15 MEMBER PETERING: Thank you.

02.29PM

16 MS RICHARDS: Mr Harkins, I think you were present in the  
17 hearing room yesterday when Professor Macnamara and  
18 Mr Drummond gave their evidence, and  
19 Professor Macnamara in particular was critical of the  
20 apparent lack of a pre-planning about crisis  
21 communications on the part of GDF Suez. It was put to  
22 him by Mr Riordan that he hadn't examined the Emergency  
23 Response Plan of the mine and he agreed, so let's do  
24 that now.

02.29PM

25 Could we please have the Emergency Response Plan  
26 up on the screen. It's exhibit 11. I think we have a  
27 hard copy for you, Mr Harkins?---Thank you.

02.30PM

28 I think you can turn straight to page 35 of 47. On my  
29 perusal of the plan, that's what it says about

30 communication with media, public and

02.30PM

31 stakeholders?---That's correct.

1 Is there any more anywhere else?---Certainly not in the  
2 Emergency Response Plan that I'm aware of.

3 Is there any more in any other policy or procedure of GDF  
4 Suez Hazelwood?---There are policies on engagement with  
5 external media, but they are general policies and not 02.31PM  
6 specific to an emergency response.

7 If we are looking for prior planning about crisis  
8 communication, this is it; is that correct?---This is  
9 not about prior planning, this is a statement of  
10 authorisation, I suppose, or who can respond. The 02.31PM  
11 prior planning would go to our annual training and  
12 assessment that we do under Part 6 of the Terrorism Act  
13 with the other Government Departments. So our planning  
14 and processes for communication and response for that  
15 matter are annually tested in that exercise. 02.31PM

16 So there is prior planning, is there?---There's certainly  
17 prior practice.

18 Prior practice?---Yes.

19 In terms of planning to respond to a fire in the mine that  
20 is affecting the community, is there anything that the 02.31PM  
21 Inquiry should look at apart from what appears in  
22 Part 9 of the Emergency Response Plan?---No, there  
23 isn't.

24 What it provides is that all media enquiries are to be  
25 referred to a member of the IPRH - that's Hazelwood, 02.32PM  
26 isn't it?---Yes.

27 Public affairs staff as quickly as possible. Who is  
28 that?---That would be our internal Communications  
29 Manager or myself.

30 Public comment on an emergency is the responsibility of the 02.32PM  
31 CEO; is that Mr Graham?---Yes, we now refer to it as

1 the Asset Manager.

2 The Asset Manager, that title has changed?---Yes.

3 But it's Mr Graham. It's not someone in head office, it's

4 the local - - - ?---It tends to be focused very much on

5 the local although, as I said earlier, we have Mr Rowe 02.32PM

6 who is our external media manager. So, whilst all

7 references from external media would be either

8 channelled to the internal communications manager,

9 we'll call it local communications manager, myself or

10 Mr Graham, that would be referred to Trevor Rowe. 02.33PM

11 So the three of you - does she have a name?---Yes, Lauren.

12 Lauren and Trevor Rowe would be Mr Graham's delegated public

13 affairs spokespersons; is that correct?---Correct.

14 And, where possible, a release of a joint media statement

15 may be made with the combatting agencies?---Correct. 02.33PM

16 Then there is a prohibition on other personnel responding to

17 media questions?---Correct.

18 And media are to be denied access if they appear at the

19 front gates until public affairs staff are there to

20 deal with them?---Correct. 02.33PM

21 MEMBER PETERING: Mr Harkins, just on that line of

22 pre-planning and identification of community leaders,

23 has that work been undertaken perhaps to the extent

24 that was discussed yesterday?---No, it hasn't. Not to

25 the extent that - we have a number of long-standing 02.34PM

26 relationships with community leaders, but in terms of

27 the pre-planning for an extended event like the mine

28 fire, I wouldn't sit here and say that that's robust

29 and certainly needs to be reviewed.

30 MS RICHARDS: This protocol ensures that there is one voice 02.34PM

31 or a small group who are speaking on behalf of GDF Suez

1 Hazelwood?---Correct.

2 But there's no contemplation that GDF Hazelwood would not  
3 make public comment during an emergency, is there?---I  
4 think in this particular document you could read it  
5 that way. I think, as I said earlier, the training 02.34PM  
6 that we go through on an annual basis is very, very  
7 clear that in an emergency situation where there is an  
8 Incident Controller, an external Incident Controller,  
9 it is very well understood by people at Hazelwood that  
10 they are the primary and the sole source of media 02.35PM  
11 releases and so forth.

12 I think there what we're suggesting is, where  
13 possible, we'll do joint media releases and I think as  
14 we discussed today that, in playing out in a long-term  
15 emergency, needs to be reviewed. 02.35PM

16 You've identified Mr Rowe as an external media  
17 consultant?---Correct.

18 Did GDF Suez engage additional public relations assistance  
19 during the fire?---Yes, we did.

20 Who did you engage?---And I won't remember their names, but 02.35PM  
21 certainly we engaged a PR firm to manage or to report  
22 on the social media and we have engaged a further PR  
23 consultant to assist us during this phase.

24 During this phase?---This phase.

25 During the Inquiry phase?---During the fire, I cannot recall 02.36PM  
26 that we augmented the team.

27 So this is a fourth phase of emergency response, is it, or  
28 emergency - preparation, response, recovery and the  
29 Inquiry?---I wouldn't quite express it like that, but  
30 it is certainly the fourth month. 02.36PM

31 Initially when the fire did take hold in the mine on

1 9 February, Hazelwood did make comment to the media,  
2 did it not?---We did. It was late evening, we were  
3 contacted by the ABC, 24 from memory, and Mr Rowe made  
4 a statement.

5 Did any other person in senior management, either at 02.37PM  
6 Hazelwood or in Melbourne, make comment to the media in  
7 the early stages of the fire?---Not on the first night.  
8 There were a number of - I believe on day 3 we had a  
9 visit by Dr Napthine, that might have been day 3 or  
10 day 4, I can't remember, around the 11th, and our Head 02.37PM  
11 of Generation, Luc Dietvorst, was present at that visit  
12 and was interviewed by one of the channels, and I can't  
13 recall, it may have been Channel 10 at the time.

14 There were community meetings held in Morwell at Kernot Hall  
15 on 14 and 18 February. We've had conflicting evidence 02.37PM  
16 about GDF Suez's participation in those meetings. You  
17 can set the record straight I think. To begin with,  
18 was GDF Suez invited to attend and participate in the  
19 meeting?---The meeting of the 14th we were contacted in  
20 the, I believe late afternoon of the 13th regarding 02.38PM  
21 that there would be a community meeting .

22 The community meetings were both organised by the Incident  
23 Controller, were they not?---I understand that, yes.

24 On the afternoon of the 13th somebody on the Incident  
25 Management Team contacted you personally?---No, not my 02.38PM  
26 self, contacted our local Communications Manager, as  
27 I'll call her now, and advised us that there would be a  
28 community meeting planned for the Friday night. The  
29 verbal advice we received was, its focus was on health  
30 issues and that was on the, I think, late Thursday 02.38PM  
31 afternoon that we were advised of that.



1 But you understood that it was being convened by the  
2 Incident Controller?---I understood that, yes.  
3 And it was almost inevitable that there would be some  
4 discussion about the efforts to put the fire out, was  
5 it not?---Correct, yes. 02.39PM  
6 And clearly there were a range of other issues calling for  
7 discussion. So, GDF was asked to attend. Did you send  
8 a representative to the meeting?---No, we did not.  
9 Why not?---We felt at the time, and again I have to put the  
10 context, because if I read the statement there, and on 02.39PM  
11 paper it says it was held and therefore we weren't  
12 interested; that reads very ordinarily and I admit that  
13 that's not a good symbol.  
14 At the time the context was, it was day 4 of the  
15 fire and I think by now the Inquiry will have heard 02.39PM  
16 just how busy things were at that time. We had already  
17 established the protocol with the Incident Controller  
18 that, in terms of fire operations and response and so  
19 forth, that they were the sole voice on that matter,  
20 quite appropriately so. We provided a number of 02.40PM  
21 updates or key messages, I suppose, to the Incident  
22 Controller to use at that meeting but we - our focus  
23 remained, and I think Mr Dugan spoke about this maybe  
24 last week, that very early on it was very clear to us,  
25 and to this day I still believe, that the greatest 02.40PM  
26 thing that we could do was to focus all of our energies  
27 on getting the fire out.  
28 Now, I accept that up until yesterday in  
29 retrospect and in hindsight that was probably not the  
30 right call, but I say "up until yesterday". 02.40PM  
31 And so it was yesterday that you realised that perhaps it

1 wasn't the right call?---No, I believed in the  
2 preparation of this evidence for the Inquiry that,  
3 looking back, I can understand why some in the  
4 community see that that was not good, showed a lack of  
5 empathy and so forth and, quite frankly, I can  
6 understand why they believe that.

02.41PM

7 I understood these community meetings to be formal  
8 meetings that would be chaired by somebody that was  
9 experienced at chairing these meetings. So, when I  
10 heard yesterday that that potentially wasn't the case,  
11 I'm wondering now whether a GDF representative's  
12 appearance at that meeting may have actually not  
13 contributed to a fruitful meeting around the particular  
14 discussion topics that we understood it to be.

02.41PM

15 Now, I'm not saying that we wouldn't have, but  
16 what was clear from the expert advice yesterday, which  
17 I listened to quite closely, was that community  
18 meetings need to be run well, structured well, and each  
19 participant needs to understand their role. At the  
20 point of Thursday on that particular week, we  
21 understood our role was to provide all of the  
22 information we could possibly provide to the Incident  
23 Controller regarding what was happening on the ground  
24 and that the Incident Controller was managing all other  
25 communications.

02.41PM

02.41PM

02.42PM

26 No-one was more focused on putting out the fire than the  
27 Incident Controller, you'd agree with that?---I don't  
28 think this is a matter of degrees; I would sit here and  
29 say to you that my regret that there's a perception of  
30 lack of empathy because we didn't attend that community  
31 meeting is twofold: (1) it's not true, there wasn't a

02.42PM

1 lack of empathy, we honestly believed, and I still  
2 believe to this day, that the sole best thing that GDF  
3 Suez could do was to focus all of its energies on  
4 getting that fire out. The second part to my regret  
5 would be that - and we are extremely appreciative and 02.42PM  
6 respectful of the CFA, MFB and every other organisation  
7 that worked so tirelessly to get that fire out - but  
8 there were 200 Hazelwood employees that have been lost  
9 in that messaging, because we weren't present and  
10 therefore it would appear that Hazelwood Mine sat back 02.43PM  
11 and allowed everybody to do this for us, and so that's  
12 a regret as well, because I think there's 200 other  
13 people that worked tirelessly for 45 days that haven't  
14 been - and I know that they wouldn't seek recognition,  
15 but they deserve it. So there's a twofold regret 02.43PM  
16 there, however from what I heard yesterday I'm  
17 wondering whether it would have been a constructive  
18 appearance? I don't know.

19 We will never know, will we, whether the anger was because  
20 of the lack of information or whether it would have 02.43PM  
21 been there in any event. Just to explore that decision  
22 not to participate because you were focused on the fire  
23 a little further, I take it that Mr Rowe wasn't in  
24 there fighting the fire, was he?---No, Mr Rowe wasn't.

25 Indeed, you have him engaged specifically to deal with 02.44PM  
26 public relations, do you not?---External media, yes.  
27 Mr Dugan was the Emergency Commander by this  
28 time?---Correct.

29 We can accept that he was fully focusing his energies on  
30 responding to the fire, but there were other resources 02.44PM  
31 available to GDF at Hazelwood, other people, who could

1 have attended that meeting without detracting in any  
2 way from the firefighting effort?---In hindsight, and  
3 we have that luxury now, you're probably right, but I  
4 cannot convey to you on the Thursday afternoon what the  
5 environment was like and what we were facing and what 02.44PM  
6 we were trying to achieve. I regret that we didn't  
7 have somebody attend that meeting. I believe that it  
8 may have been beneficial for those in the community  
9 that needed to see us there, and I think quite frankly  
10 over the coming weeks and months our communication 02.45PM  
11 strategy for emergencies that are beyond the period  
12 that our training has ever focused on - I mean, our  
13 focus has always been on short-term emergencies.

14 We didn't adapt quick enough to the longer term  
15 issues and I think that over the coming weeks 02.45PM  
16 and months we need some deep reflection, advice,  
17 there's plenty of evidence to suggest that that call  
18 was incorrect.

19 How was that strategy developed, that strategy to really  
20 refrain from any public face of the mine being on the 02.46PM  
21 television, talking on the radio? The only statements  
22 that were issued by the mine were in print; is that  
23 correct?---Apart from, as I said, our Head of  
24 Generation I believe on around the 11th did give an  
25 interview and there was some later, in early March from 02.46PM  
26 memory, on the radio. Strategy development? I don't  
27 think I'd call it development, I think it was  
28 contextual. I think that one of the learnings that  
29 needs to be explored post this event is that we take so  
30 literally, and we are trained so literally, that we 02.46PM  
31 don't have a public comment on the activities of the

1 emergency, that's the Incident Controller. We expanded  
2 that to our own detriment, and I'm not saying that we  
3 developed that or did that deliberately. What we did  
4 was, so we were feeding everything that we possibly can  
5 to Incident Controller, that's what our role is, we 02.47PM  
6 need to do it, we need to keep fighting the fire, but  
7 we need to keep doing that. As I said earlier, I think  
8 we need to reflect on how do you adapt that  
9 communication strategy or approach for a longer term  
10 event that has such a broad impact on such a wide range 02.47PM  
11 of people, and we need to do that.

12 And really raises questions about the management of risk  
13 within the mine on a longer and broader basis, does it  
14 not?---If you have a look at the risk in terms of brand  
15 damage, PR, or the way that we're making the community 02.47PM  
16 feel, or parts of the community - - -

17 I was actually talking more literally in terms of the risk  
18 exposed coalfaces would catch fire?---I'm not sure I  
19 understand your question.

20 There was a great deal of concern in the community while the 02.48PM  
21 fire was burning that this was somehow the result of a  
22 failure by GDF Suez and previous owners of the mine to  
23 manage the risk adequately. Do you accept that?---I  
24 accept that we certainly did see and hear those  
25 concerns. 02.48PM

26 And that could have been responded to in the media while the  
27 fire was burning without in any way interfering with  
28 the Incident Controller's function?---That's possible,  
29 and in fact what we did do during that whole phase is  
30 that we had a responsive media phase. I know that for 02.48PM  
31 a fact because Mr Rowe would be contacted I can't tell

1 you how many times a day, but I spoke with Mr Rowe  
2 seeking answers on various issues and facts and figures  
3 and so forth. We had a responsive media phase to  
4 questioning and anything that was specific that is  
5 under the Incident Controller's control, we directed 02.49PM  
6 them to the CFA media unit. But hundreds, hundreds of  
7 media enquiries were dealt with over, particularly the  
8 first two or three weeks.

9 I may have overlooked it, but you don't refer in your  
10 statement to a responsive media phase. When was this 02.49PM  
11 phase?---It emerged very quickly from the Sunday night.  
12 Whilst the Incident Controller was certainly very  
13 prominent in the media from day 2, there was certainly  
14 many questions being raised by the media with respect  
15 to a variety of preparation or what GDF Suez is and so 02.49PM  
16 forth, and we responded throughout, particularly the  
17 first two or three weeks, to many, many enquiries, and  
18 they were usually telephone calls, verbal responses and  
19 so forth.

20 By way of provision of information in response to an enquiry 02.50PM  
21 rather than by way of comment - that a face or a voice  
22 speaking on behalf of the company?---No, we didn't do  
23 that.

24 We had some evidence yesterday from Ms Tabain about EMJPIC  
25 and its regional equivalent, REMJPIC, which is really a 02.50PM  
26 coordinated approach to public information during an  
27 emergency, either at State or regional level. As I  
28 understand the evidence, GDF Suez was not involved in  
29 either of those bodies, either at the State or the  
30 regional level. 02.50PM

31 Having this opportunity to reflect, would that be

1 a useful arrangement in future for GDF Suez, were there  
2 to be another incident of this type in future, to  
3 actually participate in that coordinating  
4 Committee?---I've had some time to reflect because I  
5 think yesterday I learnt - - -

02.51PM

6 We made you wait so long today?---No, that's fine.

7 Yesterday was an enlightening day for me in that, apart  
8 from the fact that I won't profess to understand all  
9 Government structures and Government Department  
10 structures or all these committees, I just don't  
11 understand it. There was terminology yesterday and  
12 committees that I'm not even aware of, and I'd doubt  
13 that anybody in Hazelwood is aware of. I think what is  
14 clear, and I said earlier, that we need to do some deep  
15 reflection of our longer term emergency communication

02.51PM

16 strategy and processes; that can't be done in  
17 isolation, and on reflection the way that the protocols  
18 for communication play out on the ground, or the way  
19 they certainly played out on the ground in this  
20 particular incident, was that we were very much an  
21 information provider but operated in a vacuum of every  
22 other communication forum, some by choice - I admit we  
23 didn't turn up to the community meeting - but I had no  
24 idea of these committees and so forth.

02.51PM

02.52PM

25 I think we need to explore that the owner/operator  
26 of whatever facility it is needs to be much more  
27 engaged with the overall communications, particularly  
28 with the community in which we live.

02.52PM

29 You mentioned earlier on in your evidence this afternoon the  
30 counter-terrorism training that you  
31 undertake?---Correct.

02.52PM

1 Presumably in conjunction with CFA, police?---CFA, VicPol,  
2 DSDBI.  
3 Police, Emergency Services?---Yes.  
4 And were there to be an incident that came under that  
5 regime, that threatened the continuity of power supply 02.52PM  
6 from the station, there would surely be a need for a  
7 communications strategy?---I would agree with you.  
8 So there are more scenarios than just a mine  
9 fire - - -?---Correct.  
10 - - - in which a joint information strategy involving GDF 02.53PM  
11 Suez as the operator of the facility, which is not just  
12 any business, it's an essential facility in  
13 Victoria?---It is.  
14 And the Emergency Services. So that was a convoluted  
15 question, but there are other scenarios in which a 02.53PM  
16 coordinated approach to provision of public information  
17 would be useful?---I agree. Just for clarification,  
18 those exercises, whilst they may focus on the  
19 initiation of emergency through terrorism, they  
20 actually practice the response planning and 02.53PM  
21 communications with relevant Government organisations  
22 and so forth. But, as I said earlier, in retrospect  
23 that training focuses on a very short-term emergency  
24 condition, and certainly in the seven years I've been  
25 the CIM Team Manager at Hazelwood, I can't recall an 02.54PM  
26 exercise or a discussion on a 45 day or a 50 day  
27 emergency event and what would that mean in terms of  
28 interaction with the Incident Controller or the  
29 community and so forth. There's omissions in that  
30 training, there's omissions in the planning from 02.54PM  
31 our perspective, there's no doubt about that, and we





1 answered on the first one. Perhaps could I just  
2 clarify.

3 MS RICHARDS: That GDF Suez was not represented on  
4 18 February either?---No, we were not represented on  
5 the 18th. 02.56PM

6 And nor did GDF Suez attend any of the community meetings  
7 organised by the Neighbourhood House.

8 MEMBER PETERING: I was going to ask that too.

9 THE WITNESS: That would be correct, yes.

10 MS RICHARDS: And I'm guessing you didn't send anybody along 02.56PM  
11 to the Voices of the Valley either?---No.

12 You talk in paragraph 60 of your statement about recognising  
13 that the public wanted more information on the fire  
14 activity as a result of feedback from the public. I'm  
15 interested in hearing a little more about what that 02.57PM  
16 feedback was?---That's a combination. As I said  
17 earlier, we had people looking at the social media,  
18 what parts of social media I'm not familiar with; I  
19 know Facebook, Twitter and things like that - when I  
20 say I know them, I'm not proficient in them, although 02.57PM  
21 my daughter tells me that I'm a dinosaur, there's other  
22 social media now. So we have feedback, aggregated  
23 information and so forth.

24 So this was as a result of your social media monitoring that  
25 you had done?---Correct, as well as by this stage of 02.57PM  
26 course we had a number of calls, and I think in my  
27 evidence there there's a bit of a call log there.

28 Clearly, whilst we were receiving the information that  
29 was coming out to the public, and we've received it at  
30 the same time, I'm not sure that we ever received any 02.58PM  
31 media releases or so forth in advance of the general

1 public and possibly neither should we, you know contact  
2 numbers, we were getting phone calls about, how do I  
3 contact the Department of Health, how do I contact the  
4 EPA and so forth, so it was clear to us that some  
5 people in the community weren't aware of who to contact 02.58PM  
6 or how to go about doing it. Other members of the  
7 community wanted to have a talk to us about specific  
8 issues, some very colourfully.

9 It was very obvious by the second week that a  
10 combination of our public absence in the media, 02.58PM  
11 face-to-face media anyway, there was a need to try and  
12 address some of the concerns or some of the questions  
13 that we were being asked. I wouldn't suggest for one  
14 minute that that was a proactive strategy, it was  
15 certainly reactive. 02.59PM

16 So there were the full page advertisements in the Latrobe  
17 Valley Express that you refer to there at  
18 paragraph 60?---Correct.

19 Am I right in understanding that these were also posted on  
20 the GDF Suez Hazelwood website?---Website, correct. 02.59PM  
21 Simultaneously?---Yes, I believe so.

22 Also, rather than leaving your reception staff to field all  
23 the calls, you established a hotline?---Effectively the  
24 published phone number for Hazelwood became a hotline  
25 and the number of calls and so forth we out-sourced 02.59PM  
26 that to a call centre, gave them the information that -  
27 my understanding is, 90 per cent of the calls were  
28 dealt with on first contact which was, how do I contact  
29 the EPA or how do I contact that and so forth, so we  
30 provided - I won't say an information service, but a 03.00PM  
31 redirection service. Those calls that couldn't be

1           dealt with in that manner or with the information we  
2           provided, they were logged and sent to me via email for  
3           response and I had other people dealing with those.

4       Can you appreciate now, with the benefit of hindsight and  
5           having heard the communications experts yesterday, that       03.00PM  
6           establishing that hotline may have been interpreted as  
7           another pulling up of the drawbridge?---Potentially,  
8           yes. I understand that some would see that. It was  
9           our response to a need to address the volume of calls  
10          we were getting. I get that some people would see it       03.00PM  
11          as bringing up the drawbridge, it wasn't the intent;  
12          but I would say to you, many things have occurred where  
13          some people have interpreted our response a certain way  
14          and that certainly wasn't intended.

15       MEMBER CATFORD: You're part of a huge multinational empire,       03.01PM  
16           I find it sort of inconceivable that, as an  
17           international group, you haven't thought through these  
18           sorts of things. I mean, you've had events in other  
19           parts of the world that have been very difficult to  
20           manage, so I'm interested who is making the call on       03.01PM  
21           this to keep your head down? Wouldn't this have gone  
22           further up the system? I mean, who was making the call  
23           on your approach, or was it all down to local  
24           delegation?---As I said earlier, I think the local  
25           assets tend to make a lot of calls about these things,       03.02PM  
26           we take advice and we have support from our head office  
27           in Australia. I think that, rather than say that  
28           people weren't making decisions along the way, this was  
29           on the run to some extent. When the normal processes  
30           that the we've been practising and understood seemed to       03.02PM  
31           be just not sufficient, we were looking at that point

1 in time to what can we do for this particular instance.

2 I take your point, it is a very large  
3 multinational organisation, GDF Suez has owned it for  
4 around two or three years from memory, there's lots of  
5 learnings that we need to take on board from other 03.02PM  
6 countries and so forth that have done it better, and we  
7 are certainly keen to do that.

8 Just to make the point, I really appreciate your honesty  
9 about this, Mr Harkins, but the signs were there at the  
10 beginning that this could go badly wrong, frankly, and 03.03PM  
11 if you were monitoring the social media you knew the  
12 community was in uproar, and it seemed to me that it  
13 would be quite reasonable to sort of cry for help from  
14 higher authorities and a crisis team could have flown  
15 in from anywhere in the world to help you on this, and 03.03PM  
16 you battling on in your own sweet way, if I could use  
17 that term?---I understand what you're saying and, as I  
18 said, I think that you're right, it was fairly obvious  
19 fairly early on that this was not going to be a  
20 short-term event. I'm certainly confident that we 03.03PM  
21 didn't translate that knowledge out from the  
22 operational responses that we were focused on, to our  
23 broader community engagement, and that certainly is  
24 something that we must address in the coming weeks  
25 and months. I don't think that - and I mentioned 03.04PM  
26 earlier and I know that it sounds wrong, but our focus  
27 was on getting this bloody fire out, and really, we  
28 played a bit of catch up and that's not good enough.

29 MS RICHARDS: If I can just ask you a few more questions  
30 about the call centre that you engaged to answer 03.04PM  
31 calls - to just your regular switchboard number, was

1           it?---Correct.

2           Through to the call centre?---That would be the one that

3           people were calling.

4           Where was the call centre?---I think it was Adelaide based.

5           We've used this particular - I'm advised we've used           03.05PM

6           this particular service before, not in an emergency

7           context.

8           The script, call centres tend to operate on the basis of a

9           script, is what you have provided at Annexure 6 to your

10          statement?---Which I believe would have mimicked one of           03.05PM

11          our advertisements, from memory.

12          The call centre staff weren't given any more information to

13          respond to questions than had already been

14          indicated?---The instructions were to provide the

15          advice. Anything over and above what we put in the           03.05PM

16          print media, they were to take the message and forward

17          them through straight away.

18          And Mr Day would deal with those on an individual

19          basis?---Mr Day did some of it, I did some of it, so it

20          was a bit of a team effort to address some of those           03.05PM

21          calls.

22          At Annexure 7 you've provided a log of calls to the hotline

23          which starts on 22 February. Do we conclude from that,

24          that that's when the call centre was brought on

25          board?---From recollection, that's probably correct.           03.06PM

26          Is there any record of calls received prior to

27          22 February?---No, they would have been taken ad hoc.

28          You then annex to your statement a number of internal

29          employees briefings which I have to say are really

30          detailed and interesting and would have, had they been           03.06PM

31          available, provided - filled something of the

1 information gap. What was the reasoning behind  
2 stamping each of these "not for external  
3 distribution"?---We use news briefs to brief our people  
4 on a variety of local and business matters that are  
5 relevant only to these people. If we were making them 03.06PM  
6 available to the external media, they would be a media  
7 release, so it's simply to say this is not for  
8 external, this is local consumption only.

9 Was there any discussion between you or anyone else on  
10 behalf of GDF Suez and the Incident Controller as to 03.07PM  
11 whether this kind of information could be shared more  
12 widely with the public?---There was no direct  
13 discussion; it certainly was shared with a number of  
14 stakeholders and I think I make reference to that in my  
15 witness statement. I believe that the Incident Control 03.07PM  
16 media group were recipients of them, but there was no  
17 discussion about broader release of the information,  
18 no.

19 You tell us in your statement about a range of people who  
20 you shared these with?---Yes. 03.07PM

21 But they are stamped "not for external distribution", and I  
22 take it there was no explicit permission given that  
23 this information could be shared more  
24 widely?---Correct.

25 In relation to the clean up, you tell us at paragraph 72 of 03.07PM  
26 your statement that you had a discussion with  
27 Mr Mitchell of the council in which you told him that  
28 Hazelwood wanted to make a contribution towards the  
29 community asset clean up. I asked him about that this  
30 morning and he said that was well after the clean up 03.08PM  
31 assistance package had been announced on

1 18 March?---Yes.

2 Is that when you recall the conversation taking place?---I

3 recall that it was after the assistance package was

4 announced. What I went with to Mr Mitchell, and I

5 think we'll talk about the other elements shortly, but 03.08PM

6 there was one element that we were aware that and we

7 were advised that the council and State Government

8 agencies and so forth were doing the clean up and that

9 that had been funded. I offered \$100,000 at that

10 discussion for what I call community asset clean up. 03.08PM

11 So playgrounds?---Playgrounds, general community

12 infrastructure and so forth. Mr Mitchell advised me

13 that they were already being cleaned and so forth, so

14 in the absence of that being directed to cleaning

15 activities, we agreed that I would hold that and use 03.09PM

16 that for another purpose, which was loosely titled,

17 "Community events to bring people into Morwell."

18 Has that money since been allocated or spent?---No, we

19 haven't spent all of that. There's a potential to

20 allocate, but that's still in discussion. 03.09PM

21 So the other matters that you outline under, "Donations and

22 financial incentives", they're over and above that

23 \$100,000 that remains available?---Yes. We started

24 looking at, and I think we called it, "Revival", and

25 given that the Government agencies, the Latrobe 03.09PM

26 Council, were looking at the clean up activities and so

27 forth, we looked to - carefully considered where are

28 the components that we could contribute to and decided

29 that, given that it's 45 days of pretty dreadful

30 experience, Morwell had taken a reputational damage and 03.10PM

31 so forth, and so certainly the retail sector was



1 decimated, would be the best word I would use, that we  
2 needed to look at things that would revive Morwell -  
3 not as, this will revive Morwell and everything will be  
4 okay, but certainly to kick-start the revival of  
5 Morwell in the sense of community and so forth.

03.10PM

6 So we had a number of things, I think I listed  
7 there, we made a donation to GERF, Gippsland Emergency  
8 Relief Fund, that was just in recognition that they did  
9 put out quite a bit of money to the bushfires and other  
10 related matters in the area, a long-standing  
11 relationship with them. Then we had our two-pronged  
12 attack which was around the Community Social Capital  
13 Committee which I'll talk about if you want me to, and  
14 our Revive Morwell retail sector.

03.11PM

15 The Community Social Capital Committee, we heard about a  
16 facet of this from Tracie Lund who co-ordinates the  
17 Morwell Neighbourhood House?---Yes.

03.11PM

18 So there's a considerable sum that's been made available,  
19 \$500,000 to only those community groups?---Yes. What  
20 we looked at was, in discussions with Mr Mitchell, and  
21 I to this day still don't understand the community  
22 recovery committee structures and sub-committees and so  
23 forth. We're now towards the back end of March and GDF  
24 very much wanted to do something to revive or start the  
25 revival process. We had some discussions, I didn't  
26 understand those structures, it seemed to me there  
27 would be some delay in those structures becoming  
28 operative. We wanted to do something fairly quickly,  
29 and so we decided that we had connections with these  
30 community groups and, if we have a look across those  
31 groups, they were fairly broad brush, I won't say they

03.11PM

03.12PM

03.12PM

1 covered all of the community and all of the particular  
2 groups in the community, but they were certainly  
3 representative of a wide range of people in the  
4 community, so we approached them, would you be willing,  
5 and they first met on 14 April.

03.12PM

6 Ms Lund gave evidence that she put forward some fairly  
7 modest proposals?---Yes.

8 I think her lawnmower bank and a new fridge were what she  
9 was looking for?---And I'm pleased to say, she has.

10 Yes, she told us that too. Has the \$500,000 been allocated

03.13PM

11 fully yet or is it still - - -?---Not fully. The  
12 thinking behind this was that these groups have members  
13 that would be able to work at a grassroots level and  
14 say, well, what does the community need right now?

15 And, how can we best utilise these funds for longer  
16 term benefit? Rather than, let's go and spend some  
17 money and it's all over and done with.

03.13PM

18 My understanding as of yesterday, there's 41  
19 funding proposals from a variety of sources that these  
20 groups have been able to funnel to this Committee, with  
21 about \$228,000 as being the progressive total. I do  
22 have a bit of a rundown but it's not just Neighbourhood  
23 House. We have Morwell Men's Shed, Gippsland FM,  
24 community radio, Enjoy Church, the primary schools.

03.13PM

25 The primary schools - I understand at the next meeting  
26 we'll authorise, I believe, \$18,000 to each of the  
27 schools for purposes that I've yet to read. It was a  
28 way to get initiatives and programs running very  
29 quickly with a very low level of bureaucracy. They

03.14PM

30 were given a mandate, here's \$500,000, they developed  
31 their own terms of reference. My only stipulation was,

03.14PM

1 I want it spent by November.

2 All right, and they're helping you in that task?---They are,  
3 and 41 submissions since 14 April and some of them are  
4 just amazing, and we'll be very hopefully that it will  
5 be well and truly spent and in the community 03.15PM  
6 before November.

7 The other initiative that you cover in paragraph 78 is the  
8 Revive Morwell initiative which perhaps didn't start as  
9 quickly?---We actually hoped to have this running for  
10 the Mother's Day weekend. Through contacts through the 03.15PM  
11 Community Recovery Committee and so forth - I need to  
12 back up a bit.

13 GDF, and particularly GDF locally, doesn't seek  
14 its brand on everything it does. Our original concept  
15 was, here's \$600,000 to get into the tills of the local 03.15PM  
16 retailers, is there a body of people that could  
17 coordinate that with just a little thing, "sponsored by  
18 GDF Suez" at the bottom. We actually didn't want to  
19 make it at that point: Hello, GDF is here, aren't we  
20 terrific, here is this revival scheme. Unfortunately 03.16PM  
21 that was going to take a lot longer than I'd hoped.

22 We then made a decision that we'll go it alone.  
23 We got some terrific support by Russell Northe who put  
24 us on to the small business - I can't remember the  
25 particular person who was a terrific help that helped 03.16PM  
26 us work through some of the logistical issues and how  
27 to execute it. We hoped to have all that done and  
28 ready for Mother's Day weekend, so the week leading up  
29 to Mother's Day. It's amazingly difficult to get those  
30 things organised quickly and, unfortunately, it took 03.16PM  
31 about another three weeks before we could get things

1 moving.

2 It may have been a complete coincidence, but the program was  
3 implemented in the first week of public hearings?---It  
4 certainly was a coincidence; it's the earliest we could  
5 get it going, and, look, I can understand - I'll back 03.16PM  
6 up.

7 I'm a big believer that there will always be  
8 cynics and critics, but that's not a reason not to do  
9 good. We could have halted that particular program,  
10 because it was very obvious, about two weeks before, 03.17PM  
11 that this is going to happen on the first day of this  
12 Inquiry, but so what? The reality is, is that the  
13 program was designed to do nothing more than to address  
14 a dreadful trading period that the local traders had,  
15 get some money in their tills, but more importantly 03.17PM  
16 encourage people back to the town of Morwell - the  
17 Morwell citizens who were shopping elsewhere during  
18 that awful period - to say, hey, it's okay to be  
19 shopping back in Morwell.

20 I received this morning while I was waiting to 03.17PM  
21 appear an article from the Express today and I'm  
22 delighted with the response of the traders. The  
23 traders are delighted, they had a boom week last week,  
24 and one of the traders is quoted as saying, it has  
25 lifted the mood of the people. That's all that we 03.18PM  
26 really wanted to do, and I understand that some people  
27 will be cynical and some people - yesterday's criticism  
28 of the program I thought was monolithically negative.  
29 It was never to be anything other than, come back to  
30 Morwell, let's get this trading going. 03.18PM

31 I've lived in Morwell all my life, except for the

1 last six years - I'm about 10ks out of Morwell now -  
2 but you need a vibrant retail traders area to have a  
3 sense of community, and that's all it was designed to  
4 do. We're delighted that, I think \$500,000 was spent  
5 in one week; that's terrific. Yes, we've had some 03.18PM  
6 issues along the way, there was a few cards knocked off  
7 by some people, but we dealt with that and we've  
8 replaced those cards and so forth. Overall, my reading  
9 is, it was a good initiative.

10 You mentioned earlier that you'd engaged a public relations 03.19PM  
11 firm to assist you with this phase. Were they involved  
12 in the preparation and planning of the Revive Morwell  
13 initiative?---Not directly. I think that was more a  
14 collaborative effort of the communications group, the  
15 senior management and so forth. Knowing that the 03.19PM  
16 council and Government were looking at clean up,  
17 knowing some of the other impacts, not all of the  
18 impacts, but some of the impacts such as the retail  
19 sector, such as people not being able to spend and so  
20 forth, this was a localised decision well supported by 03.19PM  
21 regional HQ, they thought it was a great idea and said,  
22 make it happen.

23 Since you're in a reflective mood this afternoon,  
24 Mr Harkins, and since this will be your last appearance  
25 before the Inquiry, I want to ask you this question: 03.20PM  
26 Next week the Inquiry is moving to the area of risk  
27 management and prevention. The Inquiry has asked  
28 senior members of GDF Suez management to provide it  
29 with statements addressing those issues of risk  
30 management, the broad issues of risk management of a 03.20PM  
31 highly combustible open cut coal mine in a bushfire

1 prone landscape close to a town, how those issues of  
2 risk are managed by the mine, and we've asked those  
3 questions of other regulators. To date the only  
4 statement that has been provided is a highly technical  
5 and very helpful statement from James Faithfull, who is 03.20PM  
6 not a member of the Senior Management Team. Have you  
7 and the other members of your senior management team,  
8 including Mr Graham and Mr Wilkinson, the Mine  
9 Director, discussed whether a more senior member of the  
10 management team should speak to the Inquiry, give 03.21PM  
11 evidence to the Inquiry, about how the mine and GDF  
12 Suez manages this risk in a broad sense?---I think I  
13 understand the question. No, and I can certainly say  
14 that I haven't been party to any of those discussions  
15 because we've been a little pre-occupied on other 03.21PM  
16 matters. But I'm not surprised that that would be  
17 James Faithfull; James is our mine Planning Manager,  
18 and I agree that he's not part of what we call the  
19 Matrix Leadership Team, but he's one step below it and  
20 is responsible and accountable for the mine planning, 03.21PM  
21 which includes I assume next week will be on  
22 rehabilitation and other risk.

23 That's one of the issues to be addressed, and I accept  
24 having read his statement that he is technically able  
25 to answer a number of the questions, but there are much 03.22PM  
26 broader issues of risk management, including  
27 implementation of recommendations of prior reviews,  
28 including two reviews in 2005 and 2008 of fires that  
29 ignited in the worked out batters of the mine, and  
30 Hazelwood's participation in integrated fire management 03.22PM  
31 planning and the broader issue of risk management of an

1 essential industry with a coal mine that will burn in a  
2 bushfire prone landscape.

3 The Inquiry has not been provided with any of that  
4 evidence from a member of senior management as it has  
5 been requested. Is there any reason why Mr Wilkinson 03.22PM  
6 or Mr Graham could not give that evidence to the  
7 Inquiry?---To be brutally honest, I haven't been party  
8 to any discussions on that matter, so I really find it  
9 very difficult to answer. Sorry.

10 CHAIRMAN: Could I just follow that up. I believe you were 03.23PM  
11 not part of the discussions but it is clearly a matter  
12 that we are very interested in following  
13 through?---Correct.

14 One way of doing that would be to have you make detailed  
15 enquiries, change the position if it's appropriate, or 03.23PM  
16 alternatively come back and tell us what the reasons  
17 are after you've made the appropriate enquiries. How  
18 do you see it?---I'm not quite sure how to answer the  
19 question. From my perspective people like James  
20 Faithfull, somebody else has already appeared here, 03.23PM  
21 Romeo Prezioso, these people execute the planning, they  
22 develop the planning; I would have thought that they  
23 were more than competent to be able to address any of  
24 the questions that you would have with regard to risk  
25 management and planning. 03.24PM

26 CHAIRMAN: The concern I would have is that they say that  
27 isn't a matter that's within our realm, because it's  
28 maybe the future long-term thinking or their  
29 unawareness or a lack of awareness of past  
30 recommendations that have not been implemented, those 03.24PM  
31 are matters that we would be focusing on and we would

1 not want to be met with an indication of that kind and  
2 then have insufficient time to deal with it?---I find  
3 myself in a difficult situation because I'm not sure  
4 how to answer the question, to be absolutely honest. I  
5 would believe that the people that our counsel are  
6 putting up would be more than capable of answering your  
7 questions.

03.24PM

8 Perhaps I'll just ask Mr Riordan, have you got a particular  
9 plan in mind?

10 MR RIORDAN: The answer to that question, sir, is that I  
11 have spoken to Counsel Assisting and I have spoken this  
12 morning and Counsel Assisting's been good enough to  
13 give us a list of the issues which plainly enough are  
14 concerning the Inquiry on this question. The  
15 difficulty is that different ones of the issues require  
16 different people and we were putting our attention to  
17 that question. You raise a good example of it, and  
18 that is, the past recommendations from fires, plainly  
19 it's a matter that falls squarely within the terms of  
20 reference.

03.24PM

03.25PM

03.25PM

21 The dilemma we have is that we are able to point  
22 to documents where there have been audits of each of  
23 those recommendations and there is in that material  
24 responses, we think, to all of the recommendations such  
25 that we really have a complete response from the  
26 documents.

03.26PM

27 Can I say two other things about that. Counsel  
28 Assisting has indicated that there is a couple of  
29 recommendations, particularly over the 2008 fire, that  
30 they want us to particularly address, and we have  
31 addressed those. I might say that the enquiries about

03.26PM



1 those haven't been entirely exhausted yet, they are  
2 going on as we speak. I think it's fair to say that,  
3 if the documents that we put forward aren't good enough  
4 it may well be necessary for us to put forward a  
5 witness about that.

03.26PM

6 The problem that we're having is that we don't  
7 think that witness is - for example Mr Wilkinson, we're  
8 comfortable enough about putting Mr Wilkinson in the  
9 box, but he would then be just regurgitating many  
10 things of his enquiries.

03.27PM

11 At that particular point, Recommendation 6 of the  
12 2008 Inquiry which talks about a risk assessment,  
13 you're probably aware of it, is one that we have  
14 identified, we're trying to track down precisely what  
15 happened with respect to it, and in fact we're still  
16 not sure there wasn't a formal risk assessment done.  
17 So we're hoping to get evidence for it, but our concern  
18 is that the person who can really give you evidence  
19 about that, for example, is not Mr Wilkinson and will  
20 be the person who attended to it, which is probably  
21 Romeo Prezioso.

03.27PM

03.27PM

22 That's one issue, but that's a more technical  
23 issue, but then the questions you have now directed  
24 are, if you like, a more broader question as to the  
25 future which hasn't quite been identified to us as  
26 something that's going to be discussed in the broad;  
27 that is something we'd need to turn our attention to  
28 about how we can meet that question.

03.27PM

29 CHAIRMAN: The difficulty at the moment is just one of  
30 timing. I haven't looked at what you've planned for  
31 next week, but it may well be we accelerate

03.28PM

1 Mr Faithfull because it may accelerate the need to, in  
2 effect, focus on issues when we've been spending our  
3 time on other things. One skim reads other material  
4 without having a deep appreciation of the gaps and  
5 further matters needing attention.

03.28PM

6 MR RIORDAN: Can I give you some more examples, just to try  
7 to identify our problem and you may well be able to  
8 feed into it. We've received questions for example  
9 about the checklist and the aerial photography. These  
10 are technical matters and we've sought the right person  
11 and we think we've got the best response that we can  
12 put forward to it.

03.28PM

13 There's questions about the risk assessment for  
14 the removal of pipes that Mr Dugan was asked about;  
15 that's taken our attention too, and we think we've got  
16 as much information as we've got about that.

03.29PM

17 CHAIRMAN: That's an area that we are obviously going to be  
18 very interested in.

19 MR RIORDAN: And we've been working on these things, but I  
20 suppose I'm trying to identify each of these questions  
21 actually involve different enquiries and we're trying  
22 to put forward the best person, even given the fact  
23 that this Inquiry will take hearsay, but the best  
24 person who could really withstand some questioning  
25 about it, has the most knowledge of it. They're three  
26 different persons for those three different questions,  
27 each of which we've discerned this Inquiry has a  
28 particular interest in.

03.29PM

03.29PM

29 But it's certainly been said to us, well, where's  
30 Mr Wilkinson, and we're saying, well, by all means if  
31 Mr Wilkinson can add something we're comfortable about

03.29PM

1 having him called. But if it's form over substance,  
2 we'll get him up there and swear him in and allow  
3 somebody to ask him questions, but the issues that have  
4 been identified have all tended to be issues, and the  
5 recommendation's a good example of it, which require 03.30PM  
6 particular people to be able to really give answers to  
7 it. That's the tension.

8 I have a further response and I'll be  
9 communicating with Counsel Assisting, but all I can say  
10 is that Your Honour's intervention is very helpful from 03.30PM  
11 our point of view in identifying what the enquiry is,  
12 and I think that as much communication to us would be  
13 appreciated, because we've been concentrating - I  
14 emphasise, we've been concentrating on trying to get  
15 answers to particular questions such as pipelines, 03.30PM  
16 implementation of recommendations and the like, but if  
17 what one's looking for is a grand plan, that hasn't  
18 really been the focus of our attention. If I could say  
19 that and then I'll certainly pick up discussions, if I  
20 can, even on adjournment today. 03.31PM

21 CHAIRMAN: Yes, I think that's highly desirable.

22 MEMBER CATFORD: I had one or two questions for Mr Harkins,  
23 and your time is almost over so hang in there, please.  
24 Does GDF Suez have a corporate social responsibility  
25 strategy?---It does, and part of that is, I spoke 03.31PM  
26 earlier about our educational frameworks that featured,  
27 that's part of it, but only part of the overall  
28 strategy.

29 And that's local and national?---Local and national, yes.

30 It would be very helpful to have a copy of that strategy, if 03.31PM  
31 that's possible?---That's available.

1 Do you have a target percentage expenditure that you aim to  
2 achieve in terms of giving back to the community?---Not  
3 per se. We tend to have a look at programs and  
4 initiatives, for example like all private enterprises,  
5 we're budgeting for next year now, so there's a couple 03.32PM  
6 of new initiatives that we'd like next year, so it's a  
7 process.

8 So you have a budget that you are working to?---Yes.  
9 Can you provide us with that?---I should be able to do that,  
10 yes. 03.32PM

11 Some other questions which I'm sure will be on the record,  
12 but what is your annual turnover at Hazelwood? And I'm  
13 not talking about tonnes of coal, I'm talking about  
14 dollars?---I'd need to take the question on note, it's  
15 been a while since I've looked at that. Certainly our 03.32PM  
16 revenues would well exceed the \$400 million. Our  
17 costs, unfortunately - sorry, exceed \$400 million - so  
18 I'd need to take it on note and I'm sure we could  
19 provide that.

20 It would be very helpful to provide that because we wouldn't 03.33PM  
21 want to get the figure wrong in our report?---And I may  
22 have just collapsed the share price.

23 Within that, could you give us an idea on how much tax or  
24 licence fees you pay to the Victorian Government?---I  
25 will defer and say, yes. 03.33PM

26 Thank you very much. Thank you.

27 DR WILSON: No questions, thank you.

28 MS RICHARDS: May Mr Harkins be excused? I'm sure he will  
29 be relieved.

30 CHAIRMAN: Yes. 03.33PM

31 <(THE WITNESS WITHDREW)

1 MS RICHARDS: That concludes the evidence for this week.

2 Next week we move to the issue of mitigation and  
3 prevention which we will be attempting to examine in  
4 the broad. There are some highly technical aspects of  
5 it both in terms of mine operation and in terms of 03.33PM  
6 regulation, but the focus of next week will be  
7 examining the broad issue of the management of the very  
8 obvious risk of an open cut coal mine in a bushfire  
9 prone landscape next to a town catching fire. We hope  
10 that, by the end of the week, we will have some answers 03.34PM  
11 as to how that risk may be managed better in the  
12 future.

13 Monday is, of course, a public holiday. Tuesday  
14 we will resume and the witnesses on Tuesday will be  
15 Kylie White, who is the Executive Director, Earth 03.34PM  
16 Resources Development at the Department of State  
17 Development and Business Innovation; I think I have  
18 that right, DSDBI, which I will refer to as the mine  
19 regulator because it's easier to say.

20 We have a community witness, Rob Gaulton, who is a 03.34PM  
21 retired managing mine geologist, formerly employed by  
22 the State Electricity Commission, and also we will have  
23 evidence from the Latrobe City Council, Jason Pullman,  
24 who is the Coordinator of Strategic Planning who will  
25 be addressing land use planning issues. 03.35PM

26 CHAIRMAN: We will adjourn now until 10 o'clock on Tuesday.

27 ADJOURNED UNTIL TUESDAY, 10 JUNE 2014