



## VICTORIAN GOVERNMENT SOLICITOR'S OFFICE

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4 June 2014

Ms Justine Stansen  
Principal Legal Advisor  
Hazelwood Mine Fire Inquiry  
1 Spring Street  
MELBOURNE VIC 3000

*By Email*

Dear Ms Stansen

**Independent Inquiry into Hazelwood Mine Fire - Matters arising from reports of  
Professor Jim Macnamara and Lachlan Drummond**

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We are writing in relation to the reports prepared for the Board of Inquiry by Professor Jim Macnamara and Lachlan Drummond.

There are a number of matters in the reports that the State will address in one way or another in the course of the hearings and through its submissions. In some cases, however, there is a risk that the reports may be relied on by people with access to them (for example, through the Inquiry's web-site) as a basis for information that is inaccurate. The purpose of this letter is to set out where the reports contain important factual inaccuracies. We request that you arrange for this letter to be made available in conjunction with the two reports.

***Emergency Relief and Recovery Victoria website or the VERIL hotline***

Neither report mentions the Emergency Relief and Recovery Victoria website or the VERIL (Victorian Emergency Recovery Information Line) hotline. Both of these channels were shown to be effective during the Hazelwood mine fire. For a further discussion of the history and purpose of these tools, see paragraphs 6.69 to 6.77 of the State's submission to the Inquiry. Neither report mentions the hotline set up by the Victorian Department of Human Services specifically to offer respite and relocation support. Through that hotline there were over 10,000 one-on-one conversations and over 6000 face-to-face appointments where people received information.

***Matters insufficiently explained***

Professor Macnamara states that early public communications by authorities downplayed the risks from the mine fire. He also draws attention frequently to the length of time between when the fire and/or the crisis began and when intense public communication began. He does not add that in the period 10-14 February there was a widely-held view that there would not be a crisis affecting the population of Morwell.

John Merritt was not at the media conferences on 27 February, 28 February and 17 March because by then the fire had been declared controlled and he was no longer required.

### ***The Victorian Department of Human Services website***

Professor Macnamara's report at page 40 says that a search of the DHS "revealed little information in relation to the Hazelwood mine fire". During the period of the fire, the DHS website had an alert banner across the top, which was a click through to the recovery website, which contained Hazelwood mine information, including information on grants. This alert banner on the standard DHS website was shown to be a popular entry point for visitors to the Recovery website.

### ***Smoke advisories—a joint activity***

Professor Macnamara (at pp 37-38) states that Advisories were not issued by the Chief Health Officer until 17 March, by which time the EPA had issued five high smoke alerts. This way of presenting things does not recognize that, under a joint protocol between the EPA and the CHO, EPA issues smoke advisories on behalf of them, using text that has been agreed in advance under the protocol.

### ***How the Department of Health delivers services***

The reports assess the involvement of the Department of Health in responding to community concerns during the incident without taking into account the devolved model of service delivery that is utilised in the health sector. The Department of Health does not deliver health services directly to the public but does so through agencies across the sector, including health services, hospitals, ambulance services and the local council. Activities by these agencies should be considered as having been undertaken by and for the Department of Health.

### ***Public information not referred to***

EPA contributed to ABC local radio with extended information on weather, forecasts and findings. It asked to be included in emergency broadcasts direct with the ABC from the week beginning Monday 17 February 2014 due to the clearly high level of public concern and the need to get out to the public as soon as possible information on the rapidly changing air quality. The ABC programming department began making direct contact with EPA media from 22 February 2014 for regular updates into broadcasts.

The statement that "no media releases were issued by the department [of Health] in relation to the Hazelwood fire" is not correct. Specific releases were issued by the Minister for Health and the Department of Health in relation to the Community Health Assessment Centre (press release issued on 20 February 2014) and the temporary relocation advice was issued by the Chief Health Officer (press release issued on 28 February 2014). Further, the Chief Health officer participated in 21 face to face press conferences.

### ***Other errors***

Mr Drummond's report (page 10) uses a quote from a community member which refers to DHS being closed on the weekend after relocation was announced. It was not closed.

### ***Other omissions***

Neither report acknowledges the After the Fires packs, the Relocation fact sheet, or the EMJPIC.

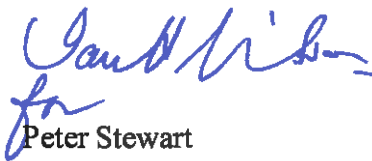
The reports do not appear to take account of information that is included in the Victorian Government Submission to the Inquiry or to the witness statements provided to the Inquiry by Dr Rosemary Lester or Professor Chris Brook (amongst others).

***Responsibility for the smell of chicken manure***

Professor Macnamara's report at page 34 refers to an investigation by the EPA into a "fertiliser-like odour", suggesting that the EPA's public statement was curt and could have been interpreted as blaming local businesses for the odour. The investigation occurred after the fire was declared safe, and the EPA's investigations indicated that the odour stemmed from spreading chicken manure on farm paddocks. His comments are therefore outside the scope of his engagement.

Please feel free to contact me should you have any queries in relation to this matter.

Yours sincerely  
Victorian Government Solicitor's Office

A handwritten signature in blue ink, appearing to read "Peter Stewart".

Peter Stewart  
Victorian Government Solicitor

