

Attachment 4

Warnings evidence

Warnings issued for the Kilmore East fire

4. In relation to warnings issued for the Kilmore East fire, the State refers to the following:

Warnings issued from the iECC

- 4.1 In the initial stages of the Kilmore East fire, fire information releases were issued from the iECC. Ms Sarah Henshaw gave evidence that the warnings were released without the assent of the Kilmore ICC because the iECC hadn't received information releases at that time.²⁸⁵
- 4.2 A 12:30 Awareness Message in relation to the Kilmore East fire was authorised by CFA State Duty Officer, Mr Gregg Paterson and uploaded onto CFA website at 12:40. The information for the release was taken from IMS and a discussion with the Situation Unit Leader.²⁸⁶ Mr Paterson gave evidence confirming the message was sent.²⁸⁷
- 4.3 A 14:20 Alert Message was issued at the iECC at 14:25 advising the communities of Kilmore East, Wandong and Clonbinane to be aware of the grass fire burning 3 kilometres east of Kilmore, near Saunders Road in an south easterly direction. The release was authorised by Mr Paterson.²⁸⁸
- 4.4 Ms Henshaw also gave evidence that at approximately 14:28, Mr Geoff Conway, State Coordinator for CFA, called a meeting in at the iECC that Ms Henshaw, Ms Jennifer O'Beirne from the DSE Information Unit and the State Duty Officers, and perhaps others attended.²⁸⁹ At the meeting, Mr Conway advised that the priority areas for the Kilmore fire were Whittlesea, Hurstbridge and Kinglake and that Whittlesea may be impacted in two hours. By priority areas Mr Conway meant they were priority areas in terms of getting information to those areas.²⁹⁰ Mr Conway also discussed other priority areas around the State. Mr Conway asked the information unit officers to follow up with the relevant ICCs to get any necessary messaging.²⁹¹

²⁸⁵ Henshaw T4806:5 – T4806:16.

²⁸⁶ Henshaw Ex 149, WIT.3004.009.0096, [69]; *Web Article, Saunders Rd, Kilmore East Fire 12.30pm*, Henshaw (Annexure 9) Ex 149, WIT.3004.009.0193; Henshaw T4787:20 – T4789:19.

²⁸⁷ Paterson T4295:13 – T4295:25.

²⁸⁸ Henshaw Ex 149, WIT.3004.009.0096, [72]; *Web Article, Saunders Rd, Kilmore East Fire 2.20pm*, Henshaw (Annexure 11), Ex 149, WIT.3004.009.0199.

²⁸⁹ Henshaw T4803:1 – T4803:11.

²⁹⁰ Henshaw T4803:12 – T4803:16.

²⁹¹ Henshaw Ex 149, WIT.3004.009.0096, [57].

- 4.5 Mr Conway's statement also refers to the meeting with Ms Henshaw and Ms Jennifer O'Beirne and his indication that Whittlesea may come under direct threat and that Hurstbridge and Kinglake were also areas of concern²⁹², he also gave evidence of the meeting and his concerns.²⁹³ Mr Conway gave evidence of identifying the townships of Whittlesea, Hurstbridge and Kinglake on a mud map,²⁹⁴ that was prior to his meeting with Ms Henshaw and Ms O'Beirne.²⁹⁵ He gave evidence that wind change was not incorporated into the predictions and that discussions about the impact of the wind change was some time later in the afternoon.²⁹⁶ Ms Henshaw gave evidence that she couldn't answer if there was direct communication with the Kilmore ICC concerning the areas Mr Conway had identified as priorities.²⁹⁷
- 4.6 Ms Henshaw gave evidence that as a consequence of the 14:28 meeting she rang and spoke with Mr Alex Caughey at the Seymour RECC and identified the priority area of Whittlesea and communicated the issues with Kinglake and Hurstbridge.²⁹⁸

Information Officer at the Seymour RECC

- 4.7 In the initial stages of the Kilmore ICC being operational it was thought appropriate that MrCaughey, a very experienced Information Officer, would undertake the role of Information Officer for the incident from the Seymour RECC, until such time as someone else could be relocated to the Kilmore ICC. Ms Henshaw, the Information Unit Leader at the iECC, commented of Mr Caughey that she knew his training and skill level, so when she knew he was in charge she felt she did not need to be in constant contact throughout the day and was confident that he would provide regular information updates throughout the day.²⁹⁹
- 4.8 At approximately 12.20 Mr Caughey advised Mr Greg Murphy that he would be conducting the Information Unit activities and issuing Fire Information Releases from the Seymour RECC.³⁰⁰ Ms Leonie Hunter, who was based at Alexandra, gave evidence that Mr Caughey called her at approximately 13:45 and asked that she go to Kilmore ICC to work as the Information Unit Officer.³⁰¹ She arrived at the Kilmore ICC at approximately 3.30 pm.³⁰² Mr Caughey stated that fires build up and

²⁹² Conway Ex 197, WIT.3004.011.0023, [41].

²⁹³ Conway T6180:26 – T6181:4, T6245:10 – T6245:14, T6245:26 – T6246:9, T6246:17 – T6246:24.

²⁹⁴ *CFA Mud Maps Annotated – Geoff Conway*, Ex 319, CFA.300.039.0001; Conway T8090:21 – T8090:23.

²⁹⁵ Conway T8090:28 – T8091:1.

²⁹⁶ Conway T8090:24 – T8090:27.

²⁹⁷ Henshaw T4803:26 – T4803:31.

²⁹⁸ Henshaw T4804:3 – T4804:22.

²⁹⁹ Henshaw Ex 149, WIT.3004.009.0096, [75].

³⁰⁰ Murphy Ex 41, WIT.3004.001.0001, [31]; Murphy T1267:1 – T1267:6.

³⁰¹ Hunter Ex 55, WIT.3004.001.0129, [11]; Hunter T1716:3 – T1716:10.

³⁰² Hunter Ex 55, WIT.3004.001.0129, [12]; Hunter T 1717:27 – T1717:31.

- it took some time for the fire to escalate to Level 3 Mr Caughey called Ms Hunter before approximately 14:00 when the fire escalated to Level 3.³⁰³ As set out above, Mr Caughey gave evidence that he became aware at approximately 13:50 that the fire had 'real legs'. At approximately 14:00 Mr Caughey called Ms Hunter and requested that she move to the Kilmore ICC to act as Information Officer.³⁰⁴
- 4.9 Part of the role of the Information Unit is to be a point of contact for the media, the public and other agencies for general information.³⁰⁵ Whilst it is preferable that an Information Officer or Information Unit Leader is located at the ICC, Mr Caughey gave evidence that he was in receipt of all the relevant information and whilst he was working remotely his information was coming out of the Kilmore ICC but distributed from the Seymour RECC.³⁰⁶
- 4.10 While waiting for Ms Hunter to arrive at the Kilmore ICC, Mr Caughey had a Media Officer, Mr Paul Weston, who was at the Kilmore ICC and was working with the Incident Controller and the Situation Officer, provide him with information in order to produce fire information releases.³⁰⁷ Mr Murphy gave evidence that Mr Weston provided linkage back to Mr Caughey from the Kilmore ICC and was feeding information back as deemed appropriate and requested.³⁰⁸
- 4.11 Mr Caughey collaborated with Mr Peter Creak about the need for specific messages and spoke with him about the size and location of the fire,³⁰⁹ and was able to issue six Fire Information Releases³¹⁰ from the Seymour RECC, five being Urgent Threat Messages. Mr Creak signed and reviewed each release prepared.³¹¹ Mr Creak stated that until such time as the ICC was fully established and in a position to put out its own Fire Information Releases, the RECC at Seymour was effectively fulfilling the role of the Information Unit.³¹²
- 4.12 In his role, Mr Caughey also dealt with calls from the public regarding the fire. The calls,³¹³ in addition to problems he encountered initially contacting ABC, prevented him from issuing an Awareness Message

³⁰³ Caughey T1688:1 – T1688:6.

³⁰⁴ Caughey T1693:10 – T1693:16.; Caughey Ex 52, WIT.3004.001.0154, [24].

³⁰⁵ *The Australasian Inter-service Incident Management System, A Management System for Any Emergency*, Ex 475, TEN.121.001.0001 at 0058.

³⁰⁶ Caughey T1688:29 – T1689:5.

³⁰⁷ Caughey T1687:31 – T1688:11.

³⁰⁸ Murphy Ex 41, WIT.3004.001.001, [34]; Murphy T1267:16 – T1267:28.

³⁰⁹ Creak Ex 506, WIT.3004.008.0309, [48].

³¹⁰ All of which he prepared himself other than the 4.10 pm Urgent Threat Message.

³¹¹ Creak Ex 506, WIT.3004.008.0309, [49].

³¹² Creak Ex 506, WIT.3004.008.0309, [58].

³¹³ Alex Caughey gave evidence that during the course of the day at the Seymour RECC, 'we were inundated with calls all afternoon. The calls that [other staff] could address they did. They regularly put calls through to me which related to people seeking specific fire safety information and I was overwhelmed with them for the afternoon': Caughey T1690:7 – T1690:11.

that he had initially prepared at 12.50 .³¹⁴ There is no further evidence to suggest that being at the RECC and not the Kilmore ICC on the day in anyway prevented him from effectively and efficiently carrying out his role as Information Officer.

- 4.13 It is speculative and there is no basis to suggest that earlier warnings would have been issued if the Information Officer was located at Kilmore ICC from the start of the fire. The primary reason why some warnings were not as timely and specific as one would prefer was not because Mr Caughey was at Seymour rather than the ICC or that the IMT was gathered together on an ad hoc basis over the course of the afternoon on 7 February. Rather, the fire behaved in an unprecedented and unpredictable way such that those tasked with giving warnings were not able to anticipate its likely movement and direction and the timing of such movement and direction so as to be able to give specific communities ideal alerts and threat warnings.

Warnings from Kangaroo Ground ICC

- 4.14 Under procedures in place at 7 February, an Incident Controller was to authorise warnings. This was to ensure that inconsistent messages were not issued by different ICCs and given that generally an activated ICC would have more information to enable it to formulate messages.³¹⁵
- 4.15 Personnel at the Kangaroo Ground ICC did not have responsibility for management of the Kilmore East until 16:30, when it commenced operation as a Division Command. Kangaroo Ground ICC was activated to take control of part of the Kilmore East fire from 17:42 on 8 February.³¹⁶
- 4.16 Nevertheless, staff at the Kangaroo Ground ICC, including Ms Serafina Munns, worked to prepare Fire Information Releases.³¹⁷ Ms Munns gave evidence that Mr Jason Lawrence and Mr Rocky Barca were not prepared to issue releases because the Kangaroo Ground ICC was not managing the fire.³¹⁸
- 4.17 Ms Munns gave evidence of preparing proposed information releases including an awareness message at 14:30³¹⁹, an urgent threat message at 15:00³²⁰ and an untimed Alert Message that was likely to

³¹⁴ Caughey Ex 52 WIT.3004.001.0154, [19]; Caughey T1689:28 – T1690:29.

³¹⁵ Lawrence Ex 50, WIT.3004.001.0197, [37].

³¹⁶ Lawrence Ex 50, WIT.3004.001.0197, [37].

³¹⁷ Munns Ex 44, WIT.3004.001.0065, [22].

³¹⁸ Munns Ex 44, WIT.3004.001.0065, [26].

³¹⁹ Munns Ex 44, WIT.3004.001.0065, [28]; *Awareness Message – Initial Advice, Fire Information Release No 1*, Munns (Annexure 4.2) Ex 44, WIT.3004.001.0107.

³²⁰ Munns Ex 44, WIT.3004.001.0065, [31]; *Urgent Threat Message, Fire Information Release*, Munns (Annexure 4.3) Ex 44, WIT.3004.001.0109.

- have been prepared at some time between 15:00 and 16:00.³²¹ An Urgent Threat Message at 16:15³²² was prepared in very draft form but was also not sent.
- 4.18 Ms Munns also gave evidence that she prepared a number of Fire Information Releases on the computer at Kangaroo Ground which she deleted. She said that she began saving the releases when told to do so.
- 4.19 Mr Lawrence gave evidence that at a Division Command meeting at approximately 16:50, they discussed managing the fire once it reached the south side of Mt Disappointment and the priority of issuing of Fire Information Releases . Mr Lawrence asked his Information Unit to prepare releases for fires in respect of the townships that would be potentially impacted by the fire.³²³ At this time Mr Lawrence was given information by the Information Unit that they weren't able to contact their counterparts at Kilmore and believed there may have been some issues with communications facilities.³²⁴
- 4.20 In response, an Urgent Threat Message was prepared at approximately 17:20 and was signed by Mr Lawrence.³²⁵ It stated, amongst other things, that the communities of Wallan, Wallan East, Eden Park and Whittlesea, Humevale, Bruces Creak, Upper Plenty, Kinglake, Flowerdale, Smiths Gully, Kinglake, Flowerdale, Glenburn, Hurstbridge may be directly impacted upon by this fire.
- 4.21 It is important to recognise that the release issued from the Seymour RECC and the Kilmore ICC were not inferior to the messages prepared by the Kangaroo Ground ICC.
- 4.22 The Awareness Message that was prepared by Ms Munns at 14:30 referred to an estimated 638 hectare grass and scrub fire burning 1 kilometre to the North East of Wandong in a south easterly direction. Importantly, it stated the fire was not currently posing a threat to communities. Between 13:10 and 13:54, Mr Caughey prepared three urgent threat messages warning of impact on the communities south of

³²¹ Munns Ex 44, WIT.3004.001.0065, [32]; *Alert Message, Fire Information Release No 1*, Munns (Annexure 4.4) Ex 44, WIT.3004.001.0112. Munns T1548:16 – T1548:20. In her witness statement, Ms Munns states she was advised the untimed release was created at 3.02 pm but she was not sure when the relevant information was drafted (Munns Ex 44, WIT.3004.001.0065, [32]). Ms Munns gave evidence that having looked at a couple of computers the release was created at 3.02 pm (Munns T1361:8-T1361:18). She has, however, no independent recollection of when it was created (Munns T1549:29 – T1549:30) but believes it would have been around that time (Munns T1551:2 – T1551:6).

³²² Munns Ex 44, WIT.3004.001.0065, [38]; *Urgent Threat Message, Fire Information Release No 1*, Munns (Annexure 4.5) Ex 44, WIT.3004.001.0114.

³²³ Lawrence Ex 50, WIT.3004.001.0197, [43].

³²⁴ Lawrence T1615:11 – T1616:8.

³²⁵ Munns Ex 44, WIT.3004.001.0065, [40]; *Urgent Threat Message, Fire Information Release No 1* Munns (Annexure 4.6) Ex 44, WIT.3004.001.0116.

Saunders Road, including Wandong Rd, Pretty Sally View Estate, Wandong, Heathcote Junction and Upper Plenty.³²⁶ Ultimately, only one urgent threat message for the community of Wandong was posted on the CFA website at 14:40. In the meantime, the iECC issued an alert message timed at 14:20 that the fire had jumped the Hume Highway and the communities of Kilmore East, Wandong and Clonbinane needed to be aware of the fire.

- 4.23 All of the above releases provided more specific information about the fire or its potential than the 14:30 Awareness Message that was prepared at the Kangaroo Ground ICC.
- 4.24 An urgent threat message prepared at the Kangaroo Ground ICC at approximately 15:00, stated that the communities of Wandong, Wallan, Wallan East, Eden Park and Whittlesea, Humevale, Bruces Creek and Upper Plenty may be directly impacted by this fire. It stated that the fire was burning 1 kilometre south of Wandong in a south easterly direction and is estimated to be 638 hectares in size. An alert message was also created by Ms Munns which was 'likely to have been prepared between 3:00pm and 4.00pm.'³²⁷ that described the fire having grown to 1000 hectares.³²⁸
- 4.25 An urgent threat message, drafted by Mr Caughey at approximately 14:45³²⁹ that was placed on the CFA website at approximately 15:53 stated that the fire was burning 4 kilometres east of Kilmore, south of Saunders Road and is estimated to be approximately 1,000 hectares in size. The message warned that the 'community of Hidden Valley may be impacted upon by this fire within 60 minutes.'³³⁰ At 16:05 an update of the release was posted on the web that the Urgent Threat Message

³²⁶ At 1.10 pm, Mr Caughey had prepared Fire Information Release No 1 which referred to the communities south of Saunders Road, including Wandong Rd, Pretty Sally View Estate, Wandong, Heathcote Junction and Upper Plenty needing to be aware that fire in the area has increased and there will be heavy smoke and ember attack. Although faxed at 1.53 pm, this message was not uploaded on the CFA website. *Fire Information Release 1*, Caughey (Annexure 6) Ex 52, WIT.3004.001.0181. Fire Information Release No 2, prepared by Mr Caughey at approximately 1.50 pm, stated the communities of Wandong may be directly impacted upon by the fire within 10 minutes. This was faxed at 1.54 pm and posted on the CFA website at 2.40 pm. *Fire Information Release 2*, Caughey (Annexure 7) Ex 52, WIT.3004.001.0183. Urgent Threat Message, Fire Information Release No 3 stated the communities of Heathcote Junction and Upper Plenty may be impacted upon by this fire within 30 minutes. This message was faxed at 1.54 pm but not uploaded on the CFA website. *Fire Information Release 3*, Caughey (Annexure 8) Ex 52, WIT.3004.001.0185 .

³²⁷ Munns Ex 44, WIT.3004.001.0065, 31.

³²⁸ *Alert Message, Fire Information Release No 3*, Munns (Annexure 4.9) Ex 44, WIT.3004.001.024, .

³²⁹ Caughey Ex 52, WIT.3004.001.0154, [27].

³³⁰ *Fire Information Release 4*, Caughey (Annexure 9) Ex 52, WIT.3004.001.0188.

- for Wandong, Heathcote Junction, Upper Plenty and Hidden Valley remain current.³³¹
- 4.26 An urgent threat message prepared by Ms Munns at 16:15 stated the communities of Whittlesea may be impacted upon by the fire.³³² By that time, Mr Murphy had already signed an urgent threat message that referred to the communities of Clonbinane, Mt Disappointment, Kinglake, Heathcote Junction and Upper Plenty, Humevale, Reedy Creek, Strath Creek. An urgent threat message for communities including Whittlesea had been issued by Mr Caughey and Mr Creak at 15:30.³³³
- 4.27 It is clear that those at Kangaroo Ground, in anticipation of a fire entering their footprint were preparing to take action. This included Ms Munns preparing various draft Fire Information Releases on the computer driven template, some of which she deleted.³³⁴
- 4.28 It is simply not correct to assert that personnel at Kangaroo Ground, including the Deputy Incident Controller predicted the likely impact of the fire more accurately than anyone else. As with all other predictions, those at Kangaroo Ground did not predict that the fire would impact upon areas including Strathewen and Kinglake until after the south west wind change.³³⁵

³³¹ Caughey Ex 52 WIT.3004.001.0154, [27]; *Fire Information Release 5*, Caughey (Annexure 10) Ex 52 WIT.3004.001.0190.

³³² Munns Ex 44, WIT.3004.001.0065, 38.

³³³ Caughey Ex 52 WIT.3004.001.0154, [35]; *Fire Information Release 6*, Caughey (Annexure 11) Ex WIT.3004.001.0192.

³³⁴ Munns Ex 44, WIT.3004.001.0065, [22], [26]– [28], [31] – [33], [38],[44],[48] – [49].

³³⁵ Cowan Ex 115, WIT.3004.009.0001, [13]-[14], [17], [23], [29]-[32]; Cowan T3730:20 – T3731:3, T3731:7 – T3731:12, T3731:15 – T3731:21, T3731:22 – T3731:28, T3734:13 – T3734:21, T3738:30 – T3739:8, T3751:14 – T3751:22, T3752:16 – T3752:22, T3754:5 – T3754:9, T3755:2 – T3755:3, T3759:26 – T3760:7, T3768:1 – T3768:24; Barca Ex 107, WIT.3026.001.0001, [35]-[36],[38]; Barca T3472:7 – T3472:26; Armstrong Ex 508, WIT.3004.008.0255, [23]; Armstrong T1095:11 – T1095:28, T10917:1 – T10917:8.; Lawrence Ex 50, WIT.3004.001.0197, [17],[23],[25]; Lawrence T1579:17 –T1579:24.