

Independent Investigation into the Conduct of the Approvals and Oversight Process relating to the Lancefield-Cobaw Planned Burn

FINAL REPORT FOR THE DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

Prepared by Wise Workplace Solutions

18 December 2015

1. THE BRIEF

Wise Workplace Solutions (**WWS**) has been instructed by the Department of Environment, Land, Water and Planning (**Department**) to undertake an independent investigation (**Investigation**) into the conduct of the approvals and oversight process for the Lancefield-Cobaw Croziers Track planned burn which took place during the period from 30 September to 6 October 2015 (**Burn**)¹.

The terms of reference (**Terms**) for this investigation are set out at **Appendix A** to this Report (**Report**).

This Report outlines factual conclusions relevant to the Terms of this Investigation, and includes high level recommendations, if required, in relation to any steps which the Department may consider to improve the current systems and processes relating to the approvals and oversight of planned burns.

This Investigation was carried out by Jon Morley of Wise Workplace Solutions, a workplace consultant and qualified lawyer.

2. EXECUTIVE SUMMARY

On the basis of information gathered during the course of this Review, it is my assessment that:

- i. the Burn plan (**Burn Plan**) was not appropriately approved, and the ignition of the Burn was not appropriately authorised, in accordance with Departmental procedure by a Departmental officer with the required actual or delegated level of authority, and in particular, by either the Midlands District (**District**) Manager or relevant District officer (such as the Fire Manager) with appropriate written delegation;
- ii. this appears to have been, in part, due to assumptions being made by Departmental officers that the appropriate delegations for these approvals were in place, in combination with an informally accepted acting Fire Manager arrangement being in place within the District at the time of the Burn;
- iii. primary and direct oversight of the preparations leading to ignition of the Burn on 30 September 2015, and its subsequent implementation, rested with the District's Fire and Land Officer, particularly given the various roles and decisions that appear to have been allowed by Departmental procedure to be performed by the Fire and Land Officer² during the relevant period (including initially as Fire and Land Officer and subsequently as Fire Manager, Burns Controller and Duty Officer); and

¹ It is noted that, for convenience, the term 'Burn' has been used to refer both to the planned burn that took place at the Lancefield-Cobaw Croziers Track in 2015, and the subsequent fire associated with this planned burn, although the technical distinction between the planned burn and subsequent fire is acknowledged.

² The position of 'Fire and Land Officer', which reports directly to the District Fire Manager, is a position that only exists within the Midlands District, and is more commonly referred to as the 'Fuel Management Officer'.

- iv. other Departmental officers involved in the Burn preparations and conduct of the Burn appeared to provide an adequate – but not proactive and/or interventionist – operational level of oversight of the Burn, albeit which appears to have been allowed for by Departmental policy, procedure, and systems.

The Department's current systems and procedures in relation to planned burns are complex and detailed, but at times confusing and internally inconsistent. This Report identifies important areas of work which the Department should focus on to clarify and simplify these systems and procedures, including with respect to delegations to approve burn plans and authorise ignition of planned burns, and the review of the Department's Fire Management Manual to address issues of risk and provide clear and simple guidance for all relevant officers as to their responsibilities in respect of planned burns.

Priority issues and recommendations are contained at pages 30 to 33 of this Report. A summary chronology of key events relevant to the Terms is attached at **Appendix B** to this Report.

3. CONDUCT OF THE INVESTIGATION

a. Interviews

The Investigation commenced on 16 November 2015. As part of the investigation, I conducted a range of separate interviews and discussions with key Departmental and Parks Victoria officers, including those officers within the District and Grampians Region (**Region**) directly involved in the planning and conduct of the Burn, including officers with an understanding and/or expertise of the planned burn process. I also interviewed investigators comprising the 'Investigation Team' with responsibility for preparing the 'Independent Investigation of the Lancefield-Cobaw Fire' released in November 2015 (**Investigation Report**).

b. Relevant Documents

As part of this Investigation, I have reviewed and analysed a range of Departmental documents, systems, policies, procedures and tools and refer to individual documents in this Report, as appropriate. I note that I did not have access to, nor was I instructed to examine other agency or departmental records, systems, policies and/or procedures, and so I have therefore limited my review to relevant Departmental documents which have been made available to me during the investigation. I have also reviewed email and other communications provided to me by Departmental officers during the course of the Investigation as relevant to the Terms.

c. Approach

In order to make my conclusions and recommendations, I am principally relying on information provided either verbally or in writing by Departmental officers to me during the course of the Investigation. At times, I note that information was somewhat incomplete or inconsistent. Accordingly, I have made conclusions and associated recommendations based on this information, as provided to me during the Investigation, and according to the 'balance of probabilities'.

4. APPROVALS AND OVERSIGHT: RELEVANT BACKGROUND AND GENERAL OBSERVATIONS AS TO SCOPE

a. Background

The Burn was conducted by the Department in the Macedon Ranges shire in Spring 2015. The Burn was ignited on Wednesday 30 September 2015, and breached containment lines on Saturday 3 October and Tuesday 6 October 2015.

As a result of these fire escapes and their impacts on property and the community, a detailed independent investigation was undertaken into the Burn during October and November 2015, which was led by Mr Murray Carter, Director of the Office of Bushfire Risk Management in Western Australia. Mr Carter's report – the Investigation Report – was released to the public on 19 November 2015, with 22 recommendations being made, all of which have been accepted by the Department.

b. The Investigation Report: Relevant Extracts relating to Approvals and Oversight

Set out below are several key extracts of the Investigation Report relevant to the issues of 'approvals' and 'oversight' as they relate to the Burn.

According to the Investigation Report (at page 8):

The Investigative Team found that in the planning and authorisation of the Lancefield-Cobaw burn some tasks were not finalised in FireWeb. In some cases the delegation of authority was not documented or clearly articulated. This does not mean the tasks were not completed however it was difficult for the Investigation Team to identify the completion of tasks due to the nature of the burn plan which serves as more of an authorisation checklist than a plan for conducting burn operations.

Further, the Investigation Report states (at page 13):

There is inadequate oversight, integration and accountability for all aspects of burn planning and implementation...

...There is also lack of peer review. An officer may plan the burn including conducting the risk assessment while occupying one position and then approve the burn for commencement and schedule it for ignition while acting in another position. That officer can then fill a critical role in the operational chain of command such as Duty Officer and/or Burns Controller, approving the burn for ignition, determining levels of resourcing and managing its implementation, including dealing with escapes. This situation, which is inadequate from a risk management perspective, did occur in relation to this burn and fails to provide adequate and proper safety nets.

The conclusions of the Investigation Report relating to single point sensitivity are also referred to at pages 26 and 27, which highlights that in the case of the Burn there was:

...a single person filling multiple important roles, including approvals and establishing resourcing levels, and the abandonment of good practice in not obtaining spot weather forecasts...

c. The Scope of this Investigation: Approvals and Oversight of the Burn

This Report examines the sequence of events leading up to and during the Burn to make conclusions in relation to the conduct of the approvals process associated with the Burn, and the level of oversight and supervision of the Burn, taking into account the differences in the terms, ‘Approvals’ and ‘Oversight’.

Approvals of the Burn

As part of this Investigation, and based on the Terms, this Report examines the ‘formal’ approvals and authorisation processes in respect of the Burn and how they were implemented in practice. This examination necessarily entails answering the following questions.

1. What Departmental approvals were required to plan and implement the Burn?
2. Were these approvals provided in accordance with Departmental policy and procedure, including in respect of any relevant delegations? If not, which approvals were not provided in accordance with Departmental policy and procedure?

The above examination is concerned with the more formal approval processes associated with the Burn.

Oversight of the Burn

In contrast, the term, ‘oversight’ appears to require a broader examination of the level of ‘supervision’ and governance that occurred in respect of the Burn. This examination entails answering the following questions.

1. Which positions were responsible for overseeing the Burn, and how were these position responsibilities implemented?
2. Was the implementation of officer oversight for the Burn undertaken in accordance with Departmental policy and procedure? If not, what gaps in oversight occurred with respect to the Burn?
3. More broadly, was the overall oversight process for the Burn adequate in the circumstances?

5. THE DEPARTMENT'S APPROVAL PROCESS FOR THE PLANNING AND CONDUCT OF A BURN

The Department's Fire Management Manual (**Manual**) is the key Departmental document which outlines the responsibilities of Departmental officers for the approval of planned burns.³ Set out below, and as referred to in more detail in the Manual, is a summary of the key stages – and relevant approvals and electronic system (ie. 'status') changes required – to progress a planned burn, and in particular, from its initial scheduling by the Department and then nomination by the District, through to the actual ignition of the burn.

a. The FOP

The scheduling of planned burns is carried out by the Department through a rolling three year Fire Operations Plan (**FOP**).⁴ The FOP is required to be consistent with the strategies outlined in each District's Fire Management Plan⁵. Only planned burns endorsed on a current and approved FOP, or as part of a FOP amendment process, may be scheduled for ignition by the Department.⁶

b. Nomination of Burn

Following endorsement of a planned burn on a current FOP, any officer can nominate a burn to be undertaken within a particular district within the next three to twelve month budget period.⁷

c. Proposed Burn

The relevant District Manager or their delegate is then required to review all burns that are entered with a 'Nominated' status within the Department's FireWeb system (**FireWeb**) which electronically administers and records the progress of each planned burn. Following this review, the relevant District Manager or their delegate accepts into the approved process the planned burn by changing the status of the burn to 'Proposed'.

Notably, at this stage, burn plans are incomplete documents and must go through an appropriate strategic planning process, which involves a range of Fire Operations Planning processes and considerations, including heritage value and native title checks.

d. Approval of the Burn Plan

Once strategic planning processes have been completed in respect of a planned burn, the status of the burn (within FireWeb) is changed from 'Proposed' to 'Planned', which constitutes the formal approval by the Department of the burn plan. At this stage, there is considerable preparatory work still to be undertaken by the Department to allow for ignition to occur as set out below.

³ Refer to the Department's 'Fire Management Manual 10.1' approved on 14 March 2012. It is the investigator's understanding that the Manual is currently under Review by the Department.

⁴ Refer to section 1.2 of the Manual.

⁵ Refer to section 1.2 of the Manual.

⁶ Refer to 'Guideline 10.1.4: Burn Status Definitions and Business Rules' (Approved: 10 October 2014) in the Manual.

⁷ Refer to section 3.4 of the Manual.

The level of officer approval required for a particular burn is dependent on the risk associated with the burn. This risk level of the burn is determined solely by the completion of a spreadsheet entitled 'Burn Plan Risk Management' (**Risk Assessment**) by the relevant Departmental officer, who may be the Fire and Land Officer, although this does not appear to be explicitly spelled out in the Manual and appears more to be a matter of accepted Departmental practice.

For burns of medium level risk or below, there is some uncertainty and inconsistency within Departmental policy and procedure as to whether a District Manager, alone, is required to approve a burn plan, or alternatively, whether the District Manager is able to delegate this authority to approve a burn plan. For example, the Region's 'Planned Burn Approval Guide'⁸ sets out a flowchart for the approvals of burn plans within the Region, and states that no delegation is permitted by a District Manager for the approval of a burn plan. The Manual also states at section 3-4, 'For lower risk burns (ie. within prescription and constraints), the District Manager is the appropriate approver.' Nonetheless, Figure 2.2 of the Manual, 'Planning and Delivery Responsibilities of Planned Burn' refers to a 'District Manager (or delegate with written approval)' being 'Accountable for the planned burning program by providing planned, prepared and approved burn plans'.

According to available information, for burns of a high level risk the approving Departmental authority must be at regional level, which is generally delegated to either the position of Regional Manager Fire and Land or Program Manager, Planned Burning and Roding.⁹ In circumstances where such approval is required, a 'Risk Mitigation Procedure' form must be completed by the authorising officer at the Regional level.¹⁰

The difference required in approval of a burn plan depending on the outcome of the Risk Assessment is a significant one. According to the Manual and all available information, the Departmental officer completing the Risk Assessment in FireWeb (which may include the Fire and Land Officer) appears to have a high level of discretion as to how they complete the Risk Assessment. In particular, the relevant departmental officer uses various 'drop down' options in a spreadsheet which then automates a total risk assessment outcome for the burn (taking into account a wide variety of factors, including the various consequences should the burn escape). It is apparent that in the event that the Risk Assessment is completed incorrectly and/or risks and/or burn escape consequences are understated, there is no requirement for a higher level of authority (for approval of a burn plan) than that of District Manager (or potentially their delegate subject to the uncertainty being reconciled above), the implications of which can be considerable and which are explored further below in consideration of the circumstances of the Burn.

In addition, based on all available evidence, it is apparent that the completion of a Risk Assessment is subject to considerable individual discretion depending on the decisions of the

⁸ The Region's 'Planned Burn Approval Guide' appears to be a document which was Regionally developed, and does not appear to have been formally accepted by the Department as having application across all regions.

⁹ Refer to sections 2.2.4 and 3.4 of the Manual, (taking into account that subsequent structural changes within the Department have changed many of the titles of the roles referred to within the Manual).

¹⁰ Refer to section 4.3.1 of the Manual.

officer who is completing the Risk Assessment. A good example of this is made explicit in the ‘Burn Risk Management Procedure User Guide’ (at page 6), which outlines that a change of assessment of proximity of the burn from the nearest assets from under 500 metres to 501 metres would remove the need for Regional level approval which might otherwise have been required where there was a high overall risk assessment for the burn.

e. Implementation of the Burn Plan

Following approval of the burn plan, the pre-burn planning and mandatory works that are prescribed in the approved burn plan are implemented by the District Operations team, which is managed by an Operations Manager who manages the field staff, field operations, equipment (including bulldozers) and the relevant Work Centres. Once these works are fully implemented, the Burn Officer in Charge (**Burn OIC**), who has been nominated by the District, for the particular burn is responsible for certifying that all planning and mandatory works have been completed to their satisfaction.¹¹

At this stage, the burn plan is accepted as being complete, and according to the available information, in practice a District planned burn and coordination team (chaired by the District manager or their delegate) will schedule the burn for ignition within 7 days. The burn is listed on the Burns and Works Scheduling Module and its status in FireWeb is changed from ‘Planned’ to ‘Ready’. Effectively, this means that the burn is awaiting further authorisation, with the timing subject to weather and other conditions being suitable for ignition.

f. Request for Authorisation of the Burn Plan

Authorisation to ignite a burn should be requested on the day prior to the burn, and is sought by a change of status in FireWeb from ‘Ready’ to ‘Authorisation Required’. As outlined above, the level of authorisation sought (whether at District Manager or delegate level, or Regional level) will depend on a range of factors outlined in the Manual (at section 4.2), including whether the Risk Assessment results in an overall high risk rating. In addition, amongst other things, regional level (or as otherwise delegated) authorisation will automatically be required where the burn is within 500m of significant private or public assets, occurs within the summer period from 15 December to 28 February, and/or whether standard burn prescriptions and conditions are met in weather forecasts and preparation actions.

Notably, the applicable Guideline states that, ‘All burns must go through this Status before ignition authorised.’¹²

g. Ignition Authorised

According to Figure 2.2 of the Manual, in order to change the status of a burn from ‘Authorisation Required’ to ‘Ignition Authorised’, the relevant authorised person (either at the

¹¹ Refer to section 3.4 of the Manual, and ‘Guideline 10.1.4: Burn Status Definitions and Business Rules’ (Approved: 10 October 2014) in the Manual.

¹² Refer to ‘Guideline 10.1.4: Burn Status Definitions and Business Rules’ (Approved: 10 October 2014) in the Manual. Notably, this Guideline appears to have replaced the previous version of the Guideline approved on 14 March 2012, which states in comparison: ‘In most cases, the District Manager can list burns as Ignition Authorised without going through the Authorisation Required’ (at page 2).

District Manager or their delegate level, or alternatively, Regional level, in circumstances of a 'High Risk' burn) must approve (ie. authorise) ignition, with the authority staying current for up to 7 days or to a specified date. There is, however, confusion in relation to this specified timeframe of ignition authorisation. This is because the updated and applicable 2014 Guideline states that ignition authorisation is to be granted for less than 24 hours¹³. Notwithstanding this procedural update, FireWeb still allows its users to manually enter dates consistent with the longer time frame of up to 7 days or to a specified date, which is specified in the Manual. It is apparent that this inconsistency needs clarification, including to ensure that FireWeb accurately reflects Departmental procedure.

The ignition authority has the underlying requirement that the burn and other conditions remain within the stated parameters for the final ignition approval, which is undertaken by the Burns Controller and Burn OIC (ie. is within prescription or agreed altered prescription, can be staffed properly etc). Progressing the status of the burn in FireWeb to 'Ignition Authorised' means that the burn has the necessary organisational authorisation and that ignition of the burn is imminent.

h. Ignition on the Day of the Burn

In order to change the status of a burn in FireWeb from 'Ignition Authorised' to 'Ignition', all of the final checks and on-site conditions must be met so that the Burns Controller can approve ignition, and the Burn OIC (together with the Burns Controller) can decide to proceed with ignition.

There is some inconsistency within the Manual as to exactly who has the final decision-making authority to ignite a burn on the ignition date, once the formal authority associated with a FireWeb status change (as above) has been provided.

According to sections 2.6 and 5.1 of the Manual, following appropriate level authorisation of ignition, the final decision whether or not to ignite a burn on the ignition date is made by the Burn OIC subject to a determination by the Burns Controller to endorse or provide authorisation for the commencement of a burn. Nonetheless, in Figure 2.2, 'Planning and Delivery Responsibilities of Planned Burning', the Manual states, 'The decision to ignite an authorised burn rests with the Burns Controller.' Based on the available evidence provided by Departmental officers, in practice this appears to be a joint and collaborative decision between the Burns Controller, who effectively authorises a decision to ignite, and the Burn OIC, who confirms whether to proceed based on their assessment of all relevant conditions and information. For example, one Departmental officer stated, 'If a Burn OIC identifies that they are not comfortable proceeding with igniting the burn, then the planned burn would not proceed.'

It would be useful, however, to have the drafting inconsistencies in this respect reviewed and clarified further within the Manual so that the responsibilities of both the Burns Controller and Burn OIC for the final decision to ignite a burn are consistently and precisely defined.

At any rate, this decision to ignite the burn follows the consideration and assessment of a wide range of factors by both the Burns Controller and the Burn OIC, including, but not limited to:

¹³ Refer to 'Guideline 10.1.4: Burn Status Definitions and Business Rules' (Approved: 10 October 2014) in the Manual.

- i. all relevant weather conditions and fuel moisture readings;
- ii. the burn prescriptions and constraints in the burn plan;
- iii. safety hazard identification and control; and
- iv. all relevant resourcing considerations.¹⁴

6. OVERSIGHT FOR THE PLANNING AND CONDUCT OF A BURN

The Manual (particularly Chapter 2) provides considerable detail in relation to which Departmental officers have oversight for the planning and conduct of a planned burn in addition to which officers are expressly responsible for planned burn approvals/authorisations (as outlined above).

I note that the information provided in the Manual¹⁵ has been read together with the evidence provided by interviewees during the course of this Investigation to ensure correct and up-to-date referencing of the positions of Departmental officers, some of which have changed since 2012. There are a wide range of title changes to positions which appear to have occurred as a result of subsequent organisational structures within the Department, and which need to be addressed clearly through a review and redrafting of the Manual in this respect.

a. Regional and District Operational Oversight for Planned Burning

Set out below are the four key Departmental positions which have various responsibilities in relation to the approval and oversight of a planned burn. This list is not exhaustive, but rather a summary of the key relevant positions with responsibilities to approve and/or formally oversee the various stages of a planned burn. Positions with strategic and high level responsibilities for strategic burn planning and coordinating across the Department have not been included in the list of positions below on the basis that they are not generally required to approve a specific burn or have oversight of a specific burn.

Regional Manager, Fire and Land

The Regional Manager, Fire and Land, - with regional delegation to do so - is required to formally approve and authorise burn ignition for 'High Risk' burns. In this situation, a Regional Manager, Fire and Land, would become involved in a detailed assessment of the particular burn.

However, in respect of those burns not assessed as being 'High Risk' burns, the Regional Manager, Fire and Land, is not required to formally approve and/or authorise burn ignitions, nor is this position specifically required to become involved or have oversight of on-the-ground

¹⁴ Refer to chapter 5 of the Manual and Guideline 10.1.8, 'Indicators Affecting the Decision to Burn' in the Manual.

¹⁵ Note that the Manual is a 2012 version, with the exception of Guideline 10.1.4, which was updated in 2014.

decision-making relating to a specific burn unless issues relating to a burn are actively escalated by others through the chain of command.¹⁶

District Manager

In the absence of issuing a written delegation relating to planned burn approvals or authorisation, the District Manager has the key responsibility or oversight for approving a burn plan and authorising a planned burn for ignition unless such responsibility has been escalated to the Regional Manager, Fire and Land, in the circumstances outlined above.¹⁷ Based on the available evidence, it appears that, in practice, the District Manager frequently delegates their responsibility for planned burn approvals and authorisation to the District Fire Manager (**Fire Manager**), as below.

The Manual states specifically that ‘Delegations must be recorded in writing and kept on file’, but the Manual does not prescribe the form of such written delegation and/or whether it should be specifically limited to the substantive Fire Manager position or may also include delegation to an Acting or interim Fire Manager. This may be an issue which requires further review to ensure the consistency of written delegations across Regions.

Fire Manager

The Fire Manager is responsible for overseeing the Department’s fire suppression and burning activities in a particular district. With a written delegation from the District Manager to do so, the Fire Manager may approve burn plans and/or authorise ignition of a specific burn within their district, subject to the burn not being assessed as a ‘High Risk’ burn, including a burn that it is to be ignited near significant private or public assets, or during the period between November to February.¹⁸

Fire and Land Officer

The District Fire and Land Officer (**Fire and Land Officer**), has responsibility, amongst other things, for:

- i. ensuring that a burn is nominated on FireWeb;
- ii. ensuring that a burn proceeds through the relevant strategic planning and operational planning processes; and
- iii. obtaining the endorsement of the District Manager (or their delegate) for authorisation of a burn.

In the Midlands District, this Fire and Land Officer position is more commonly referred to as the District Fuel Management Officer. This position only exists in the Midlands District structure, and reports directly to the District Fire Manager. For consistency with the

¹⁶ Refer to the Duty Statement for the position of Regional Manager, Fire and Land during emergency response.

¹⁷ Refer to Figure 2.2, ‘Planning and Delivery Responsibilities of Planned Burning’ and section 2.2.5 of the Manual, noting that the ‘Fire Management Officer’ position referred to has since been replaced by the Fire Manager position.

¹⁸ Refer to Figure 2.2, ‘Planning and Delivery Responsibilities of Planned Burning’ and section 2.2.5 of the Manual, noting that the ‘Fire Management Officer’ position referred to has since been replaced by the Fire Manager position.

Department's HR systems, this position is referred to as the Fire and Land Officer in this Report.

Based on the available interviewee evidence, the Midlands District's Fire and Land Officers are, in practice, responsible for inputting the details and content of the burn plan into FireWeb and completing the burn plan. This may require the Fire and Land Officer to complete the Risk Assessment for a burn.

b. Operational Responsibilities for Planned Burning

As noted in the Investigation Report¹⁹, the operational implementation of a burn plan is disconnected from the District level burn planning process, with the operational chain of command and structure at a Regional and District level comprising four key positions in respect of each burn: the District Duty Officer (**Duty Officer**); the Regional Agency Commander (**RAC**); the Burns Controller; and the Burn OIC.

The command and control arrangements for bushfire as required by the Victorian Emergency Management Commissioner describe structures, process and functions at the incident, region and state level, for bushfire readiness and response. The foundation of these arrangements is the use of an Incident Control System (**ICS**) structure.

Control is defined as the overall direction of response activities in an emergency, operating horizontally across agencies. In practice, this occurs through the Duty Officer, to the RAC to the State Agency Commander.

Command is defined as the internal direction of personnel and resources of an agency, operating vertically within the agency. In practice, this occurs through the Incident Controller to the Regional Controller to the State Controller.²⁰

The Department mirrors these bushfire arrangements for the management of planned burns, with a District Burn Controller in place of an Incident Controller, reporting to a Regional Burns Controller (nominally the Regional Agency Commander), through to the State Agency Commander. The functions of all aforementioned command and control roles are rostered roles taken on by Departmental officers in addition to their substantive positions.

The key approval and oversight responsibilities of the relevant roles are set out below.

Regional Agency Controller (RAC)

The RAC is responsible for coordinating all readiness responsibilities across the Region. For the Department, this includes responsibilities in relation to a burn being conducted in a Region. The RAC, who may escalate regional burn issues to a State Agency Commander, is a rostered and reliable 24 hour regional contact point for all Department/Parks Victoria, and Victorian firefighting personnel and the public.

¹⁹ Investigation Report at page 13.

²⁰ Refer to the EMV Victorian Bushfire Handbook: Edition 5: September 2015.

According to available evidence (including from RACs rostered during the Burn), the RAC is responsible for supporting each of the districts within a Region to obtain any additional resources requested to conduct their planned burns or respond to fire. In practice, this means that a RAC will stay in regular communication with District personnel, in particular, the rostered Duty Officer. Communications between the RAC and the Duty Officer occur throughout the period of a burn to discuss the appropriate level of resourcing required to conduct the planned burn. The RAC is also expected to stay closely in touch with the Burns Controller so that the RAC can be updated on any resourcing or operational issues.

Further, and according to available information (although not explicit in the Manual), once authorisation for ignition of a planned burn has been granted (for example by a District Manager or their delegate, or at the regional level based on the risk associated with the burn) the RAC and State Agency Commander have the authority to rescind that authorisation. This may occur in particular circumstances, for example, where smoke might potentially impact significantly on a public event being held in close proximity to a planned burn.

Duty Officer

The Duty Officer is the equivalent of the RAC, but with these responsibilities being performed at a District level and reporting through to the District level ie. the District Manager or their delegate (ie. the Fire Manager). When rostered, the Duty Officer is required to be a 24 hour emergency contact point for the District, continually monitor the District's fire readiness arrangements, including with respect to planned burns, and advise the RAC of any significant changes in the District's standby arrangements.

According to consistent evidence from interviewees, the Duty Officer role is often undertaken by either the District Fire Manager or the rostered Burns Controller. The decision to appoint an officer as a Duty Officer is based on the anticipated workload of the Duty Officer. For example, where there are multiple fire issues (including planned burns) within a District, the Duty Officer would generally be a person other than the Fire Manager or Burns Controller.

Burns Controller

The Burns Controller is responsible for the overall management of a number of prescribed burning operations within a District, including the supervision and coordination of Burn OIC prescribed fires subject to their holding the relevant Fire Managing Training System accreditation.²¹

The delegation of the position of Burns Controller is approved at District level. The Burns Controller has a range of responsibilities set out in the Manual and position description²², including, amongst others:

- the supervision and coordination of Burn OICs;
- determining whether or not to give appropriate authorisation for commencement of any particular burn;

²¹ Refer to section 2.2.7 of the Manual.

²² Refer to document entitled, 'Burns Controller', Version 2: 01/07/10.

- reviewing burn plans prior to implementation;
- determining the sequence for ignition of individual burns and advising the Burn OICs as appropriate;
- coordinating resourcing requests including the requesting, use and release of resources; and
- maintaining the FireWeb burns and works records, including burn status changes.²³

The Burns Controller reports to the RAC who reports to the State Agency Commander. According to the available information, operational decisions in relation to a burn can be escalated up the chain of command, if required.

Burn OIC

A Burn OIC is charged with managing and implementing a particular burn, subject to being endorsed at district level to do so, and their holding of the relevant Fire Managing Training System accreditation as an Incident Controller at a level appropriate to the burn. The Burn OIC is principally responsible for managing the conduct of a particular burn operation, including, in collaboration with the Burns Controller, ensuring that arrangements are in place to provide adequate patrols of the burn until it is completed and declared safe.

A Burn OIC is required to have a copy of the approved burn plan and ensure that the burn meets all prescriptions and conditions in the burn plan. The Burn OIC is also expected to continually update and provide relevant information to the Burns Controller.

As outlined above, the final decision to ignite a planned burn, after authorisation (including from the Burns Controller), appears to be made by a Burn OIC.

Multiple Roles being performed by a Single Officer

One question arising from the Investigation Report (at page 26) is the extent to which one Departmental officer may perform multiple roles in respect of a planned burn. It is apparent from the co-existing operational and incident control structure which exists during planned burn operations that some form of dual role is necessary at times, for example, where the Fire and Land Officer may be rostered to perform a Duty Officer role. Such a situation is to be expected, and clearly contemplated by Departmental documentation and systems.

Nonetheless, there appear to be no explicit restrictions set out in the Manual, or indeed any other Departmental procedure or guideline, regarding the extent of the performance of multiple roles in respect of a planned burn across the different district, operational and chain of command streams

Notwithstanding current practices, several interviewees noted, however, that the performance of multiple roles in the chain of command could constitute 'bad practice'. They noted that they held this view because such a result would not allow for a second set of eyes to oversee the work involved, scrutinise decisions and provide peer review. As highlighted by the

²³ Refer to section 2.2.7 of the Manual.

Investigation Report (at page 13), the performance of multiple roles may arise in a range – and even combination - of situations, for example, where an officer is responsible for conducting a Risk Assessment for a planned burn, but is then acting in a position with delegation for approving the burn and scheduling it for ignition. This might even be coupled with the performance of additional roles such as those of Duty Officer and/or Burns Controller. Given the significant responsibilities of each role, as identified above, this absence of a restriction on multiple roles, or guidance in respect of when they might reasonably be performed, seems to be a notable absence from the Manual, and more generally, Departmental policy and procedure.

c. **The Checklists**

As part of the above oversight of a burn, the burn plan documentation on FireWeb also includes four checklists required to be completed by the relevant Departmental officers (the District Manager, Burns Controller and Burn OIC) relating to various tasks associated with the planning and conduct of a burn.

According to the relevant Departmental guideline, ‘These checklists must be completed for every planned burn on public land and stored as part of the burn record unless advised otherwise.’²⁴ The four checklists are as follows:

- i. ‘Checklist 1: Burn Planning – District Manager’ (Checklist 1), which requires the District Manager to complete a detailed checklist in respect of ensuring that the burn is on an approved FOP, relevant Burn Plan requirements have been satisfied, notifications (for example, to relevant stakeholders), have been posted and completed, and approvals have been given, including that a Burn Plan has been approved by an appropriately authorised person;
- ii. ‘Checklist 2: Operations – Burns Controller’ (Checklist 2), which requires the Burns Controller to complete a detailed checklist, including in relation to the status of the burn on FireWeb, completing authorisations and notifications on the day of ignition (for example in relation to relevant stakeholders, and the provision of authorisation to the Burn OIC to ignite), updating the status of the burn following ignition and putting in place post-ignition arrangements to control the burn;
- iii. ‘Checklist 3: Operations – Burn OIC’ (Checklist 3), which requires the Burn OIC to complete a detailed checklist in relation to the final assessment of burn ignition for suitability taking into account various factors (such as hazardous tree assessment and escape routes), authorisation of the burn (including obtaining authorisation to ignite from the Burns Controller) and follow-up actions to ignition; and
- iv. Checklist 4: Recording – District Manager (Checklist 4), which requires the District Manager to complete a post-burn review of the burn after it has taken place, for example, to ensure FireWeb records and other relevant documents have been completed

The Manual requires that Checklist 1 be completed before a burn is ignited, and that Checklists 2 and 3 should be partially completed on the day of the ignition and during the conduct of the burn, as expressly indicated in the Checklists and dependent on the specific identified action.²⁵

²⁴ Refer to Guideline ‘10.1.13: Checklists for Planning and Conduct of Planned Burns’ in the Manual.

²⁵ Refer to Chapters 2,3,4,5 and 6 in the Manual.

The Manual requires that Checklist 4 be completed following a post-burn review. Notably, while Checklists 1 and 4 are the responsibility of a District Manager, they may be delegated as required within the District structure, although the Checklists documentation, itself, does not include reference to the potential for this delegation to occur.²⁶

7. THE APPROVALS PROCESS LEADING TO IGNITION OF THE BURN

Based on the available evidence, it appears that:

- i. the Burn Plan was not appropriately approved, and the ignition of the Burn was not appropriately authorised, in accordance with Departmental procedure by a Departmental officer with the required actual or delegated level of authority, and in particular, by either the District Manager or relevant District officer (such as the Fire Manager) with appropriate written delegation. Notably, it does not appear that the Burn proceeded through the relevant status change within FireWeb, ‘Authorisation Required’, which would have required its authorisation; and
- ii. this appears to have been, in part, due to assumptions being made by Departmental officers that the appropriate delegations for these approvals were in place, in combination with an informally accepted acting Fire Manager arrangement being in place within the District at the time of the Burn. Notably, however, this informal arrangement was not in place at the time when the Burn Plan was formally approved.

Set out below are the relevant known facts based on the available information provided to me during the course of this investigation.

a. District Delegation for Planned Burns

The Written Delegation

Based on all available information, the only current written delegation for planned burns within the District is a written delegation which was provided by the position of District Manager to the position of Fire Manager, signed by the District Manager (at the time) and dated on 27 December 2013 (**Delegation**). According to interviewee evidence, the Delegation appears to have been placed on file at the time.

The Delegation states:

- i. that the powers, functions and duties delegated are those of ‘Ignition authorisation of planned burns not requiring special conditions’. The Delegation identifies the ‘special conditions’ that would require ignition to be approved by the Regional Manager Fire and Land position. No other powers, functions and duties in respect of planned burns (including burn plan approvals) are specifically delegated by the District Manager to the Fire Manager; and

²⁶ Refer to Guideline ‘10.1.13: Checklists for Planning and Conduct of Planned Burns’ in the Manual.

- ii. 'Where the delegate is absent and an acting arrangement is in place, the delegator must document [sic] this and identify if the individual acting maintains the delegation.' This statement makes explicit that the Delegation was to be provided to the substantive position of Fire Manager and only to an interim acting appointee if subsequently documented to this effect.

According to information from the District Manager at that time, the Delegation appears to have been provided to the Fire Manager after it was signed. As noted above, there appears to be no other written documentation subsequently evidencing a variation of the Delegation within the District, for example, with respect to an acting or interim arrangement.

Limited Awareness of the Delegation and the District's Acting Arrangements

Based on all available information, there appear to have been very limited awareness of the Delegation amongst key District officers responsible for the Burn in 2015, which appears to have been caused, in part, by various acting arrangements being put in place during 2015 within the District.

In particular, the District Manager (signatory of the Delegation) was appointed as the acting Regional Manager Fire and Land in March 2015, with the District's Operations Manager being appointed as Acting District Manager at the same time. These arrangements have remained in place since this time.

On or around 22 August 2015, the District Fire Manager undertook an overseas firefighting deployment and was advised of this deployment only several days before the deployment was to commence. The Fire Manager did not return to work until 6 October 2015.

Based on all of the available information, there appears to have been an informal agreement between the Acting District Manager and the Fire and Land Officer for the Fire and Land Officer to act as Fire Manager, however, subject to a formal Expression of Interest (EOI) process being conducted for the role. This process did not appear to have commenced until 22 September 2015, at which stage an EOI was communicated in writing within the Region, however it was not subsequently finalised given that the Fire Manager was due to return from an overseas deployment and to their substantive position in early October 2015.

In addition, there was no underlying documentation provided during the course of this Investigation to formally confirm these acting arrangements were in place in the lead-up to and during the conduct of the Burn.

Notwithstanding this lack of formal documentation, based on the available evidence, it appears that all relevant Departmental officers were aware of, and believed that, the Fire and Land Officer was for all intents and purposes performing an acting Fire Manager role for the duration of the absence of the Fire Manager ie. from 24 August until 6 October 2015. Indeed, this appeared to be the understanding of the Fire and Land Officer, including based on communications with the Fire Manager prior to their

departure which appeared to reflect that the Fire and Land Officer had responsibility for planned burns during the absence of the Fire Manager.

According to the available evidence, it appears that:

- i. the Acting Regional Manager Fire and Land did not specifically notify the Acting District Manager of the Delegation or its content;
- ii. neither the Acting District Manager nor the Fire and Land Officer sighted the Delegation or were even aware of the content of the Delegation during 2015;
- iii. the Fire Manager did not communicate the nature of the Delegation to either the Acting District Manager or the Fire and Land Officer, including before being deployed overseas in late August 2015; and
- iv. no other written delegation was provided by the Acting District Manager in respect of planned burns.

Accordingly, it appears that during 2015 both the Acting District Manager and the Fire and Land Officer had no real awareness of the Delegation or its terms, and in particular, they had no awareness that:

- i. there was no other written delegation from the District Manager to any other officer relating to the approval of burns, including burn plan approval; and
- ii. even had the status of the Fire and Land Officer been confirmed and formalised as an Acting Fire Manager during the overseas deployment of the Fire Manager, this position of Acting Fire Manager would still not have had the requisite formal level of written delegation to authorise the ignition of a planned burn.

According to available information, both the Acting District Manager and Fire and Land Officer appear to have assumed that, at all material times prior to ignition of the Burn, the necessary delegations from the District Manager had been put in place to enable a Fire Manager or Acting Fire Manager to make key decisions regarding approval of the burn plan and authorisation of ignition as appropriate. Nonetheless, there was no evidence to support that any form of inquiries had been made by either of these officers to verify this incorrect assumption.

b. The Approvals Process for the Burn

Nomination of the Burn

The Burn first appeared on the Region FOP as a result of a nomination by the Fire Manager at the time. There was no information or evidence provided to me to indicate that the Burn had not been nominated correctly or in accordance with Departmental procedure.

Proposed Burn

FireWeb documentation confirms that the plan for the Burn Plan was first completed by the Fire and Land Officer on 21 August 2014, as there had been an expectation within the District that the Burn would be ignited during the 2014/15 year.

Prior to the Burn Plan being completed, the Risk Assessment tool was completed by the Fire and Land Officer in or around July 2014. There was no evidence to support that the Risk Assessment tool was subsequently revisited by the Fire and Land Officer or otherwise reviewed by other Departmental officers prior to the Burn, although one regional-level Departmental officer stated that they had sighted the Risk Assessment before the Burn proceeded, but they had not reviewed its content based on the understanding that this was not within their responsibility. In addition to the Risk Assessment tool, the Burn Plan also included various required documentation such as maps, a traffic management plan and a SMEACS briefing.

There was no specific evidence provided to support that the Acting District Manager or their delegate, the Fire Manager (prior to her overseas deployment), reviewed the Burn Plan at any stage. The status change of the burn to 'Proposed' in FireWeb appears to have been made by the Fire and Land Officer on 1 July 2015 and then subsequently on 10 August 2015 (at 9.33am) although I was not able to ascertain the reason for this repeated status change.

Overall, however, there was no evidence to support that the status change of the Burn being set to 'Proposed' was not in accordance with Departmental procedure or any additional Departmental approval or authorisation was required at this stage of the process leading up to the Burn.

Approval of the Burn Plan

On 10 August 2015 (at 9.40am) the status of the Burn was changed in FireWeb from 'Proposed' to 'Planned' by the Fire and Land Officer (while still reporting to the Fire Manager), which constituted the formal approval by the Department of the Burn Plan.

However, there was no evidence provided to me to support that the Acting District Manager or Fire Manager approved the Burn Plan to enable this status change to proceed (although this would not have been technically within the delegation of the Fire Manager to do so). There was also no evidence to support that the Fire and Land Officer had sought the formal approval of the Burn Plan from the Acting District Manager or Fire Manager, including prior to this status change in FireWeb being made to reflect the Department's approval of the Burn Plan.

Accordingly, there was no evidence to support that the Burn Plan was approved at the appropriate level by the Department, in this case, at the District Manager level (given that no other delegation existed, for example, to the Fire Manager in respect of approval of burn plans within the District).

Implementation of the Burn

Following the status change of the Burn to 'Planned' in FireWeb on 10 August 2015 by the Fire and Land Officer, various preparatory works identified in the Burn Plan were completed in respect of the Burn, including hazardous tree and track work. The relevant FireWeb entry was updated to reference the 'Site Preparation Completed' date of 10 September 2015. There appears to have been joint collaboration between the District Planning team, Operations team and the Fire and Land Officer in respect of these preparatory works.

Based on the available evidence:

- i. an appropriately accredited Burn OIC was nominated for the Burn and agreed at District level (in August 2015), with this Burn OIC occupying this role up to and including the first day of ignition of the Burn on 30 September 2015;
- ii. prior to ignition of the Burn and in early September 2015, the Burn OIC liaised with the Burns Controller to communicate that planning and mandatory works in respect of the Burn had been completed to their satisfaction;
- iii. the Fire and Land Officer scheduled the Burn in FireWeb on 25 September 2015, with effect that it was intended, subject to the further approval process, that the Burn would be scheduled for ignition within the following seven days; and
- iv. it was agreed at a District planned burn teleconference on 28 September 2015 (involving a range of Departmental officers, including the Burn OIC, Acting District Manager, and RAC at the time) that the Burn would proceed to ignition on 30 September, pending weather and other condition suitability.

Based on all available information, there was no evidence to support that the status of the Burn in FireWeb was not appropriately changed from 'Planning' to 'Ready', which was input by the Fire and Land Officer on 29 September 2015 (at 9.11am).

Request for Authorisation of the Burn

According to FireWeb records, there is no specific evidence of a status change of the Burn from 'Ready' to 'Authorisation Required'. This appears to constitute evidence consistent with the conclusion below that no higher level of authorisation (ie. at a District Manager level) for ignition of the Burn was sought by the Fire and Land Officer, who at that time appears to have believed that they were acting in their capacity of the Fire Manager, albeit in the absence of a formalised arrangement to this effect and the appropriate level of delegation regarding planned burns being in place. This apparent failure to action a status change from 'Ready' to 'Authorisation Required' does not appear to be in compliance with the Manual, which mandates this requirement for a status change, as outlined above.

Ignition Authorisation

On the basis of available and consistent evidence, ignition of the Burn appears to have been formally authorised by the Department at 10.49am on 29 September 2015 which was reflected by the status change in FireWeb from 'Ready' to 'Ignition Authorised' as input by the Fire and Land Officer, who at that time believed the Fire and Land Officer was acting in the capacity of Fire Manager. Based on the available information, it appears that the Fire and Land Officer formally authorised ignition of the Burn.

It does not appear that the Fire and Land Officer was authorised to approve the ignition of the Burn under the scope of powers within the Delegation. However, the Fire and Land Officer does not appear to have been aware of the Delegation or the fact that ignition authorisation as a power (pursuant to the Delegation) had only been provided to the Fire Manager and not an Acting Fire Manager or any other such interim appointee to this position.

On the basis of the available information, both the acting District Manager and the Fire and Land Officer appear to have assumed that the Fire and Land Officer was capable of authorising ignition of the Burn in the ostensible capacity as an acting Fire Manager (even in the absence of formal acting Fire Manager arrangements having been approved by the Department). In addition, during the morning of 29 September 2015, there appears to have been a verbal understanding or agreement between the acting District Manager and the Fire and Land Officer, to the effect that the acting District Manager was comfortable for the Burn to be ignited. On this basis, it appears that the Fire and Land Officer authorised ignition of the Burn and recorded this within Fire Web (as being authorised by the Fire Management Officer), but with the verbal agreement of the Acting District Manager to do so.

Ignition – 30 September 2015

Prior to ignition of the Burn on 30 September 2015, the Acting District Manager and Fire and Land Officer agreed that the Fire and Land Officer (who had appropriate current accreditation to be a Burns Controller) could be both the Burns Controller and the Duty Officer principally on the basis that only one burn within the District – the Burn – had been scheduled for ignition that day. FireWeb records provide evidence of the nomination of the Fire and Land Officer as the Burns Controller.²⁷²⁸ There is no evidence to support that such nomination was not in accordance with Departmental procedure and current practice.

Based on interviewee evidence, coupled with FireWeb records, it appears that the Burns Controller verbally confirmed with the Burn OIC at around 11.41am on 30 September 2015 that the Burn was ready to be ignited and accordingly, the Burns Controller

²⁷ Refer to 'Guideline 10.1.4: Burn Status Definitions and Business Rules', (Approved: 10 October 2014) in the Manual.

²⁸ From this point onwards, the reference to the Burns Controller is used to identify this Fire and Land Officer from 30 September onwards, given that this is the point at which the incident control arrangement of Burns Controller came into effect.

provided authorisation to the Burn OIC at that time to ignite the Burn. The formal record of this ignition was evidenced by an entry made by the Burns Controller within FireWeb at 11.49am.

The evidence supports that this decision by the Burns Controller to ignite the Burn on 30 September 2015:

- i. was supported by the Acting District Manager, who, having been briefed by the Burns Controller during the morning of 30 September 2015 and prior to ignition, verbally communicated his agreement to the Burns Controller to proceed with ignition during the morning of 30 September 2015;
- ii. followed detailed MetEye weather forecasts being undertaken by the Burns Controller that morning for the weather from 30 September until 3 October 2015 (albeit based on forecasts from a Tullamarine weather station);
- iii. was supported by the Burn OIC and was a decision which was undertaken by the Burns Controller in close collaboration with the Burn OIC at the site based on their joint assessment that the weather and fuel conditions for ignition of the Burn were appropriate, and the Burn would be within the prescriptions within the Burn Plan to be ignited; and
- iv. was consistent with Departmental procedures and the level of authority provided to the Burns Controller and the Burn OIC to proceed with ignition in these circumstances, notwithstanding the abovementioned deficiencies in the approvals process relating to approval of the Burn Plan and the authorisation of ignition, given the lack of a written delegation providing such authorisation.

c. The Checklists

Set out below is a summary of what appears to have occurred in relation to the completion of the Checklists²⁹ in respect of the Burn.

Checklist 1: Burn Planning – District Manager

On the basis of the available evidence, Checklist 1 in respect of the Burn does not appear to have been completed by the Acting District Manager or any other Departmental Officer (including the Burns Controller, who appears to have believed that the Burns Controller was acting in the capacity of Fire Manager during the period when Checklist 1 ought to have been completed and this belief appeared to be that the Fire Manager had the capacity to complete and record Checklist 1).

The failure to complete Checklist 1 does not appear to be in accordance with Departmental procedure as outlined above. Interviewee evidence supports that this failure may, in part, be due to an understanding by the Acting District Manager that Checklist 1 would be completed by the Burns Controller in their capacity as interim Fire Manager. While there was some evidence to support that the Burns Controller may have reviewed and checked that actions in Checklist 1

²⁹ Refer to 'Burn Operations Record' for the Burn, as at 30 September 2015

had been completed, it does not appear that Checklist 1 was completed and electronically signed as required.

Checklist 2: Operations – Burns Controller

According to FireWeb documentation, Checklist 2 appears to have been printed, checked and completed by the Burns Controller which, based on available interviewee evidence, occurred on 30 September 2015. This appears to be in accordance with Departmental procedure as outlined above.

Checklist 3: Operations – Burn OIC

According to FireWeb documentation and available interviewee evidence, Checklist 3 appears to have been printed, checked and completed by the Burns Controller prior to ignition of the Burn on 30 September 2015 and following a verbal communication between the Burn OIC (from the site) to the Burns Controller to the effect that the checks on Checklist 3 had been satisfied. There appears to have been a minor technical breach (albeit not substantive) of Departmental procedure in this regard, as the Burns Controller (rather than the Burn OIC) appears to have completed the checklist, although this completion was done in close consultation with the Burn OIC.

Checklist 4: Recording – District Manager

There was no evidence supporting that Checklist 4 in respect of the Burn was completed after the Burn by the Acting District Manager or any other Departmental Officer (including the Burns Controller). This does not appear to be in accordance with Departmental procedure as outlined above.

8. THE OVERSIGHT PROCESSES BEFORE IGNITION OF THE BURN

a. The Fire and Land Officer and the Primary Oversight of Decisions

According to all available information, whilst there were a number of parties involved in preparations for ignition of the Burn, at all material stages, it is my assessment that the primary or direct oversight of the preparations leading to the ignition of the Burn on 30 September 2015 rested with the Fire and Land Officer, given the various roles and decisions that appeared to have been performed by the Fire and Land Officer during this period (including initially as Fire and Land Officer, subsequently as an ‘interim’ Fire Manager, and then as Burns Controller and Duty Officer).

In particular, the Fire and Land Officer appears to have assumed primary oversight for:

- i. the preparation of the initial Burn Plan on 21 August 2014, including the completion of the Risk Assessment for the Burn (the medium level risk rating of which remained the same to ignition), and setting the Burn’s Land Management Objective (‘To Burn at a low to moderate intensity to reduce the OFH below High over at least 50% of the planned area’), Burn Operation Objective (‘To provide an irregular mosaic of areas of

fuel reduction which will complement works in adjacent fuel management zones') and the Burn Coverage ('50 to 69%')³⁰;

- ii. coordination of the input of various operational and planning works associated with preparation for the Burn;
- iii. formal approval of the Burn Plan on 10 August 2015;
- iv. liaising with the District's Operations and planning teams to ensure all preparatory works were undertaken at the Burn site, including hazardous tree removal and the erection of signage to notify residents in proximity to the burn, all of which were completed by 10 September 2015 to the satisfaction of the Burn OIC;
- v. arranging for the Burn OIC to conduct pre-Burn checks to ensure appropriate reference point signage, and inspections of tracks and water points were undertaken and completed at the Burn site by 29 September, the day before the Burn was ignited;
- vi. repeatedly declining to proceed with ignition of the Burn in or around early to late September 2015, based on their communications with the Burn OIC regarding ignition following completion of the Burn planning processes on 10 September 2015;
- vii. making key decisions, in conjunction with the Burn OIC, for resourcing of the Burn, including arranging day and night crews for the day of ignition, and the subsequent four days of the burn;
- viii. authorising the ignition of the Burn on 29 September 2015, with a view to igniting the Burn the following day;
- ix. assessing short and longer term weather conditions for the Burn by obtaining weather forecast data from Meteye on the morning of 30 September 2015 and providing this data to the Burn OIC prior to ignition. Notably, no spot weather forecasts were undertaken by the Fire and Land Officer;
- x. ensuring notifications were undertaken with local residents and other interested parties;
- xi. appointing them self as Burns Controller and Duty Officer for the District from 30 September 2015 and for the duration of the Burn, in addition to the responsibilities as the 'interim' Fire Manager; and
- xii. providing a verbal authorisation to the Burn OIC to proceed with ignition of the Burn on 30 September 2015.

b. Other Departmental Officer Awareness and Oversight of Preparations for the Burn

Nonetheless, there was still a high level oversight of preparations for the Burn, which was provided by a range of other District and Regional Departmental and other agency officers in the lead-up to ignition of the Burn, given that a number of these officers appear to have been

³⁰ Refer to FireWeb Attachment 1 to the Burn Plan.

aware at material times that the Burn would be proceeding to ignition around the end of September 2015, and closer to the date, 30 September 2015.

The informal oversight processes in the lead-up to ignition included, but are not limited to, the following:

- i. at a District pre-burning season meeting in August 2015 a number of Departmental Officers (including the Fire Manager, Acting District Manager, Fire and Land Officer and Planning Manager) appear to have been made aware of, and tacitly agreed (or did not express opposition) to the proposal by the Fire and Land Officer to schedule the Burn as the fourth planned burn in Spring 2015;
- ii. an email communication from the Fire and Land Officer on 24 September 2015 updated relevant Departmental officers (including the nominated Burn OIC, the subsequently-appointed Burn OIC from Parks Victoria (not appointed at that time), the Acting District Manager, Regional Program Manager, Planned Burning and Roding, and the Region Planned Burns Operation Coordinator, who subsequently became the first RAC for the Burn) on the prospect of proceeding with the Burn on 29 September 2015, which was later postponed to 30 September due to the inter-agency pre-season fire briefing on 29 September 2015 and its impact on resourcing;
- iii. the RAC, Acting District Manager, and other Departmental and Parks Victoria representatives attended the District's planned burn teleconference on 28 September 2015, where the intention of the Fire and Land Officer to ignite the Burn on 30 September was expressly raised and does not appear to have been opposed;
- iv. a range of one-on-one discussions about resourcing for the Burn appear to have taken place at various times between the RACs, Burns Controller, Burn OIC and Duty Officer on 28 and 29 September 2015, with a view to ensuring the adequacy of resourcing arrangements for ignition of the Burn and patrolling the Burn after ignition;
- v. the Burn OIC attended the Burn site on 29 September 2015, and completed pre-ignition Burn checks, including with respect to taking fuel moisture readings, and overseeing the brushing up of the tracks in the area of the Burn;
- vi. there were further informal discussions at the Grampians Regional inter-agency pre-season briefing on 29 September 2015 between relevant Departmental officers regarding proceeding to ignite the Burn on 30 September 2015, with effect that the RAC and acting District Manager were aware that the Burn would likely be proceeding to ignition that day;
- vii. there were various verbal communications between the RAC and the Duty Officer on 28 September 2015, with the RAC asking what options the District had in place for the long weekend in terms of resourcing the Burn and any new fires. More specifically, there appear to have been discussions between the RAC and Duty Officer regarding the use of a Vehicle Mounted Drip Torch which would be required for the Burn. Notably, neither the Duty Officer nor the Fire and Land Officer appear to have actively sought from the RAC to significantly increase resources for the Burn over the long weekend, although both officers appear to have been offered the opportunity to do so by the RAC during the period of 28 and 29 September 2015; and

- viii. there were various email communications between the Fire and Land Officer and other Parks Victoria and Departmental officers during the afternoon of 29 and 30 September 2015 (prior to ignition of the Burn) in relation to the resourcing requirements for the Burn, with several questions being asked by a Parks Victoria officer (who later became the second Burn OIC on 1 October 2015) as to whether community engagement, and the level of resourcing and staffing for the Burn had been addressed adequately, given potential weather and other conditions leading into the long weekend. While the Fire and Land Officer acknowledged the validity of these questions, they do not appear to have had any impact on the preparations being put in place for the Burn;
- ix. on the morning of 30 September 2015 and prior to ignition, the Burns Controller separately advised the Acting District Manager and the RAC of their intention to ignite the Burn, and neither the Acting District Manager nor the RAC appear to have disagreed with this stated intention to ignite the Burn; and
- x. the Burns Controller liaised closely with the Burn OIC prior to ignition on 30 September 2015, with both officers agreeing to ignite the Burn at approximately 11.41am.

c. Assessment of the Level of Oversight of the Burn Preparations

Based on the available evidence, it is my assessment that Departmental officers involved in the Burn preparations generally provided an adequate - but not proactive and/or interventionist - operational level of oversight of the Burn preparations being undertaken by the Fire and Land Officer / Burns Controller. Based on the available evidence, these Departmental officers appeared to have implemented their responsibilities of oversight in accordance with the expressed responsibilities of their respective roles as set out in the Manual and other Departmental documentation.

Amongst other things, during the week commencing Monday 28 September 2015 and prior to ignition of the Burn:

- i. the RAC repeatedly discussed with the Duty Officer the appropriate level of standby resourcing arrangements for the District during the week of the Burn, including with respect to the Burn and the long weekend arrangements. The RAC attended relevant state-wide weather teleconferences, including on Monday 28 September 2015, with a view to monitoring the weather;
- ii. the Duty Officer repeatedly liaised between both the Fire and Land Officer and the RAC to communicate information regarding resourcing to each officer. The Duty Officer also attended the state-wide weather teleconference on Monday 28 September 2015, with a view to monitoring the weather;
- iii. the Acting District Manager appears to have had a number of discussions with the Fire and Land Officer / Burns Controller during the period from 28 to 30 September 2015 (prior to ignition of Burn) in which the Acting District Manager was briefed on weather conditions, fuel moisture readings and the intention of the Fire and Land Officer / Burns Controller to ignite the Burn on 30 September 2015; and
- iv. the Burn OIC appears to have remained in regular communication with the Fire and Land Officer to update on site preparations and fuel moisture readings. During the

morning of 30 September 2015, the Burn OIC appears to have taken the necessary steps to brief crews (including in relation to safety), and confirm the set-up for the Burn, including in respect of signage, escape routes and the posting of letters to advise of the Burn and water points.

Nonetheless, based on the available evidence, there also appeared to have been a level of confidence expressed by a number of Departmental officers that the Fire and Land Officer (who became the Burns Controller on 30 September 2015) was appropriately placed to decide, at their discretion, the key issues relating to resourcing, weather and the timing of ignition of the Burn, and had the necessary experience to do so. For example, some interviewees expressed a consistent view that it was the responsibility of the Fire and Land Officer / Burns Controller to call for more resources if required.

While there was evidence that questions about some of these issues were asked by various officers (both from the Department and Parks Victoria) to the Fire and Land Officer, there was a lack of evidence to support an active intervention by any of these officers (including the RAC, acting District Manager and Burn OIC) to change any key assessments or decisions being made by the Fire and Land Officer, or alternatively, escalate any doubts they may have had to a higher level in the chain of command and/or within the Department. In effect, it appears that for the most part, officers in the District who had had no involvement in the risk assessment of the Burn or approval of the Burn Plan (including, but not limited to the acting District Manager, RAC, Duty Officer and Burn OIC) were largely content to see the Burn Plan implemented by the Fire and Land Officer / Burns Controller in accordance with their assessments (including in relation to long term weather projections and longer term resourcing of the Burn) made during the week commencing Monday 28 September 2015. Notably, no evidence was provided to me by any Departmental officers to the effect that they felt that they had not provided an adequate or appropriate level of oversight of the Burn preparations.

9. THE APPROVAL AND OVERSIGHT PROCESSES DURING THE BURN AND SUBSEQUENT FIRE

From ignition of the Burn on 30 September 2015 until the morning of 6 October 2015, the Burns Controller (who was also the Duty Officer during this entire period) appears to have had primary oversight for the conduct of the Burn, which was implemented through various Burn OIC and Officer in Charge arrangements at Burn site level, which changed several times.

a. Burn OIC Changes

Based on the available evidence, there appears to have been regular verbal communication between the Burn OIC and Burns Controller during the afternoon of 30 September 2015 in relation to the progress of the Burn in 'Block 1' and 'Block 2' of the Burn area, which appeared to have proceeded smoothly and was overseen at site level by the Burn OIC.

During the afternoon, it was agreed between the Burn OIC and Burns Controller that a Parks Victoria officer (who had current accreditation as a Burn OIC) would take over the role of Burn OIC (**Burn OIC2**) on 1 October 2015 as it was decided that there would need to be a re-ignition

of the Burn that day. The Parks Victoria officer agreed to be the Burn OIC2 on 1 October 2015, notwithstanding that he would not be available to attend the Burn on 2 October 2015.

Departmental systems and procedures do not appear to preclude a change of Burn OIC and local oversight arrangements during the course of a planned burn. There does not appear to be any prescription regarding such changes. However, this change in personnel appears to have been an important change of oversight arrangements for implementation of the Burn which, based on the available evidence, does not appear to have been planned sufficiently in advance by the Burns Controller prior to the ignition of the Burn ie. with a view to ensuring continuity of operational oversight of the Burn, to the extent reasonably practicable.

This change was also followed by a further change of Officer in Charge arrangements for the Burn on 2 October 2015 to another Parks Victoria officer (who appears not to have been acting as a Burn OIC), albeit in circumstances where the Burn appears to have proceeded relatively smoothly during its first two days and did not require further ignition on that day. The Burn OIC2 then returned to the Burn site on 3 October 2015 as Officer in Charge of the Burn.

b. 1 October 2015 – Re-ignition of the Burn and Ignition Approval

FireWeb records evidence that the Burns Controller changed the status of the Burn from ‘Under Control’ to ‘Ignition Authorised’ at 11.28am and then to ‘Ignition’ at 11.31am on 1 October 2015.

As outlined above in respect of the 30 September 2015 ignition of the Burn, it does not appear that the Burns Controller was authorised to approve the further ignition of the Burn under the scope of powers within the Delegation. However, the Burns Controller does not appear to have been aware of the Delegation and the fact that ignition authorisation as a power (pursuant to the Delegation) was only provided to the Fire Manager and not an Acting Fire Manager or any other such interim appointee to this position.

The evidence is inconclusive as to whether the Burns Controller had obtained verbal authorisation from the Acting District Manager for a further ignition of the Burn, although the evidence appears to confirm that there was verbal contact between the Acting District Manager and the Burns Controller that day in relation to the progress of the Burn, and it appears likely that the Acting District Manager was also made aware of re-ignition of the Burn.

c. Oversight of the Burn on 1 October 2015

Oversight of the Burn on 1 October 2015 appears to have principally rested with the Burn OIC2 and the Burns Controller who had regular contact with each other in relation to the progress of the Burn. In addition there appears to have been repeated communications between the Burns Controller and the RAC1 regarding situational updates.

The RAC (**RAC2**), who replaced the RAC1 from 5pm on 1 October 2015, also appears to have had communications with the RAC1 and other Departmental and CFA officers prior to that time about resourcing arrangements for the Region over the public holiday long weekend, including with respect to the Burn. Notably, on the basis of available evidence, the RAC arrangements appeared to defer to the Burns Controller to make any decision regarding the upscaling of

resources for the Burn. It appears to have been the expectation of both of the RACs that the Burns Controller was responsible to indicate to the RAC if additional resources were required for the Burn.

While the above arrangements appear to have been made in accordance with Departmental procedures for the oversight of the Burn, it is apparent that there was a heavy focus on local operational and local command arrangements dictating decision-making in relation to resourcing of the Burn, including for the long weekend.

d. Oversight of the Burn on 2 October 2015

The Burns Controller continued to perform the role of Burns Controller and Duty Officer on 2 October, and appears to have had regular communication with the on-site Officer in Charge of the Burn. Based on available evidence, there appears to have been a conversation between the RAC2 and the Burns Controller as to weekend staffing levels, but there was no evidence to support that the Burns Controller requested the RAC to significantly increase resourcing for the weekend, and in particular, Saturday 3 October 2015.

e. Oversight of the Burn on 3 October 2015

The Burns Controller continued to perform the roles of Burns Controller and Duty Officer from the Bacchus Marsh office on 3 October 2015, and appears to have had regular communication with the Burn OIC2 in relation to progress of the Burn. Following the fire escapes in the early afternoon there also appears to have been a discussion between the RAC2 and Burns Controller in relation to the potential risks of the fire escapes. An additional officer was deployed into the Sebastopol Incident Control Centre to assist as the night shift controller. Based on the available evidence, it appears that the Burns Controller was largely responsible for overseeing, with the assistance of the Burn OIC 2 and the RAC2, the various increased deployments of resources to the Burn (including additional staff and Helitak fire suppression equipment) which were utilised that day to deal with the fire escapes.

There was no evidence to support that the oversight of the Burn on 3 October 2015 by the Burns Controller/Duty Officer and other relevant officers on 3 October 2015 was not in accordance with Departmental policy and procedure

f. Oversight of the Burn on 4 October 2015

The Burns Controller performed the role of Incident Controller (given the fire escapes of the previous day), Burns Controller and Duty Officer from the Department's Ballarat office on 4 October 2015. There were verbal communications between the Burns Controller and the RAC2 in relation to the tracking of the fire, hazardous tree work, and continuing work being undertaken on containment lines. The Burns Controller appears to have been supported by an Incident Management Team of three personnel.

There was no evidence to support that the oversight of the fire associated with the Burn on 4 October 2015 by the Burns Controller and other relevant officers on 4 October 2015 was not in accordance with Departmental policy and procedure.

g. Oversight of the Burn on 5 October 2015

The Burns Controller continued to perform the role of Incident Controller / Burns Controller and Duty Officer from the Department's Ballarat offices on 5 October 2015, with oversight for various readiness arrangements being put in place for 6 October 2015.

During the morning of 5 October 2015, there was a RAC handover from the RAC2 to a third RAC (**RAC3**), who appears to have liaised with the CFA in relation to the Region's readiness arrangements and incident control centres for 6 October 2015. The RAC3 also liaised with the Burns Controller to ensure Incident Management Team (**IMT**) readiness in accordance with Joint Standard Operating Procedure 2.03, as well as communicating during the day with the Burns Controller in respect of resourcing requests and to check whether the District was comfortable with resourcing levels and IMT readiness.

h. Oversight of the Burn on 6 October 2015

The Incident Control arrangements for the Region were significantly altered on 6 October 2015, with effect that the Acting Regional Manager Fire and Land was repositioned as a Level 3 Incident Controller (reporting to the Grampians Regional Controller) located at the Ballarat Incident Control Centre (**ICC**) in accordance with the Department's Joint Standard Operating Procedures.

In the morning, however, the fire associated with the Burn continued to be managed and overseen under local arrangements. According to available evidence, the Fire and Land Officer / Burns Controller took up an assignment with the Gisborne ICC from approximately 9am onwards, with another Fire and Land Officer taking over the role of Duty Officer for the District. The RAC arrangements were also changed during the morning of 6 October 2015, with the RAC2 taking over RAC duties from the RAC3.

Oversight for the fire associated with the Burn, once it broke containment lines at approximately 1.35pm or thereabouts, was transferred from the Ballarat ICC to the Gisborne ICC which formalised a change in line of control to the Loddon-Mallee Regional Controller.

There was no evidence to support that the oversight of the fire associated with the Burn on 6 October 2015 by relevant Departmental officers was not undertaken in accordance with Departmental policy and procedure.

10. PRIORITY ISSUES AND RECOMMENDATIONS

After reviewing the evidence there are several areas which the Department may wish to focus on in order to address issues and findings arising from this Investigation, bearing in mind that the recommendations set out below should also be considered in the context of the Investigation Report and its recommendations.

a. Written Delegations

Issue

There is potential risk for the Department associated with decisions being made by individual officers to approve burn plans and/or authorise ignition of burns in the absence of appropriate written delegations to authorise the making of these decisions. Of greater significance is the underlying issue of whether all of the current planned burn delegations should continue to be provided for, as this can encourage a culture of delegation, rather than responsibility at the District and Regional levels for key planned burn decisions. My assessment is similar to the Investigation Report's assessment (at page 14) that there are inadequate levels of District and Regional oversight of the planned burn processes.

Recommendations

It is recommended that the Department consider:

- i. the nature of each delegation referred to in the Manual and whether it remains appropriate to allow for each delegation to continue to be exercised in the future, for example, in relation to the approval of burn plans. Where appropriate, the Department may wish to consider removing delegations or creating higher level delegations in respect of specific planned burn decisions;
- ii. reviewing whether the necessary written delegations are in place across all Districts in respect of planned burn decision-making;
- iii. reviewing the form of any written delegations in place to ensure that planned burn authorities have been appropriately delegated;
- iv. standardising written delegations appropriately so that each District has in place clear and appropriate standard written delegations in respect of planned burn authorities, which take into account and appropriately address the potential for acting arrangements to arise from time to time;
- v. undertaking an audit to ensure that all written delegations are recorded and placed on file by Districts; and
- vi. taking appropriate measures to communicate these written delegations within all Districts, including any changes to delegations, so that all relevant officers clearly understand the nature of these delegations as may apply to them.

b. The Manual

Issue

The Manual contains a range of outdated information relating to position titles and also a number of inconsistencies or lack of clarity, including with respect to: whether the District Manager alone can approve a burn plan; whose decision it is to effect the final ignition of a burn; whether a delegation may be provided in respect of acting arrangements; the timeframe for ignition authorisation; and whether a delegation can be provided by a District Manager in respect of completion of the Checklists. Of more significance, the content of the Manual should also be reviewed in detail in respect of risk and governance issues, with a view to encouraging more active intervention at higher levels of decision-making regarding planned burns, including with respect to the completion of the Risk Assessment tool. In addition, there may be a need for the Manual to provide more specific guidance about how Burns Controllers and Burn OICs are nominated, with an emphasis on ensuring to the extent reasonably practicable, that Burn OICs are appointed for the entire duration of a burn rather than being changed repeatedly (as occurred in the case of the Burn).

Recommendations

It is recommended that a thorough review of the Manual is undertaken with a view to:

- i. updating referencing;
- ii. removing inconsistencies (including those identified in this Report);
- iii. making clearer all responsibilities for the conduct of planned burn processes, including with a view to encouraging a more open culture within the Department of escalating any concerns about a particular planned burn through the operational chain of command so that any issues can be resolved at an early stage and involve the appropriate levels of authority;
- iv. including a high level and simple flow chart (not dissimilar to the Region's 'Planned Burn Approval Guide') which will ensure that all regions have a standardised and simple planned burn approvals reference tool; and
- v. providing guidance about the nomination process for Burns Controllers and Burn OICs during the conduct of a planned burn, with an emphasis on selecting a single Burn OIC for a planned burn wherever possible and practicable to do so.

c. The Performance of Multiple Roles in the Planned Burn Process

Issue

The issue of an individual officer fulfilling multiple roles in respect of a planned burn at various points in time and in co-existing operational and incident control structures is a significant one, notwithstanding that resourcing constraints within the Department may require some level of performance of multiple roles in practice.

Recommendations

The Department should consider:

- i. where the risk is greatest in respect of the performance of multiple roles in the burn plan processes;
- ii. how to ensure that more than one officer is involved in each of the key steps associated with planned burning, including with respect to the completion of Risk Assessments, and the key approval stages (such as Burn Plan approval and ignition authorisation);
- iii. various options to eliminate the potential for a single officer to be involved in one part of the burn plan process (such as the formulation of burn plans), but potentially through subsequent acting arrangements, to become able to self-assess their earlier involvement and make burn approval decisions without any additional oversight;
- iv. reviewing FireWeb with a view to making potential changes to ensure dual sign-offs on key burn plan decisions, which cannot be circumvented through acting arrangements; and
- v. providing further guidance in relation to the circumstances in which the performance of multiple roles in respect of planned burns ought to be avoided.

d. Changing the Culture and Addressing Assumptions

Issue

It is critical that the Department carefully consider how to improve the culture of decision-making in relation to planned burns, with a view to ensuring proactive and interventionist operational oversight of key planned burn decisions, so that, while Burns Controllers and/or Burn OICs can feel supported to make the right decisions, key on-the-ground assumptions (for example, in relation to burn strategies, resourcing and weather assessments) are tested appropriately by higher levels of authority and/or through the use of additional technical experts in the field.

Recommendation

It is recommended that the Department consider reviewing higher level District and Regional position responsibilities, with a view to including increased key performance indicators and/or responsibilities in relation to more active involvement in key planned burn decisions, subject to the Department's consideration of issues such as risk and resourcing.

e. Assessment of Relevant Actions taken by Officers during the Burns Plan Approval and Ignition Stages

Issue

It is apparent that the Burn Plan was not appropriately approved, and the ignition of the Burn was not appropriately authorised, in accordance with Departmental procedure. There are questions raised by this Investigation as to whether such failures are simply a reflection of

inadequate systems being in place to ensure appropriate planned burn approvals and processes were followed, or whether, there is, in addition, a level of individual officer responsibility that warrants further exploration, and potential action by the Department.

Recommendation

It is recommended that the Department further assess and investigate whether:

- i. any individual failures in respect of the approvals and oversight of the Burn, or related issues, warrant further action by the Department, subject to applicable policy and procedure; and
- ii. there is a need for increased and targeted training to be provided to those involved in the Burn who might benefit from increased awareness of planned burn procedures and approvals processes.



Jon Morley

Director, Wise Workplace Solutions

APPENDIX A – TERMS OF REFERENCE

Terms of Reference for the Investigation into the conduct of the approvals and oversight process relating to the Lancefield-Cobaw planned burn

Commencement:

16 November 2015

Investigator

Jon Morley – Wise Workplace Solutions

Background

On 30 September 2015, a planned burn was ignited on public land approximately 10km west north west of Lancefield.

On 3 October 2015, the planned burn breached containment lines, burning an additional 70 hectares.

On the 6 October 2015 the planned burn again breached containment lines and burned an additional 3,000 hectares.

An investigation was undertaken by an independent investigation team led by Mr Murray Carter into the facts and circumstances surrounding the planned burn and the subsequent breach of containment lines. This investigation has been completed and DELWP has been provided with a copy of the report (*Independent Investigation of the Lancefield-Cobaw Fire*, 4 November 2015 - attached) (**the Report**).

In particular the Report referred to:

- “...the planning and authorisation of the Lancefield-Cobaw burn some tasks were not finalised in FireWeb. In some cases the delegation of authority was not documented or clearly articulated. This does not mean the tasks were not completed however it was difficult for the Investigation Team to identify the competition of tasks due to the nature of the burn plan which serves as more of an authorisation checklist than a plan for conducting burn operations” (p 8 the Report).
- “.....a single person filling multiple important roles including approvals and establishing resourcing levels, and the abandonment of good practice in not obtaining spot weather forecasts” (p26 the Report).

Investigation

I have been engaged by the Department of Environment, Land, Water and Planning (DELWP) to undertake an investigation into the conduct of the approvals and oversight process for the Lancefield-Cobaw planned burn.

Instructions and Contact

I have been instructed by Adam Saunders, Director Safety, Wellbeing & Workplace Relations, DELWP to undertake an investigation of the known facts.

I may liaise with Mr Saunders or Mr Andrew Collins, Manager Investigations, during the course of my engagement, particularly in relation to any procedural and administrative matters.

I will provide my findings to Mr Saunders.

Conduct and scope of the investigation

I will take all necessary steps to undertake my investigation in a procedurally fair manner and in a manner which affords natural justice to all parties.

The Conduct of the investigation will include:

- Interviews with personnel with the relevant background on these matters.
- Review of all relevant documentation, emails, policy and processes.
- Provide a report with the provision of your findings.
- All information relevant to the matter is to be treated as confidential and is not to be provided to any parties outside of Mr Saunders.

16 November 2015

APPENDIX B – SUMMARY CHRONOLOGY

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
2012/2013	The Lancefield-Cobaw Croziers Track planned burn (Burn) first appeared on the Grampians Region FOP as a result of a nomination by the Fire Manager.	N/A
2013	Details for the Burn Plan were input into FireWeb by the Fuel Management Officer (a position which became the 'Fire and Land Officer').	N/A
27 December 2013	The District Manager for the Midlands District (District) provided to the Fire Manager a written delegation regarding planned burns from the District Manager to the substantive position of the Fire Manager (Delegation). The Delegation states that the powers, functions and duties delegated are the 'Ignition authorisation of planned burns not requiring special conditions'. No other powers, functions and duties in respect of planned burns (eg. burn approvals) are specifically delegated. Further, the Delegation states: 'Where the delegate is absent and an acting arrangement is in place, the delegator must document [sic] this and identify if the individual acting maintains this delegation...'	District Manager
2014	Various preparatory tasks associated with the Burn were commenced but not completed. For example, there was consultation with traditional landowners and communications between the Department and Parks Victoria about resourcing requirements for the Burn.	N/A
21 August 2014	The Burn Plan was completed by the Fire and Land Officer as the District had expected to complete the Burn in the 2014/15 year. The Burn Plan documentation included the burn risk assessment, maps, traffic management plan and SMEACS briefing.	N/A
1 March 2015	The District Manager for the District commenced an appointment as Acting Regional Manager, Land and Fire, and the District's Operations Manager commenced an appointment as Acting District Manager.	N/A
1 July 2015	The status of the Burn was changed to 'Proposed' in FireWeb (8.35am).	Fire and Land Officer
1 July 2015	The status of the Burn was changed to 'Proposed' in FireWeb (7.53pm).	Fire and Land Officer

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
Early August 2015	The District held a pre-burning season meeting attended by various Departmental officers, including the Acting District Manager, Fire Manager, Fire and Land Officer and Planning Manager. The Fire and Land Officer presented a draft schedule of planned burns for the District, with a nomination being put forward for the Burn to be scheduled as the fourth planned burn in Spring and with a specified Fire and Forest Office as the Burn OIC. (There appears to have been general agreement to this nomination at the time.)	N/A
10 August 2015	The status of the Burn in FireWeb was changed to 'Proposed' (9.33am).	Fire and Land Officer
10 August 2015	The status of the Burn in FireWeb was changed to 'Planned' (9.40am). This status change appears to have been made by the Fire and Land Officer alone, and without specific approval from any other Department officer, including the Acting District Manager.	Fire and Land Officer
20 August 2015	The Fire Manager communicated by email that the Fire and Land Officer would be the Fire Manager until an Expression of Interest was organised the following week	N/A
22 August 2015	The Fire Manager left Australia for an overseas firefighting deployment.	N/A
24 August 2015	The Fire and Land Officer commenced in an informally agreed interim Fire Manager arrangement. The status of this arrangement was never confirmed by the Department as a formal acting arrangement.	N/A
During the week commencing 1 September to 10 September 2015	The Burn Plan preparation work is completed. Hazardous tree and track work (including clearing of tracks) is undertaken.	N/A
10 September 2015	The Burn Plan was updated in FireWeb to state that site preparation and preparatory works had been completed following confirmation from the nominated Burn OIC for the Burn, that all preparatory works had been completed, including the posting of notification signs.	Fire and Land Officer
Early September 2015	The Burn OIC asked the Fire and Land Officer whether the Burn OIC could conduct candling operations within the Burn area. The Fire and Land Officer declined, including on the basis that they did not deem it necessary to do so.	N/A
On or around 17 September 2015	There was verbal communication between the Fire and Land Officer and Burn OIC, in which the Burn OIC sought to light the Burn on the following day (Friday 18 September) and the Fire and Land Officer declined on the basis of a drying cycle going into the weekend.	N/A

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
24 September 2015 (Thursday)	An email communication was sent by the Fire and Land Officer to the Burn OIC and other District and Regional officers suggesting Tuesday 29 September 2015 as a possible date for the Burn to proceed	N/A
25 September 2015 (Friday)	The Burn was scheduled in FireWeb.	Fire and Land Officer
25 September 2015 to 1 October 2015	A Regional Agency Commander (RAC1) was appointed for the Grampians Region.	N/A
28 September 2015 (Monday)	<p>A District planned burn teleconference was held (which was attended by a number of Department officers, including the Burn OIC, acting District Manager, RAC1), and Parks Victoria representatives but not the Fire and Land Officer who had prepared the Burn Plan). The Chair of the teleconference notified the intention of the Fire and Land Officer to proceed with the Burn on 30 September 2015, pending weather condition suitability. There appear to have been no objections to proceeding on this basis.</p> <p>There appear to have been a number of resourcing discussions between the RAC1 and the District Duty Officer at that time (Duty Officer 1) regarding resourcing the Burn, including with the use of a Vehicle Mounted Drip Torch.</p>	N/A
29 September 2015 (Tuesday)	<p>A Grampians Region inter-agency pre-season briefing was held and attended by a range of Department officers, including the RAC1, Fire and Land Officer, Burn OIC, Acting District Manager and Acting Regional Manager Fire and Land. There appears to have been a general agreement to proceed with ignition of the Burn on 30 September 2015, including between the Acting District Manager, and Fire and Land Officer.</p> <p>The status of the Burn in FireWeb was changed from 'Proposed' to 'Ready' (at 9.11am) (signalling that it was ready to be ignited) and then to 'Ignition Authorised' (at 10.49am), (signalling that authorisation was requested from the appropriate authority).</p> <p>On or around this date, the Burn OIC nominated for the Burn (Burn OIC1) advised the Duty Officer 1 that the Burn OIC1 would only be available on 30 September as Burn OIC. The Burn OIC1 took fuel moisture readings at the site of the Burn, and posted letters on trees around the perimeter. The Burn OIC1 advised the Duty Officer 1 that the weather was suitable for ignition on 30 September 2015.</p> <p>The Fire and Land Officer appears to have appointed them self as the Burns Controller and input this information into FireWeb.</p>	Fire and Land Officer (with respect to the FireWeb status changes)

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
30 September 2015 (Wednesday)	<p>In the morning prior to ignition:</p> <ul style="list-style-type: none"> - the Acting District Manager and Fire and Land Officer agreed that the Fire and Land Officer could be both the Burns Controller and Duty Officer (from here-on referred to as the Burns Controller), principally on the basis that only one burn – the Burn - had been scheduled for the day; - the Fire and Land Officer briefed the Acting District Manager on options for the Burn and the weather predictions, and the Acting District Manager signalled to the Burns Controller that he was comfortable for the Burn to proceed; - the Burn OIC1 did a Kestrel weather check; - between 10am to 11am, the Burn OIC1 conducted a Situation Mission Execution Administration, Communication and Safety (SMEACS) site briefing for the crews and ran through Checklist 3 with the Burns Controller, who completed this checklist; - the Burns Controller transcribed MetEye weather information for the Tullamarine weather station through to Saturday 3 October, and liaised with both the Burn OIC1 and RAC1 in relation to the day, and resourcing. The Burns Controller completed Checklist 2, but did not complete Checklist 1; and - the Burns Controller and Burn OIC1 agreed to ignite at 11.41, with the Burns Controller providing the Burn OIC1 with authorisation to ignite at approximately 11.45am. <p>The Burn was ignited by the Burn OIC crews, and the status of the Burn in FireWeb was changed from 'Ignition Authorised' to 'Ignition' (at 11.49am). Ignition occurred in Blocks 1 and 2 of the Burn area. The status of the Burn in FireWeb was changed to 'Under Control 1' at 9.27pm. It was agreed between the Burns Controller and a Parks Victoria officer for Burn OIC1 to be replaced by this officer as Burn OIC on the following day.</p>	<p>Burns Controller (with respect to the FireWeb status changes)</p>

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
1 October 2015 (Thursday)	<p>The Burn OIC1 was replaced as Burn OIC by a Parks Victoria officer (Burn OIC2) on the basis that further ignition of the Burn would occur on 1 October 2015.</p> <p>The Burns Controller updated the Acting District Manager about the Burn during the day, and the Acting District Manager approved operational activities.</p> <p>The Burn status in FireWeb was changed to 'Ignition Authorised' (at 11.28am) and then to 'Ignition' (at 11.31am)</p> <p>The Burn proceeded smoothly according to all available information.</p> <p>By teleconference meeting in the afternoon, RAC1, the successor RAC, and other CFA and departmental representatives discussed standby aircraft and other resourcing arrangements for the Region for the long weekend.</p> <p>At 5pm on 1 October 2015, the RAC1 ended their roster and the Project Leader, Emergency Department, commenced as the Regional Agency Commander (RAC2).</p>	Burns Controller (with respect to the FireWeb status changes)
2 October 2015 (Friday)	<p>There was no designated Burn OIC role that day, as both the Burn OIC1 and Burn OIC2 were not present. A Parks Victoria officer was appointed as Officer in Charge.</p> <p>There was no further ignition of the Burn and it proceeded smoothly according to all available information.</p> <p>Following a conversation between RAC2, the Burn status in FireWeb was changed to 'Under Control 1'.</p>	Burns Controller
3 October 2015 (Saturday)	<p>The Burns Controller continued to perform both Duty Officer and Burns Controller roles.</p> <p>The Burn OIC2 returned to the Burn, but as Officer in Charge.</p> <p>Additional resources were sought locally from the Daylesford Work Centre at approximately 2pm. The Burn breached containment lines at approximately 2.25pm.</p> <p>Resources and staffing were up-scaled during the afternoon with a view to containing the breach, which the overnight crew appears to have done by 5am the following morning. Communications occurred between a range of officers, including the Burns Controller and the RAC2.</p>	N/A
4 October 2015 (Sunday)	Control lines were strengthened and the fire at the Burn was contained as at 5.20pm, with an additional 12 person on the night shift.	N/A

Date & Time	Key Action/Event (Noting that this chronology is not exhaustive and limited to key actions and events)	Authority (if applicable)
5 October 2015 (Monday)	<p>Crews continued mopping up and patrolling the Burn.</p> <p>In the morning, the RAC2 was replaced by a third RAC (RAC3), the Program Manager, Planned Burning and Roding.</p> <p>The RAC3 liaised with the Burns Controller in the District to confirm compliance with Joint Standard Operating Procedure 2.03 (JSOP) to ensure Incident Management Readiness for the District. The Acting Regional Manager, Land and Fire was confirmed as the Incident Controller for the Ballarat Incident Control Centre on 6 October 2015, given the predicted weather conditions.</p>	N/A
6 October 2015	<p>RAC3 handed the RAC role back to RAC2.</p> <p>In the morning, the Burns Controller handed over the Duty Officer role to another Fire and Land Officer.</p> <p>The fire at the Burn breached containment lines at approximately 1.15pm. At approximately 2pm, the line of control of the fire was transferred from the Ballarat Incident Control Centre to the Gisborne Incident Control Centre (Loddon Mallee Region).</p>	N/A