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Bushfires 'took us by surprise'

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The question of why Canberra residents were not properly warned of the January 18 firestorm was a legitimate one to ask, but it had a "relatively simple" answer, the ACT Coroners Court heard yesterday.

That answer, according to Peter Hastings, QC, was, "Nobody predicted what would happen in the timeframe it did on the 18th of January".

In other words, nobody had predicted the speed and magnitude of the firestorm, or that it would not be able to be stopped on "eaten-out" grasslands to the west of Canberra before reaching the urban fringe.

Mr Hastings delivered a final submission yesterday on behalf of former Emergency Services Bureau executive director Mike Castle and former chief fire control officer Peter Lucas-Smith to the coronial inquiry into the January, 2003, bushfires.

He pointed to evidence before the inquiry to argue that many people - from ESB officers to expert witness Phil Cheney to the NSW Rural Fire Service - had been taken by surprise by the events of January 18.

But Mr Hastings said counsel assisting the coroner in their criticism of Mr Lucas-Smith and Mr Castle expected the men to have "some prescience no one else showed".

Neither man had the motive nor the opportunity to concoct a secret plan to deliberately withhold information from the public, Mr Hastings said.

Their views on the risks of the fires had been honestly held according to their own experience and the information they were receiving, including from the NSW Rural Fire Service, which even at 11am on January 18 believed the McIntyre's Hut fire posed only a "potential threat" to rural properties in the ACT.

Paul Lakatos, counsel for the ACT, also argued Coroner Maria Doogan should not find that inadequate warnings caused the death of Duffy mother Alison Tener because it was pure speculation how Mrs Tener might have acted if the circumstances had been different.

Mr Lakatos and Mr Hastings said Mrs Doogan must consider in her findings the speed at which the McIntyre's Hut fire travelled on January 18, ultimately causing the most damage to the western suburbs of Canberra.

Mr Lakatos told the court the fire, which had for 10 days been burning in NSW, to the north-west of the ACT, crossed the border into the territory about 7.30am on January 18.

The previous evening a planning meeting at the ESB had been told there was a potential for fire to reach Narrabundah Hill near Duffy by 8pm on January 18.

The final submission filed on behalf of Mr Lucas-Smith and Mr Castle says that before 1pm on January 18, none of the fires were behaving so as to suggest those worst-case predictions would be realised that day.

There was also a widespread belief that the McIntyre's Hut fire could be suppressed once it left the hills and entered grasslands between the Murrumbidgee River and the western side of the urban area.

But the court was told yesterday that between 1pm and 3pm the fire travelled three times as fast as predicted, covering a distance of 12km in the two hours and burning into the suburbs.

The submission of Mr Lucas-Smith and Mr Castle argued that no one predicted the fire would travel that fast, including planner Hilton Taylor, who said, "The fire just seemed to burn across bare ground, defying all the models".

Mr Lucas-Smith and Mr Castle also disputed arguments by counsel assisting that ESB did not issue a warning about the fires to the urban public until 2.40pm.

They said that at a noon press conference on January 18 Mr Lucas-Smith did warn anybody living on the western side of the ACT, particularly Weston Creek residents, to take precautions such as clearing gutters and ensuring hoses were attached and looking throughout the day for flying embers.

The 1pm news bulletin on 666 ABC Radio reported that "residents on the western side of Canberra are being warned to prepare for the approaching fires, taking all precautions to protect their homes". Other information was also broadcast on the radio after 1pm about how people should prepare their homes.

The ESB was in the meantime preparing the standard emergency warning signal for broadcast. Its submission says Mr Castle approved it at 2.05pm, but "due to problems with fax machines, it was not broadcast until about [2.40pm]". The fire hit Duffy about 3pm.

The inquiry continues today.

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