



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2020-168

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	9
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD FOI](#)  
**Subject:** Freedom of Information request  
**Date:** Tuesday, 1 September 2020 3:50:37 PM

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**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

### Your details

**All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.**

Title:

First Name:

Last Name:

Business/Organisation:

Address:

Suburb:

Postcode:

State/Territory:

Phone/mobile:

Email address:



### Request for information

**(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)**

Under the Freedom of Information Act 2016 I want to access the following document/s (\*required field): ACTPLA Report prepared by Inspector Ray Gorrell in regards to an fire incident that occurred on 13/10/2018 at [REDACTED] ACT.

I do not want to access the following documents in relation to my request::

Thank you.  
Freedom of Information Coordinator




**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2020-168



via email: 

Dear 

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 1 September 2020, in which you sought access to:

- “ACTPLA Report prepared by Inspector Ray Gorrell in regards to a fire incident that occurred on 13/10/2018 at  ACT.”

### **Authority**

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 29 September 2020.

### **Decision on access**

Searches were completed for relevant documents and one document and six attachments to that document were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant document and attachments. This provides a description of the pages that fall within the scope of your request and the access decision for each.

I have decided to grant partial access to one document relevant to your request and full access to the six attachments relevant to your request.

My access decisions are detailed further in the following statement of reasons and the document with attachments released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

## Statement of Reasons

In reaching my access decisions for the document and attachments, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

## Exemption claimed

My reasons for deciding to grant partial access to one of the documents are as follows:

### Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

### Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government’s accountability.*

Having considered the factor identified above as relevant in this matter, I consider that the release of the requested information will promote an open discussion and enhance the ACT Government’s accountability by allowing you access to the documents.

### Factors favouring nondisclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (iii) *prejudice security, law enforcement or public safety.*

When considering the above finding against the factors favouring non-disclosure, I am satisfied that the protection of the public is a significant factor. The factor considered is in relation to a phone number being an on call number for the ACT Emergency Services Agency and not released to the public.

Having applied the test outlined in section 17 of the Act and deciding that release of the on call phone number contained in the documents is not in the public interest to release,

I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

### **Charges**

Processing charges are not applicable for this request because the number of pages being released is below the charging threshold of 50.

### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 3 days after the date of decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log-2020>.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Dachs', is positioned above the typed name.

Philip Dachs  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

14 September 2020



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

### WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

ACTPLA Report prepared by Inspector Ray Gorrell in regards to a fire incident that occurred on 13/10/2018 at [REDACTED] ACT.

CMTEDDFOI 2020-168

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-2	Report on Fire Incident	13 Oct 2018	Partial release	Sch 2 s2.2 (a)(iii)	Yes
2	3	Photographs (1 and 2) attached to above report		Full release	N/A	Yes
3	4	Photograph (3) attached to above report		Full release	N/A	Yes
4	5	Photograph (4) attached to above report		Full release	N/A	Yes
5	6	Photographs (5 and 6) attached to above report		Full release	N/A	Yes
6	7	Photograph (7) attached to above report		Full release	N/A	Yes
7	8	Photograph (8) attached to above report		Full release	N/A	Yes
<b>Total No of Docs</b>						
7						



**ACT**  
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**Report on Fire Incident – [REDACTED] ACT**

**On-Call Inspector**

Ray Gorrell  
Electrical Installation Inspector  
Access Canberra

**Type of Inspection:**

Assist ACT Fire & Rescue with investigation of house fire

**Location of Incident:**

[REDACTED] ACT

**Date & Time of Incident:**

10:50 am, 13 October 2018

At 1.07 pm on Saturday 13th October 2018, I received a request from Alan Swan of the ACT Fire & Rescue requesting my attendance to assist in the investigation of an incident involving a fire at [REDACTED] ACT. He requested that I make contact with Sam Evans, the ACT Fire & Rescue Commander in charge of fire fighting operations at the site.

On site I was met by Sam Evans, (Contact: Sch 2.2(a)(iii)), who informed me that there had been a fire in the premises and requested that I examine the electrical installation to assist in determining how fire damaged electrical equipment might relate to the fire and whether there was any evidence that the fire may have been initiated by an electrical fault.

The electrical installation that I observed was of a single storey residence with an underground three phase supply. The Meter Box/Main Switchboard was in good electrical order with no fire or heat damage. The cartridges of the three Service/Meter Protective Devices (SPD/MPDs) were found to have been removed from their bases, and the line side of the SPD/MPDs was tested and found to be de-energised. The Normal Supply Main Switch and a single pole Solar Supply Main Switch were found to be in the 'off' position.

Although neither of these devices were labelled in accordance with AS/NZS 5033:2014, other signage on the meter box indicated the presence of a Photo Voltaic Array. There was also a Dossier for the PV Array in the meter box, and I was also advised by crew members that for safety reasons the solar panels had been applied with a polyvinyl block-out.



I was escorted inside the garage of the residence by two members of the Fire & Rescue Crew, and they directed me to view a location they suspected was the seat of the fire. This was within the garage of the residence on a wall directly behind the Meter Box/Main Switchboard at approximately 1.0 to 1.5 meters above floor level. My observations revealed that the internal roof space of the building had been extensively damaged by fire and there was no remaining component of the electrical installation above ceiling level that was not substantially fire damaged. The ceiling throughout the house was no longer insitu, however it was further noted that electrical accessories and wiring below ceiling level appeared to be only heat or smoke damaged.

The location I was directed to however, did exhibit extensive fire damage, including damage to the timber framing within the wall cavity and to a gas pipe which was located in very close proximity. The gas pipe had appeared to have ruptured at some point in the progress of the fire. Electrical equipment in this location included what appeared to be the remains of the Solar Array DC Isolator and the Solar Array AC Isolator. Above that was a "Solax" inverter which showed evidence of being fire damaged by a source below it.

Although extensively damaged, the AC Isolator showed evidence of also of having been damaged by an external source of fire and or heat, with the isolator mechanism still being recognisable. The DC Isolator showed a far greater level of destruction with neither the enclosure nor the isolator mechanism being identifiable. Remnants of the DC conductors however could be identified, and there was further evidence that they had been terminated within the enclosure as the isolator terminals were still connected to the ends of some conductors. One of the conductors, notably, was found with no terminal connected to the cable end.

The Solar DC array wiring originating at the roof top isolator and terminating at the Solar Array DC Isolator, was routed via the external wall cavity directly behind the inverter and was located immediately adjacent to the natural gas pipe also installed within the wall cavity.

Information contained in the dossier for the PV Array indicated the DC Isolator was a PGK model SEO 30A, 1000 Volt DC, 32 Amp rated isolator and this was appropriate for the installation. This was consistent with other installations in the neighbourhood that had been carried out by the same installer in the same period.

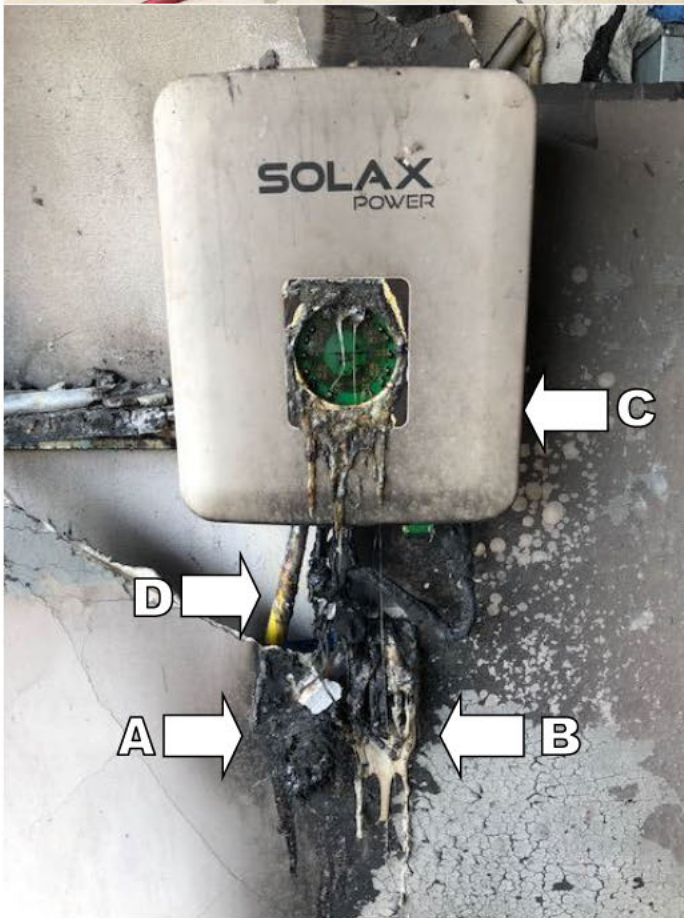
In conclusion, all of the evidence that I viewed during my inspection was consistent with ACT Fire & Rescue's assertion that the Solar Array DC Isolator may have been the source of ignition for the fire.

## Photographs



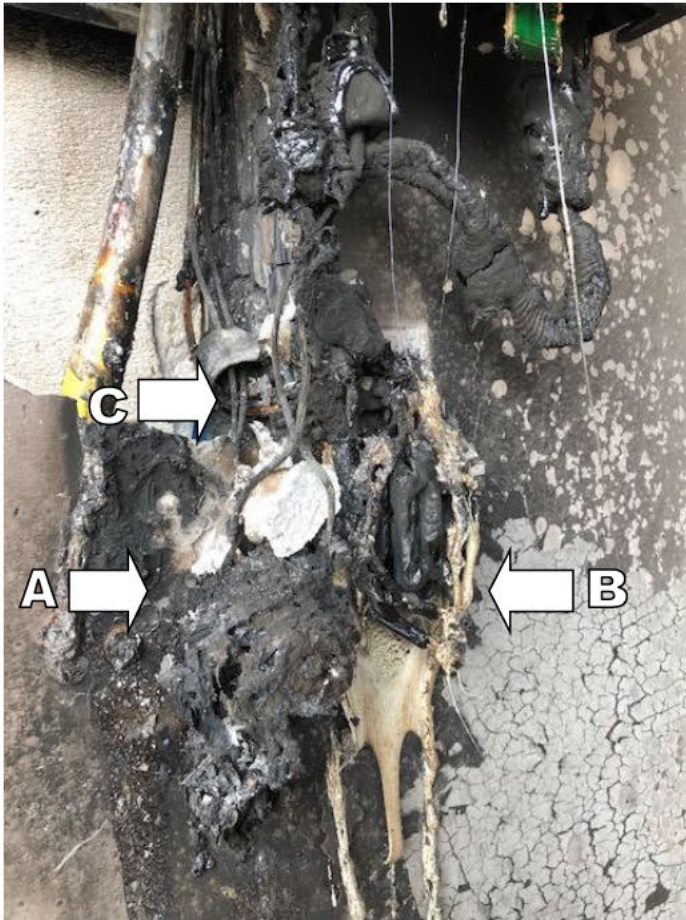
Scene of the fire:

[REDACTED]  
A – Location of Meter Box  
B – Location of suspected seat of the fire



The location of the suspected seat of the fire: Electrical equipment in this location includes

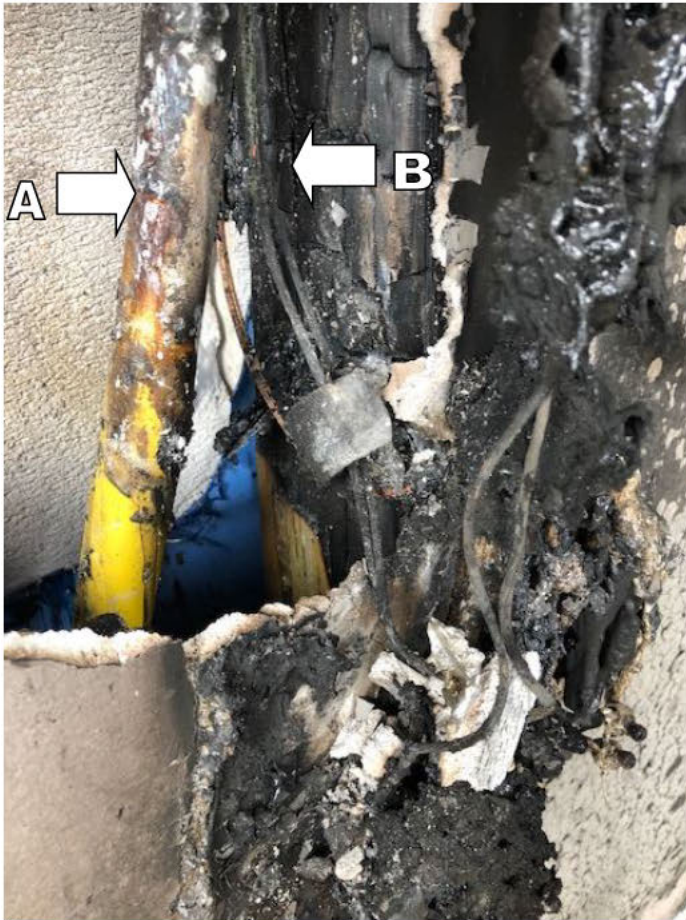
A- Solar Array DC Isolator  
B - Solar Array AC Isolator  
C - "Solax" inverter  
D – Gas Pipe



Closer view of the location of the suspected seat of the fire:  
Electrical equipment in this location includes  
A- Solar Array DC Isolator  
B - Solar Array AC Isolator  
C – Remains of DC cables



Closer view of Solar Array DC Isolator showing:  
A – Remains of DC cables with Isolator terminal attached



Closer view of Solar DC Cables  
showing:  
A – Gas Pipe  
B – Solar DC Cables



Scene of fire showing location of  
Solar Panels

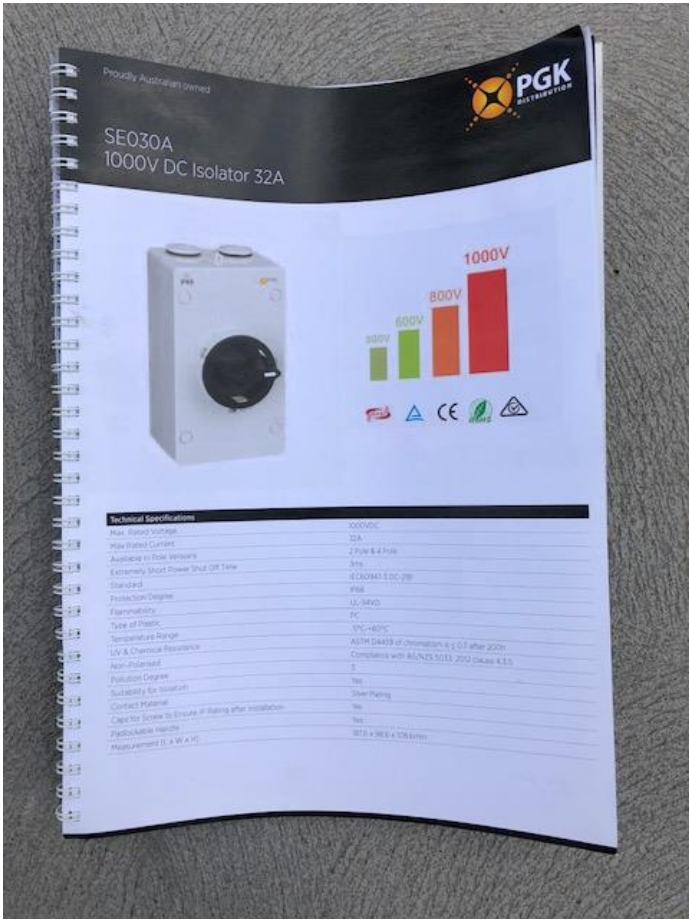
### Equipment used in your rooftop solar system.

Here is a list and some more information about the equipment that has been installed as part of your rooftop solar system.

Product type	Product	Model	Quantity
Solar panel	Trina Solar Money 250W PV panels	TSM-PC05A	12
Inverter	SolaX	X1-3.0-S-N	1
Inverter	SMA Sunny Boy		-
Racking system	Antal Solar System		-
Racking system	Ladderloch DPA	Rail	24m
Racking system	Radiant		-
Circuit breaker	Avanco		-
Circuit breaker	Contek		-
Circuit breaker	Hager		-
Circuit breaker	Pulset		-
Circuit breaker	ABB		-
Circuit breaker	Cipral		-
Circuit breaker	GWR		-
Circuit breaker	NHP	M606-1-20	1
Isolators	IPD		-
Isolators	Bendikt & Jager		-
Isolators	GWR		-
Isolators	Teletron		-
Enclosures	IPD		-
Enclosures	GWR		-
Conduit	Australian Plastic Profiles	25mm <sup>2</sup>	12m
Conduit	TLE		-
Conduit	HPP Solar Conduit-Flex	25mm <sup>2</sup>	8m
Conduit	Rigid Conduit		-
Cable	PV Connections		-
Cable	Twin and Earth	6mm <sup>2</sup>	6m
Cable	Diflex Solar	4mm <sup>2</sup>	25m
Lead flashing kit	Aquarius Rubber	Tin double kit	1
<b>Other equipment</b>			
ISOLATOR	PGK	SEO 30A	2
ISOLATOR	GEN 3	UKF3.35	1

For more information about what equipment has been installed...

PV Array Documentation showing Make and Model of DC Array Isolator



PV Array Documentation showing Manufacturer's Data Sheet for DC Array Isolator

Ray Gorrell | Electrical Inspector

Phone 02 6207 7775 | Mobile 0466 655 023

Construction and Workplace Protection | Access Canberra | ACT Government

Mitchell Customer Service Centre, 8 Darling Street, Mitchell ACT 2911 |

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au>