

**INVESTIGATION INTO
THE WAMBELONG BUSHFIRE
WARRUMBUNGE NATIONAL PARK
COONABARABRAN JANUARY 2013**

THIS DOCUMENT WILL SHOW THAT THE CHIEF EXECUTIVE OF THE NEW SOUTH WALES OFFICE OF ENVIRONMENT AND HERITAGE AND A RANGER FROM THE NEW SOUTH WALES NATIONAL PARKS AND WILDLIFE SERVICE HAVE GIVEN FALSE EVIDENCE TO THE CORONIAL INQUIRY AND THE NSW PARLIAMENTARY INQUIRY INTO THE WAMBELONG FIRE WHILST AT THE SAME TIME A SECOND RANGER MISLED THE POLICE AND MANY QUESTIONS HAVE GONE UNANSWERED

INTRODUCTION

In February 2015, the Final Report issued by the New South Wales Parliament's Legislative Council General Purpose Standing Committee No. 5, also known as the Parliamentary Upper House Inquiry into the Wambelong fire, contained the following:

3.2 To inform the public of the closure of the Warrumbungle National Park, NPWS attached signs across the permanent park entry signs at:

each end of the John Renshaw Parkway, the two main public entrances to the park, and

the Dooranbah Road entrance to Gunneemooroo Camp near Tooraweenah, the only other public entrance to the park.

3.3 On Friday 11 January 2013 larger laminated signs were installed to replace the above signs. An additional sign was installed on the outskirts of Coonabarabran on the John Renshaw Parkway.

Signage

6.28 Numerous participants highlighted the issue of signage, reporting that in the week preceding the fire park closed signs were either not present or not well visible. For example, Ms Heather Meldrum, who lost her family home in the fire, stated that during the total fire ban beginning on January 7 and the subsequent closure of national parks state wide, there were no obvious or distinct signs to alert passing traffic to the warnings. She proposed that after the NPWS was made aware of this, a laminated piece of A4 paper, posted on Friday 11 January, 'was a feeble attempt' to signpost the closure.

Ms Donna Burton, a resident of Timor Road, reported she does not recall seeing signage that the park was closed, either on the observatory side entrance to the national park, or at the western entrance to the national park from Tooraweenah/Coonamble Road.

In addition, Mrs Lois Wilkinson advised the committee:

I also observed what I considered to be an inadequate sign on the Warrumbungle National Park sign at the start of Timor Road as people were leaving Coonabarabran. The sign simply said CLOSED and was about 250mm wide and about 125mm high and covered about 5% of the sign. I remember looking at it and thinking that no-one will notice it.

6.29 In relation to signage, the Coonabarabran Property Owners Alliance argued the NPWS failed in their management responsibilities by:

Placing only a small, difficult to notice 'Park closed' sign at the western entrance to the Warrumbungle National Park.

Placing only a small, difficult to notice 'Park closed' sign at the eastern entrance to the Warrumbungle National Park.

Placing only a small, difficult to notice 'Park closed' sign at the edge of the town of Coonabarabran on the road to the National Park.

Not placing a Park Closed sign at Camp Wambelong which is located beside the public road through the National Park where the fire allegedly started.

Not displaying "Total Fire Ban" sign at Camp Wambelong during Total Fire Ban days in accordance with NPWS procedures.

6.52 Within this context the 'park closed' signs were particularly important. The Committee acknowledges the concerns of various local residents about the signs in and around the national park prior to the fire. At the same time, we take at face value NPWS' assurance and pictorial evidence that the signs were actually adequate. (Extracts from Parliamentary Inquiry Final Report pp. 76 – 84)

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This document will show that the NPWS' witnesses evidence in relation to the park signs contained lies and that their pictorial evidence were reproductions. Further it will prove that the signs that did exist were far from adequate for their purpose.

New photographic evidence will prove that the chief executive of the NSW Office of the Environment and Heritage Mr Terry Bailey, has misled the Parliamentary upper house inquiry into the Wambelong bushfire. (General Purpose Standing Committee No. 5)

That same evidence shows that Steven Tucker, a Ranger from the NSW National Parks and Wildlife Service has also misled the NSW Coroner's Court.

BACKGROUND

At least seven residents of Coonabarabran and two tourists observed and claimed that the National Parks and Wildlife Service did not have adequate signs displayed informing the public that the Warrumbungle National Park was closed in the days leading up to that Wambelong bushfire. Their claims are contained in statements taken soon after the fire, in statements tended to the Parliamentary Upper House Inquiry into the fire, and are supported by evidence from a video taken three days after the fire.

Mr Terry Bailey, the Chief Executive of the Office of Environment and Heritage and National Parks and Wildlife Service Ranger Steven Tucker claimed that large signs were installed and have produced photographs to support their claims. This document casts doubt upon their verbal evidence and will show that their photographic "evidence" were reproductions taken after the fire and not photographs of the actual signs that they claim were put in place.

The question as to whether clearly visible signs were in place is not the main issue in this document – the main issue is whether the Chief Executive of the Office of Environment and Heritage and a Ranger from the National Parks and Wildlife Service deliberately, and whilst under oath, misled the Parliamentary Inquiry and the Coronial Inquiry.

The New South Wales Government, on behalf of the Office of Environment and Heritage and the National Parks and Wildlife Service, in their Submission to the Parliamentary Upper House Inquiry claimed that: *"NPWS staff who are tasked to respond to a bush fire event are highly trained, competent, and typically very experienced in the roles they are required to perform. This is particularly the case with staff that are required to exercise judgement and perform decision making roles either as part of an incident management team or on the fire ground."*

NPWS believes that all staff who contributed to the Wambelong Fire response appropriately applied their training and experience to combat the bush fire, and did so in good faith and in accordance with the relevant plans, policies and procedures to which they are required to implement." (NSW Government Submission No. 44 into the Parliamentary Inquiry into the Wambelong fire 5th February, 2014 p. 10)

Yet within eight months of the NSW Government making this statement, the Chief Executive responsible for the National Parks and Wildlife Service lied to the Parliamentary Inquiry into the fire to perpetuate the myth that his *"highly trained, competent, and typically very experienced"* staff had acted *"in good faith and in accordance with the relevant plans, policies and procedures to which they are required to implement"*. This document will provide evidence of those lies and will cast doubt as to the competence and good faith of the Warrumbungle National Park NPWS staff, especially in the week leading up to the fire.

THE EVIDENCE OF CHIEF EXECUTIVE TERRY BAILEY

Mr Terry Bailey the Chief Executive of the Office of Environment and Heritage, representing the National Parks and Wildlife Service, in his evidence before the Parliamentary Upper House Inquiry on the 8th of October 2014 stated that: *“Signs were erected by NPWS staff at both entrances to Warrumbungle National Park on John Renshaw Parkway on the evening of 7 January 2013. These signs were replaced by NPWS staff on 11 January 2013 by larger signs, at the same locations. A “Track closed” sign was also erected by NPWS staff at the head of the walking track near Camp Wambelong on 2 January 2013”*. (Parliamentary Inquiry Final Report p. 79)

The Chief Executive of the Office of Environment and Heritage provided the Upper House Inquiry with the map, Attachment C, (shown below) indicating the location and format of the PARK CLOSED and NATIONAL PARK CLOSED signs that he claims were put in place by National Parks and Wildlife Service staff before the fire. (Parliamentary Inquiry Final Report p. 79)



Source: Answers to questions on notice, Mr Bailey, attachment C.

(Above) Attachment C – diagram of sign locations

Mr Bailey gave further detailed evidence referring to the size and installation of the alleged signs and supplied the Parliamentary Inquiry with photographs of the signs. (Refer p. 8 of this document)

“On 7 January 2013, laminated A3 signs (measuring 300 mm x 420 mm) were placed across the permanent park entry signs at:

- *each end of the John Renshaw Parkway, the two main public entrances to the Park, and*
- *the Dooranbah Road entrance to Gunneemooroo Camp near Tooraweenah, the only other public entrance to the park.*

Similar signs were also fixed to vehicle barrier boards and located across all park entry points off John Renshaw Parkway.

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On Friday 11 January 2013, an additional large format sign was installed on the outskirts of Coonabarabran on the John Renshaw Parkway. This sign was laminated and measured 980 mm x 530 mm. Also on 11 January, the signs located at each end of the John Renshaw Parkway were replaced with laminated signs measuring 1000 mm x 400 mm, and the sign at Dooranbah Rd was replaced by a larger sign measuring 980 mm x 530 mm.

All signs were checked each day between 8-12 January 2013.” (Answers to supplementary questions, Mr Bailey, 8 October 2014, p 3 – contained in Parliamentary Inquiry Final Report p. 80)

In his evidence quoted above, Mr Bailey states that *“Similar signs were also fixed to vehicle barrier boards and located across all park entry points”*. Yet, in answer to a question from Kristina Stern SC, Counsel Assisting the Coroner, NPWS Ranger Steve Tucker denied the existence of Vehicle Barrier Boards or any form of roadblock:

“Q. And so in order to close the park, it's correct isn't it, there was no road block as such, there was a sign indicating that the park was closed?”

A. Yeah the John Renshaw Parkway is, I suppose the roadway is managed by Gilgandra Shire Council. That road intersects the park. We just put park closure signage on the main entrance, the east and western entrances”. (Evidence of Steven Paul Tucker 26 August 2014, p. 89 of Coronial Transcripts)

THE EVIDENCE OF NATIONAL PARKS AND WILDLIFE SERVICE RANGER STEVEN TUCKER

On the 26th of August, 2014, at the NSW Coroner's Court, Counsel Assisting the Coroner, Ms Kristina Stern, SC questioned Ranger Tucker about the park closed signs that he had installed:

“On the Friday 11 January, I was installing part (park?) closure signage in a national park.

Q. Could you just indicate what that entails?

A. What that entailed was, we had, we had some, we were in the process of having signs made by a local signage manufacturer, due to the closure of the park still being enforced, I used those proofs to make up some larger part (park?) closed signs.

Q. And what were they made out of?

A. They were, I printed them on an A1 plotter, colour, a big printer and I laminated those, cut them to size and installed them at various entry points into the National Park.

Q. And how did you physically install them at the entry points?

A. I taped them over existing National Park entry signs and I used the, like the grey tape to secure them to each sign.” (Evidence of Steven Paul Tucker 26 August 2014, pp. 88-89 of Coronial Transcripts)

On the following day, 27th August, 2014, Mr Agius SC, for the National Parks and Wildlife Service asked Ranger Tucker to expand upon the locations of the “Park Closed” signs:

“Q. Now, in relation to the “Park Closed” signs you've produced a diagram which indicates where they were. Perhaps we can start with that one? (Diagram Attachment C shown on previous page)

A. Yes.

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Q. This is to assist the Court. So there's a model of the sign in each case and then you've got arrows and black lines indicating where they were?

A. Yes.

Q. Two "Park Closed" signs, one at the western and one at the eastern end of the park on the Renshaw Parkway, is that right?

A. That's correct.

Q. Two "National Park Closed" signs in the positions you've indicated, one at Coonabarabran between the park and Coonabarabran so that tourists wouldn't get all the way to the park to find out that it's parked (closed?) and therefore be tempted to go in and another one on the western side?

A. That's correct.

Q. What day did you put those up?

A. I put these out on Friday, 11 January.

Q. Then you have some other signs as well. So that's a replica of the "National Park Closed" one of which was between the park and Coonabarabran and the other one which was on the main road on the western side as indicated on the first document?

A. Yes.

Q. Again, it's a replica reproducing colour, size and information that was on the sign that you placed?

A. Yes, if I can just add this. The sign on the outskirts of Coonabarabran was erected by another staff member on that Friday afternoon. I already noticed it in place because I returned to Coonabarabran.

Q. Was that on a tourist direction sign that is a permanent sign?

A. Yeah, it was - it was suspended below the brown and white tourist sign as you exit Coonabarabran.

Q. I think you have some more material?

A. I have this photo of what they look like.

Q. So that photograph is a recently taken photograph replicating the result of your work in January 2013 showing the relative position of where you put the two signs at the east and western entrances to the park?

A. Yes, this - this sign here is taken on a western boundary of the park. This was - this sign survived the fire so I've been able to replicate what it looked like on the day.

Q. If you drove along the Renshaw Parkway into the park from the west that's what you would have seen?

A. Yes.

Q. Something similar to that if you drove into the park from the east?

A. That's correct." (Evidence of Steven Paul Tucker 27 August 2014, pp. 32-33 of Coronial Transcripts)

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Ranger Tucker in his evidence, and in his use of the diagram shown on page 4 of this document, clearly claims to have installed large colourful PARK CLOSED signs at the eastern and western entrances to the Warrumbungle National Park on Friday, January 11th 2013. He further states in his evidence that he saw, although it was erected by another staff member on the Friday afternoon, a large National Park Closed sign *"suspended below the brown and white tourist sign as you exit Coonabarabran."*

THE NPWS PHOTOGRAPHIC "EVIDENCE"

The photographs on page 8 of this document were tended as evidence to the Coronial Inquiry. Ranger Steven Tucker freely admitted that the photographs were reproductions of the type of signs that he claimed to have put in place - not photographs of the actual signs. Counsel for the National Parks and Wildlife Service, Mr J Agius SC, at the Coronial Inquiry asked Ranger Tucker on August 27, 2014:

Q. So these are not the exact same signs that were put up but that they are exact reproductions?

A. Yeah, some of those signs didn't survive the fire so I've reproduced the signs." (Evidence of Steven Paul Tucker 27 August 2014, p. 32 of Coronial Transcripts)

However, only six weeks later when Mr Bailey submitted these same photographs to the Parliamentary Inquiry into the fire on the 8th of October, 2014, they were tended into evidence by Mr Bailey as photographs "of the signs" - not reproductions. (Parliamentary Inquiry Final Report Item 6.40 pp. 80-81)

No mention was made in the Parliamentary Inquiry Final Report that these were merely 'reproductions' of the original signs and that no photographs of Ranger Tucker's original signs existed.

The NSW Parliamentary Inquiry therefore apparently unknowingly accepted from the Chief Executive of the Office of Environment and Heritage, facsimiles of photographs, produced after the fact, as direct "evidence" that the Park Closed signs existed, and that these signs were adequate in size.

These reproductions, produced after the fire, which should not have received the same evidentiary value as original photographs, caused the members of the Parliamentary Inquiry to state in their Final Report:

"The Committee acknowledges the concerns of various local residents about the signs in and around the national park prior to the fire. At the same time, we take at face value NPWS' assurance and pictorial evidence that the signs were actually adequate." (Parliamentary Inquiry Final Report Item 6.52 p. 84)

The NPWS assurance was false and their pictorial evidence was artificial!



(NSW Parliamentary Final Report pp. 80-81)

THE COONABARABRAN RESIDENT'S EVIDENCE

Fiona Selmes, who lives with her family and runs a farm at the eastern entrance to the Warrumbungle National Park, told the Parliamentary Upper House Inquiry in her submission on the 31st of January 2014 that, *"The week before the fire, the National Park was supposed to be closed. We lived at the ramp on the eastern side of the National Park and travellers and campers were entering the National Park all week. There was a very small sign on the side of the road on an A4 piece of paper, saying PARK CLOSED."*

In an additional statement Mrs Selmes added, *"The week before the fire was quite scary. You could feel that danger in the air. The national park was closed, with a piece of A4 paper swinging on a sign on the side of the road when you came over the ramp into the national park. As we lived right near the ramp, we could hear any traffic going to and from the park. There was traffic and campers going into the park all week"*.

As mentioned, the driveway to Mrs Selmes property is at the park's eastern entrance, it would be impossible for Mrs Selmes, coming and going from her property over a period of days, to not notice vehicle barrier boards or to confuse a large coloured sign, such as those referred to by Mr Bailey and Ranger Tucker, with *"a piece of A4 paper"* as referred to in Mrs Selmes evidence and as was later found to be still attached to the Warrumbungle N. P. Tourist Drive sign.

This absence of clear signage advising that the park was closed was also noticed by Heather Meldrum, an employee at Siding Spring Observatory and a resident of Timor Road (also called Jack Renshaw Parkway) who stated, *"On Thursday 10th January, 2013 ... aside from the small, faded notice at the local fire station, that even locals who know it is there have to squint to read, there was absolutely no signage for either Total Fire Ban or National Park Closure"*.

The lack of signage was also commented on by two tourists who drove from Coonabarabran to Siding Spring Observatory. Heather Meldrum spoke to them at the Observatory Visitor's Centre, *"I found it very annoying that an older couple of visitors told me they were unaware that the Warrumbungle National Park was CLOSED until they reached the entrance, 35km from the town of Coonabarabran ... The following morning Friday 11th January 2013, I spoke with the site manager of Siding Spring Mountain, Scott Coleman about the lack of signs and the public not being informed."*

Scott Coleman then spoke to someone from the National Park who said they would make some signs now. ... On Saturday 12th of January 2013 we took the children to the pool (in Coonabarabran). When we were returning from the pool, we saw the sign the Warrumbungle National Park had put on their sign on the edge of town. It was so small we nearly missed it, but I was looking for it and was very annoyed to see one side had come loose and it was flapping in the wind".

On Friday the 11th of January, Scott Coleman, the Site Manager of Siding Spring Observatory, who likewise hadn't seen any large Park Closed signs, was told by a local National Parks officer that they *"would"* put signs up – not that large colourful signs had been in place since Monday the 7th of January.

In January 2013, Mrs Lois Wilkinson, lived in Tibuc Road at the National Park end of Timor Road and worked as the Assistant Manager at the Woolworth's store in Coonabarabran. Travelling from her home to Woolworths required her to drive past the large Warrumbungle N.P. Tourist Drive road sign on the outskirts of Coonabarabran twice each day.

In her statement submitted to the Parliamentary Inquiry on January 7th 2014, Mrs Wilkinson said: *"I also heard a very detailed account by the owner of the property, (deleted) Timor Road that*

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neighbourhood the National Park, (deleted) and followed the response by conducting a number of visits to the fire site on the Saturday. (deleted) raised a good observation in that when the Park had been closed to visitors on the Tuesday the only action that was taken was to place a very small closed sign on the Park entry sign and that the road remained open for people to pass in and through the Park at will and that (deleted) had heard a number of vehicles regularly entering.

I also observed what I considered to be an inadequate sign on the Warrumbungle National Park sign at the start of Timor Road as people were leaving Coonabarabran. The sign simply said CLOSED and was about 250mm wide and about 125mm high and covered about 5% of the sign. I remember looking at it and thinking that no-one will notice it. It was also stated that the only people who stopped going to the National Park were the National Park staff as the Visitor Centre was closed and there were no obvious patrols in place. This appeared to me to be a gross act of negligence on the part of National Parks as custodians of the Park, there was little done to ensure its safeguard”.

In February 2016, when Mrs Wilkinson was again asked if she recalled seeing a large coloured ‘NATIONAL PARK CLOSED’ sign affixed to the Warrumbungle N.P. Tourist Drive sign she stated:

“This was one of the things that ate away at me, post fire. At the time I was travelling in and out each day to work at Woolworths and on the Tuesday prior to the fire when the conditions were deemed that bad that the park had to be closed, I travelled past that sign as you leave Coona. Under the two headings was an insignificant sign saying CLOSED. It was equivalent of an A4 piece of paper folded down the middle and laid sideways e.g. about 300mm across and 150mm high. I remember thinking at the time ‘How would anyone notice that’? It was only after the fire that they covered the sign with large CLOSED signs”.

Donna Burton, at the time an employee at Siding Spring Observatory, who also resides on Timor Road, has stated in her statement to the Parliamentary Inquiry on January 31st 2014, that “I drove along Timor Road from town a number of times that week and do not recall seeing any signage in relation to the closure of the National Park.”

In a separate statement Ms Burton stated that at about 6:45am on Friday the 11th of January, 2013, she drove through the eastern entrance to the Warrumbungle National Park and did not notice a PARK CLOSED sign or any ‘vehicle barrier boards’ blocking the roadway. En route to Dubbo, she drove down into the park where she noticed a Britz campervan parked at the Split Rock carpark. This was noted by Ms Burton because she knew that the Warrumbungle National Park was supposedly closed to campers. Ms Burton claims that there was no ‘Camping Ground Closed’ sign at the Wambelong camp site.

Returning from Dubbo at about 2:30pm and entering the park via the western entrance, Ms Burton again states that there was no large PARK CLOSED sign at the western entrance to the Warrumbungle National Park, as claimed by Ranger Tucker. She observed that the Britz camper was no longer parked at the Split Rock carpark. Ms Burton does not mention encountering, ignoring or driving around any ‘vehicle barrier boards’ across the entrance to the park which Mr Bailey of the Officer of Environment and Heritage claimed were in place at the park entrances since the 7th of January, 2013.

THE TRICKEY VIDEO

On Wednesday the 16th of January 2013, as soon as Timor Road was opened to residents following the fire, Gareth Trickey, a resident of Tibuc Road, Coonabarabran, drove from outside the *Coonabarabran Times* newspaper office to his burnt property on Tibuc Road. That trip took him out along Timor Road/John Renshaw Parkway and past the Warrumbungle N.P. Tourist Drive road sign at the corner of Hagan Avenue on the outskirts of Coonabarabran.

As Mr Trickey drove, he filmed his trip with his iPhone camera through the windscreen of his vehicle. Sections of that trip was recorded on videos labelled – IMG_4529, IMG_4530, IMG_4532, IMG_4533 and IMG_4534. The video that this document mainly refers to is IMG_4529, the first video segment taken by Mr Trickey. Turning left from Namoi Street into Eden Street, Mr Trickey approached and then passed the Warrumbungle N.P. Tourist Drive road sign to his left at the corner of Hagan Avenue. This is the road sign which is referred to by Mr Bailey in his evidence to the Parliamentary Upper House Inquiry as *“on the outskirts of Coonabarabran on the John Renshaw Parkway”*.

The video taken by Mr Trickey shows, attached to the tourist drive sign and beside the wording ‘Warrumbungle N.P.’ a sheet of white paper, equivalent to an A4 piece of paper, similar to that as described by Mrs. Wilkinson. No large PARK CLOSED sign is evident. (Refer to the still frames taken from Mr. Trickey’s video on the following pages).

Mr Trickey stated *“I drove past all of the roadside signs between Coonabarabran and Tibuc Road, none of them had any Park Closed signs on them”*. This was three days after the fire had destroyed the Warrumbungle National Park and five days after large ‘PARK CLOSED’ signs had allegedly been put in place by National Parks and Wildlife Service Ranger Steven Tucker and another officer.



(Above) A still frame from IMG_4529. Gareth Trickey’s video as he approaches the Warrumbungle N.P. Tourist Drive sign on the left in the distance.



"Friday, 11 January ... I already noticed it in place (the large NATIONAL PARK CLOSED sign) it was suspended below the brown and white tourist sign as you exit Coonabarabran".

The above video image, recorded on Wednesday 16th January, clearly shows that Ranger Tucker's statement under oath to the Coroner's Court is incorrect as was Mr Bailey's evidence to the Parliamentary Inquiry of a large 980 mm x 530 mm laminated sign.

The small piece of white paper begins to become visible. The piece of white paper turned out to be the Warrumbungle National Park CLOSED Warning sign (refer p. 16 of this document) but no large NATIONAL PARK CLOSED sign can be seen suspended below the brown and white tourist road sign as claimed by Ranger Tucker. (Still frame from IMG_4529 recorded January 16th 2013)

This video clip confirms the evidence of Ms Meldrum *"we saw the sign the Warrumbungle National Park had put on their sign on the edge of town. It was so small we nearly missed it"*.

It also confirms the evidence of Mrs Wilkinson *"I also observed what I considered to be an inadequate sign on the Warrumbungle National Park sign at the start of Timor Road as people were leaving Coonabarabran. The sign simply said CLOSED and was about 250mm wide and about 125mm high and covered about 5% of the sign. I remember looking at it and thinking that no-one will notice it"*.

At the same time this video image proves the park closed sign evidence that Ranger Tucker gave to the Coronial Inquiry to be false and the evidence that Chief Executive Bailey gave to the NSW Parliamentary Inquiry into the Wambelong fire also to be false.



(Above) Only a small white paper sign, about A4 size, can be seen attached to the brown and white tourist sign. Not the large coloured NATIONAL PARK CLOSED sign which Ranger Tucker claimed was put up by another officer and which he claimed, under oath, to have seen.

The authenticity of Mr Trickey's video is confirmed when, having driven past the Warrumbungle N.P. Tourist Drive sign, a few moments later as the video continues, Mr Trickey is stopped at a road block on Timor Road staffed by members of the Coonabarabran Volunteer Rescue Association who speak to him and advise him of additional roadblocks further up the road. His videos IMG_4530, IMG_4532, IMG_4533 and IMG_4534 then show him driving further out past fire damaged properties passing several firefighting trucks returning to Coonabarabran along the way.

At one point in IMG_4534 Mr Trickey is seen driving past a motorhome driving towards Coonabarabran (following page) that motorhome was owned and being driven by John Shobbrook who confirmed that the date that he drove his motorhome into Coonabarabran was Wednesday the 16th of January, 2013 having been dropped at his property by the ABC News helicopter – all of these facts can be independently confirmed.



On 16th January 2013, Gareth Trickey drives past John Shobbrook driving in the opposite direction

The Trickey video clearly contradicts the evidence of Chief Executive Bailey before the Parliamentary Upper House Inquiry and likewise contradicts the evidence of National Parks and Wildlife Service Ranger Tucker before the New South Wales Coroner's Court who gave sworn evidence that he saw the NATIONAL PARK CLOSED sign attached to the Tourist Drive sign on Friday the 11th of January 2013.

Could the large red and yellow NATIONAL PARK CLOSED sign allegedly attached to the Warrumbungle N.P. Tourist Drive road sign have been taken down prior to Mr Trickey recording his video on January 16th? It is hard to imagine why, for parts of the Warrumbungle National Park were still burning and the roadway was obstructed by fallen trees and power lines. The Warrumbungle National Park was now more closed than ever.

Ranger Tucker's evidence that another Ranger erected the large NATIONAL PARK CLOSED sign and that he personally saw that large sign on Friday the 11th of January, 2013, surely casts doubt upon all of his evidence. Namely his disputed evidence that he erected large PARK CLOSED signs at the eastern and western entrances to the Warrumbungle National Park – especially when his claims are contradicted by the evidence of Mrs Selmes and Ms Burton who visited these entrances prior to the fire and claimed that no such signs (or Barrier Boards) were in place. Their statements were taken within days of the fire. The telephone conversation between Mr Coleman and a Park Ranger also casts doubt upon whether easily noticed coloured signs were in place as early as January 7th, 2013.

THE APPEARANCE OF THE LARGE 'NATIONAL PARK CLOSED' SIGN

On the 2nd of February, John Shobbrook, a retired Observatory Manager from Siding Spring Observatory, photographed a large red and yellow NATIONAL PARK CLOSED sign attached beneath the Warrumbungle N.P. Tourist Drive sign on the outskirts of Coonabarabran. (Refer following page)

Because the NATIONAL PARK CLOSED sign was tied below the Tourist Drive sign, it could be seen by motorists travelling in both directions even though the actual wording could only be read from the eastern side.



Note that the original small white paper 'CLOSED' sign, as described in the Meldrum and Wilkinson statements and as recorded in the Trickey video, is shown in the photograph that Shobbrook took.

The white paper sign appears in the main to read "WARNING Warrumbungle National Park CLOSED (Due) to very high fire warning. No visitors permitted". The word "CLOSED", even though it is the largest word in the body of the warning notice and printed in UPPER CASE, is approximately the same height as the full stop following the letters N. P. This warning sign could not possibly be read by a passing motorist.



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The small white paper 'Warning' sign attached to the Warrumbungle N.P. Tourist Drive clearly exists. Yet it is remarkable that nobody from the Office of Environment and Heritage or the National Parks and Wildlife Service has referred to this small WARNING sign in their evidence nor admitted to printing or attaching this obviously inadequate A4 sized sign to the brown Tourist Drive sign. The National Parks and Wildlife Service are happy to claim the fictitious large signs but nobody will claim the genuine small inadequate sign.

Mr Terry Bailey, the Chief Executive of the Office of Environment and Heritage, speaking before the Parliamentary Inquiry on behalf of the National Parks and Wildlife Service claimed that *"On Friday 11 January 2013, an additional large format sign was installed on the outskirts of Coonabarabran on the John Renshaw Parkway. This sign was laminated and measured 980 mm x 530 mm."* (Answers to supplementary questions, Mr Bailey, 8 October 2014, p 3 – contained in Parliamentary Inquiry Final Report p. 80)

Mr Bailey is clearly not referring to this small approx. 300 mm x 210 mm, non-laminated piece of white paper that was still attached to the Warrumbungle N.P. Tourist Drive sign on February 2nd 2013. It might not be too far from the truth to believe that this small sign and similarly sized ones at the park entrances, were all that the NPWS put in place prior to the fire.

The National Parks and Wildlife Service could only tender as evidence "reproductions" to prove that their signs existed. Here we have photographic evidence of an "original" Warning sign. The very same sign that was seen by Mrs Wilkinson and Ms Meldrum attached to the Warrumbungle N.P. Tourist Drive sign and the same type of sign as seen by Mrs Selmes at the eastern park entrance prior to the fire. This type and size of sign was independently described in each of these women's statements. There was no collusion between Mrs Wilkinson, Ms Meldrum and Mrs Selmes.

Three weeks after he took his original video, by now the 5th of February 2013, Mr Gareth Trickey recorded another video (IMG_4673) as he drove past the Warrumbungle N.P. sign. As recorded in the Shobbrook still photograph's, there was a large red and yellow NATIONAL PARK CLOSED sign attached below the tourist drive road sign.



(Above and following page) Still frames from Gareth Trickey's video IMG_4673.



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The size of their Warning sign was a joke – people have put up larger signs when their pets have gone missing!

Gareth Trickey drove past the small inadequate Park Closed sign on the outskirts of Coonabarabran and didn't notice it, *"I drove past all of the roadside signs between Coonabarabran and Tibuc Road, none of them had any Park Closed signs on them"*. He didn't notice it – but fortunately his iPhone's video camera did notice it - and recorded it.

THE OFFICE OF ENVIRONMENT AND HERITAGE and NATIONAL PARKS AND WILDLIFE SERVICE LIES

The National Parks and Wildlife Service and the Office of the Environment and Heritage have lied to official inquiries. The testimony of local eyewitnesses and the video evidence taken immediately after the fire disputes the claims that clearly visible PARK CLOSED signs were put in place by the National Parks and Wildlife Service prior to the fire.

In summary Mr Bailey and/or Ranger Tucker ...

Lied when they swore to tell "the truth, the whole truth and nothing but the truth" to the inquiries to which they gave evidence.

Lied when giving evidence that a small PARK CLOSED sign was attached to the Eastern entrance to the Warrumbungle National Park on January 7th, 2013.

Lied when giving evidence that a small PARK CLOSED sign was attached to the Western entrance to the Warrumbungle National Park on January 7th, 2013.

Lied when giving evidence that the small sign was replaced with a large sign at the Eastern entrance to Warrumbungle National Park on January 11th, 2013.

Lied when giving evidence that the small sign was replaced with a large sign at the Western entrance to Warrumbungle National Park on January 11th, 2013.

Lied when giving evidence that a large format sign was placed on the outskirts of Coonabarabran on January 11th, 2013.

Lied when Ranger Tucker claimed that he saw the large NATIONAL PARK CLOSED sign beneath the Tourist Drive sign on the afternoon of Friday 11 January, 2013.

Omitted to mention putting up the small inadequate A4 sized white paper sign on the Tourist Drive sign on the outskirts of Coonabarabran.

Lied when giving evidence that signs which didn't exist were checked each day.

Lied when Bailey said that a 'Vehicle Barrier Board' was placed at the Eastern entrance to the park from the 7th of January, 2013.

Lied when Bailey said that a 'Vehicle Barrier Board' was placed at the Western entrance to the park from the 7th of January, 2013.

Lied when Bailey said that an A3 laminated sign was attached to the Eastern non-existent barrier board.

Lied when Bailey said that an A3 laminated sign was attached to the non-existent Western barrier board.

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Lied when Bailey tended Attachment D the small PARK CLOSED sign to the Parliamentary Inquiry.

Lied when Bailey tended Attachment E the large PARK CLOSED sign to the Parliamentary Inquiry.

Fabricated evidence and lied when the tended Attachment C the map showing where signs were allegedly placed to the Parliamentary Inquiry.

The still frames from the Trickey video IMG_4529 clearly show that the NSW Government employee's assurances were false and that the Parliamentary Upper House Inquiries finding that *"we take at face value NPWS' assurance and pictorial evidence that the signs were actually adequate"* (Parliamentary Inquiry Final Report p. 84) was based upon lies and "reproduced" evidence designed to deliberately mislead the New South Wales Parliament's Legislative Council General Purpose Standing Committee No. 5.

WILL THESE LIES BE INVESTIGATED?

In the light of the facts revealed in this document, it is hoped that the Chair of the Parliamentary Inquiry, the Hon. Robert Brown MLC will examine the witness statements together with the video and photographic evidence presented in this document and if this document is found to be accurate in its claims, that Mr Brown will issue a public correction to his inquiry's finding in relation to these matters. We would also invite Deputy State Coroner Hugh Dillon to read this document and if deemed to be appropriate to take action and comment upon the evidence presented in this document.

An open investigation is demanded not only into this series of at least fifteen lies before the Parliamentary Inquiry and the NSW Coroner's Court, but also the motivation for, and ultimate authority for those lies. We cannot trust the Office of Environment and Heritage to conduct an unbiased investigation and strongly believe that pressure was applied by senior officials to members of the National Parks and Wildlife Service's Warrumbungle National Park staff to give false, misleading or limited evidence to the police and official inquiries into the Wambelong fire.

In the knowledge that the Office of Environment and Heritage and the National Parks and Wildlife Service were prepared to lie,

then perhaps the NSW Police Service should reopen its investigation into the Wambelong fire in order to ascertain the total extent of the Office of Environment and Heritage and National Parks and Wildlife Service's deceptive practices in relation to this fire.

It is admitted that Mr Terry Bailey was not in Coonabarabran in the week leading up to the outbreak of the fire to personally see that no large NATIONAL PARK CLOSED signs were in place. But almost twenty National Parks and Wildlife Service Rangers were stationed in Coonabarabran and most of them would have driven past the large Warrumbungle N.P. Tourist Drive sign on a daily basis travelling to and from the Warrumbungle National Park.

Every one of those officers should have seen (as revealed by the Trickey video) that there was no large NATIONAL PARK CLOSED attached to the Tourist Drive sign or at the eastern entrance to the park (as

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claimed in the statements of Selmes and Burton), yet not one of those Rangers who knew the truth has come forward.

In preparing his evidence for the Parliamentary Inquiry perhaps Mr Bailey was lied to by his NPWS staff. If so, it is obvious that he did not conduct his own investigation into his staff's ability to be prepared for a fire in the Park. Or perhaps Mr Bailey was one of the architects of this scheme to deceive the Parliamentary and Coronial Inquiries.

The PARK CLOSED sign cover up is only the tip of the iceberg. A full investigation has never been conducted, either by the Parliamentary Inquiry, the Coronial Inquiry, or the Office of Environment and Heritage into why these same National Parks and Wildlife Service staff members exhibited such apathy towards their duty of care for the Park in the week leading up to the fire.

A NPWS Ranger, when questioned under oath before a Coronial Inquiry, lied to cover up his service's failure to put up warning signs. But putting up warning signs was the LEAST of the pre-fire failings that the NPWS Rangers were responsible for. The fact that these same Rangers totally ignored the fire prevention actions required of them by their Fire Management Manual undeniably contributed to the likelihood that a fire could break out.



The home of John and Jan Shobbrook

