Submission No 44

INQUIRY INTO WAMBELONG FIRE

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NSW Government Submission

Inquiry into the Wambelong Fire
Legislative Council General Purpose Standing Committee No 5

Introduction

This inquiry was established on 14 November 2013, to report on the causes and management of the Wambelong Fire within and adjacent to the Warrumbungle National Park in January 2013.

The Warrumbungle National Park (the park) is an iconic tourist attraction in the central west of NSW. The park is also a significant environmental asset, containing a high diversity of plants and animals, and stunning landform features and geodiversity. The park has a long history of use by bushwalkers, and its network of walking tracks have a national and international reputation.

The Warrumbungle Range was first recognised for its value by the National Parks and Primitive Areas Council in 1936. The park was originally reserved under the then *National Parks and Wildlife Act 1967*, incorporating an area of about 6,235 hectares. Since then, land has been added, and the park is now 23,312 hectares.

The park is situated on the north-west slopes of New South Wales, approximately 33 kilometres west of Coonabarabran, 90 kilometres north of Gilgandra and 75 kilometres east of Coonamble (see map at **Attachment A**). The Siding Spring Observatory adjoins the park's eastern boundary. The park straddles three local government areas; the Warrumbungle Shire to the east, the Gilgandra Shire to the south, and the Coonamble Shire to the west.

The park is managed by the NSW National Parks and Wildlife Service (NPWS), which is part of the Office of Environment and Heritage (OEH) within the Department of Premier and Cabinet, and is within the portfolio responsibility of the Minister for the Environment.

The park falls within the administrative responsibility of the Northern Plains Region of the Western Branch of NPWS, and is managed locally and regionally from the Coonabarabran and Narrabri offices of NPWS.

Warrumbungle National Park is included on the national heritage list and is therefore managed in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* in addition to the *National Parks and Wildlife Act 1974* (NPW Act).

Background

South-Eastern Australia is one of the most bush fire prone areas in the world. Our climate and environment are particularly susceptible to bush fire. Bush fires have exerted a major influence in determining the characteristics and the diversity of our unique environment. Human settlement in bush fire prone areas and changing natural fire regimes can pose a considerable threat to human life and property. Fire management is therefore given a high priority by the NSW Government in terms of policy, planning, operations and reporting.

Bush fire management in NSW is coordinated within a framework established under both the *Rural Fires Act 1997 (*the RF Act*)* and the *State Emergency and Rescue Management Act 1989 (*the SERM Act*).*

Coordinated Fire fighting

The NSW Rural Fire Service (NSW RFS) and Fire and Rescue NSW (FRNSW) are the two agencies primarily responsible for providing fire services to communities in NSW. In addition, NPWS within the Office of Environment and Heritage, and Forestry Corporation of NSW within the NSW Trade and Investment Cluster, maintain a significant fire fighting capability and are recognised as fire fighting authorities in the RF Act.

These four fire fighting authorities work together and operate under a tenure blind approach; illustrated via the *Bush Fire Coordinating Committee Policy 2/2006 Management of Bush Fire Operations* (**Attachment B**). The agencies are subject to the State Bush Fire Plan (**Attachment C**), which is a sub-plan of the NSW State Emergency Management Plan (**Attachment D**), under the SERM Act.

Additionally, the Commissioner of the NSW RFS possesses extremely broad powers to ensure that long before severe fire weather conditions eventuate, appropriate interaction and coordination between the respective agencies is occurring.
The principal mechanisms for coordinated and cooperative fire management arrangements operate through the Bush Fire Coordinating Committee (BFCC) and local Bush Fire Management Committees (BFMC).

Furthermore, if a bush fire is beyond local capabilities and/or the prevailing conditions are conducive to a bush fire emergency, the NSW RFS Commissioner

can invoke section 44 of the RF Act which provides him/her with the power to take charge of bush fire fighting arrangements in NSW. The Commissioner will normally exercise this authority by appointing a specific person, an Incident Controller, to do so on his behalf.

Bush Fire Coordinating Committee

The BFCC is a statutory body constituted under section 46 of the RF Act. The NSW RFS Commissioner is the Chairperson of the BFCC.

The BFCC's functions are set out in section 48 of the RF Act and include planning in relation to bush fire prevention, coordinating fire fighting operations and advising the Commissioner on prevention, mitigation and coordinated bush fire suppression across the state. A major function of the BFCC includes the approval of bush fire management plans, both risk management and operational, prepared by local BFMCs.

The BFCC is comprised of the following representatives:

a. the NSW RFS Commissioner, who is the Chairperson of the Committee;
b. an officer of FRNSW nominated by the Commissioner of FRNSW;
c. two members of staff of the Department of Trade and Investment, Regional Infrastructure and Services nominated by the Director-General of that Department, one of whom is a member of staff of the Resources and Energy Division—Energy Business Unit of that Department, and one of whom is a member of staff of the Catchments and Lands—NSW Crown Lands Division of that Department,
d. a member of staff of the Office of Environment and Heritage nominated by the Chief Executive of that Office;
e. two persons appointed by the Minister on the recommendation of the Local Government and Shires Association of New South Wales;
f. a fire control officer appointed by the Minister on the recommendation of the NSW Rural Fire Service Association Inc;
g. a person appointed by the Minister on the recommendation of the Commissioner of Police;
h. a person appointed by the Minister on the recommendation of the Minister for the Environment;
i. a person nominated by the Nature Conservation Council of New South Wales;
j. a person appointed by the Minister on the recommendation of the NSW Farmers' Association;
k. a member of staff of the Department of Family and Community Services nominated by the Minister for Family and Community Services.

Bush Fire Management Committees

Section 50 of the RF Act requires the BFCC to form a BFMC for every Rural Fire District and every Fire District where there is a reasonable risk of bush fires. There are currently 67 BFMCs across NSW.

BFMC membership is set out in Clause 14 of the Rural Fires Regulations 2013. The eligibility for membership of a BFMC is outlined at **Attachment E**.

The main purpose of BFMCs is to facilitate cooperation between organisations, agencies and the community resulting in coordinated bush fire management at the local level.

Section 52 of the RF Act requires the BFMCs to prepare:

a. a plan of operations setting out how the agencies present in the BFMC area will integrate and coordinate themselves to protect the community from bush fires; and
b. a Bush Fire Risk Management Plan (BFRMP) setting out those activities necessary to mitigate bush fire hazards.

Plans of Operations

Plans of operations are used to identify and coordinate member agencies' local capabilities, resources and the actions required in the event of a bush fire.

The BFCC's instructions for BFMCs are contained in *BFCC Policy 2/2006 – Management of Bush Fire Operations*.

First response arrangements for the control and coordination of operations at bush fires are outlined within the relevant plan of operations in accordance with section 52 of the RF Act. When a bush fire is first discovered or reported, the agency first responding notifies the relevant land manager and the executive officer of the relevant BFMC (typically the local NSW RFS Superintendent) and immediately forms the incident management team and the most appropriate officer becomes the Incident Controller.

As more resources are allocated to the incident, the management team will adapt in accordance with the span of control and delegation principles outlined in the Australasian Inter-service Incident Management System (AIIMS). Control and coordination of the incident may transfer to a more senior officer, or more appropriate authority, depending on the classification of the fire.

The classification of a fire is usually undertaken in consultation with the operations group, or Fire Classification Group of the local BFMC, in accordance with *BFCC Policy 2/2006 Management of Bush Fire Operations*.

- **Class 1** - a bush fire under the control of the responsible fire authority, whether or not incident/low level assistance is provided by other agencies;
- **Class 2** - a bush fire that, by necessity, involves more than one agency and where the BFMC Executive has appointed a person to take charge of fire fighting operations; and
- **Class 3** - a major bush fire or fires where an appointment has been made, or is imminent, under the provisions of Section 44 of the RF Act.

In bush fire emergencies declared under Section 44 of the RF Act, the NSW Emergency Management Plan is invoked. The NSW RFS is identified as having responsibility for fires and for coordinating overall fire fighting response within rural fire districts. In addition, the NSW RFS Commissioner has responsibilities and broad powers to manage Section 44 Bush Fire Emergencies anywhere in NSW.

Once a fire is declared a Section 44 bush fire emergency, the NSW RFS Commissioner appoints an Incident Controller to take charge of all operations and usually an interagency incident management team is formed.

Bush Fire Risk Management Plans

The Bush Fire Risk Management Plan (BFRMP) is a strategic document which identifies assets within the community at risk from bush fire, assesses the level of risk to those assets, establishes treatment options and allocates responsibility for carrying out those treatments. The BFRMP is used to determine such things as where mechanical clearing or hazard reduction burns are conducted, which areas require specialised fire protection, and which areas need to be targeted for community education.

A critical part of the plan is to actively seek input from the community. This is achieved through a variety of methods, including community meetings. Plans are publicly exhibited and opportunities for community feedback are actively sought. BFRMP developed under *BFCC Policy 01/2008 – Bush Fire Risk Management* provide for a comprehensive approach to planning, prioritising and reporting of hazard reduction works.

BFRMPs are developed by the relevant BFMC and placed on public exhibition, they are approved by the BFCC or its delegate (the NSW RFS Commissioner), and are published on the NSW RFS web site. The relevant plans covering the park are provided in **Attachment F** and **Attachment G**.

NPWS Fire Management Role

NPWS has significant land management responsibilities, with almost nine per cent of land in NSW managed for conservation and fostering public appreciation, understanding and enjoyment of nature and cultural heritage in a network of national and regional parks, nature reserves, and a range of associated tenures.

NPWS fire management efforts are part of a state-wide approach, consistent with the legislation above and with *NSW 2021* (**Attachment H**) and the State Bush Fire Plan.

NPWS is both a 'public authority' and a 'fire fighting authority' under the RF Act. As a 'public authority,' NPWS has statutory obligations to take steps to prevent the occurrence and to minimise the danger of the spread of bush fire on or from lands under its management. As a 'fire fighting authority', NPWS has a statutory role in assisting other fire authorities (NSW RFS, FRNSW and the Forestry Corporation of NSW) and its neighbours, with the management of bush fires. NPWS, as with other land managers, is often (and necessarily) a first response agency to bush fires both on and off-park.

NPWS has an important role assisting in the management of bush fire emergencies when declared under Section 44 of the RF Act.

NPWS is represented on the BFCC and its Standing Committee, and has a representative on most of the 67 BFMCs across NSW, especially where NPWS has significant reserves that may potentially be impacted by fire. NPWS is represented on both committees covering the Warrumbungle National Park (i.e. the Castlereagh BFMC and the North West BFMC).

All parks and reserves are incorporated within BFRMPs and plans of operations. These plans are prepared by the relevant district BFMC, in accordance with section 52 of the RF Act.

NPWS has also developed a hierarchy of planning documents to guide its approach to fire management in parks and reserves as part of a consistent, coordinated and cooperative approach to fire management in NSW.

Strategic issues and a State-wide direction for NPWS in regards to fire management over a 10 year time frame are provided by *Living with Fire in NSW National Parks – A Strategy for Managing Bush fire in National Parks and Reserves to 2021* (**Attachment I**). The strategy is the State's first comprehensive, long-term, fire management strategy for national parks. The strategy identifies a vision, objectives and principles to ensure that people and other resources are used to best advantage

in managing fire in parks and reserves. The primary objective is always to protect life and property. The NPWS fire management objectives identified in the strategy are:

- to protect life, property and community assets from the adverse impacts of fire;
- to develop and implement cooperative and coordinated fire management arrangements with other fire authorities, park and reserve neighbours and the community;
- to manage fire regimes in reserves to maintain and enhance biodiversity;
- to protect Aboriginal sites and places, historic places and culturally significant features from damage by fire; and
- to assist other fire agencies, land management authorities and landholders in developing fire management practices that contribute to conserving biodiversity and cultural heritage across the landscape.

At a State-wide level, NPWS has also developed a Fire Management Manual 2013-14 (**Attachment J**). The manual is a compendium of fire management policies and procedures which guides the NPWS operational approach to fire management. The manual has been utilised by NPWS over the past 20 years, and is reviewed annually in accordance with experience and feedback from debriefs from the previous fire season. The manual includes sections on fire management prevention, planning and preparedness, response, recovery and administration including insurance recovery.

NPWS also prepares and annually reviews its branch and regional incident procedures which are consistent with local BFMC plans of operations. The NPWS Northern Plains Region Incident Procedures 2012-13 assisted the NPWS approach to the management of the Wambelong Fire in January 2013 (**Attachment K**).

For well-established parks and reserves, such as for Warrumbungle National Park, NPWS also prepares a detailed NPWS Reserve Fire Management Strategy (RFMS) for that park. The NPWS RFMS is consistent with the context provided by BFRMP's and plans of operations. The most recent Warrumbungle National Park RFMS was adopted in August 2012 (**Attachment L**).

These RFMS's may be prepared to cover either a precinct within a reserve, a single reserve, a number of similar reserves, or areas at a landscape or bioregional scale, or a combination of these.

RFMS's are referenced by district BFRMP's and operational plans, and subsequently for preparing annual fire management works schedules. Annual fire management works schedules are essential operational components of the NPWS approach to fire management planning and are designed to meet the different requirements for

planning prescribed burns, asset protection, and fire trail maintenance. In preparing RFMS's, NPWS not only considers parks and reserves but also takes account of the zoning, fire history, assets, and fire control advantages on adjacent land.

In preparing a RFMS, NPWS also considers any specific reserve, species, threat, and cultural heritage conservation issues that are identified in relevant reserve plans of management, species recovery plans, threat abatement plans, or conservation management plans. Landscape level planning such as catchment blueprints, regional and local environment plans, tourism plans and vegetation and water plans are also taken into account. Consultation with the local BFMC and the community, particularly local rural fire brigades, is an integral part of the process for preparation of a RFMS by NPWS.

A statutory plan of management for Warrumbungle National Park was also prepared and exhibited in 2011-12 and was adopted under the NPW Act in November 2012 (**Attachment M**). The plan outlines the significance of the park and its values and management issues. The plan refers to the management of fire and includes a number of actions including the implementation and review of a RFMS for the park.

NPWS Fire Management Procedures

It is the statutory responsibility of NPWS, as a public authority, to take all practicable steps to prevent the ignition and spread of bush fires on lands that it manages. As a fire authority, NPWS also assists the NSW RFS, FRNSW, and the Forestry Corporation of NSW, as a first response agency. This is because well trained and capable NPWS resources are already working in the field on days of high fire danger. For example, in 2012-13, the NPWS assisted with the control of 139 bushfires burning on adjoining lands, and a total of 324 bush fires over the last five years.

First response arrangements for the control and coordination of operations at bush fires are outlined within the relevant plan of operations (e.g. Castlereagh BFMC Operations Coordination Plan and Castlereagh District BFRMP 2013) in accordance with section 52 of the RF Act. These arrangements are also reflected in NPWS Regional Incident Procedures.

The safety of fire fighters is a paramount consideration during fire assessment and response.

In addition to the arrangements outlined in the Background above, the specific response arrangements for Warrumbungle National Park are outlined within the Castlereagh BFMC Operations Coordination Plan 2013 **(Attachment F)**, the North

West BFMC Operations Coordination Plan **(Attachment G)** sections 4-10 and the NPWS Northern Plains Regional Incident Procedures **(Attachment K)**.

Warrumbungle National Park – Fire History

The historical incidence of bush fire within the park is relatively low. Fire activity is characterised by small fires with infrequent larger fires on an interval of 10-30 years. The majority of the park has not been affected by bush fire for many years. Large fires were recorded to have occurred in the 1950s, 1967, 1990 and 2002. There has not been a fire approaching the scale of the 2013 Wambelong Fire ever recorded in the park. The largest fire recorded in the park prior to the Wambelong Fire (22,085 hectares of the park) was a fire of about 5,000ha in 1967. The bush fire history from the 1930s onwards is shown in the attached sequence of maps (**Attachment N**).

The hazard reduction history from the 1970s onwards is shown in the attached sequence of maps (**Attachments O**).

NPWS has implemented a program of hazard reduction burning within the park over a considerable time period. Over the five year period prior to the Wambelong Fire, around 900 hectares of the park were treated in nine hazard reduction burns. In the period 2000-2012 approximately 2,600 hectares were hazard reduced. The focus of these activities was largely in strategic locations near the perimeter of the park to assist in limiting fire movement into and out of the park, and protect neighbouring property and the key asset of Siding Spring Observatory. NPWS has worked proactively over many years with observatory staff and the NSW RFS to develop an asset protection plan, and to plan and implement hazard reduction activities to assist in protecting this vital asset. The fire management zoning and strategies as reflected in the Warrumbungle RFMS (**Attachment L**). The most recent hazard reduction treatments in this area by the NPWS were conducted in 2011.

A map of the history of fire activity including hazard reduction activities and bush fires over the 2000-2012 period is shown in **Attachment P.**

The Wambelong Fire

At approximately 4:00pm on Saturday 12 January 2013, a fire was discovered in the Wambelong camping area in Warrumbungle National Park. The next day, the bush fire spread quickly under strong winds and burnt beyond the eastern and northern boundary of the park.

The fire impacted upon Warrumbungle National Park destroying the park's visitor centre, historic woolshed, staff quarters and various visitor infrastructure including walking tracks, toilets, bridges, bollards and signs. In addition the fire impacted on

the Siding Spring Observatory and destroyed or significantly damaged private property and structures, other infrastructure and livestock.

Approximately 95% of the park was affected by the fire. The fire crossed multiple tenures and was finally contained at 56,280 hectares which included; 22,085 hectares of national park (c.39.5% of total); 32,352 hectares of private property (c.57.5% of total); and 1,843 hectares of other tenure including Crown land (c.3% of total).

The cause of the fire, as well as other events leading up to and during the fire, are being investigated by the NSW Police Force on behalf of the Coroner's office.

The RFS Commissioner requires incident controllers, appointed under Section 44 of the RF Act, to produce a report following the revocation of the Section 44 declaration.

While the Section 44 report and Coroners Inquiry into the Wambelong Fire are yet to be finalised, the NSW Government will carefully consider any recommendations arising from these inquiries.

NPWS believes that it appropriately applied the relevant policies and procedures to guide its bush fire response, both prior to and following the Section 44 declaration. As is discussed in the responses to the Terms of Reference below, NPWS staff and resources formed a significant component of the bush fire response at all times. NPWS continues to this day to dedicate considerable resources to the recovery effort.

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.

The significant and detrimental impacts of the Wambelong Fire, including the personal, community, and environmental impacts, are shared acutely by NPWS, and in particular by the local NPWS staff.

NPWS is determined to maintain its focus on park recovery actions, recognising that a speedy park recovery will help support the local community. NPWS is currently

reviewing its plans, policies and procedures as a result of lessons learnt from the 2012-13 fire season in order to continually improve its fire management preparedness, response and recovery practices (see section responding to Terms of Reference Item 8).

ToR 1 - The Bush Fire Management Plan objectives for the affected area

The park lies in two bush fire management zones: the eastern and southern parts are covered by the Castlereagh BFMC and the western part by the North West BFMC.

The BFRMP's and plans of operations covering the affected area are prepared in accordance with section 52 of the RF Act by each of these committees. Each plan is informed by other plans including the more detailed NPWS RFMS's such, as the Warrumbungle National Park RFMS **(Attachment L)**. The RFMS provides detail on the zoning of the park, the history of fire within the park, the fire regime threshold status within land management zones, the location of fire fighting resources such as dams and trails, and guidelines for the protection of significant park values.

NPWS RFMS's are developed specifically for each well-established park and reserve and are consistent with the guidelines outlined within the NPWS Fire Management Manual **(Attachment J)** as well as the BFRMP's and Operations Plans. The strategies are also guided by the longer term '*Living with Fire in NSW National Parks – A Strategy for Managing Bush fire in National Parks and Reserves to 2021* **(Attachment I)**. The reserve fire management strategies are developed in close consultation with the NSW RFS and are publicly exhibited.

The **aim** of both the BFRMP's for the area affected by the Wambelong Fire area is the same, i.e. "*to minimise the risk of adverse impact of bush fires on life, property and the environment*".

The **objectives** of both BFRMP's for the relevant affected area are also the same, i.e.:

- to reduce the number of human-induced bush fire ignitions that cause damage to life, property and the environment;
- to manage fuel to reduce the rate of spread and intensity of bush fires, while minimising environmental/ecological impacts;
- to reduce the community's vulnerability to bush fires by improving its preparedness; and
- to effectively contain fires with a potential to cause damage to life, property and the environment.

The purpose and suppression objectives for each of the bush fire management zones are also consistent between both plans and are identified in Table 3.1 of both plans as outlined below.

Zone	Purpose	Suppression Objective(s)	Zone characteristics
Asset Protection Zone	To protect human life, property and highly valued public assets and values.	To enable the safe use of **Direct Attack** suppression strategies within the zone. To minimise bush fire impacts on undefended assets.	As per RFS document *Standards for Asset Protection Zones*.
Strategic Fire Advantage Zone	To provide strategic areas of fire protection advantage which will reduce the speed and intensity of bush fires, and reduce the potential for spot fire development; To aid containment of wildfires to existing management boundaries.	To improve the likelihood and safe use of: **Parallel Attack** suppression strategies within the zone. and/or **Indirect Attack** (back burning) in high to very high fire weather conditions within the zone. To reduce the likelihood of: Crown fire development within the zone. and/or Spot fire ignition potential from the zone	Zone width related to suppression objectives and dependant upon: • Topography • Aspect • Spotting propensity • Location of adjacent firebreaks • Mosaic pattern of treatment Assess Overall Fuel Hazard (OFH) once vegetation communities reach minimum fire thresholds within this plan. Management practices should aim to achieve mosaic fuel reduction patterns so that the majority of the SFAZ has an OFH of less than high.
Land Management Zone	To meet relevant land management objectives in areas where APZs or SFAZs are not appropriate.	As per the land management and fire protection objectives of the responsible land management agency. To reduce the likelihood of spread of fires. To undertake mosaic burning	As appropriate to achieve land management e.g. heritage and/or fire protection e.g. broad scale mosaic burning objectives.
Fire Exclusion Zone	To exclude bush fires.	N/A	Variable dependant on size of fire sensitive area requiring protection.

Table 3.1 Bush Fire Management Zones: Purpose, objectives and characteristics

NPWS has also identified fire management objectives for each of the parks and reserves that it manages (as outlined above in Background). For Warrumbungle National Park, these are reflected in the adopted Warrumbungle National Park Plan of Management 2012 **(Attachment M)** as:

"*The primary fire management objectives of the NPWS are to protect life and property and community assets from the adverse impacts of fire, whilst managing fire regimes to maintain and protect biodiversity and cultural heritage".*

The desired outcomes for fire management in Warrumbungle National Park are also identified in the plan of management as:

- *Life, property, and natural and cultural values are protected from fire; and*
- *Fire regimes are appropriate for conservation of native plant and animal communities.*

Objectives for each of the bush fire management zones in the park are identified in the Warrumbungle National Park RFMS and are consistent with the relevant BFRMP:

- **Asset Protection Zone -** An area surrounding a residential or other significant building, managed to reduce the bush fire hazard to an acceptable level. The objective of this zone is to protect historic structures by maintaining the Overall Fuel Hazard at LOW.

- **Strategic Fire Advantage Zones -** The objective of this zone is to reduce fire intensity in locations to assist containment of bush fires, by maintaining the Overall Fuel Hazard less than HIGH

- **Land Management Zones -** The objective of this zone is to conserve biodiversity and protect cultural heritage by applying biodiversity thresholds

ToR 2 - The activities of National Parks and Wildlife Service (NPWS) officers in the National Park in the week preceding the fire

In the lead up to the fire season, NPWS officers throughout NSW are required to refresh and fine tune their bush fire preparedness. Each NPWS region holds an annual fire preparedness day during which safety procedures, policy changes, communications equipment, personal protective equipment, staff fire fighting competencies and currency and fitness are covered and checked. Regular attendance at the annual fire preparedness day is a pre-requisite for fire duties. The Northern Plains Region held its annual fire preparedness day on 16 August 2012.

NPWS officers in the region also attended the NPWS Northern Plains Region Senior Team Briefing Day on 17 August 2012, during which senior fire staff where updated on fire procedures and information relevant to planning and supervising fire operations. This included reviewing operational guidelines outlined in reserve fire management strategies as well as undertaking risk assessment and fire response strategy development exercises.

Fire fighting resources in the Northern Plains Region include around 55 personnel who participate in a range of roles from on-ground fire fighters, incident management team members, aviation specialists and support roles. The region has a range of fire fighting appliances including Category 9 and Category 7 vehicles, a grader, front end loader, skid steer loaders, a number of trucks and bulk water carriers, and numerous tractors. The region also has access to out-of-area resources, coordinated through the NPWS Western Branch, and where required through NPWS liaison officers based at the NSW RFS State Operations Centre.

The arrangements for NPWS preparedness and response are outlined within the NPWS Fire Management Manual **(Attachment J)** and are reflected in the Western Branch and Northern Plains Regional Incident Procedures **(Attachment K)**. These procedures are consistent with the relevant plan of operations for each of the BFMC's covering the park and include the conduct of annual regional fire preparedness days, annual fire fitness assessment, monitoring of weather conditions, checking communications, review of incident plans and reserve fire management strategies, joint agency pre-season meetings and training, and resource readiness. Resource readiness is guided by Table 11 within the Fire Management Manual and is linked to the fire danger rating and drought index for the particular region.

The NPWS regional duty officer system is established to coordinate incident response across the region, and to report internally at Branch and State-wide levels. Within the Northern Plains Region a duty officer system was in operation during the

fire season, including the week preceding the fire. This includes weather and fire monitoring and coordination of first response in the event of a fire.

On Tuesday 8 January 2013, all national parks and reserves were closed due to the unprecedented heatwave conditions during early January 2013 and the forecast extreme to catastrophic fire weather conditions across NSW. This State-wide closure was also unprecedented and was based on discussions and advice of the State Emergency Management Committee.

Over the following days, national parks and reserves across NSW were progressively re-opened. However, all parks within Northern Plains Region, including Warrumbungle National Park, remained closed due to the extreme fire danger rating. Park closures are undertaken in accordance with the guidelines outlined in Table 11 of the NPWS Fire Management Manual, in order to minimise risks to public safety and reduce the probability of fire ignitions during periods of extreme fire danger.

As a safety precaution in response to the forecast fire danger on Tuesday 8 January no NPWS staff worked in the park that day. NPWS staff resumed park management duties in the park from Wednesday 9 January until the outbreak of the fire on the afternoon of Saturday 12 January.

In the week preceding the weekend of 12-13 January 2013, NPWS resources were actively involved in assisting other fire authorities with bush fires burning across NSW including fires burning on parks and reserves. Many of these fires were declared under Section 44 of the RF Act. The table below outlines these commitments:

Bush Fires attended by NPWS resources 6 to 13 January 2013

Date	Going	Being Controlled	Contained	Patrol	Total	No s.44	Hectares on-Park	Hectares off-Park
6/01/13	0	4	2	13	19	1	438	871
7/01/13	2	4	7	7	20	7	582	2,056
8/01/13	3	2	8	11	24	16	2,806	7,015
9/01/13	3	3	6	13	25	18	4,712	16,587
10/01/13	2	5	5	12	24	17	5,403	18,411
11/01/13	2	6	4	12	24	18	6,520	19,269
13/01/13	8	7	5	16	36	22	7,192	21,009

As at 12 January, 200 NPWS officers were actively engaged in fire suppression activities across NSW, both on and off-park. NPWS officers were engaged on fire-ground duties, in remote area fire fighting teams, and within local incident management teams. Many other NPWS officers were involved within the NPWS Fire Management Section coordinating fire response and NPWS resources across the state. NPWS officers were also on stand-by in areas of extreme fire danger, as part of pre-emptive Section 44 Incident Management Teams, or engaged as liaison officers, fire behaviour specialists, media officers, planning officers or State Air Desk officers at the NSW RFS State Operations Centre at Homebush. Other officers were on mandatory stand-down or involved in fire prevention and fire detection duties in regional areas. A total of 50 NPWS fire tankers, 6 aircraft and 4 heavy NPWS plant items were actively engaged in fire suppression efforts at this time.

The Christmas school holiday period is the busiest period in the year for NPWS with the highest levels of visitor numbers recorded in parks and reserves across the state, particularly coastal parks and reserves. Maintaining visitor safety during this period is a high priority for all NPWS officers and considerable resources were also allocated to this task.

ToR 3 - The significance of a small fire in a camping area within the National Park, and actions taken by NPWS before the declaration of the fire under section 44 of the Rural Fires Act 1997

Based on the information available to the NPWS, the following sequence of events occurred from the time the fire was detected on the afternoon of Saturday 12 January 2013. Smoke was first observed and reported around 4:00pm. The fire was located a short distance west of the Wambelong camping area, on the northern side of John Renshaw Parkway adjacent to Wambelong Creek, with a second fire being observed approximately 500 meters east of the main fire along John Renshaw Parkway in the vicinity of Wambelong Creek at about the same time. The NSW Police Force, on behalf of the Coroner's office, has been investigating the possible causes of the fire.

Two off-duty NPWS staff members who were in the park at the time (one of whom lived in the park) were able to undertake reconnaissance in response to a report of smoke by a NPWS staff member at the national park visitor centre. Upon arrival at the Wambelong camping area just before 4:20pm, a fire was observed to be burning in a gully at the western end of the campground, and approximately 50m x 50m in size, with flames less than 50cm high, except for one section of fire which had 2m high flames.

NPWS staff quickly departed the Wambelong camping area to acquire a fire fighting appliance and formally report and confirm the location and details of the fire. The fire was called in to NPWS and NSW RFS staff at 4:20pm (a short drive to obtain mobile phone reception was required).

One of the NPWS staff members acquired a fire fighting appliance and was the first fire fighter on scene, arriving back at the fire before 5:00pm. At this time the fire was observed to be burning two thirds of the way up the hill, behind the Wambelong camping area, and was estimated to be between one and two hectares in size. By this time a member of the Goorianawa Rural Fire Brigade (RFB) had arrived at the fire in his private vehicle and was awaiting the arrival of his brigade crew. The RFB volunteer and NPWS staff member worked together to attack the western edge of the fire. Within approximately 30 minutes, additional NPWS officers arrived at the fire, shortly followed by members of the Warrumbungles and Gummin RFBs.

As soon as the fire was reported, both the NPWS and NSW RFS proceeded to organise crews to be deployed to the fire. Within a short period of time there were significant resources attending the fire. By 4:45pm, a NPWS Incident Controller was operating from the Coonabarabran NPWS Office coordinating operations. By approximately 5:00pm, a NPWS Divisional Commander was coordinating operations at the fire and working with the local NSW RFS brigades that were in attendance.

The Warrumbungle National Park is characterised by its dramatic geology and landscape features including cliffs, steep rocky areas, protruding ridges and mountainous terrain. The landscape offers significant topographical relief, from the open central valley area along the main creek lines to the mountain tops. The Wambelong camping area sits adjacent to Wambelong Creek and between a number of steep rocky areas and cliff lines. The area around the fire origin rises immediately from the creek flats up a steep rocky face to a ridge line.

By 5:30pm, the reports from the fire ground included that the eastern flank of the fire was unmanageable due to the steep and rocky nature of the terrain, that the western flank may have been manageable, and that it was not possible to see the head of the fire at the top of the hill. The weather observations reported from the fire ground at this time were: temperature 42.9^{o}C, humidity 19%, and wind from the west gusting to 13.3km/hr.

By 6:00pm, the resources available on the fire ground included crews from the Gummin, Goorianawa, Warrumbungles, Tonderbrine and Timor RFBs, five NPWS staff in fire fighting units, a water tanker and the NPWS Divisional Commander. The NSW RFS Castlereagh Zone Operations Manager also attended the fire scene around this time.

By about 6:10pm, an RFS Rapid Aerial Response Team (RART) from Tamworth had arrived in a helicopter. The RART helicopter commenced water bombing operations on the fire and the RART team, in consultation with ground crews, were deployed to construct a hand tool line along the south-eastern side of the fire in the vicinity of Wambelong Creek and the Camping Ground. The helicopter, together with two fixed wing aircraft bombers that were requested by the NPWS at about 4:35pm that afternoon, dropped water and gel on the fire ground between approximately 6.00pm and 7:00pm.

At approximately 6:30pm, a discussion was held between the NPWS Divisional Commander and NPWS and NSW RFS crews and the NSW RFS Castlereagh Zone Operations Manager on site regarding the overnight strategy and crew requirements. It was agreed that two NSW RFS crews would be required for the night, one each to patrol the eastern and western sides of the fire.

Commencing around 7:15pm, the NPWS Duty Officer contacted both the NSW RFS North West Zone and the NSW RFS Castlereagh Zone to discuss the management of the fire. While a Section 44 declaration was in place in the RFS North West Zone, which encompassed where the fire was located, the fire was geographically closer to the resources of the RFS Castlereagh Zone, which was not under a Section 44 declaration at that time. Given this, the RFS North West Zone Incident Controller

was happy to keep management of the fire the way it was, with the RFS Castlereagh Zone being the point of contact for NPWS.

From these conversations the NPWS Duty Officer understood that, given the location of the fire, the NPWS would continue to manage the fire under the arrangements established at the time, and would continue to deal with the NSW RFS Castlereagh Zone, despite the fire being located in the NSW RFS North West Zone. The NPWS Duty Officer then contacted the NPWS Incident Controller and confirmed that the fire response would continue to be managed under the direction of the NPWS Incident Controller.

NPWS crews left the fire line at about 8.30pm. By this time, the fire was burning in remote and steep terrain, and had grown in size to an estimated 32 hectares.

The strategy for the evening shift was to keep the fire north of the Wambelong Creek and, failing that, north of the John Renshaw Parkway. Nevertheless, later that evening the NPWS Incident Controller tasked two NPWS officers to return to the fire ground at approximately 10:30pm to clear any debris from the Northern Fire Trail. As a result of fire activity, two small back burns were completed between Wambelong Creek and John Renshaw Parkway in conjunction with the rural fire brigade crews.

The night shift NPWS Incident Controller continued to coordinate fire fighting operations throughout the night. The level of resourcing applied proved to be appropriate in achieving the stated aims for the evening shift. Communication and fire advice was exchanged frequently between NPWS staff and the rural fire brigade crews on the fire ground.

From the time of the first reports of the fire at around 4:00pm on the 12 January, until the cessation of active fire fighting around nightfall, communication within and between the NPWS, the NSW RFS, and rural fire brigades was frequent. During this period the majority of communication was undertaken either on the phone, via radio, or person to person at the fire ground. The speed at which significant resources from the NPWS, NSW RFS and local rural fire brigades were able to commence active fire fighting duties is testament to the effectiveness of early communications, and the readiness and professionalism of local fire fighting resources from all agencies. Mobile phone reception black spots and some radio inter-operability issues were identified during post fire debriefs. However, these issues are not known to have posed a significant impediment to the response.

Communication and Reporting

Given that the location of the fire was well within the park boundaries, and that the fire risk at this stage of the fire was limited to NPWS assets, communication on the 12 January was primarily between NPWS, NSW RFS and rural fire brigades, and focussed on the coordination of the fire fighting effort. While NPWS did not directly contact park neighbours about the fire situation at that time, details of the fire were uploaded into the NSW RFS Incident Control On-Line (ICON) system and were publicly available from the NSW RFS website and the *Fires Near Me* app from early in the evening of 12 January 2013.

Bushfire reporting in NSW is done through the multi-agency ICON system, which is consistent with national emergency management documentation standards. All bush fires are reported through ICON, and NPWS also requires internal notification through the agency's Duty Officer System to maintain Current Incident Status Reports of on-park fires. ICON reports can be viewed by multiple agencies, by all officers with access to reports for a particular Local Government Area. The primary reporting in ICON is through regular Situation Reports (SitReps). Other documents (Incident Action Plans, maps, photos, field intelligence, etc.) can also be uploaded into ICON.

A SitRep contains a succinct summary of the current status of a fire including: status, incident controller details, location, size, resources, threat analysis, and control strategies. The requirement for the frequency of uploading SitReps depends on the incident alert level. At a minimum for "Advice" level, SitReps are required by 11:00am and 4:00pm daily; for "Watch & Act" SitReps are required every 2 hours; for "Emergency Warning" level SitReps are required every 30 minutes. Additional SitReps or updates should be provided whenever there is a significant change to fire activity or resourcing.

The initial ICON report for the Wambelong Fire was entered with very basic details at 4:05pm on 12 January. While the fire was still Class 1 and at Advice level, more detailed SitReps were entered by NPWS officers at 8:00pm on 12 January, at 3:45am, at 10:10am, and at 10:55am on 13 January. SitReps continued to be entered at regular intervals during the course of the fire, as required.

All personnel involved in responding to the fire on 12 January from both the NPWS, and NSW RFS were readily able to form an integrated and coordinated response. The ability for fire fighters and supporting roles to be integrated into a combined and coordinated response has its genesis in the RF Act. The RF Act provides for cooperative arrangements to enable fire authorities to control fires. All NSW fire authorities (NSW RFS, FRNSW, NPWS and the Forestry Corporation of NSW) operate under a standard incident management system in accordance with the AIIMS. This ensures that the roles and responsibilities of fire fighters and IMT

members are common and understood across agencies (including inter-state agencies).

Response to bush fires on NPWS managed reserves is a cooperative effort between the NPWS and the NSW RFS (and other agencies when required), with control and coordination determined by the class of fire. Where multiple agencies are involved in response to a fire, all fire fighting operations are directed by an Incident Controller and operate under a single Incident Action Plan (IAP) developed by the IMT.

Indirect strategy

On the evening of 12 January, the initial strategy developed to respond to the fire was for a direct attack the following morning, using Remote Area Fire Teams (RAFT) supported by aircraft. However, at approximately 9:30pm, an updated fire spread forecast map was received from NSW RFS State Operations, the interpretation of which indicated that the forecast spread and behaviour of the fire would compromise crew safety, and a direct attack strategy was unlikely to be successful. The strategy for the following morning was therefore reassessed and modified, by NPWS officers, to indirect attack by back burning from the John Renshaw Parkway, Canyon Camp access road, Camp Blackman access road, and the eastern side of the Northern Fire Trail. The primary aim of this strategy was to create a fire control line ahead of the predicted fire spread and to limit fire spread to the north of John Renshaw Parkway and west of the Northern Fire Trail, and to contain the fire within the existing control lines. This was a similar control strategy to that successfully employed during the 1990 bush fire which was in the same location in the park.

This decision was outlined in the situation report that was uploaded to ICON at 3:45am the morning of 13 January, approved by the NPWS Incident Controller, consistent with procedures. While the change in strategy was made at about 10:30pm the previous night, it is normal practice for the overnight IMT to consider the approach to implementing the amended strategy and complete the documentation for uploading into ICON.

The NPWS Incident Controller advised the NSW RFS Castlereagh Zone at 6.00am on 13 January that a back burning operation was planned, and requested additional resources to assist, which were provided.

The decision to change from direct to indirect attack was not taken lightly.

Firefighter safety was of paramount concern. Additionally it was considered that the direct attack strategy had a low probability of success as; it was not possible to reach significant parts of the fire front on foot; there was potentially two to three kilometres of fire front to be contained by 8:00am the following morning (based on prognosis

mapping); the remoteness and topography of the fire ground; the predicted rates of spread, and field observations from NPWS and NSW RFS crews. Based on this updated information, it was considered that a direct attack could compromise crew safety and would have a low probability of success. The proposed change from direct to indirect attack was discussed at the time of shift changeover for the NPWS Incident Controller, with both the departing and incoming NPWS Incident Controllers discussing and agreeing to the modified strategy. After the shift change had been completed the incoming NPWS Incident Controller completed the IAP and loaded it onto ICON, as required.

Shortly before 7:45am on Sunday 13 January, a back burn was commenced. Crews progressively arrived at the fire ground with a crew of nine NPWS officers implementing the back burn, two to three NSW RFS crews assisting in keeping the fire within control lines, and with NPWS-owned and contract plant consolidating containment lines and protecting assets. On 12 January the NPWS incident controller submitted a request to State Air Desk requesting aircraft for the morning of 13 January. The NPWS incident controller confirmed the request via phone at 7:40pm on 12 January. The first aircraft, Firebird 239, arrived at approximately 9:00am. The second aircraft, Helitack 263, arrived at approximately 11:00am.

There was regular communication between the NPWS Divisional Commander and a local NSW RFS brigade captain on resourcing, fire behaviour, weather and control strategies.

By mid-morning, implementation of the back burn had progressed well. The Divisional Commander assessed that the back burning should not be advanced any further than was needed to protect park facilities from any approaching fire. The Divisional Commander decided to only continue employing back burning at that time to maintain a short distance of burnt edge ahead of the fire front.

ToR 4 - Actions taken by NPWS following the ensuing conflagration and timing of the section 44 declaration

At approximately 11am, on Sunday 13 January, the RFS Commissioner declared the Wambelong Fire under Section 44 of the Rural Fires Act. The Commissioner appointed an Incident Controller, and NPWS staff filled numerous incident management team (IMT) roles and firefighter positions throughout the incident.

Shortly after 11:30 am, the back burn was suspended at the request of the NSW RFS. At that time the back burn remained within the containment lines. NPWS and rural fire brigade crews then remained to patrol the back burn.

Shortly after 1:00pm, the fire was reported to have crossed the John Renshaw Parkway. Fire ground observations indicate that the fire initially crossed to the south of the John Renshaw Parkway at the western end of the fire ground and independent of the area where back burning operations had been conducted; which was some distance away on the eastern side of the fire ground.

The Wambelong Fire that commenced on Saturday 12 January 2013 burned for 41 days, and was declared out on 21 February 2013. No further growth of the fire was recorded after rain fell on the fire ground early on the 27 January 2013. However the fire ground was patrolled and monitored each day.

Resources

The declaration of the fire under Section 44 of the RF Act at approximately 11am on Sunday 13 January meant that more fire fighting resources could be directed to the fire.

Under the direction of the IMT, NPWS continued to acquire additional resources to be applied at both the fire ground and within the IMT.

By 6:00pm that evening, NPWS had 10 personnel on the fire ground working together with crews from local brigades, the NSW RFS, and other agencies and contractors. Within the IMT, NPWS staff occupied the roles of Deputy Incident Controller, Operations Officer, Planning Officer and Communications Officer. Over the coming days, NPWS staff continued to undertake a key role in the fire response. NPWS staff from other parts of NSW contributed to the fire fighting response, including from the Northern Tablelands, Central West, North Coast, North Coast and Riverina regions of NSW.

At the same time (12-13 January 2013), NPWS was resourcing 36 other fires on and off parks and reserves across NSW, 22 of which were declared under Section 44 of the RF Act.

During the early stage of the fire, the level of NPWS resourcing to the Wambelong Fire was around 15 personnel, escalating to around 85 personnel at one stage during the fire. As part of this resourcing, NPWS staff filled fire ground roles as well as performed various roles in the IMT.

Additionally, NPWS also provided local NPWS crew resources in response to the nearby Redbank Fire in the Pilliga, to fires north of Narrabri, and to other major fires within the state. NPWS staff resources were also being utilised in the nearby Narrabri Fire Control Centre and the Coonamble Fire Control Centre which were under separate Section 44 declarations, as well as at the NSW RFS State Operations Centre in Sydney.

The response to the Wambelong Fire and other fires across NSW was part of an interagency and community team effort. From within about 45 minutes of the Wambelong Fire being formally confirmed on the 12 January, the NPWS Officer and Goorianawa RFB member who were first on the scene worked together to attack the fire while additional resources were being deployed.

Over the coming hours and days the resources allocated to the fire response escalated dramatically, with other fire fighting agencies, police and emergency services, organisations, local government, contractors, businesses, landholders, community members, community service organisations, volunteer groups, the media, and many others contributing to support both fire fighters and community members during and following the fire.

NPWS performed an active and significant role in the on-ground fire response and incident management team roles during the fire. NPWS also actively participated in the Warrumbungle Shire Council led community forums concerned with post fire recovery.

ToR 5 - The extent of property damage within and adjacent to the fire

There were a substantial number of private structures affected by the fire. Some 53 houses, 64 out-buildings and 15 vehicles were destroyed. In addition some 19 houses and 20 out-buildings suffered damage of varying degrees.

In addition to this, the fire caused the loss of sheep, cattle, fencing and other stock, crops and pastures.

The fire also impacted the Siding Spring Observatory destroying 2 buildings and damaging a number of other structures.

In the Park, the following assets were lost or significantly damaged:

- the Warrumbungle National Park Visitors Centre and surrounding associated infrastructure;
- historic wool shed and shearers quarters and associated infrastructure, including toilet block;
- canyon picnic area, including toilet block;
- Camp Blackman, including toilet block, rainwater tank, and BBQ areas;
- timber storage shed (11m by 6m);
- visitor facilities at White Gums Lookout, including tables, benches, walking track and car park;
- visitor facilities at Grand High Tops, including signs, steps, bridges and toilets;
- Split Rock toilet block;
- Walaay Nature Track steps and bollards;
- Pincham car park toilet block;
- Tara Cave walk, including path, steps, elevated walkway, bridge and collapse of the main cave roof;
- Fans Horizon Track steps;
- Wambelong Nature Track creek crossing and steps;
- Goorianawa Track, seating and path edging;
- timber signs throughout the park and at the boundaries;
- sewage pond linings;
- internal and external fencing;
- various materials at the Strathmore workshop and depot.

Approximately 95% of the park's 23,312 hectares was affected by the fire and is recovering. In total the fire impacted 56,280 hectares of land.

ToR 6 - The details and effectiveness of NPWS restoration plans for the National Park and private infrastructure, including the timeliness of communication and assistance offered by NPWS to affected private property owners

Recovery from the fire was a partnership between the NSW Government, the Council, non-government organisations and the community.

Mr Steve Bradshaw, a former NSW Police Region Commander, was appointed as Recovery Coordinator. Mr Bradshaw was supported by the Ministry for Police and Emergency Services.

The Local Council chaired a Recovery Committee charged with identifying the main impacts from the fire. The NPWS Manager was a member of the Recovery Committee and Chair of the Environmental Recovery Sub-Committee.

Boundary fencing

Immediately after the fire, NPWS commenced assisting neighbours who needed to replace or repair boundary fences that were damaged by the fire.

As of 12 January 2014, 15 of 42 neighbours have contacted NPWS to discuss boundary fencing. 11 neighbours have been assisted and discussions are continuing with a further three, with one neighbour only recently making contact with NPWS. NPWS is aware that boundary fence repairs may not have been an immediate priority for all neighbours, and therefore the NPWS approach was to ensure that assistance was, and continues to be, provided at a time that most suits individual neighbours.

NPWS offers of assistance for boundary fencing were made to neighbours in the early phases of recovery through community forums coordinated by the Warrumbungle Shire Council, through Council recovery newsletters, and in the local paper. In early May 2013, NPWS also wrote to all neighbours who had not already contacted the local NPWS office to remind them of the offer of assistance available to replace or repair boundary fencing.

NPWS, as an agency of the Crown, has no statutory responsibility under the *Dividing Fences Act 1991*, however, it is NPWS policy to contribute to the cost of constructing or replacing damaged or destroyed boundary fences by providing the fencing materials. The neighbour then erects the fence on the boundary.

NPWS boundary fencing assistance has historically been formalised by way of a fencing agreement, which is signed by a representative of NPWS and the neighbour.

The fencing agreement sets out all relevant aspects pertaining to the contributions of the parties, location of the fence, provision of materials, required standard of fencing, and other related matters.

In April 2013, NPWS became aware that some of the neighbours had expressed concern about the complexity of the NPWS Boundary Fencing Policy and associated fencing agreement, and the standards being applied to clearing along common boundaries. Similar representations were also made by the BlazeAid coordinator and a BlazeAid volunteer. At the same time, a number of neighbours had already signed new fencing agreements without any concerns being raised with NPWS.

In response to the concerns raised about NPWS boundary fencing policy, NPWS significantly revised and simplified the format of its fencing agreement. The outcome of this change was a simple, one-page, standard agreement (**Attachment Q**). To reflect this improvement, the NPWS Boundary Fencing Policy is being updated and will soon be applied across the state.

In relation to the concerns raised regarding the vegetation clearing widths for the park side of the fence, NPWS generally works with a standard clearing width of 6m and has taken a flexible case by case approach, based on negotiations with neighbours, to any additional clearing that may be required. This is consistent with section 76 of the RF Act and includes provision for the removal of trees outside of this zone that may be at risk of falling onto the fence.

Park Rehabilitation

Given the national heritage status of the park and the unprecedented extent of impact arising from the Wambelong Fire, an inter-agency team of 10 specialists were tasked to inspect the park between 28 January and 2 February 2013. Their role was to determine priority recovery actions, particularly with respect to mitigating risks to public safety, infrastructure and the environment. A similar approach was applied to parks and reserves in Victoria following the 2009 Black Saturday Fires and this approach is consistent with the NSW Recovery Plan (2010). This team worked with local NPWS staff to develop a list of priority recovery actions for NPWS. The specialist recovery team also undertook an assessment of damage caused by floods which occurred shortly following the fire on 1 February 2013 when over 100mm of rainfall was received in the park in less than 30 minutes. The flooding caused extensive erosion and damage to infrastructure already damaged by the fire.

As part of the recovery process, NPWS has employed new local field staff and a recovery coordinator to progress the recovery program. The employment of a recovery coordinator is a first for NPWS. The new staff are working as a team with

existing local staff and specialists to implement the various infrastructure, visitor and scientific elements of the recovery program.

To date substantial work has been undertaken to repair and reinstate utilities, repair fire trails and walking tracks, demolish and remove damaged infrastructure (including asbestos materials and Copper Chromium Arsenic treated timber), and make safe the main visitor areas and walking tracks. A temporary visitor centre has been installed to service visitors, and all camp grounds and fire trails are open and available for use. A large portion of the walking track network has been repaired including White Gum Lookout, Split Rock, Burbie Canyon and Mount Exmouth. Grand High Tops walking track is expected to be open by Easter 2014.

A community consultation forum was held in September 2013 with key stakeholders to progress reconstruction of the visitor centre. The forum considered issues such as location, design, visitor information and delivery modes, and connection with other visitor attractions and facilities. Given the damage to a range of other facilities it is the intention to incorporate the reconstruction of the visitor centre into a park visitor plan to ensure that the best type and configuration of visitor facilities is provided for visitors.

In November 2013, NPWS staged its 11th annual Crooked Mountain concert in the park. The concert is a community event conducted in conjunction with local businesses and was attended by approximately 1,500 people. The concert was a major milestone in the recovery process and a return to the park being an important regional tourist venue and contributor to the local economy.

In addition, a range of science and wildlife recovery programs are being developed and implemented to support rehabilitation and further understanding of the impacts of the fire on the natural and cultural values of the park. Programs to date have included supplementary feeding of macropods, detailed fauna surveys, water quality monitoring, brush-tailed rock wallaby population survey, koala rehabilitation, Aboriginal site surveys and site protection assessment, and a program to install bird nest boxes.

A recovery plan is being completed to guide and prioritise the various elements of the recovery program. The NPWS on-park recovery program is expected to run for an initial period of three years.

NPWS recognises that the park plays an important role in the social, economic and environmental wellbeing of the local community. As recovery activities continue to occur throughout the local community, NPWS is working to ensure that its actions contribute and connect to the broader community recovery effort. This includes actively progressing the return of the park as a venue for visitors and contributor to the local economy; working with neighbours on common issues such as fencing; and

working on a park visitor plan to support the delivery of appropriate facilities and services that were destroyed by the fire. NPWS is also working with the Castlereagh BFMC and local brigades to address any fire management issues that have been raised since the fire.

ToR 7 - The details and effectiveness of dispute resolution processes with respect to restitution of private property infrastructure damaged as a result of the fire

Following the fire, there were discussions and negotiations with some neighbours and BlazeAid regarding boundary fencing agreements and associated vegetation clearing widths. The NPWS response to these issues is discussed under Terms of Reference Item 6.

Restitution of private property

Many NSW Government agencies, including the Office of Environment and Heritage, are members of the NSW Treasury Managed Fund (TMF). The coverage provided by the TMF to member agencies protects all assets and liabilities of the member agency including its legal liability to third parties.

The TMF will pay, on behalf of the member agency, all sums for which the member agency shall become legally liable to pay by way of compensation in respect of claims made against the member agency caused by an occurrence in connection with its activities. The TMF will also pay all costs and charges and expenses incurred in the settlement or defence of claims or litigation arising where such costs are incurred with the written consent of the Fund, and all costs charges and expenses recoverable from them by the claimant. Usually, certain documentation is required to process any public liability claims against the member agency including a written letter of demand from the claimant or their legal representative.

Dispute Resolution

Discussions between NPWS and the owners of private property impacted by the fire have principally focussed on the repair or replacement of boundary fencing. NPWS has established procedures for contributing towards the replacement of boundary fences. Those procedures have been refined as a direct consequence of extensive fencing works that are required following this specific fire. A summary of fencing issues is provided under Terms of Reference Item 6.

The repair and replacement of fencing takes place in accordance with the standard NPWS fencing agreements. There is no specific dispute resolution mechanism for application to those agreements, with the expectation that NPWS regions will apply principles of procedural fairness as required of all government services.

Fencing agreements are by their nature a formal arrangement between adjoining land owners. However, such processes are far from the only mechanisms by which NPWS communicates with neighbours, local communities and stakeholders.

The first point of contact for many inquiries is the local NPWS staff who live and work in regional communities. Customer service staff are available in regional offices to answer routine inquiries while Area and Regional Managers are expected to respond to sensitive matters such as those arising from fire and other incidents.

It is recognised that not all community members have ready access to office locations, nor the capacity to make contact during normal office hours. For these reasons NPWS also offers a number of alternative ways of seeking information or a response. These include:

- the 24 hour Duty Officer system, which is designed to ensure rapid response to incidents;
- the Enviro line, which provides a similar function for pollution or contamination incidents;
- the NPWS call centre, which provides diverse customer services ranging from camping bookings to wildlife information to providing contact with the appropriate local staff for specific matters;
- the NPWS Facebook page, which provides up to date information and rapid responses about park events and issues; and
- the NPWS website, which offers up to date information about park conditions, including incidents, closures and other critical information.

ToR 8 - Any other related matter.

Revised Operational Arrangements

Of a critical nature to the NSW system of bush fire management is both the ability and unreserved willingness of the fire fighting authorities, and all other agencies, to operate in a cohesive and coordinated fashion when adverse fire conditions prevail. The system enables a graded response to fires depending upon their perceived and actual severity and the weather conditions that prevail or are forecast to prevail.

While there are arrangements made by legislation which allocate responsibility for fire fighting, it is recognised and understood by all involved that the primary goal is the protection of the community. The commitment to this in NSW is illustrated by the existence of an agreement between the fire services and other agencies that is recorded in *BFCC Policy 2/2006 Management of Bush Fire Operations* that any agency observing a fire on any land that has the capacity to do something about it should go and do it, irrespective of which has statutory responsibilities for the land. This approach is reflected in the fire classification system within that policy.

Section 44 of the RF Act provides the NSW RFS Commissioner with the authority to take charge of all bush fire fighting operations and bush fire prevention measures anywhere in NSW if, in his opinion, certain conditions set out in subsection 44(1) of the RF Act are met. When they take charge, the incident becomes a Class 3 fire. For Class 1 and 2 fires it has become evident that the policy arrangements currently in place require some amendment to ensure that the need to keep the fire services fully informed and obtain their agreement with the control strategies to be employed by land managers who are managing fires on their lands.

The NSW RFS and NPWS are currently considering how the principles outlined within the *BFCC Policy 2/2006 Management of Bush Fire Operations* **(Attachment B**) can be improved in light of the experience in the early stages of managing the Wambelong Fire. A review of the BFCC Policy 2/06 Management of Bush Fire Operations is being undertaken with a view to make it a requirement that fire fighting authorities who are managing fires on their lands immediately notify the fire services and keep them fully informed regarding the location, size and behaviour of the fire; any known injuries or damage to property; the local weather conditions; the available land management agency resources attending the fire and the proposed strategy to contain or control the spread of the fire. These changes to the Policy will remove any unintended ambiguity regarding the legislative authority of the NSW RFS and FRNSW in relation to public lands.

National Parks and Wildlife Service related matters

NPWS has, as part of the OEH, commenced a process of re-aligning itself to be a more customer focussed organisation: an organisation better at listening to community views, and thereby being better able to respond accordingly.

This change is in line with the NSW Government's commitment to develop a more customer focussed public service in NSW, and in response to the findings of the 2012 NSW Legislative Council Inquiry into the Management of Public Land in NSW, and indeed the nature of some of the submissions to that Inquiry.

Recommendation 6 from that Inquiry concerned fire management in NSW. Of specific relevance to NPWS, the Committee recommended that the NSW Government investigate the application of the draft *Living with Fire in NSW National Parks – A Strategy for Managing Bush fire in National Parks and Reserves to 2021* to the management of all current parks and newly acquired land, and support the NPWS' five primary fire management objectives (Recommendation 6.1).

Living with Fire in NSW National Parks – A Strategy for Managing Bush fire in National Parks and Reserves to 2021 was officially launched by the Minister for the Environment in April 2013. A copy of the strategy is included at **Attachment I**.

Recommendation 8 from the Inquiry, which was supported by the NSW Government, recommended that urgent action be taken to resolve disputes between NPWS and its neighbours, particularly in relation to boundary fences and access roads. The simplification of the NPWS fencing agreement (discussed earlier in response to Terms of Reference Item 6) goes directly to this recommendation.

NPWS is undertaking a major review of its RFMS for Warrumbungle National Park and assisting the BFMC's review the BFRMP's and plans of operations covering the Warrumbungle National Park. NPWS is also reviewing the NPWS Fire Management Manual.

Improved customer communications

NPWS is committed to the improving the delivery of customer services. That commitment has resulted in an active program of training designed to improve listening skills and to develop a customer orientation in all NPWS staff. The initial priority for training has been with staff at the Area and Regional Manager level, a reflection of the critical importance of those staff in day to day interactions with regional communities.

The organisational focus on improving customer service is also demonstrated through the establishment of the new Office of Environment and Heritage Customer Experience Division (CED) in late 2013. The CED plays an essential role in ensuring that information about parks, including incident occurrence and recovery, is provided in a way that is timely, relevant and meets the needs and expectations of the diverse communities of NSW.

The digital communication channels have been subject to significant improvements over the last 12 months, particularly as they relate to information about park closures, local emergencies, adverse conditions and alerts. On the NPWS website current incidents can now be viewed through a state wide page including a map-based view of all current alerts and clear messaging in emergency situations, and loading speeds have been improved by more than 50%. These measures are not designed to replace personal contact with regional staff, but instead ensure that there are multiple means for the community to obtain information about parks and to be connected to the people who can answer their questions.

Throughout 2013, and particularly during the fire season, NPWS delivered proactive fire safety and management information via the NPWS Facebook page and works closely with the NSW RFS to share important fire and park closures updates on the page. In addition, high alert messaging relating to large-scale park closures and Total Fire Bans is posted directly on the NPWS web page. A priority has been to ensure that such communications have been consistent and timely across all of the various communication channels, including traditional media, online, social media, call centres and face-to-face.

List of Attachments

A. Map of the Warrumbungle National Park.
B. NSW *Bush Fire Coordinating Committee Policy 2/2006 Management of Bush Fire Operations*.
C. State Bush Fire Plan 2011.
D. NSW Emergency Management Plan 2012.
E. Eligibility for BFMC membership
F. Castlereagh BFMC Operations Coordination Plan 2010 and Bush Fire Risk Management Plan 2013.
G. North West BFMC Operations Coordination Plan 2010 and Bush Fire Risk Management Plan 2010.
H. *NSW 2021*.
I. Living with Fire in NSW National Parks: A strategy for managing bush fires in national parks and reserves 2012-2021.
J. NPWS Fire Management Manual 2013-14.
K. Northern Plains Regional Incident Procedures 2013.
L. Warrumbungle National Park Reserve Fire Management Strategy 2011-16.
M. Warrumbungle National Park Plan of Management 2012.
N. Maps to show bush fire history.
O. Maps to show hazard reduction burning history.
P. Summary of Wambelong Fire history.
Q. NPWS offers of assistance and fencing agreement form.