

REPORT OF PROCEEDINGS BEFORE

GENERAL PURPOSE STANDING COMMITTEE NO. 5

INQUIRY INTO THE WAMBELONG FIRE

CORRECTED PROOF

At Coonabarabran on Thursday 4 September 2014

The Committee met at 9.00 a.m.

PRESENT

The Hon. R. L. Brown (Chair)

The Hon. R. H. Colless

The Hon. G. J. Donnelly

Dr M. Faruqi

Mr S. MacDonald

The Hon. Dr P. R. Phelps

The Hon. L. Voltz

DOUGLAS RICHARD BATTEN, Mayor, Gilgandra Shire Council,

ASH WALKER, Deputy Mayor, Gilgandra Shire Council,

STEVE LOANE, General Manager, Warrumbungle Shire Council, and

PETER JOHN SHINTON, Mayor, Warrumbungle Shire Council, sworn and examined:

CHAIR: I welcome you to the first hearing of the General Purpose Standing Committee No. 5 into the Wambelong fire. This Committee was established to examine the issues of significance regarding the causes and the management of the Wambelong fire that broke out in January 2013. I express the Committee's thanks to those who have generously welcomed and assisted us during this visit. Before I commence I acknowledge the Kamilaroi people, who are the traditional custodians of this land. I also pay respect to the elders past and present of the Kamilaroi and extend that respect to other Aboriginal people.

Yesterday the Committee visited key sites in the Warrumbungle National Park and a number of properties burnt out by the fire. Last night we held a public forum at which 16 citizens told us about their experiences of the fire and the impact it had on them and their families. They gave their suggestions as to what should happen in the future. Today is the first of two hearings we plan to hold in this inquiry. The second public hearing will be held at Parliament House in Sydney on 15 September.

In accordance with the Parliament's broadcasting guidelines, while members of the media may film or record committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses say outside of their evidence at the hearing. I urge witnesses to be careful about any comments they make to the media or others before or after giving evidence. The guidelines for broadcast of proceedings are available from the secretariat.

There may be questions that a witness could only answer if they had more time or certain documents to hand. In these circumstances witnesses are advised that they can take the question on notice and provide an answer within 21 days. I remind everyone that committee hearings are not intended to provide a forum for people to make adverse comments about other persons under the protection of parliamentary privilege. I therefore request that witnesses focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily.

Mr SHINTON: I am also head of the Bushfire Management Committee.

CHAIR: I can take a short opening statement from each council, if you like, before we proceed with questions. Would you like to make a brief opening statement?

Mr LOANE: No.

Mr WALKER: Not at this stage, no.

Dr MEHREEN FARUQI: Councillor Shinton, as chair of the Bushfire Management Committee, what has been your experience of how National Parks and Wildlife Service plan for and manage bushfires?

Mr SHINTON: I have always been impressed with the way they do it. They supply maps. They report to us in 12-month intervals. They report early in the season about their plans and they report late in the season about what they have accomplished. The biggest problem we have is it is not always accomplished, and that is with all the land managers around the area and not just the National Parks and Wildlife Service. It is a window of opportunity if there is going to be a controlled burn. If that window does not come up or it occurs right in the middle of the tourist season or something like that then the plan fails and it is put on next year's, if it is possible, or maybe it will not be done.

The Hon. GREG DONNELLY: My question is directed to both councils represented here and is in regard to the section 44 declaration process. I invite comments about the process, its operation and how it works. What are your thoughts about how it could be improved?

Mr SHINTON: In this particular fire I got a phone call at about 11.30 on Sunday from the Rural Fire Service to say that there was a fire in the park. Weather conditions were predicted to deteriorate and they wanted to call a "pre-emptive" section 44, a word I had not heard before. I asked them what that was all about. They said because it looked like it was going to be a dire afternoon and weather conditions were already pretty poor they were going to instigate a section 44 and inform the Rural Fires Service head that it would be required later in the afternoon. As far as I know it was called soon after that. When I came into town you could not see smoke, but when I left three hours later you could. How could it be improved? I do not know. I always thought it was reasonably well thought out. The Rural Fire Service blokes know what the weather conditions are and they make the call if they think it is going to be serious. That one was.

Mr BATTEN: Thankfully I have not been directly involved with these incidents, but in my experience the declaration of a section 44 was timely and appropriate.

The Hon. LYNDIA VOLTZ: When we were on the site visit the issue of asbestos removal came up. During the Blue Mountains bushfires the State Government provided \$1.4 million in assistance to remove asbestos. Did your councils receive assistance from the State Government for asbestos removal?

Mr LOANE: Yes. The assistance we got was organised by Ministry for Police and Emergency Services [MPES]. It amounted to about \$2.86 million to clean up houses. The guideline was it was for houses that were either uninsured or underinsured. There had to be a fair bit of liaison with the property owners' insurance companies to find out what the status of their insurance was. As the aftermath, there are still eight houses that are down that did not include asbestos and were not insured. Most houses, other than those eight, had some asbestos in them.

The Hon. LYNDIA VOLTZ: So where there was asbestos the council took care of it?

Mr LOANE: The council acted as the liaison between the property owners and the public works department, which was given the job of project manager by the Ministry for Police and Emergency Services. Council had the liaison role as representative of the community.

The Hon. RICK COLLESS: I raise the issue of communications. Councillor Shinton, you said you thought you were contacted some time on the Sunday morning, despite the fact the fire started on Saturday. In the Gilgandra submission you raised the issue of communications. Do you believe there should have been more communication to all potentially affected parties—and I include the councils and the Rural Fire Service brigades? Should they have been contacted earlier for a better coordinated approach to start on Saturday afternoon rather than on Sunday?

Mr SHINTON: It is obvious now, yes. But they obviously thought that what they had put into the field was enough to do the job. Usually the Bushfire Management Committee, unless the fire is getting out of hand, does not take any active part. We do not advise or do anything like that, because the various members of the committee are the land managers. They are out there doing the job. The council's role, once they have determined the severity of the fire to ask for equipment from the council, is usually to give permission to use machinery.

Mr BATTEN: Yes, and that was the situation for Gilgandra. The advice about the fire came on Sunday afternoon and the support was offered and accepted as needed. Hindsight is a wonderful thing, but to say yes or no, it could have been done differently—

The Hon. RICK COLLESS: We are trying to frame recommendations for our report to improve the system in the future, rather than pointing a finger at any organisation or person. In terms of future action, do you think it would be better to have more comprehensive and earlier advice go to potentially impacted parties?

Mr BATTEN: That may well be, but the Rural Fire Service, as the lead fire-fighting agency, is a volunteer group. You do not want volunteers jumping at shadows. There has to be a detailed requirement for their involvement. I respect their time. In this instance, it would have been wonderful if it had started on Saturday, but as a regular thing the normal person handling the situation has the control.

Mr WALKER: To have 20:20 vision in hindsight is wonderful, but using a proactive approach once the fire was declared a section 44 on Sunday and maybe notifying relevant authorities like the council, we could

have mustered our troops from Gilgandra. Taking a proactive approach by looking at the weather forecast—and weather was predicted in high-40 degrees—may have helped avert the situation slightly.

Mr LOANE: Can I add to that? It might just help with the understanding of this. When the fire broke I was on leave in Byron Bay with my family. Therefore, being a remote distance from it, I was anxious to stay in touch. I sensed a fair amount of awkwardness about how to predict what was going to happen. I was first notified that there was a fire on the Saturday evening. Then on the Sunday morning we were monitoring it and I basically said, "Should I come back?" I was told, "No, not yet because everything is under control. Your LEMO is here". The local emergency management officer [LEMO] is our engineer at the shire; he was there so we had that covered. By mid afternoon on the Sunday I got another call that said, "This thing has gone out of control". By the time I mobilised myself and got away from the family and got back here it was late Monday morning. I just wanted to raise that because, as far as communication was concerned, I was talking to the incident controllers here about the circumstance and it appeared that they did not have a handle on it early in the piece. I do not know whether that helps.

The Hon. LYNDIA VOLTZ: Could I just get clarification? When you say early on it did not seem they had a handle on it, this was the Saturday evening when they contacted you?

Mr LOANE: Yes. Saturday evening was just to let me know there was a fire, because it was hot weather and basically it was just a phone call—it was a courtesy call, I believe; there was no call for equipment or any of that sort of stuff at that stage, and that is the normal thing, that either me or my LEMO, or the mayor often gets a call from the Rural Fire Service just to keep us in the loop. But, as I said, it was Saturday morning—I do not know what time the first call was, maybe 8 o'clock through to mid afternoon on—

The Hon. LYNDIA VOLTZ: That is Sunday morning?

Mr LOANE: Sorry, Sunday morning—until mid afternoon on Sunday; it escalated then. I am just saying that I do not know what information they had at their fingertips but there was no sound of panic at that stage, there was no urgency other than what Mayor Shinton said, that there was a pre-emptive section 44, which was basically an understanding that, being early January, a lot of council staff were on leave. I spoke to my LEMO, Kevin Tighe, to say, "Can you start to bring people back because we may need to have people on-site here for this? They have actually predicted that it may go to a 44".

CHAIR: Just for clarification: That was on the Sunday?

Mr LOANE: I beg your pardon, yes.

CHAIR: Who was it who contacted you?

Mr LOANE: Stuart Green. I think Stuart was the acting area manager at the time.

CHAIR: Did you have any conversations with your local emergency manager here?

Mr LOANE: Yes I did. I spoke to Kevin Tighe about it. I asked him how he was going with staff. He said that he thought that for the level of the fire at that stage he had enough staff to cover for that. We also had a look at our records to see who was on leave and who was available, because being Monday people would be coming back to work.

The Hon. Dr PETER PHELPS: I just want to take you to post-fire arrangements. We heard from people yesterday who were concerned about the prospect of being able to rebuild not only their homes but their businesses on what you would consider smallish lifestyle blocks. They were concerned that they would not be able to do so—not only not rebuild their business but not even rebuild their houses—and they maybe forced into a situation of having to just sell-off essentially what could only be used as paddock land. Is the council concerned about that? Is it an accurate reflection of council's views and if changes have been made to planning arrangements for rebuilding would there be some sort of consideration of grandfathering pre-existing housing and businesses which had existed prior to the fire?

Mr LOANE: I am happy to field that question. I am not aware of any application that has been refused because of planning grounds. There have been numerous discussions with folk who have wanted to explore rebuilding. Some houses have been rebuilt and are underway; a lot of houses are the ones that come now on the

back of a truck and they put them together, that sort of thing. The difficulty, I think, that is arising is that there are some changes to the bushfire regulations at a State level that talk about access and egress to properties. I am not aware of anything that is an impediment from council. As a matter of fact, council has waived development application fees for those people who want to rebuild. In an effort to try and retain those people in the area we are very keen to not have people leave the area.

Mr SCOT MacDONALD: Can I address this to Warrumbungle Shire Council? You have got there just a thought that the recovery centre might have closed too soon. I wondered what you thought was long enough or what you missed out on, and how we could do that better?

Mr LOANE: The recovery centre closure was mainly around mental health and community support. The early parts of the recovery centre I thought worked very well because there were, I think, 20 agencies in that room at the front of the hall here, the supper room, and I thought that was pretty marvellous for people to be able to come and access—it does not matter whether it was Telstra, the electricity people, people for funding, people to help them through various agencies about where they can get support and those sorts of things. I thought that worked very well. But the end result of the recovery centre, we had a mental health worker that we hosted in council for some months—

Mr SCOT MacDONALD: Who employed that person?

Mr LOANE: That was through the Ministry of Police and Emergency Services. I do not know who finally funded it, but they were the ones who organised it and auspiced it. Two of our people from our council shared the management of the recovery centre and then when the recovery centre closed we continued that service. You might be surprised to know that we are still continuing to do that service unfunded because there is still a need in the community for that support.

CHAIR: After last night it is obvious that it is a continuing need.

Mr SCOT MacDONALD: That was roughly a bit under two months. Do you think it needed another month or another couple of months?

Mr LOANE: I definitely think that the emotional and mental support was needed until today. When the chap who was in the position being hosted in one of our offices over there in council sustained an injury to his ankle, coincidentally, when he left he was not replaced.

Mr SCOT MacDONALD: I am just thinking of taking back recommendations or thinking about recommendations and what the State Government can and cannot support there. Can I go to your comment about pledges of financial assistance—I am assuming from State government agencies—and you say, "Many hours have been spent battling with Treasury, Public Works and other agencies that are involved in the assessment process to try and recover outstanding funds". What are the blockages there?

Mr LOANE: They do not. Thank you for raising it. In the heat of the moment we have Prime Ministers, Premiers, Ministers come and have a look at the fireground and make fairly magnanimous statements: "Get that fixed; we will pay for that", "Put that up; we will pay for that", "Make sure you do not miss out". But when you bump into Treasury and try to claim those things that have been pledged and promised to you, not only to people like the mayor and me personally in the motorcar when we are taking them around but at public meetings—and people have an expectation that infrastructure will be rebuilt—and then we start to try and make the recovery, because we do not expend the money, out of that \$2.86 million of the cost I mentioned earlier, \$528,000 was unrecoverable for us.

Mr SCOT MacDONALD: Could I ask you to take this on notice? Is it possible to have a little spreadsheet: pledge, realisation, gap?

Mr LOANE: Absolutely.

Mr SCOT MacDONALD: If we have to embarrass the Minister or the Premier or—

Mr LOANE: One of the other things I would like to say, and forgive me if I am using this as a platform, last night comments were made by one of the affected folk about the fact that it rained very heavily on the first Friday night after the fire. It did not just put the fire out but it drenched the place and there were

50 millimetres of rain. What that did was it blocked up most of the council's drains and when we had the chap come up from Public Works to assess that, he laughed at my engineer and said, "You blokes are gouging. This is a joke". I was incensed by that because it was real, it was caused by the fire, and the fact is that our infrastructure then was further eroded by the floodwaters that were caused by the back-up of drains.

Mr SCOT MacDONALD: If you answer that question on notice it is a public document and it will be part of the committee's report.

Mr LOANE: I will come back for you especially with that information.

Mr SCOT MacDONALD: I just ask Gilgandra Shire Council a quick question. You raise a point, and I think a couple of people have raised it, about a lack of local knowledge of RFS personnel appointed to manage the fire front. We have heard that from a range of different people. I do not know how realistic or how easy it is to bridge that gap but how do you bridge that gap? If you have got to have someone in control ultimately, you have got to have someone with the responsibility and the power but who also has this local knowledge and local expertise and experience. We hear that comment quite a bit. How do you bridge the gap?

Mr BATTEN: I think it comes back to respecting the role of the Rural Fire Service volunteers, acknowledging that Rural Fire Service volunteers are in two categories of people: there are the town brigades, which are manned by normally younger people, and volunteers who want to do a community service; and there are the rural brigades that are manned by landholders and farmers, who, by necessity, have to have that service. Those people manning those rural brigades are, in fact, normally managers of multimillion dollar enterprises—they are not geese—and they have years of experience of firefighting in their area, whether it is forest or grassland. That experience—and submissions to the inquiry that I have read mention years and years of experience by different submissions—is not being respected and decisions are made away from the fire front without the input of those years of experience. I believe that is causing two things: one is questions on the effectiveness of the firefighting process and, secondly, the ability to keep recruiting people into these volunteering roles, and that is something that is really affecting our Rural Fire Services at the moment.

Mr SCOT MacDONALD: Demotivating.

Mr BATTEN: That is, very much so, yes. Our landholders are ageing. To motivate a young 35-year-old with a young family, who is there to make a quid out of a business, to involve himself with the Rural Fire Service where his service is not respected, is very hard. There is a disconnect, and it is right through the submissions you have received, between the Rural Fire Service and the management of the Rural Fire Service.

Mr WALKER: Could I add to that? I believe that many of these situations should be more so managed by local government. We have resources, we know our people, we know our volunteers and, as a result of that, we need to work in conjunction with the RFS, and I do not think that the RFS needs to necessarily be the lead agency in this particular instance.

CHAIR: That is a valuable comment, thank you.

Mr SCOT MacDONALD: Just a clarification: Mr Loane, when you do that breakdown could you be very clear about who pledged what and when?

Mr LOANE: Certainly.

Mr SHINTON: Could I make some comments on that last one? It has got better; that is all I can say. When I first went out to fight a section 44 with troops coming in from the coast and all that sort of stuff, I found them on the road about to light back-burns on the wrong side because, like the northern side, they did not know where north and south were in the middle of the night. That sort of thing has got better and better. All we have got to do is include, like has been said by several people who made submissions, one local in with one of these—

Mr SCOT MacDONALD: At the command level.

Mr SHINTON: At every level, I would say. But if when they go out in the field one of the locals is with these blokes I think it would be a lot better. The most valuable thing for a farmer is probably not his house,

it is crops and pasture and fences, and they had to watch those burn while full tankers sat around the house. That is what they were tasked to do, but if they would only realise they could have stopped a lot of heartache if they had followed what the locals actually wanted.

CHAIR: Thank you.

Dr MEHREEN FARUQI: As many people have mentioned, many firefighting staff and volunteers put in a big effort around controlling the fire. How were the contributions of these people acknowledged? Is there anything the State Government can do to support and acknowledge the work of these people?

Mr LOANE: One major event of acknowledgement was something I have to congratulate Premier O'Farrell for. He put on a thank you barbecue at the racecourse in about March of that year. I cannot remember exactly when it was but it was very well attended and I thought it was the first step in the healing process for people to be able to come together and share their stories. That was mainly for volunteers. It was a very informal and relaxed type of forum.

Dr MEHREEN FARUQI: Is there anything more the State Government can do in terms of ongoing support?

Mr LOANE: I think recognition is the most important thing. People do not want to be thanked but they want to be recognised for their effort and also for the disconnect. People operate in these circumstances by instinct in many cases and a lot of that instinct is not recognised or understood. If the State Government—there has been quite a bit of discussion here this morning—could recognise the value of local contribution I think that would be a very important thing, because the more local contribution is ignored the more difficulty rural fire, VRA and the fire and rescue people will have to get participants to join those combat agencies. Then we will all be in trouble.

Dr MEHREEN FARUQI: Councillor Shinton, in your submission you talk about a lessening of tolerance between National Parks staff, conservationists and other citizens.

Mr SHINTON: A lessening of?

Dr MEHREEN FARUQI: Tolerance. In your view, what are the best ways the State Government can help your community to come together and recover from this devastating event?

Mr SHINTON: Probably keep out of it. I think it is a local issue. The only reason I put that in the submission was I witnessed it and I thought if this is what the community is going to break down, like you caused it, I'm going to go and have a chat with this bloke. I thought we have to stop this. I kept an eye on that all night. Some people were angry about what happened. I can understand those emotions. But I also saw the emotions of the people who work for the park and when they saw what had happened to a lifetime of work that was also another emotion I did not realise. I did not think they were that attached to their jobs, but there was that emotion, too. Just trying to get them together, they both have to heal and they have to heal together in the one community. I think probably mental health workers would play a big part and just the community putting out a hand, not the State Government.

CHAIR: I take it your comment about governments keeping their nose out was not directed at this Committee.

Mr SHINTON: No.

CHAIR: I will not say we are not here to help you; we are.

The Hon. GREG DONNELLY: I turn to the section 44 matter for a moment. It may have been addressed by an earlier question. On the question specifically of the time taken to deal with claims that were made, looking to some of the comments relating to the timetabling of the claims and the process or procedures associated with challenges or appeals to non-payments. Were there issues that need to be looked at and refined?

Mr LOANE: Thank you, that is a good question. An overview in the beginning, to answer that question, is that most of them do not think that a lot of State Government departments know what is going on. I think that you have to reinvent the wheel for them and then they go away and have a look at the rules; then

they come back and say, "We don't care what the Minister says. We don't care what anybody else says about this. This claim doesn't fit the guidelines. There is no box I can tick for this." So then they sit down and start negotiating and start stepping them through the process.

One of the issues about the way the natural disaster funding comes from the Federal Government to the State Government and then gets administered is that local government normal hours are not to be paid. If I have people work overtime or if I borrow people from Gilgandra or contractors they get paid in full. My staff, we had \$90,000 of unrecoverable normal hours. As a result of the fire, the very next day after it went through Gineama Road, trees were being blown down across the road and the school bus would not have been able to get through and the people living out there could not get through. So I sent a front-end loader to push the trees off the road. It spent eight hours working there and did not get paid for it. So that is a bit tough.

As general managers we sit around and chat about, "Well, I'll get your blokes in and I'll leave my people out on our job" because they will not get paid. We do not want to play those tricks. We simply need to have this sorted out and it needs to be normalised. As far as the time frame for claims is concerned, I understand if you are a boffin sitting in Sydney and you have a claim come across your desk and then you pull out the guidelines and you try to match something up, I understand that that must be tough. By the same token, we need—I reckon the claims should be sorted out up here on the site. Do not do them in Sydney. Bring people up here, sit down and talk to the engineers, talk to the contractors, talk to the people involved in the event and look at it on its merit.

CHAIR: On site.

Mr LOANE: On site.

The Hon. LYNDIA VOLTZ: I go back to the issue of the development applications and your statement that they were prohibited by other fire regulations. Is the 2006 Act prohibiting the rebuilding of houses?

Mr LOANE: I am sorry, you have me on what Act it is. It is the most recent change to regulations as to access and egress, and I think that is the same issue the people of the Blue Mountains are bumping into.

The Hon. LYNDIA VOLTZ: There is the 2005 change for the owners of bushfire prone lands and that also covers developments as well. I am trying to clarify this. Are the people who are building a house on a property where there was an existing house getting caught because the type of property they are applying to build does not meet the new fire standards?

Mr LOANE: No. It is not the type of property because that can be picked up with the building code of Australia or Bushfire Assessment Level. It is the location of the property and the access from its major arterial road or whatever it is.

The Hon. LYNDIA VOLTZ: Okay. So under the bushfire Act 2006, if you are 200 metres away from the nearest road you must have two access roads in case of smoke.

Mr LOANE: That is correct.

The Hon. LYNDIA VOLTZ: So you are saying they are being prohibited by those kind of regulations.

Mr LOANE: In some instances, yes, and the other one is the establishment of an asset protection zone. Because some folks' houses were built long before planning for bushfires was enacted. I think it is the 2001 you are maybe talking about. Some people's houses were built long before that and they were built much closer to the boundary than what we would be allowing these days because you cannot accommodate an asset protection zone on someone else's land. It has to be entirely encompassed on your own land. There are a few little things like that.

The Hon. LYNDIA VOLTZ: I also noticed that some of those subdivisions have been there for 25 years and they are obviously not primary producers. They are more like the style of residential housing. But I notice that there are more subdivisions going on along those roads. Do you take that into consideration with the new subdivisions, those clusters of houses and the provisions of the Act that require them to have access?

Mr LOANE: One of the anomalies of the planning Act is that a development consent, once it is activated, stays live. Those subdivisions you are seeing along that road are not new subdivisions. They are ones from well before the regulations and were approved under previous regulations. If I had my way and there was a way to revoke them I would do that because I think they are death traps.

The Hon. LYNDIA VOLTZ: They will not be able to be developed outside that code now.

Mr LOANE: They will not be able to be developed outside the code as far as access is concerned but the standard of construction for the house will be picked up in the new Building Code of Australia requirements. So it may well be—this is just Steve Loane's opinion; I do not have a general manager's hat on this one—that the cost of production would be too prohibitive.

The Hon. LYNDIA VOLTZ: It is about whether you have been tagged as a fire prone area. Obviously those areas fall within that.

Mr LOANE: Yes.

The Hon. RICK COLLESS: Councillor Shinton, in your submission you mentioned the fact that you are on the national parks advisory council. Has that council met since the fire?

Mr SHINTON: Yes.

The Hon. RICK COLLESS: Has there been any discussion about the future land management of the park as opposed to the asset management? What do you believe are the best management options that are facing the park now in terms of the land management component of it?

Mr SHINTON: We have discussed what happened, mostly informally. I will not say it was most in my interest because I am a representative from this area but the meetings have basically looked at replacing what was burnt in the fire and make it fireproof if possible, building to a better standard because we have those better standards now. They are the sorts of discussions that we have had about the fire. As for management into the future, how do you manage something like that? Like I said before, you plan to do all sorts of hazard reduction and it is the foibles of the weather, and it is the same foibles of the weather that caused the fire to be had. I think every one of the national park areas has its fire management plan. Staff is not great and you play that game. If you can do it some other way, then you put your concentrated effort there. If you can do it locally, then you put your concentrated effort there. It is one of those things.

I do not know how you can manage it any better with the conditions in the bush that we have here. The stuff burns and the weather is getting stranger. We have more extremes here than we have had in the past. We normally did not have fires in January; our fires are always around November, immediately starts to get low and in January we used to have the high humidity. That is why people go on holidays. You do not go before Christmas; you always go well after Christmas. Also, there is the advantage of cheaper accommodation. It is because our danger period is not then. This did catch us unawares, in my opinion. It is not the sort of thing you would have planned for. This is the time of year when people are relaxing and we are over the critical part of the year, but not that year.

The Hon. RICK COLLESS: In terms of hazard reduction, we inspected the park yesterday. It was obvious there is a lot of regrowth occurring at ground level, which is potentially going to create another large fuel load in the future, particularly in light of the fact that there is so much dead standing timber now which for the next number of years will end up on the ground, also adding to the fuel load that is there. I fully understand that it is difficult to do hazard reduction because the conditions have to be just right. But the problem you face then, if you miss a year or two years in a row, then the backlog becomes unmanageable while the fuel loads continue to build up. Surely that is an issue that needs some active management, rather than sit back and watch and hope you do not get a fire.

Mr SHINTON: Is that right? I am not the expert in this field. When we have a bushfire management committee the experts are sitting in front of me. If I find an anomaly I will point it out. I think we pointed it out the last time we faced this Committee in a hearing. Forestry did not have enough people to cover their land, and thank God we did not have a big forestry fire this year. As you heard last night, that fire was contained by the Yamminba crew that managed to get around it and put that one out. We had a lot of fires that weekend. That was one of them. Thank God we did not have to concentrate on that one very hard. It was put out by the local

brigades reasonably quickly. There were not enough staff in forestry. They had a lot of equipment but not enough staff to drive the equipment. Then it fell on our bushfire management committee. I found it an affront that they expected volunteers to look after State Government land. I was calling for them to make a contribution, to help us with equipment, but I think it all fell on deaf ears. Nothing came of that, but it is out there.

The Hon. RICK COLLESS: One thing about State Forests is that there is a better road network through State forests, for timber extraction and as fire trails. Do you think the park needs to have a better network of fire trails? I fully understand the difficulty of the terrain. When there is a fire surely there is a need to be able to get around it and back-burn from fire trails and have access. Do you think there is a need for a better coordinated system of fire trails through the park?

Mr SHINTON: Yes, that is obvious, but as I said some time ago the big fires in this area were always out there, in the Pilliga, and not in the national park. Our bushfire management committee has a good set of trails out there. We can move people in and out very quickly. This section has fallen off the radar, although in the national park itself—I know this for a fact because it came through our bushfire management committee minutes—just before that fire, those tracks had been maintained and the local brigades were asked to come and have a look at the new tracks, find out where they go, and be part of it. I got a bit of a shock when people were saying that the tracks were not maintained.

Either someone lied to us in the bushfire management committee, which I would doubt, or people just said it because maybe it had not been maintained the year before. But those tracks had just been maintained, and thank God for that, and they invited the local brigades to come and practise four-wheel driving on them so they knew where they went. Yes, we know that there has got to be more and we have a new committee on the bushfire management committee now looking at those fire trails. They need to be extended, most definitely, and that committee is reporting to us at this stage.

CHAIR: Given the current state of the land out there, too, it is probably opportune now to be able to do something like that.

Mr SHINTON: I think so, yes.

CHAIR: Whereas it might have been a bit more difficult in periods passed.

Mr SHINTON: Yes, but again it is local knowledge. It is no good just the National Parks building a track if it is not going to extend on private land and be usable by everybody.

CHAIR: Or no-one knows about it. That is all right. When we get to Sydney, we will ask someone a question about the money—if they have money to do it.

Mr SHINTON: Yes, fair enough.

The Hon. Dr PETER PHELPS: Just continuing on from questions asked by the Hon. Rick Colless relating to the issue of forested private land mostly abutting the national park, does either council have any role in the private land abutting the park in terms of ensuring that there is fire access—access for RFS—on private land? Also, do you keep a watching brief on load production on private land?

Mr LOANE: Not from the council's point of view.

Mr SHINTON: No, from the RFS?

The Hon. Dr PETER PHELPS: Yes.

Mr SHINTON: Like with the bushfire management committee?

CHAIR: Yes.

Mr SHINTON: Most definitely. Again, they have been doing up roads and putting in firebreaks just for that purpose—to manage the lands around there.

The Hon. Dr PETER PHELPS: Is that done on an ad hoc basis, or is it systematised? Do you say, "Okay, we've got to have a look at this area"?

Mr SHINTON: No, it is more of a system. They have been doing a pattern burn recently around the town and those plans are ongoing.

The Hon. Dr PETER PHELPS: And Gilgandra?

Mr BATTEN: Much the same, yes. The council does not involve itself in it. It is all related through the RFS.

Mr WALKER: If I could just add to what Councillor Batten said: I think most property owners who have farming country or grazing country would try to take the ability themselves to provide some sort of property protection.

The Hon. Dr PETER PHELPS: If they have grazing country, they have a natural resource already, which is helping to keep down the problem.

Mr WALKER: Yes, that is correct. But I think that, using a common sense approach, most people who are rural property owners would try to take some property protection measures of their own.

The Hon. Dr PETER PHELPS: I have just one further quick question. Is it fair to say that were it not for the southerly change, Coonabarabran probably would have been burnt to the ground?

Mr LOANE: From what I saw from the helicopter and from the way it was described to me, yes. It went around in a big corkscrew and started heading towards my house, which is 17 kilometres out of town. I was evacuated and it was a miracle that my place did not burn down. My neighbours' did. But, yes, when I saw the direction of the fire—I am not a fire expert—from the way it was progressing, one of the things that frightened me was when the chopper pilot took us up. He talked about the speed at which it travelled. He said that after he had dumped his first bucket of water, he took a GPS reading to tell him where to come back to. When he went back to get another bucket of water, the thing had moved six kilometres and it was 12 minutes in his cycle to go and get a bucket of water. He thought his GPS was broken. He could not believe how fast it had travelled. So I do not know whether that will show its hand.

CHAIR: This is just a point of clarification. What time was that that you are up in the chopper?

Mr LOANE: Three weeks later.

CHAIR: Oh, three weeks later.

Mr LOANE: I was in no danger.

CHAIR: I fully understand.

Mr BATTEN: That is further evidenced by the fact that arrangements were made for emergency evacuations for Coonabarabran people in Gilgandra.

CHAIR: Okay.

Mr BATTEN: There was a definite threat.

Mr LOANE: And also for Baradine. There were contingencies put in place.

CHAIR: At the same time.

Mr LOANE: Because the southerly had turned the fire towards Bugaldie.

CHAIR: That is right.

Mr LOANE: We were concerned about Baradine. Baradine had already lost power. Those of you who know Baradine know it is dead flat. It requires pumps to run sewerage and water.

CHAIR: Yes.

Mr LOANE: On the Monday morning we mobilised generators up there to keep the Baradine township utilities going. However, there were contingencies put in place to try to get the people out of Baradine and how we were going to bring it around—whether or not the road through Tooraweenah was going to be open or whether we would have had to take them north-west to Coonamble.

CHAIR: That was because the high tension lines went down across there.

Mr LOANE: That is right.

Mr SCOT MacDONALD: From reading submissions and talking to people, there seemed to be quite a few people who had moved into the area from places like Sydney and all the rest of it. I just got the impression—and tell me if I am wrong—that there seem to be variable consciousness about fire and bushfire readiness, if you like, and things like that. Is that a problem? I guess I am more talking about the Warrumbungles but maybe also for Gilgandra. Are people conscious of bushfire readiness? Is there more that could be done there? Is that a challenge for the councils when you get people moving into the area that may be do not come from a background with that sort of experience?

Mr SHINTON: Yes, it is a big problem. We notice, when we ask for community input to fire management plans and paraphernalia like that, that immediately after a fire you get a massive turn-up of people. In Coonabarabran I think it was 70-odd people, or something like that. That is from memory and it might be less or more. Seventy-odd people turned up to give us their thoughts on how the bushfire management plan should work, what land should be burnt and all that kind of stuff. When we went to Coolah, we got nobody. When we went to Dunedoo, we got two. It is that sort of thing. It depends on what has happened the season before, and you watch that just drain away as the period goes on of no bushfires. I do not know how you excite people to be part of managing their country for bushfires. If it has not happened for years and years, people are not interested.

Mr SCOT MacDONALD: People become complacent.

Mr SHINTON: Yes, and it is a hard one to bring back.

Mr LOANE: The same thing happens with floods. If you have not had a flood for a while, people want to build on flood-prone land.

Mr SCOT MacDONALD: Yes. Thank you.

Dr MEHREEN FARUQI: Just coming back to communication, we heard from a lot of community members yesterday about the timing of when they work communicated with about the fire. I am wondering if you have any knowledge about how that panned out or any views, and how you feel about the communications you had with the RFS and National Parks during that time?

Mr LOANE: Do you mean physical communication, as in telecommunication, or do you mean getting in contact?

Dr MEHREEN FARUQI: Any sort of communication about the fire, the timing of the fire, and when people should evacuate.

Mr LOANE: As far as when people should evacuate is concerned, in my mobile phone I keep the text message that I got for evacuation, just for the sake of keeping it, but that was only Telstra. I do not believe anybody on Optus or Vodafone got the information and it was only available to those people who could get a service. For most of the people who were in the fire front and in the threat area, the service is not there. Fortunately for me, I was not here and I was in a full service area, so I got the text message. But the problem with communication also comes down to my fellows out in the field in graders and not being able to get good UHF service because the system is jammed.

We cannot use phones because they are not working. There is a real difficulty there in actually trying to keep people safe when they are out there in the fire field—that is the people who are fighting the fire, not necessarily Rural Fire Service people but people operating equipment—and there is always a spotter vehicle with them to make sure that they are not in strife as well. But those people are having trouble communicating. As far as the community is concerned, I think it might have been Tuesday that was the first public meeting. I cannot remember when we had the first one.

Mr SHINTON: Yes.

Mr LOANE: But the bowling club here had upwards of 300 people there. It was on a daily basis in the first instance and then it went to two days and three days in their interval, and I thought the communication there was as good as we could be. But I also understand that there were a lot of frustrated folk there because the information they wanted was not available. That type of information was: Is my house still standing? When can I go home? What does the blue-and-white chequered tape from Police or Fire and Rescue on my gate mean? There was a real disconnect, and even we did not have had that information. We had to go and talk to other people and say, "I've just had someone talk to me. They have driven out to their place. They want to go home but there is a tape on the gate." Then we find out that that is a signal to somebody else in Fire and Rescue that "We've already done this place."

So people were panicked about: Is it a crime scene? Is there asbestos there? We had all sorts of scare with friable asbestos, and I could talk to you all day about asbestos because we developed an asbestos management plan here. I have to say that the State Government agencies that were involved in that were absolutely exemplary. But as far as the communication to people is concerned, I can understand that panic comes from uncertainty. One of the most horrific things that happened was in the first few days. I got to the bowling club and I know that I was up speaking. Right above me was the television set. A woman was shrieking in the audience because she was watching her house burn. The media was taking a picture of her house burning well I am trying to talk to them about what we know, and the information in the first instance was very scant.

The Hon. Dr PETER PHELPS: Can I just follow up with a quick question. Have you made any approaches to Telstra or Optus in relation to perhaps getting a tower to service Timor Road? I know when I was along there yesterday there was zero coverage for 90 per cent of it.

Mr LOANE: Yes. That has been a very big push. I do not know whether Mr Shinton wants to speak to that, but our Federal member, Mark Coulton, talked to me about two or three weeks ago and said that there was some really good movement about having a tower placed here on top of the hill just behind town to try to offset some of that issue.

Mr WALKER: Can I take this opportunity to add to Mr Loane's comment in regards to the telecommunication. On the Sunday after the fire sort of broke out, where I personally live and work—at the Armatree Hotel, which is about 90 kilometres from here—we had a text message that everyone there received. I had about 15 people in the hotel at the time. It read to everyone there, "There's a fire at Coonabarabran. Please evacuate to the east." Here we are, over 90-odd kilometres away, watching to the east the fire burn, and we are advised to evacuate.

CHAIR: Yes, and in the wrong direction,

Mr WALKER: The level of communication and how that message is put out—to the wrong direction—I am not sure how that is controlled who actually does that, but it was a major issue for us. My phone rang hot for a number of hours saying, "Do you know what's going on?"

Mr LOANE: Can I just add to that?

CHAIR: Yes, certainly.

Mr LOANE: I have just called up my text message and it was on 14 January, so it was Monday, and it was on 10.55 a.m. It says, "NSW Rural Fire Service. Fire in Coonabarabran area still burning. Not safe to return. If you are near the fire, take advice from firefighters and listen to the radio." In one of our debriefs we spoke to Commissioner Fitzsimmons about the radio. The ABC does not operate a service, and the ABC has been nominated as being the disaster radio station. But the problem with that is that not everybody listens to it, and not everybody can get it. For example, the people in Baradine are hungry for information and they were not

getting information through because not everybody can get 107.1, which is the feed that comes out of Dubbo. When I spoke to Shane Fitzsimmons about it, I said, "The radio needs to be a broader situation." If you have commercial radio that covers off in the area and you have community radio—our community radio was doing their best to get whatever information they could but they are limited in where their feed comes from—there is a communication network there, but it just needs to have better coordination.

CHAIR: Yesterday we had discussions with the National Parks and Wildlife Service personnel on the fireground. A comment was made that a new concept, since the Victorian fires, of catastrophic conditions may not yet be universally understood by all people involved in making decisions. I am not necessarily saying they do not know what to do under the circumstances. Councillor Shinton, in your experience on the Bushfire Management Committee, do you believe this concept is well enough understood?

Mr SHINTON: I would have thought so, yes.

Mr LOANE: I might be out of line, but I feel there needs to be better support for those on the ground making decisions. I know money has a lot to do with declaring a section 44. I have a feeling that people making those decisions are somewhat gun-shy, because if you call a section 44 that invokes a stack of rules and regulations about how money can be spent et cetera. The guidelines and the support for those making the decisions should be much clearer. They should be given greater autonomy and authority to make that decision.

CHAIR: And protection for making the decision.

Mr LOANE: Exactly.

CHAIR: Councillor Walker, did you make a comment about jumping at shadows?

Mr BATTEN: That was me.

CHAIR: Is there a feeling that you do not want people at the fire front making the wrong decisions—in other words, going over the top?

Mr BATTEN: No, I made that comment more in relation to surrounding brigades and respecting their time and effort.

CHAIR: Fair enough. Thank you for giving us your time and, especially, your frank opinions. That is what we need. Committee members may wish to submit questions on notice. Please send your answers to those questions on notice within 21 days of when you receive them.

Mr BATTEN: No worries.

(The witnesses withdrew)

STEPHEN LILL, Co-Chairman, Coonabarabran Property Owners Alliance,

PROCTER MORRIS, Secretary, Coonabarabran Property Owners Alliance,

LEONIE TUCKWELL, Records Director, Coonabarabran Property Owners Alliance and

JOHN WARD, Technical Director, Coonabarabran Property Owners Alliance, sworn and examined:

CHAIR: Do you wish to make a brief opening statement before we proceed to questions?

Mr LILL: Yes, thank you. We welcome you to Coonabarabran and your concern in regard to the events of a fire that should never have happened. We also welcome this opportunity to address the Committee in support of the various submissions that we have made. With 120-plus people from 52 specific affected properties, the CPOA has as its primary function to ensure that changes are made within the national parks system and culture to put out fires. We also seek fair and just compensation for the losses incurred by members as a result of this fire. Some property owners have received satisfactory insurance outcomes and have chosen not to join the alliance. Others have been treated poorly by the insurance industry, while others have not been able to achieve adequate and affordable cover for their assets.

CPOA members have over the last 19 months had to work through the sequence of reactions—the disbelief, the grief, the anger, the blame, the self-recrimination and the overwhelming task to restore their way of life and the struggle to handle the financial consequences. But the major and ongoing effect on those who have been burnt is the realisation of the gross ineffectiveness of the agency that is meant to protect the environment, the flora and fauna, and their neighbours. This loss of the sense of justice has led to widespread psychiatric issues, depression and withdrawal from the community involvement.

CPOA members carry significant public liability insurance to address losses to others from events arising on their properties. We are aware that the Warrumbungle National Park has public liability coverage for these same circumstances, which is held by the Treasury Managed Fund, State Insurance Corporation and managed by GIO. After the fire the CPOA contacted the Premier in order to commence a claim for losses. These approaches were fobbed off and it was stated that there would be no discussion whatsoever until the Coroner's and this inquiry's reports were made and considered.

The CPOA's stated objective is to receive fair and just compensation for the losses of members. Because Executive Government would not enter into meaningful negotiations, the CPOA was then compelled to make detailed investigations into the actions of the agency and its operations. Given the indisputable facts that the fire originated in the Warrumbungle National Park, it was attended by and managed by national parks staff, additional fires were lit in the national park by their staff and in contravention of standing orders and against advice and questioning by senior national parks staff and that the forecast Sunday weather conditions were to be catastrophic, it is abundantly clear that a small, controllable fire would develop into an all-consuming monster that would exit the park and cause such enormous destruction to the community.

The introduction into the Legislative Council in November 2013 an inquiry into the causes and consequences of the fire provided the opportunity for the CPOA to present several submissions with attachments including pictures and videos. Additional submissions have been made by CPOA members presenting their own personal aspects of the fire and its effects. Supplemental submissions will be made to the inquiry within the next two weeks. The authors of the CPOA submissions have recently read and reviewed the submission and advise that there is nothing of substance that they wish to change or alter. During the seven months since the submission there has been additional information and data received, documentation reviewed, sworn statements observed and testimony under oath heard.

In general, this additional information calibrates our findings and authenticates the time line of events. With the indulgence of the Committee I would like to briefly itemise these in three stages: preplanning and preparedness; the initial national park response to the fire; and the 20 hours of national park management of the fire. Firstly, in 2011 at the Castlereagh Bushfire Management Committee meeting, chaired by the Warrumbungle Shire Mayor and attended by representatives of the National Parks and Wildlife Services, RFS and several other agencies, agreed to and subsequently issued a bushfire management plan that included the direction to carry out hazard reduction burns in the Warrumbungle National Park and around the Needle Mountain communications complex. This plan was not carried out.

In June-July 2012, the Warrumbungle National Park prepared a hazard reduction burn plan. This plan received the final of three authorising signatures in August 2012. The plan was presented to field staff to implement. Given that this section of the Warrumbungle National Park had not been burnt or had its fuel load reduced for some 23 years, there should have been some sense of urgency to carry out the burn during the cool period of August and September 2012. This inaction by national park staff with a dry late spring led to the extremely dangerous situation over summer that we now know all about. Sections of the Warrumbungle National Park have not had a hazard reduction burn for more than 40 years.

During the week of 6 to 13 January 2013, with catastrophic weather conditions predicted and culminating in 46 degrees with 100 kilometres per hour wind gusts for Sunday, the Warrumbungle National Park along with other parks in this State were closed. With this situation one would expect that extra precautions would be put in place and all national Park staff would be on call alert with all leave cancelled. We ask: why the fire trails were not cleared of debris and obstructions before the summer fire season? Why were hourly patrols of the park not carried out to enforce the closed status?

Why was no fire observer stationed at the Woorut trig lookout and fire observation site on Siding Spring Mountain, as recommended in the national park operations manual? Why were some national park fire appliances empty and not in full readiness? Why were there only small and difficult to see paper signs advising the park's closure? Why were only two national park staff rostered to work on this horror weekend? Why could the national park not be contacted by the first fire observer and she had to report the fire from a private house? Ironically this house was reduced to ash the next day. The questions go on and on and are only the tip of the iceberg.

The National Parks respondent arrived in a car with their family, then had to travel up to the Strathmore depot to get a fire appliance, fill it with water and then return to Camp Wambelong. With the delay of 30 minutes at this critical time the fire had grown but it was still not going up the hill. Assistance was also provided by two RFS units that arrived without request from National Parks. An RFS RAFT helicopter arrived from Tamworth unannounced and the crew cut a trail up the hill behind the fire while the helicopter dropped water on the fire. The RAFT team was not asked to remain overnight or return on Sunday. The telephone contact for the RFS Air Desk was provided to a National Parks field officer before the helicopter departed.

National Parks staff returned to the Coonabarabran office on Saturday evening. We understand a strategy involving a direct attack with aerial support was discussed. However, this strategy was later changed to involve a back-burn. The National Parks Incident Controller arranged for a grader to attend the fireground at 8.00 to 8.30 on Sunday morning—daylight was 5.00 a.m. Overnight no National Parks RAFTs were requested or ordered; no RFS RAFTs were requested or ordered; no RFS support was requested; no water tankers were requested; no fixed-wing aircraft were requested, although there were two on stand-by; no rotary-wing aircraft were requested; no aviation fuel tanker was requested; no warnings were issued to the public in regard to an uncontained fire in the park.

On Sunday morning at 6.00 a.m. we believe National Parks contacted the RFS to supply two tankers. A back-burn was commenced at approximately 7.45—not 5.00 a.m.—in dubious weather conditions. The Fire Management Strategy for the Warrumbungle National Park notes a warning not to back-burn when there are high winds forecast, rising ground or too far in front of the main fire. All these were ignored. Spotting occurred across the control line and the fire crossed Timor Road into rugged country. The Incident Planning and Operations Manager reported for work at 10.00 a.m. on Sunday. At approximately 11.00 a.m. the RFS took operational control of the situation. A section 44 emergency was declared. The back-burn was ordered to be stopped. Unfortunately, Pandora's box had been opened and we are all suffering from the ills that now beset us.

In summary, there are a few points that stand out. This fire is not the first one in a national park. This fire is not the first one to have been the subject of a coronial inquiry. This fire is not the first one to have been the subject of a parliamentary inquiry. This fire event has had all the same mistakes repeated as for previous National Parks fires. When is it going to stop? The ACT Coroner, Maria Doogan, in her 19 December 2006 report on the 2003 Canberra bushfires stated as her first conclusion: "The failure to aggressively attack the fire in the first day after ignition was the one factor that led to the firestorm that followed". Prime Minister Abbott, himself a qualified RFS firefighter, stated: "When you gotta fire, you gotta put it out". Again, as recently as Tuesday this week, he stated: "The role of Government is to keep its people safe". We are sure that New South Wales has a similar policy.

Should an agency create or allow a threat to exist, it should be able and competent to deal with the consequence of that threat becoming a reality. Clearly, this message was not taken seriously by National Parks. The term or excuse "done in good faith" has no place in any defence of the actions of the National Parks staff or their fire management practice leading up to and during this fire. We believe that, of itself, the behaviour by National Parks was so unreasonable that it could not be considered in any way a proper exercise of the duty of that agency. We thank the Committee again for visiting Coonabarabran and for your continued interest in achieving a fair and just conclusion to this inquiry.

CHAIR: Thank you. Dr Faruqi?

Dr MEHREEN FARUQI: Thank you very much for coming here and giving evidence. Anyone may answer this question. I am interested in knowing what support mechanisms are available for landowners such as yourselves who have suffered these massive losses to rebuild while these investigations occur and while insurance claims are still being investigated as well.

Mr MORRIS: When I came to the emergency centre that had been set up, as was stated earlier, in the front part of this hall, I went to the people who were directing people coming in and they said, "Go and see this gentleman over here". So I went over and the first question that I was asked was, "Are you insured?" I said, "Yes". He said, "Sorry, we can't help you, not today".

Dr MEHREEN FARUQI: So there were no support mechanisms for people who were insured? Is that what you are saying?

Mr MORRIS: We received a payment of \$1,000 from Social Security.

Mrs TUCKWELL: Can I answer the question?

CHAIR: Yes.

Mrs TUCKWELL: When my husband and I came into the hall there were Legal Aid representatives. We were insured; we took our policy with us and she took us to privacy. She did a quick reckoning on the insurance policy and we were advised that yes we would not have a problem except for possibly things that are mobile—being trailers; anything that was to be towed by a vehicle would not be covered unless you specifically had an individual policy. She said, "If your insurance company objects"—and I have got to admit that CommSure was brilliant—that they would take it to task, that they would go to the insurance company on our behalf if we wanted to pursue the matter.

Dr MEHREEN FARUQI: Would you know what proportion of the landowners who had property lost or damaged have made successful insurance claims?

Mr LILL: No, I am not familiar with that. We can find that out. There have been some sensitivities in putting this alliance together that we do not want to probe too much into the personal side of people's losses, but probably the majority have some insurance but it falls short of being satisfactory because of the nature of the business here. Fences and livestock are very hard and expensive to insure and are subject to averaging, so it makes it just about impossible to cover your losses even if you have, especially given the downturn of rural incomes. Spending \$50,000 or \$60,000 a year on insurance to cover a total situation has been unaffordable.

The Hon. GREG DONNELLY: Thank you for coming along today. I congratulate you on the thoroughness of your submission, which is very helpful for this Committee. Could I ask some questions around the matter of the north-west and Castlereagh Bushfire Management Plan? You are familiar with that plan?

Mr LILL: No. I am aware of it and I have seen it. I am not a professional firefighter, although I have an interest, naturally, in it. But I have seen it and seen the recommendations of it and I have seen the warnings contained on it also.

The Hon. GREG DONNELLY: I will ask these questions and if you are not able to answer them because you do not have enough detailed knowledge just acknowledge that. What are your views on the plan's objectives and how well they were met?

Mr LILL: I will lead with an answer and say that unfortunately in our society here we are very good on plans, very good on detailing and writing instructions down, but very poor on implementation, and certainly poorer on follow-up. So while the plan might be the best in the world, if it does not get implemented for several years there is a story about the horse and the stable door et cetera.

The Hon. GREG DONNELLY: Do you have any reflections then, based on that answer you have given, on how plans like this can be better implemented in communities?

Mr LILL: Once again, from a personal aspect, I think if you make a plan and it is signed off by the authorising people then those people also have a requirement to follow-up on it being implemented because you have a big plan, you have got to do the work, you have got to report, you have got to follow-up—it is a whole sequence. A vision of a plan or barking at the moon is not going to change things.

Mr MORRIS: I am not familiar with the plan. I know that it exists. I am aware that one of the first points that were raised at the coronial inquiry was about the bushfire management committee and their plans and there was some detail given in Sydney about the hazard reduction around the communications facility at Needle Mountain. Apparently a mosaic burn pattern was supposed to have been done—this was organised years ago but it was never ever conducted. Other than that, I am really not familiar with it.

The Hon. GREG DONNELLY: You may not be able to answer this and say so if that is the case: In terms of awareness amongst members of the community—people that you bump into, people that you know very well, just the community at large—is there knowledge about this plan or that such a plan did exist?

Mr MORRIS: I would suggest no.

Mr LILL: In regard to the specific plan, I do not think the community at large would know. However, there was an expectation of government at all levels taking care of the assets over which they have control and discharging their obligations in a timely and cost-effective manner. Maybe we are just a country of believers and hopers that things are going to happen, but we just cannot stay on top of everything. My primary role is a farmer, but as a secondary role I am a firefighter and do staff training—it is part of the overall business—but getting down into the nitty-gritty of fire plans I am aware that with fires they do not run according to the plan. When you have competent people on the ground—the RFS fire captains, informed and well-equipped farmers—we can usually deal with normal fires and have them out before they get to the size of a tennis court.

Mr MORRIS: Peter Shinton made a comment earlier about consultation about plans and that sort of thing. Having worked in local government, it is well-known that if you publicise some form of consultation, those who are interested will turn up, but by and large there is an apathy within the community and they are not interested in that sort of thing. Something as serious as this, as has been proven since the fire, probably needs to be taken more seriously in getting the message out, but also the responsibility to ensure that the plans are come up with, because, as has been shown, obviously it is something that should be taken seriously.

CHAIR: Please proceed, Ms Tuckwell.

Mrs TUCKWELL: Everyone appears to be talking about plans, whether you know about them or you do not know about them. I never knew about this plan. Even though we had owned that property for approximately 25 years, we had only just moved in in April 2012. We literally had not unpacked from our 36-year previous residence. I have come to the stage, after going through certain investigations, that there are all these plans in the world but even the authorities themselves either do not know about them or do not adhere to them. Where can we go? How do you get notification? Is it because you are a resident, or do you avidly have to go and knock on the door and say, "Are there any plans for our particular area"? It is not out there.

The Hon. LYNDIA VOLTZ: I have a question that may be a slight continuation on that. We just heard the council say that it was notified on the Saturday night that there was a fire in the national park. Obviously there were Rural Fire Service trucks down there and the fire control office, we assume, had knowledge of the fire. There were also predictions that the next day would be catastrophic and up to 45, 48 degree heat. Some people stayed on their properties. There were experts in the area. Who knows what the weather conditions could possibly turn into? Do you have a view on the structure and responsibility of the Rural Fire Service? At some point when the alarm bells ring there are guys fighting on the ground; to some extent, the labour is out there doing it. Do you have a view about when the alarm bells should ring within the Rural Fire Service when we are sitting on these kinds of conditions with a known fire?

Mr MORRIS: I will start. The fire was in the Warrumbungle National Park. As such, it is a Warrumbungle National Park fire, not a Rural Fire Service fire because the national park is a recognised fire authority and they take control of fires within the national park until such time as it becomes a section 44. So they are the fire managers.

The Hon. LYNDIA VOLTZ: And that is a differentiation I am asking about. You have the fire managers on the ground but you also have a statewide view about conditions. The determination that you are going to a catastrophic level is not taken on the ground; the determination is taken somewhere else.

Mr MORRIS: Yes.

The Hon. LYNDIA VOLTZ: So there are people that view the conditions across the State and they are based on what we know has been going on in the environment and what the conditions were heading into the next day or two, and that puts us at that level. So you have a notifier and there are known conditions. It is the opposite of the Rumsfeld—they are the known knowns; they are not the unknown unknowns.

Mr MORRIS: The condition on Saturday afternoon when there was a weather forecast provided at 4.33. The Bureau of Meteorology predicted a fire in the morning and an extreme fire danger, which is one level below catastrophic. Can I just read what the conditions are for extreme fire conditions?

The Hon. LYNDIA VOLTZ: Sure, that would be great.

Mr MORRIS: This is a Rural Fire Service document. Under the heading "Potential Fire Behaviour" it states:

- Fires will likely be uncontrollable, unpredictable and fast moving with flames in the tree tops, and higher than roof tops.
- Thousands of embers will be blown around and into homes causing other fires to start and spread quickly up to 6km ahead of the main fire.

The potential impact under the extreme conditions are:

- Fire can threaten suddenly, without warning and it will be very hot and windy making it difficult to see, hear and breathe as the fire approaches.
- There is a likelihood that people in the path of the fire will die, or be injured and many homes and businesses destroyed or damaged.
- Only very well prepared, constructed and actively defended homes are likely to offer any degree of safety.
- Power, water and phone networks are likely to fail as strong winds will bring down trees, power lines and blow roofs off buildings well ahead of the fire.
- In the event of a fire, firefighting resources will be stretched and are highly unlikely to be available to help all properties.

The Hon. LYNDIA VOLTZ: So we have that extreme rating, which is a known. We have a fire, which is a known. Do you have a view that someone else's alarm bells should have been ringing?

Mr MORRIS: It is common-sense.

Ms TUCKWELL: We also realise that a pre-emptive 44 was registered for the Castlereagh area. Where it started in the park was in the Castlereagh jurisdiction. We also had a RFS volunteer go to that particular fire. Nothing was utilised as such to any degree where that 44 could have been utilised. We heard at the Coroner's inquiry that that particular RFS officer was asked certain questions, to which his answer was, "It was their fire."

The Hon. LYNDIA VOLTZ: That is right. We know that there was a fire and we know that there were all those conditions. I am sure we will get to the bottom of it.

Mr MORRIS: I would like to make a correction. The fire in the national park was actually in the Coonamble area, not the Castlereagh zone. The pre-emptive section 44 existed in the Coonamble area.

The Hon. LYNDIA VOLTZ: I have another question that is a bit different and it relates to the development applications, given that you are representing people with property. You may have been here when I asked a question of the council with regard to getting approval to rebuild, and they raised the issue of State Government legislation that requires them to build to new fire standards and all these other issues. How big an issue is that for rebuilding where you have had an existing building that has been burnt to the ground and for re-establishing that property with different standards?

Mr LILL: I will address this. We understand that our local council has to follow instructions issued by the State Government with regard to approvals. Unfortunately the C word—common-sense—does not come into play here. The fact that while an existing building of 50 or 100 years can continue to be occupied, it must be replaced with a building of modern construction materials, which would probably have 40 per cent for costs added to it, rather than a straight replacement building. There are lots of instances where perfectly functioning septic tanks and systems have been operating are now no longer approved; and had the fire not come through then they would still be compliant. It is just another added complexity to the recovery program, and these little things irk people when they are under stress. Taken by themselves, yes, you can see the merit of it, but there seems to be no give at all to get people back going. People will generally comply with requirements. It probably irks them to be compelled.

The Hon. LYNDIA VOLTZ: People may not have been aware because they do not envisage that their property is going to be lost in the fire. Some of these properties, frankly, when you look at them they had huge clearance areas around them. Your own property in particular had a huge clearance. Obviously it would not matter if you had a 300-metre clearance; it made no difference on your property. There is not an understanding that when things are lost to fire the costs will be 40 per cent greater than just re-establishing the house because you are now in a fire zone.

Mr LILL: We are a small group of people who have been burnt. The actions of the Executive Government have not allowed for the State public liability insurance system to kick in. Because of the rejection of any notion of negotiations, it has turned regular citizens, business people and retirees into amateur sleuths and we have to come up with submissions and virtually accuse further parties of inappropriate action. This is not good in a small community. We hate it. I hate it. I do not want any division in this town. Unfortunately there are and there are two sorts of people in this town: those who have been burnt and those who have not been burnt. Those who have been burnt do not want additional nonsense problems put in the way of getting going again. Generally, people, like dogs, want to do the right thing and they will comply as much as they believe is correct in trying to replace sheds that have been burnt. People have had their equipment outside for 17 months in the weather because to replace the shed now costs \$1,000 in development application fees and plans and bits and pieces. It was perfectly all right there the week before the fire but now it is not okay to replace it.

The Hon. LYNDIA VOLTZ: When council said they waived the development application fees, was that only for residential properties or was it for other assets on rural properties?

Mr LILL: All construction, including swimming pools. There are plenty of dams on the properties but they do not have to be fenced; but put in a swimming pool and you have to go through the development application process and pay fees and on and on it goes.

The Hon. LYNDIA VOLTZ: Sorry, I was talking about the divide. The council told us that it had waived the fees for development applications but that was only on residential properties, was it? It was not on the other assets?

Mr LILL: There was a scheme through the mayor's fire fund to reimburse people for a certain amount of money on one shed and one house. But on many properties there are three or four functioning sheds, shearing sheds, machinery sheds, hay sheds that have all gone. You end up having a development application on each one of them and the fees cost half as much as the shed.

Ms TUCKWELL: I did note with insurance, as far as new regulations—our home was severely damaged. When the form came back as to the quotation on all repairs, all repairs were done at replacement, which also meant it would have been put back exactly the same as it was prior to the fire. If these regulations are in effect, it does not cover the insurance side, even with fly screens.

The Hon. LYNDIA VOLTZ: It is for any new building as opposed to any existing.

Ms TUCKWELL: Which still means that the old house, prior to the fire, was still certified, but if the house had been burnt down the next day and then started to be rebuilt that comes under a whole new set of rules.

The Hon. LYNDA VOLTZ: Yes, that is right.

Ms TUCKWELL: So if there is a major repair—I do not understand the logic—how can it be right for one, and not for another?

CHAIR: Yes, okay.

The Hon. RICK COLLESS: Can I introduce the issue of the back-burn to which you refer in your submission? You talk about the back-burn getting out of control. Mr Morris, I understand that you were on the Timor fire brigade that day and you were in attendance on the Sunday morning.

Mr MORRIS: That is correct.

The Hon. RICK COLLESS: Yesterday we inspected a site adjacent to where the fire started. The National Parks people told us that the fire crossed the road at about that point near the Wambelong camp ground. The back-burn getting out of control to which you refer, is that the back-burn that they started at 7.40 on the Sunday morning? What time did get out of control? Is that where the fire actually crossed the containment line and attacked the visitors centre? Where did it go from there? Did it cross the road at that point, or did the fire on the southern side of Jack Renshaw Drive start down near the camp ground?

Mr MORRIS: Basically, there are two fires. It was the original fire that started just to the west, or was reported to have started just to the west of Camp Wambelong, and then, as we heard, they started their back-burn from where the original fire had burnt to, so there was burnt country, and they went in a—

The Hon. RICK COLLESS: So this is to the east of Wambelong camp?

Mr MORRIS: Yes. They burnt a line of approximately two kilometres before they were requested to cease firing the back-burn. Then that back-burn burnt uphill. There are photographs taken from Siding Spring of that.

The Hon. RICK COLLESS: So that would be in a northerly direction at that point?

Mr MORRIS: I am sorry?

The Hon. RICK COLLESS: The back-burn would be burning in a northerly direction at that point. Is that correct?

Mr WARD: That is correct.

Mr MORRIS: Yes. So you have got two fires. I am now more aware of what happened: That the back-burn started to spot-over. The original fire, we were patrolling that. There was only the one tanker patrolling the roadway. We were told to do about one and a half kilometres along the roadway. We actually went a bit further than that because we were actually told to look out for where the fire actually did escape by the divisional commander, who was concerned about that area. But we had one truck and with one and a half kilometres, you cannot be in all places at once. So we were going backwards and forwards. We were told that the fire was near the roadway at the eastern end of where we were patrolling. We went there and when we got there we actually found that there was a small spot-over on the southern side of the road, which we put out very quickly.

The Hon. RICK COLLESS: Again, that was just adjacent to Camp Wambelong. Is that correct?

Mr MORRIS: East of Camp Wambelong, yes. We stayed there because there were a lot of logs burning adjacent to the roadway on the northern side of the roadway. Then a farmer turned up, and I am just not exactly sure what time it was when this farmer turned up. He was there with his partner in their private vehicle. He was a Rural Fire Service volunteer. He had his yellows with him but he was not wearing them, and he said could he help. We said, "Well, yes. If we go one direction, you go the other direction, so that we have another set of eyes."

Anyway, he came back to us and said that the fire had spotted over at the western end. So we went to the western end, which was the opposite end to where we had just put out the fire, and he was correct; it had spotted over, so we put that out. It was actually burning a lot on the northern side of the road, but there was a small part on the southern side. We put that out. We then were patrolling and we went back to the eastern end because we were concerned with what the fire was like there with the logs.

The Hon. RICK COLLESS: Can I just clarify that? At this point in time, the fire was across the Jack Renshaw Parkway at the eastern end of the camp ground, or was it across the camp ground?

Mr MORRIS: The fire was burning on the northern side.

The Hon. RICK COLLESS: Of the parkway?

Mr MORRIS: Of the parkway. That is where it was burning. The problem was if it went to the southern side of the parkway, which it did, and we put that out—twice, once at the eastern end. We did that first and we were told that it had gone over at the western end, so we flew down there and put that out. We then went back to the eastern end and worked on that, and ran out of water. We left one of our crew there with a knapsack and went back to Camp Wambelong, which was where there was a water tanker, and we filled the tank. We noticed that the tank was just about empty. We could still get water out of the tanker at that stage. National Parks had left that tanker with the cabin facing downhill towards the creek and the outlet was at the back, which was higher. It was parked with the back higher than the front, and the water in the tank was in the front.

The Hon. RICK COLLESS: It was inaccessible.

Mr MORRIS: You could not access it. Anyway, I tried to get in touch with the regional commander to alert him to the fact that water was just about out—could not get it—and I heard there was mention made in Sydney at the Coroner's Court of a call to the RFS to pass on the fact that the water needed to be replenished. While we were—no, where was I? We had gone to the east, to the south, back to the east, ran out of water and filling the tank; that is right. While we were filling the tank the farmer came back to us and said, "The fire has escaped to the western end and it is going"—or words to that effect. We went back to the western end and it had crossed over. We could not contain it. I chased it with a hose until the heat was such on my cheeks that it felt as though my cheeks were going to melt. The farmer had gone and picked up our other crew member and brought him down as well and we had two hoses out—the hose on the reel and a lay-flat hose—and we could not contain it.

We radioed the Rural Fire Service an urgent call to ask for aerial support. I also notified the divisional commander that the fire had escaped, and National Parks turned up. Basically, the fire had escaped there. What I was not aware of at the time was that the problems that were occurring with the back-burning because they were having problems. All this started, I would say—because with all that happening, the last thing you do is refer to your watch—from around about 20 to 12 or a quarter to 12, or in that sort of time frame. Things changed dramatically, which was all predicted, and then the back-burn was the problem. The fire that had escaped where we were was heading in a southerly direction with a northerly wind blowing it, and it was heading south. The line scans show that that is what has happened.

The Hon. RICK COLLESS: When you say there were two fires, the fire got across the Renshaw Parkway in two places initially?

Mr MORRIS: Initially, yes, but we extinguished both of those.

Mr WARD: Could I just mention there that both those spot-overs were from the Wambelong fire originally.

The Hon. RICK COLLESS: Yes.

Mr WARD: And then they had breaches from the back-burn a bit later.

The Hon. RICK COLLESS: Right.

Mr WARD: So the ones that he is referring to are from the Wambelong fire—the original fire, yes.

The Hon. RICK COLLESS: At that stage the wind was still coming from the north.

Mr MORRIS: Yes.

The Hon. RICK COLLESS: At what stage did it swing around to the west and start pushing the fire to the east?

Mr MORRIS: Considerably later than that.

The Hon. RICK COLLESS: Right.

Mr MORRIS: As conditions started going downhill from that period, the wind started to pick up; initially, not heavily, but it was sufficient to be causing a problem. After we left where it had escaped, we actually went back to the tanker to refill the tank. We could not get water out of that tanker. We then went past the visitors centre to a place where we had been told we could get water out of the creek, which we did, and then we were tasked to patrol along the road leading up to the visitors centre from the T-intersection down at the creek. That is about when the back-burn was causing problems with spot-overs, and it just all went pear-shaped after that.

The Hon. Dr PETER PHELPS: My question again is directed to Mr Morris. I just want to go to your submission and the issue of the unreasonableness—and I think you put it in such terms of the old Wednesbury construction of so unreasonable that no reasonable person could have done it—in relation to Saturday night and Sunday morning's recommendations and plans of Parks and Wildlife. If Parks and Wildlife had at 9.30 that evening been informed by RFS that the expected movement of the fire was somewhat to the west and somewhat to the east, is it reasonable, do you think, that Parks and Wildlife should have made their plans—in other words, not to do a direct attack but to move towards containment and back-burning—for the following morning? Is that unreasonable? Do you believe that Parks and Wildlife were unreasonable in taking that advice from RFS? If so, does the fault lie with Parks and Wildlife for taking that advice, or with RFS for providing that advice to Parks and Wildlife?

Mr MORRIS: I was not aware at the time of that fire and I now subsequently know, as a result of the coronial inquiry, that the fire spread report that was prepared by the Rural Fire Service showed that the fire was going to spread in a north-easterly direction, but that was also to be predicted by 8.00 a.m. on Sunday morning. The weather overnight, and from weather reports from the fire ground, were not indicating that the fire was spreading in the manner that the fire prediction report was suggesting.

The Hon. Dr PETER PHELPS: Can I just stop you there?

Mr MORRIS: Yes.

The Hon. Dr PETER PHELPS: In the production of that fire spread estimation, was advice taken from people on the ground, or was that just constructed at a higher level by RFS?

Mr MORRIS: I have no knowledge of that whatsoever.

The Hon. Dr PETER PHELPS: So, presumably, no-one asked you.

Mr MORRIS: No. I was not there.

The Hon. Dr PETER PHELPS: But no-one called you and said, "Procter, what do you estimate is likely to happen with this fire the following day?"

Mr MORRIS: I am sorry, could you repeat that?

The Hon. Dr PETER PHELPS: No-one from higher up in RFS—the people who were producing that estimated movement—called you or, to your knowledge, anyone on the ground and said, "What do you believe the likely movement of fire is to be tomorrow?"

Mr MORRIS: I was not on the ground on that fire on Saturday at all.

The Hon. Dr PETER PHELPS: Okay.

Mr MORRIS: Although I have subsequently learnt that the prediction plan was done by the Rural Fire Service Homebush. I do not know what was involved in the preparation of that at all. I am sorry, I cannot help you.

The Hon. Dr PETER PHELPS: That is okay. We can ask subsequent questions about that.

Mr MORRIS: We were told that at the Coronial inquiry the Rural Fire Service had stated that they now acknowledge that the prediction had only a 25 to 30 per cent chance of being accurate. They said there is a problem with that software and they have acknowledged that. Apparently the same sort of thing has happened previously.

The Hon. Dr PETER PHELPS: That leads me to the original part of the question—that is, was it unreasonable for parks and wildlife to have relied upon that prediction for their planned containment action the following day rather than a direct attack?

Mr MORRIS: I cannot answer for national parks.

The Hon. Dr PETER PHELPS: Do you believe that?

Mr MORRIS: From my perspective, the fire weather warning was for hot north-westerly winds. A fire weather warning is not provided for winds that are a gentle breeze. They were aware and they did not receive a fire spot weather report until around 1 a.m. Sunday morning. The decisions they made were made without a weather report, from what we have understood so far based on what has been said. They went home on Saturday night, a night of a total fire ban, without having accessed any weather report. They left two RFS tankers to patrol the fire.

The Hon. Dr PETER PHELPS: But they went home with the RFS fire expectation in their hands, did they not?

Mr MORRIS: Not to my knowledge.

The Hon. Dr PETER PHELPS: If they received it by 9.30 and they have gone by midnight.

Mr MORRIS: No, they left the fireground before 8 p.m.

The Hon. Dr PETER PHELPS: This leads me to the Saturday night. We had evidence yesterday from Mr Keith Lambell that by Saturday evening the fire was relatively inaccessible—it had gone up quite a steep slope and was relatively inaccessible. Given that RAFF teams do not work at night, that airdrops could not have been done at night and that the terrain would have made it difficult for ordinary RFS units to make it in, what reasonably could have been done from late evening till dawn the following morning to attack that fire?

Mr MORRIS: You made the statement that RAFF teams do not work overnight. Apparently national park RAFF teams do not work overnight. Rural Fire Service works overnight and Rural Fire Service RAFF teams work overnight. If you ask any member of the Rural Fire Service in this room if they work overnight they will say yes.

The Hon. Dr PETER PHELPS: Who asked the RAFF team to stand down?

Mr MORRIS: The RAFF team was not asked to stand down. For the benefit of the people listening, the RAFF team was flown in from Tamworth. At the time the RAFF team was tethered—no, that is the wrong word—was to stay with the helicopter. The helicopter had to be back on the ground in Tamworth at sundown, by 8.30, I believe. The RAFF team could only be on the ground for approximately 40 minutes. They accessed the fire and worked on the fire on Saturday night.

The Hon. Dr PETER PHELPS: For only 40 minutes?

Mr MORRIS: Because when they arrived on the helicopter, there was the flying time between Tamworth and Warrumbungle National Park. Remember that the fire was not reported until around 4.28, which was when my pager went off, I think. They were not all from the national park; some of them were from the Rural Fire Service.

The Hon. Dr PETER PHELPS: In your view, if the RAFF team had been untethered from the helicopter, the requirement to return, would they have had enough capacity to directly attack the fire during the evening to the point where by the following morning it would have been a mopping-up operation?

Mr MORRIS: I spoke to—am I allowed to provide his name?

CHAIR: No.

Mr MORRIS: I spoke to a crew member of the RAFF team and then to the gentleman who was then the team leader of the RAFF team subsequent to the fire. I asked the crew member: in your opinion, was it safe to stay there overnight and work on the fire? He said, "With our training, yes." I asked the crew leader if he agreed with what the crew member had said and he said yes. As they were leaving they said they thought it would be able to be controlled by the people on the ground at the time. They had gone up and worked on the fire. While they were working on the fire for about 40 minutes the helicopter was water-bombing the fire. They left, but really nothing was done to the original Wambelong fire, either Saturday night or Sunday. The only thing done to the original Wambelong fire on the Sunday was us patrolling backwards and forwards. All of national park's resources were directed at the back-burn.

Mr LILL: We heard that the RFS RAFF team could have stayed overnight if they had been asked. That aircraft would have been available at first light to assess the situation correctly. I perceive that a lot of the planning was done in the dark because of lack of aerial access and information on the fire. You refer to the back-burn and to weather reports. We have been inundated with weather reports—fire weather reports, spot weather reports—blind Freddy knew that it was going to be a bad Sunday. It does not matter what direction it comes from, we know that predominantly when there is this weather situation with unstable air and low humidity you are going to get a westerly wind and all hell will break loose if a match is struck. On the ground, it does not matter how many weather reports you have, you have to know the background met. conditions and the consequences of doing things you are not meant to do, like back-burns.

Mr MORRIS: You asked about the RAFF team not working overnight. We knew and heard in Sydney that national parks had their own RAFF team, but the person questioned about that, who was qualified at the highest level of national parks RAFF, said it was their policy that they do not work overnight.

CHAIR: I thank you for presenting evidence, which was very succinct and illuminating. I suspect there will be questions on notice from the Committee. When you receive those questions on notice, please reply within 21 days. As you said, you are aware that we have opened up this inquiry to supplementary submissions for another 14 days.

(The witnesses withdrew)

(Short adjournment)

CORRECTED

PHILLIP HENLEY, Representative, Warrumbungle Fire Action Group, affirmed and examined:

MICHAEL BOWMAN, Representative, Warrumbungle Fire Action Group,

PETER HELLYER, Representative, Warrumbungle Fire Action Group, and

RODERICK YOUNG, Representative, Warrumbungle Fire Action Group, sworn and examined:

Mr BOWMAN: I am deputy group captain of the Uargon Brigade.

Mr HELLYER: I am captain of the Gowang Brigade.

Mr YOUNG: I am a NSW Farmers Association delegate on the Conservation and Resource Management Committee.

CHAIR: Do you wish to make an opening statement?

Mr YOUNG: Yes, thank you. Ladies and gentlemen, last night you heard a number of emotional explanations of the effect of the fire on our community. Our group is here to put forward recommendations to many issues in an attempt to avoid such a catastrophic fire event happening again. We are concerned landowners and volunteer firefighters who appreciate the opportunity to address questions on a number of pertinent issues.

They are: the chain of command was not adhered to; authority of captains and their local knowledge of the fireground was overruled by staff at the fire control centre; the fire has to be run by the local captains and group captains on the fireground; a period of 24 hours elapsed when the fire should have been contained; the need for a livestock fire alert system; RFS training is dictated by property protection rather than extinguishing fires; the problems caused by the Environmental Assessment Code; the fuel load on public land had not been addressed; failure to recognise broadcasting communication towers as critical infrastructure in the event of a wildfire; flexibility in working hours and days worked by agency staff during fires; recognition of prior learning be applied for short-course training for experienced firefighters; earth-moving equipment was available but not used as soon as possible; welfare recipients should not receive benefits for joining the RFS as volunteers.

Mr SCOT MacDONALD: I will start with the communications complex. You commented that when it was in government hands it was reasonably well looked after and vegetation was cleared, but now it is in private hands there has been a period when there has been no vegetation management. Is that the case?

Mr YOUNG: Basically there was a little bit cleared under the Bushfire Risk Management Plan but only for a matter of a few metres. There has been no substantial clearing around the site since it was erected, in my opinion.

Mr SCOT MacDONALD: To be clear in my mind, what powers are there to force the company to do that work? Are there powers that just need to be enforced or do we need to make recommendations for a government authority to get more regulatory power?

Mr YOUNG: I have tabled a substantial document with photographs, which you should have.

CHAIR: We do, yes.

Mr YOUNG: It might be quickest for me to talk you through that.

CHAIR: Are you talking about your submission?

Mr YOUNG: No, I am talking about the photographs that should be with you.

Mr SCOT MacDONALD: I am asking this because we have learned, from your submission and others, that a lot of resources and time were diverted to the communications tower, probably at the expense of other work.

Mr YOUNG: I have tabled nine copies of these photographs to be issued to the Committee. I cannot talk to them until you have those photographs.

Mr SCOT MacDONALD: Is what I am saying a fair comment?

CHAIR: Let us proceed.

Mr SCOT MacDONALD: I am asking questions on this because it seems from your submission and others that a lot of time, effort and resources were put into protecting the tower possibly at the expense of other areas. That is why I am focusing on this a little bit.

Mr YOUNG: What actually happened was that an NPWS person came up with the plan to protect the towers and that was signed off on by the incident controller.

Mr SCOT MacDONALD: When was that plan?

Mr HELLYER: Wednesday.

Mr YOUNG: Fire retardant was sprayed by air onto the area and then incendiaries were dropped prior to a back-burn being put in to contain the fire, and the deliberately lit fire from the incendiaries quickly overran the inadequate fire trail that had been put in and, as a result, we had a major deliberate fire entirely to protect those towers because there were not adequate fire trails in the area. That is something that is only just now being addressed—well, it is not even being addressed yet by the BFMC. I put a motion through a BFMC meeting the day before yesterday that we start to look at it.

Mr SCOT MacDONALD: Can you tell us what the acronym BFMC stands for?

Mr YOUNG: Bush Fire Management Committee. As a result they had a major fire to protect these towers.

Mr SCOT MacDONALD: Is it the case that there are enough powers there now and they just were not enforced or do we need more regulation?

Mr YOUNG: We definitely need more. Can I talk you through these photos? That is the best way of explaining it. As you can see, in my supplementary submission I brought up the issue of education and fear around the communication towers. Photo 1: I had heard that the towers on Mount Canobolas at Orange were much better protected than the ones at Mount Cenn Cruaich, so I had a trip down there and I took the following photographs. Photo 1, Canobolas, my back against the tower compound. The others are 100 metres away but it is too close to the tower on the left-hand side of that photograph. Photo 2 is taken around where that tower is in the first photograph and you can see that the structure is too close to the tower. So that is not consistent.

Photograph 3 is the infrastructure on Canobolas. That was within the compound from which I took photos 1 and 2. Photo 4, also at Canobolas, is the air navigation facility for Orange airport. The next photograph I took, number 5, is just to the left-hand side of that gateway. There is just no consistency in the clearing—this is scrub growing right up to the fence to the compound and virtually only a few metres from the building. Photo 6 is taken at the back of the compound and on the back fence and the scrub is almost up to there. Photo 7 is also at Canobolas; it is the cleared area either side of the connecting road between the towers, and this would give fire crews a safety margin.

Photo 8 is from Cenn Cruaich. I have taken that photograph from up near the main tower and you can notice the narrow access road between the towers. The towers are spread out over 500 metres and you can note that there is no protection for the fire crews if they had to travel backwards and forwards between those towers. Photos 9 and 10, Cenn Cruaich again; that is the infrastructure of the main tower. Note the "flammable liquid" sign and the cables leading from the building and up to the tower. Photo 11 is at Cenn Cruaich and it is the scrub on the edge of the ring road just outside the proposed 40-metre cliff. Note that that scrub is a bit over 40 metres from that infrastructure above it.

Photo 12, Cenn Cruaich, taken from the other side of the main tower: the timber on the right-hand side of the photograph will not be removed in the proposed 40-metre clearance. Photo 13 is taken from over the powerline and the clearing of the easement of the powerline, apart from a couple of small trees, gives a good

example of the protection which could be given to the site by felling of the timber for a 100-metre radius. My point there is that if there was a ground fire coming up the side of the mountain and you had a clearance like that in photograph 13, that ground fire would be reduced to a grass fire before it got anywhere near the infrastructure.

Photos 14 and 15, both at Cenn Cruaich. The emergency services tower is number 14 and it is to be cleared 10 metres—you may as well not do anything. Again, both poles in that photo are timber. Photo 15 is the Roads and Maritime Services tower—again, only a 10-metres clearance proposed. This restricted clearing is due to the influence of the environmental legislation which formulates the environmental assessment code. I note that everybody has seen that and had a read of it. The RFS is expected to abide by that environmental assessment code. Part of the memorandum I will speak about later when we are in camera, but it was explained that any proposed widening of the asset protection zone area could not constrain any future firefighting efforts and, specifically, any decisions of an incident controller appointed under section 4, 44, of the Rural Fires Act.

Bearing in mind the airport is only 10 minutes away by water bomber, if the site was cleared for a 100- metres radius a water bomber should be capable of defending the site until fire crews could get to the site. I make the point that it is a very narrow road into the remote area where the towers are and in the future if there was a fire on the private land and it closed the road, fire crews would not be able to get there. But there is where a water bomber could effectively protect the towers if it had at least a 100-metre clearance around it. The point is we do not want another situation where a heap of private land is burnt out by incendiaries just because the towers cannot be defended in their own right.

Mr BOWMAN: Mr Chairman, can I add to that please?

CHAIR: Yes, Mr Bowman.

Mr BOWMAN: I think it needs to be said that when the planning was done for those incendiary drops and the back-burn to contain those incendiary drops that night there was absolutely no thought or concern given to the landholders on the southern side of where that all happened. There had been three days when they could have put a decent firebreak through to the south of that that they could have back-burned from. There was no consultation with me as the deputy group captain for that area, no consultation with the captain of that brigade involved. If they thought to involve us in it we would have put the control lines in and the back-burning could have been successfully carried out without that fire escaping to the south.

I think what a lot of people need to realise is that when that fire broke out on the Thursday afternoon and on the Thursday night and Friday morning, that fire was heading for Mendooran. If it was not for one long, thin place along that Newell Highway, that fire would have jumped the highway on Friday morning and it would have been well into the Mendooran district by Friday afternoon.

Mr YOUNG: Mr Chairman, if I may just add, as I previously said prior to answering the question, I put a motion through the BFMC the day before yesterday for our sub-committee to start investigating more fire trails in that area so that a fire can be contained and that will alleviate the situation that was when the fire was on; there were no decent fire trails basically in the area so a huge area of country was burnt out. We need to get a network of fire trails into that area so that we can contain a fire in a relatively small area.

Mr SCOT MacDONALD: I just want to be clear in my mind. The environmental assessment code, who is the consent authority for that? Is it the Rural Fire Service?

Mr YOUNG: No. The Rural Fire Service has to abide by it and the environmental assessment code is riddled with the Native Vegetation Act and the Threatened Species Conservation Act.

CHAIR: Other than when a section 44 fire is declared, is that correct?

Mr YOUNG: Yes, that probably would be correct but then it is too late. My point is that we need common sense in protecting this critical infrastructure and it is just not there. A 40-metres clearance around the main tower and 10-metres clearance around the others is just not common sense.

Mr SCOT MacDONALD: To do that work do they go to the local government or do they go to the Department of Planning or someone else? I am sorry, I am still not clear in my mind.

Mr YOUNG: As you people know, there is a review of the Native Vegetation Act and the other environmental legislation on this month. Mr Chairman, I know you are putting a bill through Parliament as well, but I am hoping like hell that we will get some common sense into it all instead of what we have got here at the present moment. That is the problem: it is actually the Office of Environment and Heritage which is dictating this.

CHAIR: We will move on to Dr Phelps.

The Hon. Dr PETER PHELPS: Mr Henley, just following on from the comments you made last night in relation to the non-movement of the Coonamble brigade, and it goes to the issue of RFS commander and control. I will open it up to the rest of the witnesses to talk about this: Where do you see the responsibility for the allocation of such resources to lie? You cannot have it at the very low level because the very low level will not have a broad perspective of the entire region of what is going on, and we have heard from previous people that there were a number of fires in the region on those days, but obviously your view was that the decision-making was too high because Coonamble was available and should have gone. Where do you see in the spectrum that the go-or-stay allocation of resources should reside?

Mr HENLEY: In that situation, or the situation we were in, we were under-resourced and there were multiple teams further west. Coonabarabran was obviously just overrun with what was happening on this side. So the western side should have been under control from another area, another area or taken from a different perspective because there were crews on the ground wanting to come in but told they were not required. They were actually required on the western side. At the fire level the ones who were on the ground were having more say in what was required.

The Hon. Dr PETER PHELPS: You said they indicated their availability but they were told they were not required. Presumably that was someone in the more senior levels of RFS management. Again it comes back to the problem of you believing the decision was wrong, but where should it reside? You do accept that RFS management has an obligation to take a broad overview of potential problems in the region. If they do not have reserves available, if they are all allocated and something breaks out, does that not present a problem?

Mr HENLEY: It would present a problem but the problem was the resources on this side were, we assumed, fully allocated but there were a lot of resources on the other side. I know one captain in particular said he rang them three times, the brigade near Coonamble, and finally he was told that they could see the smoke cloud from there. They described it as a massive volcano going off. He phoned three times and each time he was told, "It's all under control, you aren't required." In the end he just came; he said it did not look like it was under control. We have heard since then at least three crews in Coonamble itself were ready and able to come but they were told they were not required, too. A little bit does come down to the lines we draw on the maps. Coonamble is in a different zone so there was a little bit of a problem there with different zones. It just comes down to I think the ones on the fire ground need a bit more say in needing more resources.

The Hon. Dr PETER PHELPS: Mr Bowman, would you concur with that?

Mr BOWMAN: The comment I would like to make there is that they are not listening to the local captains and deputy group captains. I as a group captain was not called to that fire. In fact, the first call I got—

The Hon. Dr PETER PHELPS: I am not really au fait with the structure of it. What does a group captain entail? Do you have command over a series of crews?

Mr BOWMAN: The highest volunteer is the group captain. Under him is deputy group captain to help him with that area. The Warrumbungle area, every brigade that joins are under a group captain.

The Hon. Dr PETER PHELPS: How many brigades roughly would you have under your command?

Mr BOWMAN: I have four under myself. I knew nothing. That fire started in my area, basically. The first contact I had from the head office in Coonabarabran was 25 hours after the fire started. We talk all the time with the Rural Fire Service about our chain of command. It was just totally ignored and they just did not want to know about us at all.

The Hon. Dr PETER PHELPS: I am going to ask you a rude question and I ask you to reflect on yourself and other group captains that you know. If you had the power to, of your own initiative, call in units

from other groups and other groups had the power to call in your group resources, do you think that would be an effective tool? Do you think that would a reasonable power for group captains to have?

Mr BOWMAN: I think group captains need that power.

The Hon. RICK COLLESS: We heard in evidence before morning tea that the National Parks and Wildlife Service RAFT teams have a policy of not working at night, but other Rural Fire Service teams do work at night. Do you believe that RAFT teams should have been on the fire ground on that Saturday night? If so, how many teams should there have been? I know you are all experienced firefighters so I am sure you have a view on that.

Mr BOWMAN: I would have liked as many as you could get because when we had the weather conditions that we knew were coming on that Sunday—they had been bad all week anyway. Everything should have been thrown at that fire on the Saturday afternoon. If I had been called in that is what I would have been doing, and I know in my own brigade I had 20 young people I could have pulled in there to be around that fire all night. If we had done that, and if the RAFT teams had been put in, we could have been trying to control that fire all night. We could have kept it under control. We would have known where our bad spots were going to be for the Sunday morning. Then with helicopters and things on the Sunday morning you could have been pushing them at those areas that you are worried about.

We knew the eastern side was going to be bad because we were going to get westerly winds. We knew all of that information. You do not go away and leave a fire overnight when you have the conditions that you will have for the following day. There were 12 to 15 hours when we should have been absolutely bashing that fire, and instead of that it was basically just a couple of teams patrolling it. I believe if we had got in there and put as much into it as we could overnight, even if it had got away the next day, and nobody here can turn around and we will never know whether we could have controlled the fire or not, but if we had done the right thing with that fire overnight you would have kept it under control for long enough the next day.

Every minute and every hour is valuable on a day like that Sunday was, if you could have put back that fire baking away for two or three hours, it would have meant that that fire would have got nowhere near as far on the Sunday. It probably would not have even got out of the national park and there would not have been all these people that you heard last night that are in an absolutely terrible state because they have been burnt out and everything else. On a day like that Sunday you should not back-burn. It is just not right. If they wanted to do any little bits of back-burning it should have been done on the Saturday night when you have the whole night to control it.

The Hon. RICK COLLESS: Mr Bowman, can you explain a little more about these RAFT teams? How many members in each team? If they were there on the fire ground that night, what sort of activities would they have been doing?

Mr BOWMAN: I was not involved in the fire on that night because they would not call me, so I think somebody who was there should answer that question.

The Hon. Dr PETER PHELPS: But just generally speaking.

The Hon. RICK COLLESS: I am not talking about the team that was there, but when you send in a RAFT team around a fire what is the typical number of people in a team and what sort of activities would they be doing?

Mr BOWMAN: In that instant they were dropped into the more inaccessible areas to work by hand and everything to control that fire.

Mr HELLYER: Normally a team is a team of four.

The Hon. RICK COLLESS: A team of four. What sort of equipment would they carry?

Mr HELLYER: They would have a team leader and four or five others. Backpacks; definitely not knapsacks, because there is no water supply. These days it is blowers, rackos, chainsaws, basically dropped in by helicopter in very remote conditions or where the helicopters can land. They can drop them in that way. Basically, it is very similar to what they do in America. They try to get in if they see the fire early on.

The Hon. LYNDA VOLTZ: What about if the helicopter cannot land the RAFT team because of the terrain?

Mr HELLYER: They rappel them.

The Hon. LYNDA VOLTZ: If they cannot rappel them into positive terrain.

Mr HELLYER: They do not need much space to rappel out of a helicopter. They drop them in down a rope.

The Hon. LYNDA VOLTZ: In certain types of terrain you would not—

Mr HELLYER: They would go to an area where they can get in and then walk their way in.

The Hon. LYNDA VOLTZ: So if they are at the bottom of a steep terrain?

Mr HELLYER: Nine times out of 10 they would be dropped at the top.

The Hon. LYNDA VOLTZ: What would be the indicators for not sending fire crews into a fire situation? Where would you say is the riskiest situation not to send in a RAFT team?

Mr HELLYER: I would think it would be all to do with conditions at the time. The time of day, what they are expecting.

The Hon. LYNDA VOLTZ: What condition the trees are in, blowing red?

Mr HELLYER: They are normally used in the very early stages of the fire. They are not trying to contain a major bushfire. Normally it is a lightening strike or a small ground fire where they can get in, get tools on the ground quickly and get back out.

The Hon. LYNDA VOLTZ: So if you have steep terrain and an established fire you possibly would not send them into that?

Mr HELLYER: Definitely not.

The Hon. LYNDA VOLTZ: I have a couple of questions. In terms of the notification, the council was notified on the Saturday night. There is a RAFT team and a helicopter that is obviously there on the Saturday afternoon. Where in the Rural Fire Service would that decision have been made to get the helicopter and the RAFT team there?

Mr HELLYER: The initial callout would have gone to National Parks because it was their fire in their area. So they were running the fire at that stage. We were not at the fire at that stage.

The Hon. LYNDA VOLTZ: I understand that.

Mr HELLYER: They would have been the ones responsible for calling in RAFT teams if they thought on the ground that they required RAFT teams.

The Hon. LYNDA VOLTZ: Who would they contact to do that?

Mr HELLYER: I would think National Parks would go through their own set up if they are calling in their own guys. If they are calling in our blokes they would go through RFS.

The Hon. LYNDA VOLTZ: So the ones who turned up on the Saturday, were they RFS or were they—

Mr HELLYER: I do not know. I cannot answer that question.

The Hon. LYNDA VOLTZ: You do not know whether they were RFS. And there were two RFS people on the site on the day. How would they have been brought out?

Mr HELLYER: They were called out by the RFS.

The Hon. LYNDA VOLTZ: Would they then be required to notify somebody that they had been called out?

Mr HELLYER: Yes. They would have been either called out or they would have rung in and said they were on their way to the fire.

The Hon. LYNDA VOLTZ: Who would they notify?

Mr HELLYER: RFS fire control centre.

The Hon. LYNDA VOLTZ: Fire Control centre. The fire control centre would not then necessarily notify the captain—

Mr HELLYER: They should.

The Hon. LYNDA VOLTZ: —given that those brigades were fighting the fire.

Mr HELLYER: The captain would be the one calling in the brigade members.

The Hon. LYNDA VOLTZ: We had two RFS trucks on the Saturday and the fire captain—

Mr HELLYER: Because I have PMR in my house and I understand where and how it broke out, I heard the western crews, Keith Lambell and his crews that he was just at his fire shed and he called it in and he asked if those crews were required and they said yes. So he got his crew and off he went. The other crews, I do not know how they were not called in initially.

The Hon. LYNDA VOLTZ: If I happen to know there is a fire in the park and I know that there are crews there, and he will know the weather conditions?

Mr HELLYER: The fire captain himself?

The Hon. LYNDA VOLTZ: Yes.

Mr HELLYER: He will be on the ground.

The Hon. LYNDA VOLTZ: Yes. You raised the point that you knew there were westerly winds coming.

The Hon. Dr PETER PHELPS: I think there might be a misconception. Captains head the local truck, as opposed to a group captain.

The Hon. LYNDA VOLTZ: That is what I am asking about.

Mr HELLYER: Normally a group captain is called in where there are fire trucks involved, as a general rule of thumb.

The Hon. LYNDA VOLTZ: Because there are only two trucks, the fire control centre knows but the group captain does not.

Mr HELLYER: Yes. Then what should happen is that once fire control gets the message that there is a fire, it goes out to the relevant captain. In this case it was obviously National Parks, but if National Parks required extra Rural Fire Service people, the RFS fire control centre would then notify me to take my truck and my crew in to fight the fire. I would have been in charge of my crews but there would be a person above me on the fire ground.

The Hon. LYNDIA VOLTZ: But they did not notify anywhere else on the chain of command. Would there be a log somewhere and a big map that shows the fire?

Mr HELLYER: Yes, that all goes to head office in Sydney.

The Hon. LYNDIA VOLTZ: So head office in Sydney will know that there is a fire.

Mr HELLYER: Within a given period of—I am not sure what it was, but it was a very short period of the actual first call coming in, the RFS in Sydney would know because it comes up on the computer.

The Hon. LYNDIA VOLTZ: I think it was Michael who said "they" are not listening to the group captains. Who are they?

Mr BOWMAN: I am a deputy group captain.

The Hon. LYNDIA VOLTZ: Yes, but you said "they" are not listening to the group captains. You did not say who "they" were. I was not sure who you meant by that.

Mr BOWMAN: I am talking about the fire control centre, the paid staff. Is that what you are asking?

The Hon. LYNDIA VOLTZ: Yes, I was asking who they are. I just want to be clear: the fire commissioner has the right under a section 44 to decide that a fire may get out of control and to take control of that fire.

Mr HELLYER: He does, yes, and he will actually allocate the fire controller.

The Hon. LYNDIA VOLTZ: Right, yes. On the Saturday night there was a fire on the north side and everyone considered it a risk if that fire went to the south side. At that time of the Saturday night, if not by yourself but by some people, there must have been a belief that that situation was under control.

Mr HELLYER: Well into Sunday morning we had rung up and we were told that it was all under control.

The Hon. LYNDIA VOLTZ: And nobody's alarm bells were ringing about the—

Mr HELLYER: Ours were.

The Hon. LYNDIA VOLTZ: Right, about the extreme warning, the fire and the weather conditions.

Mr HELLYER: Ours were. Our group, we were brigading around the national park. What should have happened—let us take a backward step—

The Hon. LYNDIA VOLTZ: No, no, no. Sorry, I do not—

Mr HELLYER: Hang on. It should have come down through group captain to captains and then to every firefighter, and it did not. So we responded by—I knew there was a fire there. I notified our crews and put them all on standby. I notified all our landowners on that side that, with weather conditions tomorrow, the fire, if it got going, could come out and impact our brigade because we had a north-westerly then. We went up to the tower, we put maps out, and we located where the fire was and it was just obvious that it was going to hit us the next day. As the fire took off on Sunday it came straight at us. Even on Sunday we were not told of this fire.

The Hon. LYNDIA VOLTZ: Who is the next person up your chain that you would go to?

Mr HELLYER: At the time I was the captain of a brigade. I would go to Mike. We rang Mike and he had not been told of it, either.

The Hon. LYNDIA VOLTZ: This was a Sunday morning?

Mr HELLYER: This was the Saturday and going on into Sunday—yes, going into Sunday.

The Hon. LYNDIA VOLTZ: Michael, you said 25 hours you were notified.

Mr BOWMAN: It was at five o'clock on the Sunday afternoon before I received a group text message saying that there was a fire and it was out of control.

The Hon. LYNDIA VOLTZ: Peter, when you were worried, when did you go up to notify somebody?

Mr HELLYER: When did we notify anybody?

The Hon. LYNDIA VOLTZ: We know there is a fire on Saturday night. The Rural Fire Service knows there are brigades there.

Mr HELLYER: We were notifying our crews on Friday, my landowners.

The Hon. LYNDIA VOLTZ: What I am trying to get at is the chain of command. Let us put the National Parks and Wildlife Service in a box.

Mr HELLYER: Yes.

The Hon. LYNDIA VOLTZ: If I thought there was a problem I would go next up my chain of command to the leader of my party and say, "Look, this is a problem. We've got to fix it."

Mr HELLYER: Well, it was not a problem until it actually got out of control, was it?

The Hon. LYNDIA VOLTZ: So while it was in control it was not a problem?

Mr HELLYER: No, but we were still making plans for it.

The Hon. LYNDIA VOLTZ: It was only when the conditions changed that it became perceived as a problematic fire.

Mr BOWMAN: Yes.

CHAIR: Just for the sake of clarification, the witness did say that he had put his brigades on alert on the Friday.

Mr HELLYER: Sorry, Saturday.

CHAIR: I am sorry, Saturday.

The Hon. LYNDIA VOLTZ: Yes. But at that time it was a contained fire.

Mr HELLYER: We rang and asked fire control and they said right up until mid-morning—

The Hon. LYNDIA VOLTZ: Yes.

Mr HELLYER: —the last phone call we had with them was mid-morning and the fire was contained, but it was not behaving itself.

The Hon. LYNDIA VOLTZ: And your alarm bells rang when the conditions changed.

Mr HELLYER: My alarm bells were ringing the day before. That is why we were notifying our other people. That is why we were ringing up asking them and we kept getting told, "No, it's not a problem, it's not a problem". But we were sensing that there was going to be a problem. That is why I rang our next-door neighbours.

The Hon. LYNDIA VOLTZ: Sorry, but you did not ring Michael until five o'clock on Sunday afternoon.

Mr BOWMAN: No. My message at five o'clock on Sunday afternoon was from the fire control centre.

The Hon. Dr PETER PHELPS: That was a top-down message.

Mr BOWMAN: The chain of command is from the top down.

The Hon. LYNDA VOLTZ: I understand that, but when did you notify Michael that this may get out of control?

Mr HELLYER: We talked Sunday morning.

The Hon. LYNDA VOLTZ: Sunday morning you notified Michael it may get out of control.

Mr HELLYER: Yes.

The Hon. LYNDA VOLTZ: Can you then progress it up the chain if you think it appropriate? Because I think at 11 o'clock on Sunday the Rural Fire Service took control of the fire anyway, did they not?

The Hon. RICK COLLESS: No. A section 44 was declared.

Mr HELLYER: Yes, when the section 44 was declared.

Mr BOWMAN: At 7 o'clock on the Saturday evening one of my boys had found a message on an RFS website that said there was a fire in the Warrumbungles. I immediately rang the fire control centre and was told not to worry about it, that everything was under control.

The Hon. LYNDA VOLTZ: You were happy that it was contained at that point

Mr BOWMAN: Well, that was their message to me.

The Hon. GREG DONNELLY: I am sorry that I am going to be on the same theme, if you do not mind, for a moment.

CHAIR: That is okay.

The Hon. GREG DONNELLY: Thank you for your submission. Specifically, on page 9 over to page 10 of your submission you deal with the matter of the chain of command. I would like to continue, if I could for a moment, on the theme. I will just let you get to your submission at page 9.

Mr BOWMAN: I only go to page 6.

The Hon. LYNDA VOLTZ: Would you like a copy of your submission?

The Hon. GREG DONNELLY: This is your original submission from the Warrumbungle Fire Action Group and it is submission no. 14. Have you got that there?

Mr HELLYER: Yes.

The Hon. GREG DONNELLY: Part of what we are trying to tease out in this inquiry, which is proving to be a bit challenging, is: Are we looking at systemic problems that are manifest inside the organisation?

Mr BOWMAN: Are you sure that this is my submission?

The Hon. GREG DONNELLY: I am looking at submission no. 14, which is the Warrumbungle Fire Action Group.

Mr BOWMAN: I am sorry, that is not my submission. That is the Fire Action Group's submission.

The Hon. LYNDA VOLTZ: Right, sorry.

The Hon. GREG DONNELLY: I apologise. Do you have page 9?

The Hon. LYNDIA VOLTZ: That may be a question for someone else.

Mr BOWMAN: I have now got it, but that is the group's submission, not my submission.

The Hon. GREG DONNELLY: Yes. If I could put the National Parks and Wildlife Service aside for the moment, with regard to this event, are we looking at some systemic problem inside the Rural Fire Service in the way in which from a central location a matter is dealt with on the ground, or was there just a set of decisions and a unique set of circumstances which led to this tragedy that transpired over the course of the weekend? It is part of the struggle to try to tease out whether there are systemic issues or issues that are almost one-off and may never happen again, or a combination of both. That is what we are trying to understand here. In regards to your comments on page 9, you are pretty clear in your language, or at least I read it to be pretty clear, that there is some systemic problem of trying to have something on a local basis managed from a remote location, perhaps hundreds of kilometres away.

That being the case, the question is: What can be done? What concrete changes would need to be made? In other words, think of an awful scenario that this coming weekend you are faced with the same thing. What would be the concrete changes that would need to be made inside the Rural Fire Service to ensure that there was that much more rapid absorption of understanding of what were the issues, the magnitude of what was and ultimately turned out to be a catastrophic fire? How do you bring these things together so that you can source and utilise that local knowledge, insight and sense of things from that remote location? That is what we are trying to understand. At least for me, I am trying to understand how we can better bring the two together.

Mr BOWMAN: Could you ask me that question this afternoon in camera, please?

The Hon. GREG DONNELLY: Certainly I can do that. We understand that the fire commenced inside a national park. I ask you this question in regard to the National Parks and Wildlife Service involvement and the activities of the Rural Fire Service—and we are talking about that as an organisation from the top right through to the people on the ground who are fighting the fire—and the integration of those two organisations to ensure that there is a seamlessness in the way in which they operate in the context of a fire breaking out in a national park. Do you observe that changes are being made or have been made to ensure that there is a far more seamless interaction between the two? If the answer to the question is "no, not yet", what would you be suggesting needs to be done to bring about that seamlessness in terms of their operational capacity to deal with something like this?

Mr YOUNG: Mr Chairman, I think we need to discuss that in camera.

CHAIR: Yes, thank you.

The Hon. GREG DONNELLY: I am not having much luck here. For the moment I will pass to my colleague.

Dr MEHREEN FARUQI: Good afternoon and thank you for being here to provide evidence. I want to find out a little bit more about the local brigade captains and your involvement in not just the response to a fire but the planning of bushfire management. Do you have a role? Are you involved in the plans?

Mr HELLYER: We have a role within our own brigade—the captain, that is—but that is as far as our jurisdiction is. It is only in our group of properties or whatever the area is.

Dr MEHREEN FARUQI: How do you think that local knowledge is integrated or used in terms of fire prevention or planning for bushfire management?

Mr HELLYER: For one, I think there needs to be more local content by the incident management team [IMT]. When you have a controller that comes in who is obviously well trained and everything like that but has no idea of your area, we have to be able to have local people that can put points of view to him and to plan. Whether it is planning or whatever, it has to have local content in it at the very highest point right the way through, right down to the guys on the ground. We have a situation when it goes to a section 44 where they bring in task forces from everywhere else: great muscle, but no idea where they are. It is no problem in the flat

country where they are out in daylight. If you put an out-of-area crew in mountain country without any idea where they are, you turn them around once and you have got a problem.

There has to be a way of putting in local content, whether it is putting in a local brigade member or a local captain with that task force. They are working towards that way. We went to a fire in Muswellbrook last year and that is how it was fought. It was our muscle. I was in a task force then and went down there. We were given a team member from a local brigade and he was with us the whole day. He basically took us under his wing. He did not order us what to do. We still had our own responsibilities, but he told us where we were. He gave us that situational awareness. What they did then was they used local crews at night and left the other out-of-area crews to do the day work, and it worked brilliantly. But around here, we do not seem to be able to do that.

Dr MEHREEN FARUQI: Where do you think those changes would have to happen? In which agency would those changes have to happen?

Mr HELLYER: It has to come down from training and above. There is a regulation in the latest fire Act that says there is supposed to be local content in IMT. Nobody uses that here. It was in there before the section 44, but who was the local content? The local content, they can claim, can be the National Parks bloke, but the National Parks bloke does not know what is going on on the ground in our brigade area. Therefore, it has to be horses for courses. It has got to be a local captain working with those taskforces. It has to be local group captains who are working with those taskforces and running the divisional commanders. All the way through the system we have to have local content. Everywhere we have gone—we went down to Victoria and we have been all up the North Coast—anywhere you send a task force without any local content, they are like a pack of indians running around looking for somewhere to go because we do not know where to go. All we ask for when we get there is, "Give us somebody local." If we use their brain and our muscle, or the other way round when we are here, it can work, but nobody seems to want to do that.

Dr MEHREEN FARUQI: Yesterday we heard from a number of community members that there were some issues with communication at the time of the fire. I would like your view on that: what you heard, what you saw and how that could be improved.

Mr HELLYER: In the control of the fire?

Dr MEHREEN FARUQI: Just letting people know.

The Hon. LYNDIA VOLTZ: Notifying that the fire is a problem.

Mr HELLYER: The notifying of the fire?

Dr MEHREEN FARUQI: Yes.

Mr HELLYER: We are limited by the mobile phone these days, are we not, so wherever the mobile phone is is the limiting factor. We are now fighting half our fires with mobile phones and it is on the fire ground. It is great when you are in a good area, but the way it is out here it was a total disaster. The professional mobile radios [PMRs] were not working. The ultra-high frequency [UHF] does not work in the mountains where you are given a small area. Telephones were down a lot of the time and they will not even last a night's shift. You cannot rely on telephones to be your main source of firefighting.

Dr MEHREEN FARUQI: How do you think things could change for the next time around, God forbid this happens?

Mr HELLYER: I think we need a radio system that actually works. I think we need protection around that tower to make sure that it guarantees that it will work. We came that close to losing that system out on the road, and if the fire had hit that tower about here, as mentioned last night, a huge area would have been wiped off the map. What would happen to the rescue system then when all the police, all the ambulance officers, all the fireies and everybody were dead, with no mobile phones, no nothing. Technology has just got to improve.

Mr HENLEY: If I could make a comment on that. The RFS website for the general public during the fire was as good as useless—there was nothing on it. That could have been updated regularly, at least every hour, as there were a lot of people in the general public referring to the webpage continually. There was no

information on it at all. We were getting nothing on the fire line; there was nothing coming through anywhere. That would be one place where they could inform a lot of people very easily.

CHAIR: We are just about out of time, but please clarify PMR.

Mr HELLYER: It is the radio system we use in our fire trucks.

The Hon. GREG DONNELLY: One of the witnesses with some experience said last night that his understanding is that the RFS fireground radio system was not operative during this catastrophe. First, what is that radio system? Second, do you know if that was the case?

Mr HELLYER: We do not have fireground radio as such in our trucks at the moment.

The Hon. GREG DONNELLY: What is it?

Mr HELLYER: It is another radio system. I think it is a VHF radio system, but at this stage it is still being installed in our trucks. All new trucks, as they come out, have it in them. As I understand it, all trucks will have it.

The Hon. RICK COLLESS: What are your trucks fitted with currently?

Mr HELLYER: We have PMR and UHF. We also have a fireground radio system built into our PMRs.

The Hon. GREG DONNELLY: And your mobile phones.

Mr HELLYER: Yes.

The Hon. LYNDIA VOLTZ: No satellite phones?

Mr HELLYER: No, not in the fire system.

CHAIR: I will allow one more question.

The Hon. Dr PETER PHELPS: Mr Donnelly asked the question I wanted to ask about the availability of fireground. Presumably PMR is like strategic communications, fireground is operational communications and UHF is the tactical communications. The UHF is, "Bill, go over 50 yards". Fireground is, "Bring three more trucks." PMR is, "Bring everything in the district."

Mr HELLYER: Normally it is the level of command.

CHAIR: Thank you for agreeing to give us evidence. I suggest, because of the technical nature of your submission and allowing for the in-camera work, that there may be questions the Committee would like to ask. We would like you to undertake to answer those questions within 21 days of your receiving the questions.

(The witnesses withdrew)

CHRISTINE ALLARD, Director, Facilities & Services Division, Australian National University,

SARAH O'CALLAGHAN, Acting Site Operations Manager, Siding Spring Observatory, Australian National University, and

PETER VERWAYEN, Senior Technical Officer, Research School of Astronomy and Astrophysics, Australian National University, affirmed and examined:

MARK PRITCHARD, Engineering Technical Services Officer, Australian National University, sworn and examined:

CHAIR: Thank you for appearing before the Committee. If one of you would like to make a brief opening statement, please proceed.

Mrs ALLARD: I was not employed by the university at the time of the fires. I am present today as the ANU person who is responsible for all facilities at the university. The ANU has been the owner of the Siding Spring Observatory site since 1962 after negotiations with the previous owner, the Blackburn family. The Siding Spring Observatory is located on Mount Woorut, approximately 25 kilometres west of Coonabarabran bordering the eastern edge of the Warrumbungle National Park. The ANU landholding covers an area of approximately 151 hectares and includes the observatory precinct on the summit as well as steep slopes to the north and the south.

The observatory is home to a number of telescopes belonging to both local and international organisations. The site employs personnel from a number of organisations including staff to support the research and tourism endeavours through the maintenance of the site and associated facilities. On-site accommodation is provided through a number of stand-alone cottages and a lodge. Lessons learned from the 2003 fires in Canberra, which had a significant impact on the ANU's Mount Stromlo Observatory were applied to the Siding Spring site, and significant funds were invested into protecting the site. We believe the damage sustained by the Siding Spring site was lessened as a result of the strategies implemented from the findings of the Canberra fires.

The January 2013 fires destroyed the 19-bed lodge accommodation, the director's cottage, the campus maintenance sheds, the 11 kilometres of water pipeline from Timor Dam as well as four pumping stations. On-site water tanks and sewer and electricity reticulation systems also sustained damage. Damage to the environmental aspects of the site was also considerable. It is estimated that the damage was in the vicinity of \$10 million. The impact on the site was not building and infrastructure alone, and the fire had significant personal impacts on staff and those associated with the site. These impacts cannot be quantified and continue to have an impact today. Present today are Mark Pritchard, who looks after our fire requirements—he arrived on the site on Tuesday after the fires; Sarah O'Callaghan, who is our acting site manager; and Peter Verwayen, who lived on site at the time of the fires and continues to do so.

CHAIR: What is the normal complement of staff on the site during the day? Just a rough idea would be fine.

Ms O'CALLAGHAN: Anywhere from 15 to 30, depending on activities going on—how many visiting astronomers we have and things like that.

CHAIR: At the time of the fire, do you have an estimate of how many people were on site.

Mr VERWAYEN: I can tell you exactly. There were 18 people on site.

Mr SCOT MacDONALD: I will ask you about your key findings, which are very helpful. We have had a lot of commentary that at least the ANU has done a study and come up with findings. One of the issues was controlling public access. If I read your submission right, you were trying to deal with a situation that was escalating quickly and you still had sightseers and the public coming up the hill. What do you need to do to manage that in the future? Do you need power to control what is essentially a public road?

Mr PRITCHARD: We have always had an issue up there. The ANU does not have a gate to our property, so we rely on the boom gate at the bottom of the hill, on the corner of Timor Road and Observatory Road. It is a council-owned road. In our procedures we had a process where the last person out closes the boom gate, or if you require it to be closed urgently you get people down there early to close the boom gate. We have had some issues with the council in regard to the public road, so technically we cannot close the road. But in an

emergency I think we can override that by going through proper channels. We are looking at putting a gate inside our property, but it is a bit hard because there is not much of a turning circle at the top and we do not want people to go too far into our site. We need some type of fence or gate that we can close in an emergency. We will close it once in a blue moon but we still need to have it so if there is a problem we can close the site.

Mr SCOT MacDONALD: Do you have good linkages with the council so you could pick up the phone and say you need to stop the public coming up?

Mr PRITCHARD: I was in Canberra at the time so I do not know what the conversation was. I think it was basically, "Get people off the hill and the last person to close the gate."

Mr SCOT MacDONALD: But you still had members of the public coming up?

Mr PRITCHARD: That is what we had, yes.

Mr SCOT MacDONALD: Another key finding was you started to do work based on the Stromlo experience, but the current program bushfire preparation needs to be formalised and structured to manage the areas of highest risk on the site including the access road. Have you finished that work?

Mrs ALLARD: We have a bushfire management plan in place for Siding Spring Observatory. That was done in early 2013, just after the fires.

Mr SCOT MacDONALD: I got a sense—and tell me if I am wrong—that there had not been a bushfire incident for many, many years. It seems to be human nature that we slip into complacency and plans are shelved. How do we keep that fresh and relevant?

Mr PRITCHARD: We will be introducing a program of one-day maintenance and training. We now have a site-wide evacuation alarm system which we did not have before. We can now easily hit a button and evacuate the whole site, or make an alarm go off in the whole site so people can respond by going to an assembly area. We can then make a decision to stay on the hill or evacuate.

The Hon. Dr PETER PHELPS: A number of neighbours of national parks complain about the lack of consultation in relation to fire management plans. What was your relationship with National Parks prior to the fire and after the fire in relation to fire management plans and asset protection plans?

Mr PRITCHARD: I can answer that. We have had a very open relationship with National Parks. Prior to me being the site safety officer we had a person who engaged them quite regularly and developed the Castlereagh Bush Fire Management Plan in consultation with National Parks, RFS and ANU. That was from 2004 to 2008 and I do not believe anything has happened after 2008, we have not reviewed that, but I believe RFS think that that is a still-current document. I have got a copy of that here if you would like it.

The Hon. Dr PETER PHELPS: So there has been no update based on the experiences of the 2013 fire?

Mr PRITCHARD: Not that we are aware of in regards to plans but they have had ongoing burn-offs and hazard reductions around our area, on our sites.

The Hon. Dr PETER PHELPS: What about post-fire relations? Did you have demarcation fences for your boundaries?

Mr PRITCHARD: We did, yes.

The Hon. Dr PETER PHELPS: What was the relationship there with National Parks? Or did you just go to your insurers and say, "Our fence has burned down—

Mr PRITCHARD: Yes.

CHAIR: Are you able to table the current plan?

Mr PRITCHARD: Yes.

CHAIR: We will now move on to Mr Colless.

The Hon. RICK COLLESS: The trig station site that we visited yesterday, that is not open to the public normally, is it?

Ms O'CALLAGHAN: No, it is not.

The Hon. RICK COLLESS: Is that trig station used through periods of high fire danger as a fire observation tower?

Ms O'CALLAGHAN: Partly. That had best be answered by Peter.

Mr VERWAYEN: Immediately prior to the fire we were using it as a fire tower as such; we were doing hourly fire watches.

CHAIR: That was your organisation?

Mr VERWAYEN: Yes, we were doing hourly fire watches. We had been in consultation with the RFS during that period as well, so we had the contact details and everything available to us should we spot anything. We were doing hourly checks from not only the trig point but from every vantage point we had up at the observatory, and there are quite a few so we could survey quite a large area.

The Hon. RICK COLLESS: Being one of the higher mountains—I think it is the second-highest mountain in the Warrumbungles, is that correct?

Mr VERWAYEN: I think it is, yes.

The Hon. RICK COLLESS: You would have a very good overview of the whole of that park and forested area for quite some kilometres around the site?

Mr VERWAYEN: Yes, definitely—for up to 100 kilometres on a clear day.

The Hon. RICK COLLESS: Did anyone from the Rural Fire Service or the National Parks and Wildlife Service contact you directly about seeking access to that site as an observation tower at any time during the week preceding the fire?

Mr VERWAYEN: I am not sure.

Mr PRITCHARD: I was not aware of it.

Mr VERWAYEN: I am not aware. I was on-site, I was party to the meetings that we had with RFS leading up to the fire but I am not sure if the site manager at the time had any consultation regarding that.

The Hon. RICK COLLESS: If you received a request from the National Parks and Wildlife Service or the Rural Fire Service to use that trig station site as a fire monitoring tower during periods of high fire danger, would you accede to that request?

Mr PRITCHARD: Yes.

Mr VERWAYEN: Definitely.

The Hon. Dr PETER PHELPS: It would not interrupt your—

Mr PRITCHARD: No, not at all. We have now purchased a camera—the AAO and the ANU have purchased, as a joint venture, a camera and are gifting it to the shire council and the RFS so they can use that during bushfire season to do basically a 360-degree surveillance of the neighbouring country.

CHAIR: An infrared camera?

Mr PRITCHARD: No, just a normal optical camera.

The Hon. Dr PETER PHELPS: They are not that rich; they are a university.

The Hon. LYNDA VOLTZ: They could get more science funding.

CHAIR: Ms O'Callaghan, were you going to add something to that?

Ms O'CALLAGHAN: I was just going to explain about the bushfire camera.

The Hon. LYNDA VOLTZ: In regard to the lookout, you had someone keeping hourly checks. Was that for your own information? The fire was not posing any risk to you whatsoever—you knew the fire was there. According to your submission you say that the fire was not posing any threat to the campus.

Mr VERWAYEN: Basically, I was made aware of the fire on the Saturday morning at some time. I cannot exactly say what time that was. I thought I had a record of it—

CHAIR: Saturday morning.

Mr VERWAYEN: On Saturday morning I was made aware that there was a fire at the Wambelong Camp.

The Hon. LYNDA VOLTZ: So you were notified just about immediately that there was a fire, were you?

Mr VERWAYEN: Pretty much, yes.

The Hon. LYNDA VOLTZ: Who notified you?

Mr VERWAYEN: The RFS. From that point on we stepped up our watches to make sure that it remained where it was.

The Hon. LYNDA VOLTZ: Are you sure that was Saturday morning?

Mr VERWAYEN: Saturday morning, yes. Saturday the 12th.

The Hon. LYNDA VOLTZ: You might want to check your records and clarify that for us.

Mr VERWAYEN: Okay. At that point we made sure we stepped up the watches to keep an eye on what was happening. I am sorry; I have lost my train of thought.

The Hon. LYNDA VOLTZ: Then the wind changed and within minutes—

Mr VERWAYEN: That was on Sunday.

The Hon. LYNDA VOLTZ: So you were definitely notified Saturday morning?

Mr VERWAYEN: Yes, definitely on Saturday morning we were aware that there was a fire and we could see the smoke clearly from the tree point.

The Hon. LYNDA VOLTZ: There is no possibility it could have been Saturday afternoon?

Mr VERWAYEN: It is possible.

The Hon. LYNDA VOLTZ: You knew straightaway there was a fire; as soon as you were notified you could see the fire?

Mr VERWAYEN: Yes.

The Hon. LYNDIA VOLTZ: Would you say that it is the wind change that changed the nature of this fire?

Mr VERWAYEN: Absolutely, definitely, yes.

The Hon. LYNDIA VOLTZ: So within minutes travelling seven kilometres—was that five minutes, 10 minutes?

Mr VERWAYEN: We did our last check at 3.00 p.m. on the Sunday. I received notification at 4.00 p.m. to evacuate. At the time I was somewhat blasé about the message because I had seen the fire at 3.00 p.m. and thought that it was still a long way off. I walked out the back door of my cottage and realised the situation we were in. It was that quick.

The Hon. LYNDIA VOLTZ: How long would it have taken you to evacuate that site?

Mr VERWAYEN: About 45 minutes.

The Hon. LYNDIA VOLTZ: Yours is a public road up to the edge of your actual campus?

Mr VERWAYEN: Yes.

The Hon. LYNDIA VOLTZ: Then there is another public access road to get to that road. Is that the same one that goes through the park?

Mr VERWAYEN: Timor Road?

The Hon. LYNDIA VOLTZ: Yes.

Mr VERWAYEN: Yes.

The Hon. LYNDIA VOLTZ: If a fire closed Timor Road, that would negate the need to close your road as well, is that right?

Mr VERWAYEN: Yes, that is right.

The Hon. GREG DONNELLY: Thank you all for coming along today. On the second page of your submission leading up to "and evacuating from the fire", in the first paragraph you say, "In the previous week leading up to the fire the ANU and other stakeholders on the campus held several meetings to discuss evacuation procedures in the event of a fire at the observatory. One meeting was attended by"—there seems to be a space there.

Mr PRITCHARD: That was a name.

The Hon. GREG DONNELLY: By such and such, "zone manager". What was the context of having that meeting? Was that initiated by the Rural Fire Service because they were speculating it was hot weather and there was a need to start to talk about possibilities?

Mr PRITCHARD: I can answer part of it. Around Christmas, just after Christmas, the weather was getting quite hot and fairly good fire conditions we thought, so I notified the management of the university and we had the high-level discussions at the university and talked about operations for all of our remote sites that we have. Then we contacted individual campuses and said, "Be prepared. Make sure all your procedures and plans are in process". Then the site operations manager at the time would have got everybody together to make sure that they knew exactly what the procedures were in the event of an emergency. I believe at the time the operations manager then contacted the RFS to clarify and make sure that those procedures were going to be correct and they were the best for that time—seeking clarifications on what we already had in place.

The Hon. GREG DONNELLY: With respect to what you say, "already had in place", would these be an affirmation of your existing procedures and that they would be followed in the event of a fire?

Mr PRITCHARD: That is correct, yes.

The Hon. GREG DONNELLY: Forgive me, because I am not quite sure of the hierarchy of your fire service, but a zone manager, how high up the pecking order are they?

Mr PRITCHARD: I am not sure.

The Hon. GREG DONNELLY: In that paragraph it says, "held several meetings", but it was just one with the zone manager from the NSW Rural Fire Service?

Mr VERWAYEN: Yes, there was just the one with the zone manager.

The Hon. GREG DONNELLY: Were you involved in that?

Mr VERWAYEN: I was, yes.

The Hon. GREG DONNELLY: Can you explain to the Committee what got covered at that meeting—just generally?

Mr VERWAYEN: There were a number of things that were covered. The major issues revolved around the fire risk and our triggers for evacuation or other events such as closing the business centre, closing public access—as far as we were concerned, to close the business centre, to remove non-essential staff from the site. We were basically clarifying the trigger points at which we were to do these things. We were also clarifying with them when the fire risk was updated, what time; if the risk was triggered at midnight whether or not that came into force the following day or whether it came into force at midnight, so that we could basically time our evacuation if we needed to. Australian National University policy is to evacuate the site if the fire danger becomes catastrophic. That was our main concern for that weekend, that if the fire danger did reach catastrophic at what point we would evacuate the site.

The Hon. GREG DONNELLY: There would not necessarily need to be a fire per se, but if the register was that there was a catastrophic prediction that would be the trigger point for an evacuation?

Mr VERWAYEN: Yes, that is right.

The Hon. GREG DONNELLY: Was there any comment at that meeting about the fact that surrounding you was a large piece of land which was the National Parks and Wildlife Service and anything to do with a fire that might start in there did that get covered or discussed?

Mr VERWAYEN: No.

Dr MEHREEN FARUQI: It appears that ANU did have a quite well-rounded approach to fire preparedness and you worked with RFS as well as National Parks to conduct hazard reduction as well as annual internal assessments, which did mitigate quite a lot of loss that could have happened otherwise. In your view would you recommend similar approaches for other property owners? I am specifically talking about the communications tower where we have heard that there was an issue in terms of being prepared and not having done hazard reductions. Do you have a plan to publicise or talk to other people about how you managed and were prepared for the fire?

Mrs ALLARD: I do not think we have a plan for that. I do not have any problem with sharing the lessons learnt that we have from ANU and the fires and also the bushfire management plans and processes and procedures that we have in place. I certainly do not think the university would have any concerns and would, in fact, be happy to share those sorts of things.

Dr MEHREEN FARUQI: You said you had a number of interactions with both RFS and National Parks prior to the fire and there was a lot of communication. Were you satisfied with the level of communication in terms of getting messages about evacuation in the lead-up to the fire?

Mr PRITCHARD: I think we had the communication that we required at the time. Not being on the site, I cannot comment too much on what the conversations were like—that was the previous site operations manager. I am not exactly sure what was discussed and what information was passed on at those meetings or those communications. But I believe any time we have open communication with RFS; we can ring them up and

say we have got a problem or a spot fire. In summer this year over Christmas time the boys were actually fire spotting and reporting fires on our fire camera to RFS to make sure they knew where the fires were and we were just doing our observation. We do have that open communication with them.

Dr MEHREEN FARUQI: And the same with National Parks?

Ms O'CALLAGHAN: I haven't lived through a summer up here so we are starting to ramp that up. But we do communicate with National Parks. What it was like in the lead-up to the fire, I cannot comment.

CHAIR: I have a couple of questions. I did not check the other day when we were up there but I assume that where you are on the campus you have mobile phone reception fairly well?

Mrs ALLARD: Intermittent.

CHAIR: It is intermittent, is it?

The Hon. RICK COLLESS: It is a good place for a tower.

CHAIR: I was just thinking that.

Ms O'CALLAGHAN: It is surprising. The AAO has recently installed an Optus repeater—

CHAIR: Sorry, the AAO?

Ms O'CALLAGHAN: The Australian Astronomical Observatory. They have installed an Optus repeater which has improved Optus reception on the hill. The Telstra coverage is better but it is still patchy.

CHAIR: Problematic. It strikes me, from the point of view of the Warrumbungles and Coonabarabran and the residents along Timor Road, the one observable point is the large observatory dome. I wonder if there would be any value in considering whether—we have talked about communications, radio, telephone, et cetera. There are also visual communications. Do you have a navigation beacon on top of that tower?

Ms O'CALLAGHAN: No, and there is actually a no-fly zone established around the observatory because obviously the flashing light would interfere greatly with night observing.

CHAIR: Yes, of course. I wonder whether a strobe or flashing light right on the top of the dome during a fire emergency would be valuable for people for a hundred square kilometres.

Ms O'CALLAGHAN: Yes.

The Hon. GREG DONNELLY: I have one final question. Turning to the issue of the Rural Fire Service, in terms of association—by that I mean communication or meeting or engagement. With the Rural Fire Service people on the ground, in other words, the local brigades and the hierarchy within the Rural Fire Service in the locality, do you have engagement with them? Essentially, taking from what was in your submission dealing with the zone manager and perhaps higher, does the RFS locally work with you on an ongoing basis?

Ms O'CALLAGHAN: As our local brigade is the Timor brigade, yes we do. We actually have a truck at Siding Spring Observatory.

CHAIR: Another thing I did not pay a lot of attention to, because I was hanging on for dear life as the bus driver was getting us up there and coming back down the other day, is there are no turning areas before the campus. Once you leave the bottom at Timor Road, you cannot turn a vehicle around until you get to your campus, is that right?

Ms O'CALLAGHAN: That is correct. You can turn a vehicle around at Mercury, the big planet.

The Hon. LYNDIA VOLTZ: It is just after Jupiter.

CHAIR: It is a long way up to Jupiter. In any discussions you have had with any of the emergency services since the fire, the Rural Fire Service and/or the National Parks and Wildlife Service or anybody else

who was involved, have any plans been mooted whereby the observatory itself could be used as a fire spotting platform? In other words, has somebody asked you whether that could be done for the next time?

Mr PRITCHARD: Not that I am aware of, no, but we offered to purchase on their behalf the camera, but apart from that I am not sure.

CHAIR: I am just thinking how valuable aircraft are in fighting fires, with the right sort of equipment, that is, infrared. Even though there is a lot of smoke, the top of that observatory would also be a brilliant place from which to—

Mrs ALLARD: It is a key observation point.

CHAIR: We might make some recommendations along those lines. We would probably have to talk to the university about it but I am sure the university, being a good corporate citizen, would love to be involved.

Mrs ALLARD: Absolutely.

Mr SCOT MacDONALD: The ANU at Stromlo in 2003 and now this one in 2013, is the ANU comfortable about having these observatories in these conditions? I mean, \$10 million this time; I think Stromlo was in the hundreds of millions, from memory. Does the university have confidence in the systems we have here and whatever agencies?

CHAIR: Are you offering your back yard?

Mr SCOT MacDONALD: It is the only place without light pollution.

Mrs ALLARD: I think placing observatories is based on the best spaces and certainly the Siding Spring site is a great spot for an observatory. I think the university's view is that we need to have the processes and procedures in place, the relationships with the right sort of people, the communications and such in place or we will never eradicate a fire incident but it is mitigating the damage that could occur.

CHAIR: On that point, would you say that you are satisfied that your site is fire hardened now?

Mrs ALLARD: There has been a lot of work done specifically since the Canberra fires in 2003 to harden our site. I think there is some work that could be done on the entry to the site, particularly around the ability to open and close the road, some of the trees on the entry site to assist in that process. But we have done a lot of work. I think we have removed some 118 trees since the 2003 fire to harden the site and put a lot of protective procedures in place and elements to mitigate.

CHAIR: What sort of visitors do you think you have on average a year?

Ms O'CALLAGHAN: Probably around 10,000.

CHAIR: Do you get many visitors during the summer period, like Christmas holidays and that sort of thing or is the observatory closed?

Ms O'CALLAGHAN: The visitor centre is only closed on Christmas Day and Good Friday and any day with catastrophic fire conditions.

Mr PRITCHARD: It is now changed to severe.

Ms O'CALLAGHAN: And in severe fire conditions we will close the site to the public. Our busiest periods tend to be the Easter and September school holidays although this year the June-July school holidays were quite busy as well. My understanding is that the Christmas period is a bit quieter, possibly because it is so hot out here.

The Hon. Dr PETER PHELPS: In your 2004-08 management report I count roughly 20 proposed hazard reduction burns undertaken. Do you know how many of those 20 were actually undertaken? Could you take it on notice, because this only goes up to 2004-08? Do you have a schedule of proposed burns in the fire management areas around the university going forward?

Mr PRITCHARD: We do have a bushfire management plan. It has not identified the burns because it has just been burnt so it will be a number of years, probably 10 to 15, maybe 20 years before we need to start looking at that. It is only valid for five years. The next bushfire management plan will introduce a series of local burns to the area.

The Hon. Dr PETER PHELPS: Another thing I notice is that within the space of one kilometre or 1½ kilometres you have three different groups responsible for fire management; you have Parks and Wildlife on the western northern side, the RFS on the southern and eastern side and you guys basically take responsibility for the spine. Do you think that that is an efficient allocation of responsibility or do you think you should be given complete responsibility for the area around your facility?

Mr PRITCHARD: I guess we ultimately control the land we own and the neighbouring landholders are responsible for managing their land. We cannot spend money or do stuff on someone else's land without their permission.

The Hon. LYNDIA VOLTZ: When you met with the zone fire manager and you rang the Rural Fire Service about the conditions, did they have any view that there was a risk or did they explain to you that there was no need to take any action?

Mr VERWAYEN: They did not expressly mention any immediate threat at that time. They were quite adamant about our trigger points as far as the evacuations, as far as the fire dangers were concerned. They put a lot of stress on that to ensure that basically for our safety I suppose to make sure that we acted with enough time to get off the site should anything happen. Although they did not expressly say there is a risk of a fire this weekend, they did say you need to make sure you are prepared because this weather is terrible.

The Hon. LYNDIA VOLTZ: They did acknowledge that the weather was extreme.

Mr VERWAYEN: Yes.

The Hon. Dr PETER PHELPS: As follow-up to my question on notice, can you identify in which zones the hazard reduction burns took place, for example, your zone, the RFS zone, the Parks and Wildlife zone?

Mr PRITCHARD: Yes.

The Hon. RICK COLLESS: When you say that you removed a number of trees after 2003, were you required to obtain a permit under the Native Vegetation Act to remove those trees?

Mr PRITCHARD: That was before my time so I am not exactly sure what the process was to identify. We identified trees. I am not sure what the process was of cutting them down. I do have the plans here.

The Hon. RICK COLLESS: You might take that on notice, if you would not mind.

Mr PRITCHARD: Yes.

CHAIR: We are a couple of minutes ahead of time and I do not have any further questions. Thank you for giving us your time today. Obviously your facility was smack dab in the middle of it and it is by good management that you survived. Well done! There may be some questions on notice, although you have already taken a few questions on notice. We would ask that any replies to those questions on notice be returned to us 21 days after you receive them. The secretariat will take care of getting the questions accurately transcribed.

(The witnesses withdrew)

(Short adjournment)

LAWRENCE B. DAWSON, Private Citizen and Representative of BlazeAid, affirmed and examined:

CHAIR: I open the afternoon session of the hearing by first welcoming our witness, Mr Dawson. The before we proceed to questions, would you like to make a brief opening statement?

Mr DAWSON: I would appreciate the opportunity, and thank you very much for the opportunity to appear before the Committee. Further to my written submission, I seek leave to make a short statement. From the outset I acknowledge that I have no formal qualification in psychology or psychiatric diagnosis. However, I have experience spanning some 40 years as variously a lay relieving pastor of a church, a youth worker, a chaplain to Vietnam veterans and service organisations, apart from all the management experience I have had as managing director of my own companies and private businesses. I served earlier as an Army officer, attaining the rank of captain on active service in South Vietnam, commanding some 50 men. As a result of this military service I have been diagnosed with post-traumatic stress disorder [PTSD] and receive a Department of Veterans' Affairs [DVA] pension as a result.

I have led two BlazeAid deployments as a volunteer coordinator, one with flood and one with fire, totalling some 12 months all-up. My qualifications to recognise and comment on an adverse psychological effect are therefore experientially based and subjective, but I maintain it is nevertheless valid. I believe the observations I can bring will add to the evidence of local medical and professional social workers concerning psychological problems in the community. During the first few weeks following the fire, I interviewed dozens of individuals and families. I endeavoured to determine priorities for the BlazeAid effort. These interviews mostly took place informally over a cup of tea at a kitchen table or standing in a burnt-out paddock. A common feature of these interviews was the raw emotional state of the affected individuals and the honesty they displayed as they bared their souls to me. As the months passed I have been able to observe the ongoing frustration and stress placed upon them as they struggled to deal with the bureaucratic processes required, particularly by the National Parks and Wildlife Service, when seeking fence reinstatement.

Sadly, the community attitude has hardened towards the National Parks and Wildlife Service, specifically, and our government institutions generally, who are perceived to have denied them basic justice and failed to redress in a timely manner the wrongs inflicted upon them. Expressions of anger, frustration, helplessness and despair are common. Symptoms of depression can be observed in many, with some withdrawing from community activities. I spent many years as a volunteer firefighter with the Country Fire Authority in Victoria, including as a lieutenant, spending some five days fighting and blacking-out the Ash Wednesday fires some 30-odd years ago, so I have some experience with firefighting as well. The local community looks to you to recommend the wrongs be righted and that just compensation be made for losses caused directly by the failure of a government department. Thank you. I am open to any questions you may have of me.

CHAIR: Thank you. I think we have allowed only about half an hour for individual witnesses. What I will do is start with Dr Faruqi and we will try to get around all the members, if we can, with one question each.

Dr MEHREEN FARUQI: Good afternoon, Mr Dawson, and thank you very much for appearing before the Committee.

Mr DAWSON: It is my privilege.

Dr MEHREEN FARUQI: In your submission you stated that only 14 of 46 properties had agreed to the National Parks and Wildlife Service conditions regarding rebuilding their offences. Could you tell us what specifically was in the conditions that people did not agree to?

Mr DAWSON: The inequality of the onuses put upon them to construct a fence in a certain time; the clearance of the fence line; the fact that they are being required to be responsible; signing off and saying "I am responsible for the maintenance of this fence", but they have no authority over the conditions under which the fence can be maintained. In other words, they cannot say, "The trees have got to be cleared back so far." If a tree is standing over the fence line, why should they be held responsible? This is inequitable. It is not fair.

Dr MEHREEN FARUQI: Have you made any recommendations to the National Parks and Wildlife Service?

Mr DAWSON: I have, on behalf of people. I heard so many people so hurt and so complaining about this problem that I put pen to paper and wrote to the National Parks and Wildlife Service, to which I got a pretty standard, bureaucratic reply, which I think is in my submission anyway—the letter I wrote concerning all the conditions that they were being put under—so I have done that, but nothing much has come out of that.

Dr MEHREEN FARUQI: As I understand it from the National Parks and Wildlife Service, they have changed their forms for fence rebuilding. Are you aware of that?

Mr DAWSON: The form?

Dr MEHREEN FARUQI: Yes, the conditions.

Mr DAWSON: I certainly am, yes. In fact they amended that after a while to state that maybe now we can have 10 metres clearance from the fence line. But I have also put in my submission a copy of the Canobolas agreement that says it would be very sensible to have 60 metres clear, either side of the fence line, which would be practical.

Dr MEHREEN FARUQI: Mr Dawson, what is the state of fence rebuilding now, to your knowledge?

Mr DAWSON: A lot of it has been stalled (a) because we did quite a bit at the time with the materials and money that was available, but individual property owners do not have the capacity—particularly after last years of drought, et cetera—to put a lot of money into fencing. BlazeAid is not operating here as a volunteer organisation for fencing. We only had a limited time and that was seven months or something that we put in.

The Hon. GREG DONNELLY: Mr Dawson, can I ask you this question: From today, if you are able to ask someone at the most senior level from the National Parks and Wildlife Service to do something specific to address what I would broadly call outstanding issues that you identify and have commented on in your submission, what would you be asking that senior representative to do? In other words, what can that department do now from the highest level to address what is outstanding and to resolve the issues that still are there and need to be addressed?

Mr DAWSON: I think under the Rural Fires Act and the National Parks plan of management, they should accept liability for the fences that have been destroyed and say, "We will replace the whole lot", which they can under the right which I have referred to in my submission. They should accept responsibility for that and replace the fence completely and they should institute the Canobolas model, which says there will be clearing around the fence line—and a proper clearing. That is what I would ask them to do—what is practical.

The Hon. GREG DONNELLY: My next question I will make just half a question, so that there are not two. What is their current position? Are they simply saying nothing and sitting pat, or are they doing something? What is your understanding?

Mr DAWSON: As far as I understand, they are just stalling and letting it all just quieten down and go away, which happens to be a normal bureaucratic response.

The Hon. LYNDA VOLTZ: You have had a lot of experience in these kinds of tragedies that create a lot of grief. There seems to be a lot of initial response quite often to people in these tragic situations when they are not really thinking clearly and quite often problems come later down the track that people have not thought about. People can be just as grieving today as they could have been 18 months ago, and while the rest of the community has moved on, their day-to-day situation makes the grief ongoing. Are there better ways of dealing with the way that aid is delivered to people in the way that you deal with the grief, both initially and maybe later on when their grief may be more focused rather than it was initially?

Mr DAWSON: I do not know the answer to that completely, but I can give a personal experience. It took 20 years after Vietnam for post-traumatic stress disorder to hit me, and it hit like a train. It took 20 years and it came out of left field. These things are not easy to deal with and I do not know that you can totally deal with them. One lady just this morning said to me that after last night she tossed and turned all night because it was all going back over it. Somebody else did not come in because they did not want to scratch the scab. These are the things that happen. There will be ongoing psychological impacts from this fire that go on for many, many, many years—many years indeed—which is incredibly sad, but that is the reality.

The Hon. LYNDIA VOLTZ: And quite often with post-traumatic stress disorder, it is other things that set off the recollections.

Mr DAWSON: Yes.

The Hon. LYNDIA VOLTZ: Just a certain smell, a certain incident of distress.

Mr DAWSON: There are as many triggers as there are human beings, I believe, because we are all predisposed to be affected differently to different situations. Some are not affected, or their affectedness is under control—put it that way.

The Hon. LYNDIA VOLTZ: Do you think we need better education, maybe for whole communities, about these ongoing issues so that they understand why people may be upset about things that they do not understand why they are still anxious about?

Mr DAWSON: We certainly need to be aware of it. As communities, we need to have those who are involved with the social work aspect that are aware of the history and the background with individuals and just see it happening when it happens. The individual when it is occurring to him, he does not understand why. He thinks suddenly that he has gone crazy or there is a moral failure on his part that he cannot cope with what he normally could cope with. But that is not the reality. The reality is that something is happening. It is the way our brains work. Nobody really understands it completely yet.

The Hon. RICK COLLESS: Mr Dawson, I go back to vegetation clearance along fence lines. This issue has come up quite regularly in the Parliament when we discuss a raft of legislation that impacts on the environment. There has been discussion about how wide clearance should be. What is your view on that? You mentioned the Canobolas model and it suggests 60 metres, and national parks say they cannot afford to keep 10 metres cleared.

Mr DAWSON: They should not have the property in that case.

The Hon. RICK COLLESS: I would like to know what you would recommend. Should it be 10 metres or to the height of the adjacent standing timber so you do not get trees falling across the fence line? Could it be a lesser amount plus a lop-in operation where you remove anything within a 45 degree angle of the fence because it will fall over the fence?

Mr DAWSON: That is outside of my real expertise, but whatever it is it has to be effective. That is the answer. I accept that nothing stops a wildfire like that. Having gone through Ash Wednesday and nearly been burnt to death, I understand you can have 60 metres and a wildfire will go over it by 500 metres.

The Hon. Dr PETER PHELPS: As we saw at Glenmore.

Mr DAWSON: Nothing stops that. We are not talking about something that stops a wildfire.

The Hon. RICK COLLESS: I am not suggesting that as a firebreak.

Mr DAWSON: It has to be practical and effective, something you can control. If you cannot get the fire truck along there to cut out the grass fire without the crowning fire cooking you—

The Hon. RICK COLLESS: Under low-light conditions, too, which means you have to have more clearance on the truck.

Mr DAWSON: Absolutely, otherwise you cook.

Mr SCOT MacDONALD: Without BlazeAid, how much of the boundary fence would have been replaced by now? I know you cannot be definitive, but what is your instinct?

Mr DAWSON: I would say very little. I cannot give a specific amount.

Mr SCOT MacDONALD: Is the reason that people were not in the right state of mind?

Mr DAWSON: Not so much state of mind as the capacity to do the job, financially and labour-wise. They just did not have the capacity.

Mr SCOT MacDONALD: BlazeAid is a Victorian group. What would happen if it disappeared and we had this again?

Mr DAWSON: It is not Victorian. We operate in nearly every State now. You would have to ask those who were recipients of BlazeAid's efforts. I can say that most of them have been extraordinarily appreciative of what so many volunteers have contributed.

Mr SCOT MacDONALD: To stress that, it is an entirely voluntary organisation?

Mr DAWSON: Totally, from top to bottom, not 1¢ is paid to any individual.

Mr SCOT MacDONALD: I think that I heard in March last year, or thereabouts, there was a thank-you barbecue. Was BlazeAid appropriately recognised and thanked?

Mr DAWSON: We were there. We were asked to attend. Yes, I believe so. We do not do it for the fuss that is made of us.

Mr SCOT MacDONALD: Did you get enough resources, such as fence-straining gear or whatever else you needed, to do that work?

Mr DAWSON: Always need more, but there was an incredible response locally by individuals who contributed financially. I was inundated with equipment—fencing materials and things like that. Lions Club contributed over \$100,000 that we distributed as fencing material. There was a tremendous effort. The local community, I believe, performed remarkably well. They are a model for the way a community could and should behave in the face of such an event.

Mr SCOT MacDONALD: We were told yesterday that the arrangement has changed in response to some feedback. From your experience—and you were out there within the week—could it be modified again, given the state of mind of people? Do you think there could be an interim agreement? You could tell a body like parks and wildlife what you think you need before you have had a chance to walk the boundaries totally and then come back after a period and say you were short in your estimates.

Mr DAWSON: It was not so much the length of fencing that was the issue. It was the stipulation on the property owner that he had to meet certain guidelines and do it within six months et cetera. He also had to sign on the line and say, "I am now liable for this fence." Unless you took that onerous condition away from him, why should he sign? I would not. I am not going to sign for responsibility for something I have no authority over. That is what rankled so many people. They saw their leaders imposing upon them a condition that was onerous and unconscionable.

Mr SCOT MacDONALD: Was time the big issue?

Mr DAWSON: No, the real issue was being signed up to a condition that you had no control over.

Mr SCOT MacDONALD: Which specific condition?

Mr DAWSON: The condition of maintenance of a fence. At one stage it was only a four-metre clearance. The other one was that all the spoil that came off when the line was cleared had to go on to the property-owner's side, and yet the legislation maintains that it is the property of National Parks and Wildlife Services. You had no say over it; it was on your side of the property regardless.

Mr SCOT MacDONALD: Did landholders feel pressure to have almost pristine boundary fences? It was the pressure of completing it to the satisfaction of parks and wildlife?

Mr DAWSON: Not necessarily. I do not believe that was the issue. Why did they not sign up? They did not sign up because it was not fair. If a smart solicitor had advised them, he would have said, "Do not sign this document. It is not fair to sign it."

Mr SCOT MacDONALD: From the perspective of parks and wildlife's insurance, as I understand it, they have to get in a claim within 12 months. I see some imperative to get the ball rolling on the claim, but you think it was too rigid in the early stage?

Mr DAWSON: Yes. Why did parks and wildlife not accept full liability and responsibility for the fence? In their legislation it says they can. If they have not cleared within six metres of the boundary and the fire comes from their side, they can be held liable for the full reinstatement of the fence line.

Mr SCOT MacDONALD: Do you think the old arrangement, where parks and wildlife provided 50 per cent as material and the property owner provided their half as labour, was too onerous in these circumstances?

Mr DAWSON: Yes, I do, because parks and wildlife were responsible for the fire. It came from their side.

Mr SCOT MacDONALD: Can you remind the Committee how many kilometres BlazeAid did?

Mr DAWSON: It was 200-and-something kilometres of new fencing and almost the same amount of repair and correction.

CHAIR: How many volunteers variously across that time?

Mr DAWSON: There were 600-odd. Some were only for a few days; some stayed for months.

CHAIR: Would you suggest that just the presence of an organisation like BlazeAid would have contributed to the mental and social welfare of the community?

Mr DAWSON: I would not like to put a percentage to it but it certainly had an effect. I have spoken to individuals where I thought if I did not get a team out to them tomorrow they might not be there tomorrow. I would say, "We have some guys spare and we will send them out to get started." Women came to me crying and saying, "You have to help us get some fence lines." I would say, "I have not seen your husband." "No, he does not want to get out of bed." Some men said it had taken them 40 years to build up their farms and they did not have it in them to redo things when they lost them. They needed somebody to come along and start doing something. We had people coming along and saying they wanted to counsel people. I would say, "Go and counsel them if you like, but let us do something. You can counsel them, but they need something done."

The Hon. GREG DONNELLY: What is the piece of legislation you are referring to about the fences?

Mr SCOT MacDONALD: The Dividing Fences Act.

Mr DAWSON: I believe they have included that in the submission. You will find it in the Warrumbungle National Park's plan of management. The boundary fencing policy is under the Rural Fires Act as well.

The Hon. Dr PETER PHELPS: It is the boundary fencing policy that you are referring to.

CHAIR: Mr Dawson, are you local to the area?

Mr DAWSON: I come from Victoria, but I seem to be spending most of my time here now. I am virtually a local; not 100 per cent but 95 per cent at this stage.

CHAIR: I thank you on behalf of the Committee.

Mr DAWSON: I am just a representative of all those wonderful volunteers. They have been great.

(The witness withdrew)

JOHN ALFRED THRING, Individual, sworn and examined:

CHAIR: Mr Thring, I notice your submission is submission number one, so you got in early. Would you like to make an opening statement?

Mr THRING: I would like to explain who I am. I thought you would have a map of the fireground and I chased around this morning trying to find one.

The Hon. Dr PETER PHELPS: We have been given a number of maps of the fireground.

Mr THRING: I have these maps from the information centre. The patch at the north of the park is my place. I have a few copies that can be passed around.

CHAIR: That is okay. You are pretty much surrounded on three sides.

Mr THRING: Yes, I copped the lot, I can tell you.

CHAIR: Is that what is called an inholding?

Mr THRING: I think that map would be out of proportion but that yellow part would be in the vicinity of 50,000 hectares and my place is 1,100. Going back to Saturday the 12th, I recall I worked at a friend's place at Gunnedah that day. I left there at probably 4 o'clock and I remember a stormfront was coming through from the west; I was not heading into it. I just recall spectacular lightning strikes but there was very little rain. I got home okay, did not think anymore about it and Sunday the 13th I got up and I remember looking out and there was a column of smoke in the distance. To the best of my knowledge it would have been in the Goonoo Forest and as the morning wore on it was obviously in the park.

The park manager owns a property just beyond the creek, so I rang there and his daughter answered the phone and, yes, there was a fire in the park and dad was duly in there supposedly controlling things. As the day wore on one of my neighbours stopped by who had an agistment at my place—that would have been early in the afternoon—and he said, "The wind is going to change. We'll try and bring the cattle back". Bear in mind it is a hot day and when we got out there the cattle were not going to go anywhere. So he was getting in a panic. We went back to the house—the house is at the very front—and we just left all the gates open. He went home then. At that time I was not concerned at all.

Later in the afternoon a friend of mine from Bingara rings me up and he is watching the events on the internet. He said, "Do you know you've got a fire there?" I said, "Yes". He started telling me what was going to happen and I thought, "This is great". The national park has copped a fair sort of a hiding but would you not think the RFS would have had some means of communicating? There are only about eight or so people in the valley they needed to have called. We do have a brigade at Bugaldie and they have got all this flash gear. As time has rolled by everyone has gotten old like me so we do not have numbers. I had to ask my friend to go away and at that time there is a knock on the door and a chap from Baradine is standing there and he says to me, "Come on, get out". I thought, "Goodness me. I have to make some quick decisions".

I have a tanker trailer; they are difficult to put on on your own—you cannot move them because they are so heavy. There is a shed up the top of my place and I got him to help me put the tanker trailer on, got back to the house and I grabbed a few personal things and a change of clothes and he left. So I am thinking then what to do. At that time I still was not in a panic. The general rule is you either stay or get out. I thought, "Bugger it, I've worked hard for this place". I grew up in Sydney; I have an engineering trade and I spent years working 12-hour days and I thought, "I'm buggered if I'm going to let it all burn".

CHAIR: What sort of engineering trade?

Mr THRING: I am actually a toolmaker.

CHAIR: Good bloke.

Mr THRING: I am not now because I do not have a trailer.

CHAIR: There are not many toolmakers around anymore either.

Mr THRING: Everything is shut down. I started my own business and I have a you-beaut workshop—I have got all my machinery, lathes, milling machines and what have you.

CHAIR: On the property?

Mr THRING: Yes. So there is another concern for me. I shut the house up and, I must confess, I left the front door open. I stood in the lounge room and watched the fire go by. I have got a Google map here. I will leave all this with you for your perusal. The house is up here and you look at the little note there, the observatory is back here somewhere. The fire jumped the observatory and it rushed down through this area here. Around my house is all very cleared and I still was not concerned. The interesting thing was that the smoke did not go up in the air; the fire would have been 200 or 300 yards away and I could not actually see the flames; the smoke was just horizontal, everything was horizontal.

CHAIR: Was the fire to the east of you at that stage?

Mr THRING: It was ripping through at a huge rate of knots. I spoke to another neighbour yesterday; they did not see the fire coming, they heard it. I was inside and I cannot say I did that. The fire front had passed so it was supposedly safe to walk out then. I had fire brigade overalls on and I just put a baseball cap on—she'll be right—and when I walked outside, goodness me, the wind was blowing like you would not believe, and the heat. As things turned out, it blew my hat off. My house sits on what we call stumps—they are wooden piers—and all my piers were on fire. I cannot say I panicked; I was just shocked. I rushed back into the laundry and grabbed two buckets. I got one bucket filling and I rushed away and hurled it on the stumps while the other one was filling. I was just running backwards and forwards. This went on for goodness knows how long. I have got a selection of photos. My son and two of my grandchildren came up the next day and they have taken all these. I will leave them with you and you can peruse at your own leisure.

CHAIR: We can arrange to have them copied and returned to you.

Photographs tabled.

Mr THRING: Okay. There is where the stumps were burning. It is hard to believe that that could happen. At any rate, I suppose I was doing that for about an hour and started to get things under control. The workshop is fairly safe in that I do not have any gutters on it. Normally in this situation embers will fall on the roof, they roll down into the gutter and then the fire starts burning underneath the roof.

CHAIR: It is a Zinalume building, is it? A corrugated iron building?

Mr THRING: The shed is but the house is not; the house is all timber. That was plan A. You have got to have a plan A, B and C. I knew that if I got into all sorts of trouble I could get into the workshop. The front went through about 5 p.m. I checked out the workshop as soon as I had the opportunity. My main problem with the workshop was throwing rubbish on the ground, so there were bits of timber and plastic poly and things like that burning. At that time I started to look around and the fire had passed through the western side and I did not even see it. From where the fire started it had burned in an easterly direction and when the wind changed the flank became the front so that it completely wiped out the valley plus the next valley down we call Goriannawal.

From there I just concentrated on the house, the workshop. I noticed that the fire was coming down over the hill behind the house and the stockyards were on fire. My stockyards were all timber; I did not go there. The woolshed was on fire. Then I started up my ute. I had put my ute behind the workshop just to protect it from that wind I talked about. So I brought my ute around; I tried to put the woolshed out but the tank just ran out of water. I said, "Right, I'm out of this" and I took my ute back where it was protected again from the wind. I have got a little four-wheel-drive farm ute and I got it out and I started to try and get other things out. Goodness me, to see the shed go up you just would not believe—it took minutes. The fire was actually going up under the roof and my hair was on fire.

The rest of the night I kept patrolling basically to get the house secure and the workshop secure. I saved my little ute I talked about and one of my tractors. The workshop is okay—when I say the workshop is okay, it would have been about 9 o'clock in the night and everything is pitch dark. I should point out that I was able to contact my son—the phone was still working. I rang my son—he lives at Muswellbrook—and I told him I was

planning to stay and what the situation was. In the meantime the exchange burnt out; I do not know what damage happened to the phone. All the power poles burnt off. To illustrate: that is a strainer post. I was talking about the wind—the wind is blowing embers along the ground and that happened to all the power poles and, of course, the power is off. Essential Energy had all the power back on within a week. Congratulations and thanks for that. That was just incredible. If you could have seen the mess, there were wires on the ground everywhere, and crash, bang, wallop—that was fixed. The phone was back on within a week.

The other point I wanted to raise was getting finished with the matter. I had been rolling along nicely and sort of put it behind me and then this inquiry is happening. You start reliving the fear and getting angry again. It has just got to get a finish to the matter. I am upset that the Coroner's inquest has been cut in two. I do not know anything about the law, but I cannot see that the second week, we just follow on. If we can just get on with life now, accept what has happened, and be prepared. It is going to happen again. Something has to be legislated so that we keep small fires small. Any questions?

CHAIR: We are out of time. Normally what we do in these circumstances is, if members have some questions, they will put them on notice and the secretariat will send them to you. Maybe you can take time and answer those specific questions.

Mr THRING: Hold on, we are telephone friends now anyway.

CHAIR: Good. If you could leave us with some of those documents.

Mr THRING: I will leave you all of that.

CHAIR: Great.

Mr THRING: I have actually got a report that was compiled by a timber cutter.

CHAIR: Okay.

Mr THRING: I said I do engineering work. I used to repair machinery for the timber cutters. This chap had a contract supplying poles for vineyards. You see those poles that they set the trellises up on. He was trying to keep his business going, but he compiled that report. His name and email address are there.

CHAIR: Would he be happy for you to table that on his behalf today?

Mr THRING: Yes. All of that there, you are welcome to.

Documents tabled.

CHAIR: Thank you. That's great, John.

Mr THRING: That is a Google map. The young ones did it for me. I cannot use a computer.

CHAIR: That is okay. You have done pretty well. Thank you very much for coming and talking to us.

Mr THRING: Thank you for listening.

CHAIR: I understand this raises feelings again, but at the end of the day we want to try to make sure we get something out of it all, John. Thank you for your time. If there are any questions, the secretariat will send them to you. Ladies and gentlemen, we have finished the open hearings for today. We will proceed to take evidence in camera and we have some business to attend to. I am not being rude to any of you, but I ask that you clear the hall so that we can take evidence in camera. Thank you very much for attending. Thank you for your support and for your help.

(The witness withdrew)

(Evidence continued in camera)