

## Executive summary

The Wambelong fire broke out in the Warrumbungle National Park near Coonabarabran on 12 January 2013 and burned out of control from around 1.00 pm the following day. Referred to by many as a ‘wildfire’ or ‘megafire’, it burned for 41 days across national park land, private property and other Crown land. While no lives were lost, over 56,000 hectares were scorched; over 95 per cent of the national park was burned; 56 homes were lost; and there were 28 injuries to fire fighters. This inquiry commenced in response to concerns among numerous members of the Coonabarabran and surrounding community that the fire could have been prevented, and that a more effective early response would have contained it and mitigated the desolation that followed.

The committee’s conclusions and 29 recommendations were informed by the invaluable oral and written evidence of a range of stakeholders including many local land owners whose properties were lost, numerous fire fighters, along with representatives of the NSW National Parks and Wildlife Service (NPWS) which initially led the fire response, and the NSW Rural Fire Service (RFS) which took charge of the fire around 11 am Sunday 13 January via a declaration under section 44 of the *Rural Fires Act 1997*.

The committee’s recommendations are focused on improving legislation, policy and fire operations, so as to ensure better prevention of and responses to bush fires in New South Wales. They relate to several broad areas: fire hazard reduction to mitigate the risk of bush fires; early responses to outbreaks by fire fighting authorities; subsequent management of the fire response; and recovery after the fire. The report’s most important recommendations are explained below.

The committee recommends that as a matter of urgency, the interim arrangements established after the Wambelong fire for management of the initial response to bush fires be codified by amending the *Rural Fires Act*. The interim arrangements clarified that the RFS or Fire and Rescue NSW have ultimate responsibility for all bush fires regardless of tenure, are responsible for the appointment of incident controllers, and for keeping the public informed.

The committee was alarmed by participants’ descriptions of the high fuel load in the Warrumbungle National Park prior to the fire, and reports that parts of the park had not been burned in several decades. We believe that a greater effort is needed to systematically reduce fuel loads across the state, and recommend that the NSW Government commit to and fund a long term program of prescribed burning based on the recommendation of the 2009 Victorian Bushfires Royal Commission for an annual rolling target of a minimum of five per cent of public land per year. The government should also commit to extending the funding for the NPWS five year hazard reduction program past 2016.

It is self evident that it is so much better to put a fire out early or to contain it, than for it to turn into a fire storm. Enabling substantial fire fighting resources to be released early (prior to a section 44 declaration) will save a great deal of resources and potential damage. Recommendation 15 is that the NSW Government consider enabling the default position during catastrophic and extreme fire danger periods to be the same as for section 44 fires, so that fire control centres have the same resources and systems ready to deploy should a fire break out. This will ensure more timely and effective responses to bush fire outbreaks.

The committee was very concerned by allegations from numerous volunteer fire fighters that they were not afforded sufficient respect and autonomy during the Wambelong fire, and that this reflects a

broader trend also apparent in other areas of the state. That this issue was also raised by people in leadership roles in the Coonabarabran community suggested that it is a cause for real concern. It was clear that at times this lack of respect undermined the effectiveness of the Wambelong fire response.

Thus in **recommendation 17** the committee has set out a number of strategies to build greater respect for volunteers into the practices, procedures and culture of the RFS. These include that the RFS: examine its operational plans to provide for use of local fire fighting volunteers' knowledge at every level of the chain of command; require a local fire fighter to be stationed in every command vehicle where possible; ensure that every out of area crew includes at least one local fire fighter; and require officers to engage more effectively and regularly with volunteers during the periods between fires.

The committee is sympathetic to the view of many participants that protecting land owners' homesteads seems to have overshadowed protecting other assets, and indeed the desire of land owners to instruct crews on what assets they would prefer to see protected. Hence the committee has recommended that the RFS reassess the protection of pastoral assets during bush fires to ensure that priority is not simply afforded to the homestead, and that land owners are, within reason, able to request which of their own assets are to be protected.

The communications technologies used during the Wambelong fire appear to have been unnecessarily complex, duplicative and unreliable. We were very troubled to hear that they impeded the Wambelong fire response by affecting crews' ability to communicate with fire control and each other, and placed fire fighters at risk. Thus, the committee has recommended that the Minister for Police and Emergency Services review all fire authorities' communications technologies to ensure that they are standardised and effective. As part of this, the value of satellite phone technology should be investigated.

In respect of recovery after the fire, the committee noted the massive financial and emotional impact that the Wambelong fire had on the many individuals whose properties were burned. We appreciate that the government's public liability scheme arrangements require that the government's legal liability for the losses incurred be established, and we accept that this will occur via a legal process. However, we underscore the immense strain that the length of the process and its adversarial nature are placing on those who intend to make a claim. It is already two years since the fire and people are still faced with the uncertainty of whether they will be duly compensated for their losses. They continue to suffer emotionally, financially, and in their community relationships. Hence the committee has recommended that the government take all reasonable steps to expedite the process of establishing any legal liability for losses incurred by property owners as a result of the fire, and in the event that it is found liable, to expedite the process of paying compensation claims.

The wellbeing of those affected by the Wambelong fire is of critical importance to the committee. When we visited Coonabarabran we witnessed for ourselves the profound and continuing vulnerability of many individuals and families, and their ongoing need for mental health and other support. Recommendation 26 reflects our conviction that the Ministry for Police and Emergency Services must ensure that adequate funding and services, especially recovery centres and mental health services, are provided for an adequate length of time following bush fire emergencies.

Together these recommendations address high priority 'all of government' issues that must be resolved urgently when the new parliament takes its place in 2015.

## Summary of recommendations

- Recommendation 1** **68**  
 That the NSW Government commit to and fund a long term program of prescribed burning based on the recommendation of the 2009 Victorian Bushfires Royal Commission of an annual rolling target of a minimum of five per cent of public land per year, and that the NSW Government commit to extending the funding for the National Parks and Wildlife Service five year hazard reduction program past 2016.
- Recommendation 2** **68**  
 That the NSW National Parks and Wildlife Service establish a regime of frequent mosaic burning within the Warrumbungle National Park, where conditions permit, to be monitored and evaluated via a formal fully funded research program. This program should then inform the Service's approach to the wider national park estate.
- Recommendation 3** **69**  
 That the NSW Rural Fire Service, in collaboration with the NSW National Parks and Wildlife Service, review and improve the system of bush fire management zones to ensure that greater priority is given to hazard reduction on land classified within land management zones.
- Recommendation 4** **69**  
 That the NSW Rural Fire Service:
- streamline the regulatory system for hazard reduction burns, including the permit system, in order to identify and remove any unnecessary impediments to timely, planned hazard reduction burning
  - improve accountability in relation to the implementation of bush fire risk management plans as a means of delivering more hazard reduction.
- Recommendation 5** **69**  
 That the NSW Rural Fire Service develop and implement a comprehensive community education campaign aimed at increasing community understanding of and support for hazard reduction burns.
- Recommendation 6** **70**  
 That the NSW Rural Fire Service investigate mechanisms to enhance the predictability of megafires and how this information is communicated easily to the public.
- Recommendation 7** **83**  
 That the NSW Rural Fire Service review the decision not to construct additional fire trails in the Warrumbungle National Park following the Wambelong fire.

- Recommendation 8** **83**  
That the NSW National Parks and Wildlife Service, at the direction of the NSW Rural Fire Service, enhance the network of fire trails within national parks across New South Wales by:
- reopening those fire trails that have been closed within the last ten years
  - establishing new fire trails where appropriate
  - providing sufficient fire vehicle turning areas
  - ensuring adequate fire trail maintenance over the long term.
- Recommendation 9** **84**  
That the NSW Government improve the protection of media and telecommunications towers around New South Wales by:
- increasing the asset protection zone around the towers on Mt Cenn Cruaich and other comparable sites to a radius of at least 100 metres
  - conducting an audit of all New South Wales media and telecommunications sites to examine their fire safety in respect of land clearance, fire trails and fuel loads
  - implementing a strategy to ensure that licensees of these sites fulfil all their hazard reduction obligations.
- Recommendation 10** **84**  
That the NSW National Parks and Wildlife Service examine its staffing policy for periods of extreme and catastrophic weather conditions to ensure that sufficient staff are available on site on fire watch.
- Recommendation 11** **85**  
That the NSW National Parks and Wildlife Service consider the feasibility, on a case by case basis, of closing public roads through national parks on days with catastrophic fire danger rating, to mitigate the risk of bush fire ignition in national parks.
- Recommendation 12** **85**  
That the NSW Rural Fire Service and the NSW National Parks and Wildlife Service investigate the cost and feasibility of installing infrared cameras at the Siding Springs Observatory and key sites in other national parks to facilitate fire spotting.
- Recommendation 13** **119**  
That the NSW Rural Fire Service:
- alter the standard procedures for Remote Aerial Response Teams to enable them to operate at night
  - in conjunction with the NSW National Parks and Wildlife Service, enhance the capability of both Remote Aerial Response Teams and Remote Area Firefighting Teams to fight fires at any time including at night.

- Recommendation 14** **120**  
That the NSW Rural Fire Service:
- commission an independent investigation into the allegations that brigade group captains and captains were not duly, or in a timely way, notified of the outbreak of the Wambelong fire
  - improve procedures for the notification of group captains to ensure that they are notified of any fire outbreak in and/or adjoining their brigade areas.
- Recommendation 15** **122**  
That the NSW Government, as a matter of urgency, amend the *Rural Fires Act 1997* to codify the current interim arrangements for command and notification requirements for class 1 and class 2 fires, which clarify that the NSW Rural Fire Service or Fire and Rescue NSW:
- have ultimate responsibility for all bush fires regardless of tenure
  - are responsible for the appointment of incident controllers
  - are responsible for keeping the public informed.
- Recommendation 16** **122**  
That the NSW Government consider enabling the default position during catastrophic and extreme fire danger periods to be the same as for section 44 fires, so that fire control centres have the same systems and resources ready to deploy should a fire break out.
- Recommendation 17** **123**  
That the NSW Rural Fire Service review its procedures, systems and infrastructure for notifying community members of bush fires, both when a fire has broken out and as it proceeds, to ensure the provision of timely and adequate information.
- Recommendation 18** **140**  
That the NSW Rural Fire Service, in order to ensure greater respect for volunteer fire fighters' knowledge and experience in the management of fires:
- examine its plans of operations to provide for the use of local knowledge at every level of decision making down the chain of command
  - require a local fire fighter to be stationed in every command vehicle, where possible
  - ensure that every out of area crew includes at least one local fire fighter
  - require officers to engage more effectively and regularly with volunteers during the periods between fires
  - consider any further strategies to address the entrenched conflict between officers and volunteers, including additional ways to empower volunteers and utilise them more effectively.
- Recommendation 19** **141**  
That the NSW Rural Fire Service formally recognise the Volunteer Fire Fighters Association as a legitimate advocacy organisation representing volunteer bush fire fighters, and duly consult with it on policy and operational matters.
- Recommendation 20** **141**  
That the Minister for Police and Emergency Services examine the feasibility of relocating the NSW Rural Fire Service headquarters to a rural or regional location.

- Recommendation 21** **141**  
That the NSW Rural Fire Service reassess the protection of pastoral assets during bush fires to ensure that priority for protection is not simply afforded to the homestead, and that land holders are, within reason, able to request which of their own assets are protected.
- Recommendation 22** **142**  
That the Minister for Police and Emergency Services review the communications technologies used by the NSW Rural Fire Service, Fire and Rescue NSW, the NSW National Parks and Wildlife Service and Forestry NSW during fire fighting operations, to ensure that systems are standardised and effective. Within this context, the potential value of satellite phone technology should be investigated.
- Recommendation 23** **157**  
That the NSW National Parks and Wildlife Service adopt an interim fencing agreement in the immediate aftermath of a fire. This will enable emergency and interim works to commence, but features such as length, fencing components and site of the fence line are not binding. A final fencing agreement would be negotiated no earlier than six months following a major national park fire.
- Recommendation 24** **158**  
That the NSW National Parks and Wildlife Service:
- ensure that where a park is adjacent to a rural land holding, its side of the boundary fence is cleared to the same legislative requirement as the land holding, that is, six metres
  - examine the fairness of the policy whereby, in the event of a fire originating on national park land, the Service provides the fencing materials to construct or replace boundary fences, while the neighbour erects the fences.
- Recommendation 25** **158**  
That the NSW National Parks and Wildlife Service remove from its boundary fencing policy and standard contract the condition that requires adjoining land owners to maintain a fence that has been damaged by trees falling from national park land.
- Recommendation 26** **158**  
That the Office of State Revenue investigate mechanisms to enhance the affordability of insurance for properties and assets in fire affected areas.
- Recommendation 27** **159**  
That the NSW Government take all reasonable steps to expedite the process of establishing any legal liability for the losses incurred by property owners as a result of the Wambelong fire, and in the event that it is found liable, expedite the process of paying compensation claims.
- Recommendation 28** **160**  
That the Ministry for Police and Emergency Services and NSW Treasury:
- reimburse the Warrumbungle Shire Council for the NSW Government's share of the remaining shortfall of \$528,000 in funds pledged to the recovery process
  - consider how the process for claiming funds pledged by state government representatives in future disasters and emergencies can be streamlined.

**Recommendation 29**

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That the Ministry for Police and Emergency Services urgently review its policies for the provision of disaster welfare services to ensure that in the event of a bush fire emergency and the declaration of a fire under section 44 of the *Rural Fires Act 1997*, adequate funding and services, especially recovery centres and mental health services, are provided for an adequate length of time, with gradual transition to normal service delivery when those services are no longer required.