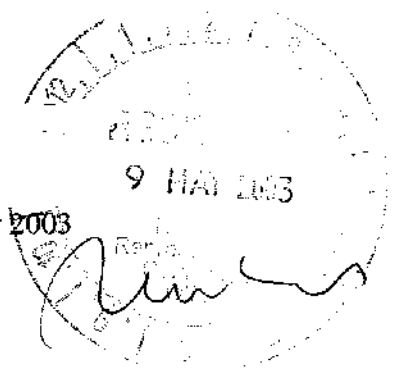


9 May 2003



The Committee Secretary
House Select Committee on the recent Australian bushfires
Department of the House of Representatives
Parliament House
CANBERRA ACT 2600

Submission No.205

Dear Sir,

**SUBMISSION TO THE HOUSE SELECT COMMITTEE
ON THE RECENT AUSTRALIAN BUSHFIRES**

Background

I live on the bush interface in suburban Sydney and during the past 18 months have become very concerned about the potential danger from bushfires to the lives of my family and, also, to the lives of firefighters who may be required to fight bushfires that could threaten my home (which contains the bulk of the worldly possessions of myself and my family).

In the above context, I have written the Hon Bob Debus, the then NSW Minister for Emergency Services, on a number of occasions during early 2002 and have attached copies of each of my letters and, also, copies of the responses from Mr Debus.

You will note that my response to an initial reply from Bryce Gaudry MP, Parliamentary Secretary, dated 7 May 2002, was to again write to Mr Debus and advise him that the reply that I had received was "in my view, pathetic, puerile and pitiful."

I also made a submission to the NSW Parliamentary Inquiry into the Christmas 2001/2002 Bushfires in New South Wales – a submission that was neither acknowledged nor apparently deemed to have been formally received in time (as my name did not appear in the list of those organisations or individuals who were identified as having lodged submissions).

My concerns in all of the above correspondence had two common themes:

firstly: about hazard reduction, and

secondly: about the operations and management of the NSW National Parks and Wildlife Service (NPWS).

I have three basic philosophies about hazard reduction burning (HRB), these are:

that an overall increase in HRB will result in a corresponding decrease in the need for potential bushfire suppression,

- . that programmed/rotational HRB in a particular area will result in a significant decrease in the number of and intensity of bushfires in that particular area, and
- . that, in an overall sense, there has been insufficient HRB in New South Wales in recent years, particularly by the NPWS .

I have one further comment about the role of the NPWS in HRB and that is that the record of the NPWS in respect of HRB is abysmal; and that the token HRB undertaken by the NPWS in recent years has been a substantial contributing factor in the incidence of major bushfire activity.

Reverting to my own circumstances, I have lived at the above address for approximately 30 years and during that period of time have seen two bushfires, one in 1989 and one in 1997, almost reach our back fence. However, no homes were lost in our street (or neighbouring streets) on either occasion.

And while our area was not threatened by the Christmas 2001 fires, there was certainly an increased degree of uneasiness on my own part and amongst many of my neighbours.

This increased degree of uneasiness increased exponentially after the loss of 10 homes in Engadine on 8 October 2002 - and I again wrote to Mr Debus on 3 November 2002. In this letter I again raised the issue of a 100 metre eucalypt-free zone in the Reserve behind my home and I requested that an on-site meeting be arranged with an RFS Inspector to discuss the feasibility of a "containment zone pilot study." I also specifically requested that due to the then weather conditions that "this meeting be arranged in the very near future – preferably within a matter of days, not weeks or months."

I received an acknowledgement from Mr Debus' office on 12 November 2003 indicating that: "A response will be sent to you as soon as possible."

The foreshadowed response has, however, not yet been received – 6 months after initially writing to Mr Debus.

Be that as it may, I subsequently made a direct approach to the RFS and on 21 January 2003 had an on-site meeting with an RFS Inspector – with a very satisfactory outcome, insofar as the RFS Inspector arranged to have part of the Reserve mechanically slashed; arranged with the Sutherland Shire Council to fell and remove approximately eucalypt 20 trees from the Reserve (so as to create a break in the canopy link) and has given one of my neighbours and myself an undertaking that the RFS will very soon, weather permitting, conduct a HRB on small hilly section of the Reserve, adjacent to where the plateau ceases.

This particular area has not been hazard reduced for some 18 years - and, according to the RFS Inspector, has an estimated accumulated ground fuel level of up to 50 tonnes per hectare. This extremely high build up of ground fuel, combined with the fact that the area has a westerly aspect, was a matter of some concern to the RFS Inspector.

This direct approach to the RFS, which proved to be immensely successful, was arranged with the help of Paul McLeay, the then Labor Candidate (now Member) for the local State Electorate of Heathcote.

The abovementioned Council action to remove a number of specifically identified and marked trees in the Reserve is noteworthy, since the financial costs involved would be far beyond the means of normal residents of the area (had the Council decided that the residents were required to meet the costs involved in felling and removing the trees).

What is also noteworthy about the work that has been undertaken in the Reserve is that an initiative by local residents to reduce the fire risk by removing shrubs and other flash fuels was augmented by the co-operation of both the RFS and the local Council.

Hazard Reduction

In respect of HRB, could I say that while I do not disagree with the sentiments expressed by various opponents of HRB that large scale HRB in itself will not always be capable of containing bushfires in extreme weather conditions, the alternative, that is, insufficient HRB will, in my view, cause more severe/high intensity bushfires, with the increased possibility of the loss of life and property.

On the other hand, programmed/rotational HRB of urban bushland every 5-6 years will result in infrequently occurring high-intensity fires being replaced by more frequent short-duration, low-intensity fires - with less risk to both flora and fauna. How does a koala escape from a high-intensity bushfire?

In respect of HRB, it is also interesting to note the views of Ian Brandes in an article titled "Burning Questions : Australia's Bushfire Policy" (The Drawing Board: An Australian Review of Public Affairs). Mr Brandes is currently employed in a research position at the University of New South Wales in the Water Research Laboratory. His viewpoint relating to HRB would appear to be summed up in the last paragraph of the article, in which he stated that:

"Refinement of strategic prescription burning operations may further reduce the risk of bushfires in many conditions. However, they will not always be capable of containing bushfires under the most extreme weather conditions. And the solution to this deficiency is not an increased use of indiscriminate broadacre prescription burning. Taking this path is an ineffective and simplistic solution. It has inordinate consequences, best summed up by Nature Conservation Council NSW Vice Chair, Dr Judy Messer (2002): 'Vigilance and precaution on the part of homeowners and local communities, followed by commonsense planning about where homes and infrastructures are situated, are the most effective measures to protect life and property from bushfires. The rest of the options fall a long way behind and can carry a huge environmental and economic price tag.'

In my opinion, the problem with Mr Brandes' and Dr Messer's view of HRB is that neither addresses the issue of how the vast number of existing home owners, who live on the bush interface, would be protected by the "refinement of strategic prescription burning operations", especially since most Councils enforce strict Tree Preservation Order policies.

In this vein, it is important to remember that in general (except possibly for lightning strikes) fires do not start in the trees, but start on the ground (accidentally or deliberately) and that their capacity to develop into a bushfire depends on the amount of fuel on the ground.

The fire in Engadine on 8 October 2002, when 10 homes were destroyed (reportedly in less than an hour, after a spark from an angle grinder had ignited nearby bush), illustrates this point. In my letter of 3 November 2002 to Hon Bob Debus, I commented as follows:

“I refer to the recent bushfire in Engadine and the loss of 9 homes in Thurlgona Road. I refer also to my letters of 10 January, 16 January and 27 May 2002 concerning the Christmas 2001/2002 bushfires and to your responses of 7 May and 24 September 2002 (your references: RML ES02/0392; 0062/0114).

In view of the various issues raised in the abovementioned letters, can I ask whether you consider that the loss of homes in Thurlgona Road could have been prevented or reduced had special fire management zones or Asset Protection Zones been put in place behind the homes in that street? Can I also ask whether you consider that the loss of these homes could have been prevented or reduced had scheduled hazard reduction been carried out earlier this year?

My answer to each question would be “yes!”

Comments attributed to RFS Commissioner Koperberg and RFS spokesman, John Winter (in the *Sydney Morning Herald* on 11 October 2002 – copy attached) seem to be somewhat contradictory in respect of the Thurlgona Road fires.

Commissioner Koperberg is reported to have said that:

“despite the views of some radio talkback hosts, controlled burning would not have prevented the loss of 10 homes.

“the design of the houses, their location on a steep slope and the intensity of the fire meant they were almost unsurvivable, unless there was bare earth.”

Mr Winter is reported to have said that:

“while the area was identified as being at risk, it was not in extreme danger. We tend to focus on those identified as being at extreme risk for obvious reasons – that there are limited resources and limited time frames.

“the area had been due for hazard reduction this year, but conditions had not been suitable at the scheduled time.

“despite the loss of 10 homes, the fire was of a moderate intensity, burning out less than 50 hectares of vacant crown land.”

I disagree vehemently with Commissioner Koperberg’s opinion that controlled burning would not have prevented the loss of homes in Thurlgona Road. In my view, had the scheduled hazard reduction been carried out earlier this year, the chance of a spark from an angle grinder starting a bushfire would have been absolutely negligible!

Most of the Engadine residents to whom I have spoken about the Thurlgona Road fire believe that the sudden flare-up of a wildfire (caused by a spark) can be attributed to a combination of relatively high temperatures, strong westerly winds and the prevailing record dry weather conditions, compounded by the build-up of ground fuel since the area was last hazard reduced in 1994.

Commissioner Koperberg also stated that “most (of the homes lost) were the victim of ember attack.” And while I do not disagree with that comment, it is significant that all of the homes lost in Thurlgona Road were located on the bush side of the road.

In the same vein, it is interesting to point out that all of the homes that were lost in Barnes Crescent, Menai in December 1997 were also located on the bush side of the road – which seems to reinforce the argument for eucalypt-free (or eucalypt-reduced) buffer zones to be created behind homes built in bush areas, in conjunction with more frequent hazard reduction activities being carried out by RFS personnel (supplemented by NSW Fire Brigade staff).

The need for the RFS and the NSWFB to work together on hazard reduction seems essential as a result of report in the *Sydney Morning Herald* on 12-13 October 2002 which indicated that only 3 hazard reduction burns were conducted this year in the Sutherland area, compared with 47 in Pittwater-Warringah, 30 in Penrith-Blacktown-Fairfield and 26 in the Blue Mountains. No explanation was given for disproportionately low number of hazard reduction burns that occurred in the Sutherland area.

Could I draw your attention to an editorial in the Perth “*Sunday Times*” of 13 October 2002 (copy attached) which stated, in part, that: “it is essential that those living in bushfire-risk areas take all possible precautions, including establishing adequate firebreaks”

I totally agree with the above sentiments – but what I need is clarification as to how much latitude exists for existing homeowners to establish an adequate and effective firebreak around their house – which, in my own case, simply boils down to determining whether I can remove, or reduce in size, some of the eucalypt trees that grow in the bush reserve behind my house.

Like most of my neighbours, I appreciate the fact that ‘the natural beauty of bushland areas’ is enhanced by trees. The bottom line, however, is that I can literally see thousands of eucalypt trees from outside of my back fence; and I take the pragmatic view that I would prefer to arrive home after a bushfire emergency and find that my house was still standing – even though this end-result may only be achievable by the removal of some eucalypt trees from the bushland behind the house.

This dilemma, which cannot readily be appreciated by those people who live in bushfire-free areas, was exacerbated by Commissioner Koperberg’s reported comments that “the design of the (Thurlgona Road) houses, their location on a steep slope and the intensity of the fire meant they were almost unsurviveable, unless there was bare earth.”

The ramifications of Commissioner Koperberg's comments, incidentally, have left a lot of people living on the bush fringes in Engadine and other parts of Sydney feeling decidedly uneasy!

In my letter of 10 January 2002 to Hon Bob Debus I included an aerial photograph of Barnes Crescent showing a fire trail running almost parallel to Barnes Crescent. I also commented as follows:

In this respect, I have attached a photostat copy of a *Sydney Morning Herald* report of 26 January 1998, with an insert photo, relating to the damage caused in Barnes Crescent, Menai, when a number of homes were destroyed by a bushfire, on 2 December 1997. You will note from the photo that there is a fire trail (or a track) that almost parallels Barnes Crescent - what is particularly noticeable, however, in this particular section of Barnes Crescent, is the tree coverage that extends from the fire trail to the rear of the respective houses.

What is more relevant, from my recall of the details of the fire, is that all of the homes that were lost backed onto the bush! My question is whether all of the homes that were burnt down would have been lost if the area of bush between the rear of the homes and the fire trail had previously been cleared of eucalypt trees? I think not!

There are lessons to be learnt from Barnes Crescent and Thurligona Road – and the lesson I have learnt is to attempt to ensure that an identical situation does not occur in Sierra Road, Engadine.

In considering the broader operational context of HRB, I have two further suggestions that I consider are worthy of examination by your Committee.

The first of these suggestions is that all NPWS firefighting activities should be placed under the control of the RFS. The tragic loss of the lives of four NPWS firefighters in the Kuring-gai Chase National Park, near Galston, on 8 June 2000 and the subsequent prosecution of the NPWS by Workcover (*Sydney Morning Herald*, 27 December 2002) is one of the major reasons for this suggestion.

In a letter dated 6 May 2002 to John Price MLA, Chairman of the Joint Parliamentary Inquiry into the Christmas 2001-2002 Bushfires, I commented as follows:

Additionally, in respect of fire-fighting operations, I cannot see any justification for the NPWS having any dedicated fire-fighting staff – in my opinion, any such staff should be strictly under the control of the RFS. Moreover, the RFS should also be in total control of any hazard-reduction activities that are programmed to be conducted by the NPWS.

Having NPWS personnel in charge of any firefighting activities is, in my view, akin to having a St John's Ambulance Brigade Officer attempt to take charge of a serious traffic accident scene with trained Ambulance Officers and Paramedics in attendance.

My second suggestion relates to the use of New South Wales Fire Brigade (NSWFB) personnel to supplement RFS staff involved in HRB activities during the off-fire season.

In my letter of 6 May 2000 to Mr Price, I also commented that:

The reason for this latter suggestion, relating to the use of NSWFB personnel to assist in off-season hazard-reduction burn-offs, is twofold:

- (1) to provide personnel when favourable weather conditions occur on weekdays and many RFS firefighters are unavailable because of their fulltime work commitments, and
- (2) to provide NSWFB personnel with invaluable training in bushfire fighting.

In effect, implementation of this suggestion would increase the number of days per week when HRB could be undertaken from two (with the RFS “weekend warriors”) to seven (with permanent RFS personnel, NSWFB personnel and, possibly, some RFS volunteers who are retired or work shift work).

In respect of the above suggestion, I have noted that one of the Recommendations (4.4.2) of the NSW Joint Parliamentary Inquiry was, as follows:

“That all active firefighters be encouraged to participate in hazard reduction burning exercises in order to obtain practical experience in fire behaviour.”

In the context of the possible integration of NSWFB and RFS hazard reduction activities, the Committee may also be prepared to examine the possible amalgamation of dual or overlapping activities that are performed by both the NSWFB and the RFS – with any cost savings targeted to HRB research.

I am also convinced that the RFS and the NSWFB should jointly assess and rate the bushfire risk of homes that have a bush interface, on a street by street basis. This risk assessment would be based primarily on aspect, which could result in the following risk assessment criteria:

westerly aspect: rating - high to extreme,
northerly aspect: rating - medium to high,
southerly aspect: rating - low to medium, and
easterly aspect: rating - low.

These ‘aspect’ risk ratings would then need to be further refined by factoring in other considerations such as the topography of the area involved and, also, the estimated build up of ground fuel - so as to provide a community based risk rating formula, that would ideally be updated bi-annually (preferably in the spring before the fire season commences and, also, in the autumn after the fire season concludes).

In conjunction with this suggested community based risk rating formula, could I also suggest that you examine the operations of NSW Bushfire Management Committees with a view to reversing some of the procedural roles of the RFS and the Bushfire Management Committees (which have, in recent times, attracted considerable community criticism for becoming bureaucratically dysfunctional).

In respect of the role of Bushfire Management Committees, I commented in my letter of 16 January 2002 to the Hon Bob Debus, as follows:

Prior to the current bushfire crisis, the most common and effective means of providing community protection against bushfires came in the form of hazard reduction burn-offs, which had to be firstly approved by bushfire management committees – though, according to *The Australian* on 11 January 2002, you “conceded there had been excessive delays to backburns before they were approved by local councils and the NPWS.” Another seemingly accurate observation (in a separate article in the same newspaper) was that these committees “have emerged as bureaucracy gone mad.”

The Australian, 11 January 2002, also reported that: “Many residents who lost their homes in the bushfires have told of repeated unsuccessful requests to these committees for permission to carry out controlled burn-offs.”

One specific example of which, concerning Ms Bronwyn Jack, who lost her home at Sussex Inlet, was reported by the *Sydney Morning Herald* on 4 January 2002.

If I had lost my home in identical circumstance to Ms Jack, I would be actively seeking to hire a firebrand barrister who would initiate a class-action against those organisations that were represented on the bushfire management committee - on the basis of contributory negligence.

I also wonder whether members of that particular bushfire management committee would feel any remorse, because homes were destroyed as a consequence of their abject failure to use commonsense and act promptly!

One of the obvious inadequacies of bushfire management committees was, perhaps, partly explained in an article in *The Sunday Telegraph*, on 13 January 2002, in which it was stated that: “The committees prepare hazard-reduction programs, exhibit them for public comment, and approve the work.”

My immediate reaction to this latter comment was, however, why should the recommendations of a committee of so-called bushfire management experts be subject to public scrutiny, before immediate implementation - especially when much of the committee’s deliberations would have stemmed from applications by residents concerned about the build up of fuel near their homes?

Is this a classic case of the old adage that: ‘while Nero fiddled, Rome burnt’ – or, perhaps, more appropriately: ‘while bushfire management committees fiddled, NSW burnt’!

Is it any wonder, therefore, that on 10 January 2002 you announced sweeping new powers, which placed absolute control for hazard reduction burn-offs in the hands of the RFS Commissioner.

However, those individuals seeking to reduce the fire risks associated with living in bushfire prone areas, not only had to battle with obstructionist, red-tape handicapped, bushfire management committees, but also had to contend with a bureaucratic tree preservation mind-set, which regards (and enforces) the unauthorised lopping or felling of a tree as a crime.

In addition, as reported in the *Sydney Morning Herald* on 4 January 2002, the CFI syndrome was again highlighted when Ku-ring-gai Council demanded a \$1,000 bond from some South Turrumurra residents who sought to clear thick scrub from behind their homes, which border bushland.

When the bushfire crisis, however, erupted on Christmas Day, the RFS, as a matter of necessity, consistent with public safety, back-burnt with unfettered abandon and bulldozed huge tracts of land to form containment lines.

Some of the questions that I believe you should address, as a result of the bushfire crisis, are:

firstly: the make-up of future bushfire management committees, given that certain members of the current bushfire management committees quite obviously did not perform adequately or responsibly (a fact that obviously impacted adversely on the fire situation), and

secondly: whether the off-season bulldozing of containment lines around high risk bushfire areas could have reduced the overall damage caused by the fires?

Perhaps it may be appropriate to ponder a remark, made by a colleague about bushfires, to the effect that ‘the more we sweat while carrying out hazard reduction burn-offs during the off-season, the less we bleed during the fire season’!

My suggestion about the reversal of some of the procedural roles of the RFS and Bushfire Management Committees involves local RFS Bushfire Mitigation Inspectors submitting lists of high risk rated areas (based on the community based risk rating criteria) to the relevant Bushfire Management Committee and that the onus should then be placed on the Bushfire Management Committee to report back to the RFS, say, within 30 days – failure to respond within 30 days would be deemed as automatic approval for the RFS to commence HRB activities on a scheduled basis.

In respect of the efficacy of HRB, could I draw your attention to comments made by Bill McCormick in his Department of the Parliamentary Library Current Issues Brief (No 8 2002-03 of 10 December 2002, page 7) titled: “Bushfires: Is Fuel Reduction Burning the Answer?” – as follows:

“Fuel reduction burns may not halt bushfires under severe conditions. However, they do have some moderating effect on the fire and allow for control when conditions improve. In order to put fuel reduction in context with fire fighting under extreme conditions, John Fisher of New South Wales Forests told the New South Wales Bushfires Inquiry that:

The opponents of fuel reduction burning fail to realise the operational difficulty of fighting a wildfire in extreme conditions. The only option or tool the State Forests NSW has available is the manipulation of fuel in the fire triangle (heat/ignition, air, fuel) ... There is no question that on extreme days we would not attempt a direct attack in heavy fuels. Even in a fuel reduced area on extreme days there is no question that fires would burn through those fuels as well, but the moderating effect of that fuel reduction activity is quite profound and is quite useful in the periods of the day when those extreme fire behaviours wane. We use that through the nightshift to effect further fuel reduction burning or back-burns, as you have seen, and that provides us with a safe and effective means to control fires on our estate.”

A further suggestion about HRB is that your Committee should examine the efficacy of the system of programmed/rotational HRB that occurs in Western Australia and, also, whether the methods used in Western Australia can be duplicated, in part or in whole, in the eastern states. In this respect, I draw your attention to an article in the *Australian Financial Review* on 22 January 2003 by Don Spriggins (immediate past Chairman of the Institute of Foresters, WA division).

Could I also refer to a very rational and incisive analysis by Bill McCormick on page 12 of his Current Issues Brief (under “comment”), as follows:

“While the first priority in any fuel reduction program is to protect life and property, it is the other priorities that land managers have, such as biodiversity protection or protection of wood values, that will probably ultimately determine the size and frequency of the program. Therefore it needs to be considered whether or not sufficient priority is being given to strategic burning to protect housing near the relevant land manager’s boundaries. The (NSW) Bushfire Inquiry Report did not refer to this specific issue but concentrated on whether fuel reduction was being done and at what frequency. **This was a major defect in the report** (my emphasis). It is absolutely essential that all land managers (public and private) are obliged to design and implement their fuel reduction programs to protect life and property within and beyond their land boundaries.”

Suggestions re Hazard Reduction

- That you consider examining the feasibility of transferring responsibility for all firefighting activities in National Parks from the NPWS to the RFS.
- That you consider examining the feasibility of using NSWFB personnel to supplement RFS personnel to conduct HRB – which would allow HRB to be conducted on a 7 days per week basis. In addition, that you also consider examining the feasibility of the amalgamation of any overlapping functions that are now performed individually by the NSWFB and the RFS.
- That you consider examining the feasibility of the NSWFB and the RFS jointly creating a street by street bushfire risk rating assessment, based primarily on ‘aspect’, of all homes that are situated on or very close to the bush interface.
- That you should consider making Mr McCormick’s practical and objective ‘Current Issues Brief’ (Bushfires: Is Fuel Reduction Burning the Answer) to be **compulsory** reading for the members of your Committee.
- That you consider examining the feasibility of placing strict time limits (say 30 days) on Bushfire Managements Committees to process an application from the RFS to conduct a HRB; failure to process such applications within 30 days would then be deemed as automatic approval for the RFS to proceed with the HRB.
- That you consider examining the operations of the Western Australian programmed/rotational system of HRB to determine whether some or all aspects of that scheme could be duplicated in the eastern states.
- That you consider calling for comprehensive statistics relating to HBT, from the three principal organisations in New South Wales that engage in HRB – State Forests, the NPWS and the RFS.

These statistics should at least cover the five calendar years between 1998 and 2002, and should include the number of HRB's scheduled each year and the number actually conducted. The difference being the number that were aborted - which should then be split into those that were aborted because of unfavourable weather conditions (rain or wind) and those that were aborted because the EPA declared a no-burn day. The total number of hectares burnt should also be specified.

And, on the basis that the NPWS apparently keeps records of the number of days that they are able to carry out HRB (see page 12, Current Issues Affairs Brief by Bill McCormick), it may be useful to ask State Forests and the RFS if they keep such records.

In addition, it could prove informative to request that the data be broken down into two areas: Metropolitan Sydney and the rest of New South Wales.

National Parks & Wildlife Service

In respect of the NPWS, could I refer once again to my letter of 6 May 2002 to Mr Price and to my comments concerning Ministerial responsibility for the NPWS and the RFS, as follows:

Finally, could I ask the Committee to examine the merits of separating Ministerial responsibility for the NPWS and the RFS – in other words, should one Minister (Mr Debus) be responsible for these two organisations, which have such disparate obligations and conflicting responsibilities?

This question is now no longer relevant because of a shuffle of Ministerial portfolios following the recent NSW State Election.

In respect of the practices and operations of the NPWS insofar as HRB is concerned, could I reiterate the comment that I made in the opening paragraph on the second page of this submission:

I have one further comment about the role of the NPWS in HRB and that is that the record of the NPWS in respect of HRB is abysmal; and that the token HRB undertaken by the NPWS in recent years has been a substantial contributing factor in the incidence of major bushfire activity.

In particular, could I again refer to comments made in my letter to Hon Bob Debus on 16 January 2002, as follows:

Another matter, that I believe warrants your specific attention, is the issue of whether better fire management of the Royal National Park (Park) by the National Parks and Wildlife Service (NPWS) could have mitigated the effects of the disastrous 2001 bushfires. In my view, insufficient hazard reductions burn-offs, if any, occurred in the Park between the major fires of 1994 and 2001.

In this regard, I am in total agreement with the views of CSIRO principal scientist and bushfire researcher, Phil Cheney, an advocate of the necessity of hazard-reduction burning, who was reported in the *Sun-Herald* on 30 December 2001 as stating that: "If we reduce the amount of fine debris on the ground we can reduce ... the intensity and speed of the fire."

He also pointed out that the amount of fuel on the ground, plus weather and slope variables are what drive a fire but that "fuel is the only thing that we have control of."

Mr Cheney's views are arguably, therefore, diametrically opposed to the current NWPS philosophy regarding hazard reduction burning. And, in my view, as a direct consequence of a lack of recent hazard-reduction burn-offs in the Park, the intensity of the December 2001 fires in the Park, was, without any doubt, exacerbated not reduced.

The failure of the NPWS to carry out adequate hazard-reduction burn-offs in National Parks is highlighted when you compare a comment by Commissioner Koperberg (in an article in the *Sydney Morning Herald* on 7 January 2002) that: "we now hazard reduce between 500,000 and 600,000 hectares of NSW to reduce fuel loads every year", with your comment (in a letter to the *Weekend Sydney Morning Herald* on 29-30 January 2001) that: "Hazard reduction activities in 2000-01 in national parks were at the highest levels since 1995, with close to 20,000 hectares being burnt."

And considering that the total area under NPWS control has almost doubled, in the last five years, to nearly 5.3 million hectares, the mere 20,000 hectares of NPWS land that last year was subject to hazard-reduction burning is infinitesimal - and, in my view, totally and utterly inadequate.

The charred remains of the Royal National Park following the recent fires, combined with the horrendous fauna losses sustained within its borders, stand as a scathing and palpable indictment of the administration, policies and philosophies of the NWPS.

Insofar as the NWPS is concerned, a glance at its 161 page "Fire Management Manual" (on the Internet) will probably leave you wondering how any NWPS hazard-reductions burn-offs are ever brought to fruition! One could also speculate about whether the resources, that were obviously devoted to the publication of the Manual, could have been better utilised in providing fire fighting staff with on-the-job field experience in hazard-reduction burn-off techniques?

In respect of NWPS controlled hazard-reduction burn-offs, it is my belief that the deaths of four NWPS staff and serious injury to three others, during a hazard reduction burn-off that went wrong, at Galston in June 2000, has resulted in the top echelon of the NWPS being paralysed with fear at the thought of another hazard-reduction burn-off going wrong.

It is also worthwhile remembering that when the Forestry Commission used to manage much of the NSW bush, regular hazard-reduction burn-offs were undertaken, in State Forests, as part of forestry management. These burn-offs were carried out by vastly experienced forestry officers, who were intimately acquainted with the various forests in the areas where they worked.

Moreover, these forestry officers did not need a university degree or a 161 page “Fire Management Manual” in order to competently and efficiently perform their duties!

Since the NPWS has taken over control of many State Forests, hazard-reduction burn-offs have ceased and fire trails through the forests have been allowed to grow over, thus exacerbating the fire risk and, at the same time, hindering fire-fighting operations.

I elaborated further on the issue of the closure of fire trails by the NPWS in my letter of 6 May 2002 to Mr Price, when I commented that:

Several additional matters that I consider should be scrutinised by the Committee are:

firstly: the reported activities of the National Parks & Wildlife Service (NPWS) in closing-down and closing-off fire trails in National Parks (particularly ex-State Forests) which, in my view, impaired, if not effectively sabotaged, the ability of the Rural Fire Service to combat the huge wildfires that occurred during the crisis, particularly on the South Coast.

I understand that critical back-burning in these areas was hampered by the lack of access to properly maintained fire-trails – and that by the time makeshift fire-trails were bulldozed, wind conditions were not conducive to effective back-burning.

It is imperative, therefore, in my opinion, that fire-trails in National Parks be kept open and regularly maintained.”

The comments outlined above, as extracted from my letters to Messrs Debus and Price, summarise my views about the operations of and HRB activities of the NPWS.

In a further letter to Mr Price on 20 May 2002, I also raised the matter of claims made by Miranda Devine in the *Sun-Herald* on 12 May 2002 that:

“Two weeks ago, a group of State fire managers and scientists from Australia and New Zealand, called the Forest Fire Management Group, visited the regenerating bush in the lower Blue Mountains to check out claims by the NPWS that hazard reduction had made no impact on the Christmas (2001) bushfire behaviour.”

I then commented, as follows:

In respect of the Inquiry, I noted the article by Miranda Devine in the *Sun-Herald* on 12 May 2002 and her reference to a submission by State Forests Chief Executive, Bob Smith, whom she quoted as stating that “properly planned and implemented hazard reduction burning programs are effective in reducing the numbers of fires that start, reducing the rate at which fires spread, and reducing their intensity and spotting potential” – sentiments with which I wholeheartedly agree.

Additionally, in my view, properly planned and implemented hazard reduction burning not only reduces the intensity of wild fires, but, in doing so, also increases the survival rate of wild animals – see article about koalas in the Port Macquarie area in the *Sunday Telegraph* on 12 May 2002 (see copy attached) in which it was estimated that “the January fires wiped out 10 per cent of the local population (of about 400) and left another 30 or so badly injured.”

I also noted your comments in the *Sydney Morning Herald* on 13 May 2002; and, as a result, I am hopeful that you will investigate the reference made by Ms Devine to the conclusions reached by “a group of State fire managers and scientists from Australia and New Zealand, called the Forest Fire Management Group” concerning claims made by the NPWS “that hazard reduction had made no impact on the Christmas bushfire behaviour.”

The conclusion reached by this group of fire experts, according to one member of the group (quoted by Ms Devine), was that: “Our collective opinion, not shared by our NPWS hosts, was that the previously burnt (hazard reduced) areas we were shown did indeed reduce the fierce intensity of the headfires that ran into them to the extent that flame heights were less than 1.5 metres high and would have been able to be contained by direct attack had firefighters been present.”

I believe that it should be mandatory for your Committee to examine the findings of any body of fire experts whose opinions are diametrically opposed to the views expressed by the NPWS!”

As a litmus test of the credibility of public statements made by the NPWS concerning HRB, could I also request that your Committee investigate the above claim by the NPWS and the contrary viewpoint as reportedly expressed by the Forest Fire Management Group.

In addition, I believe that your Committee should thoroughly and critically examine the philosophy and practices of the NPWS towards HRB, including the fire management of the Royal National Park and, also, allegations that the NPWS has deliberately closed off established fire trails in many of the ex-State Forests that are now National Parks.

In this latter respect, could I draw your attention to an appropriate comment by Bill McCormick in his Current Issues Brief (page 6), as follows:

“It should be noted that fuel reduction burning is part of a fire management program that also includes fire prevention activities, other forms of hazard reduction such as maintenance of fire trails and fire breaks, and fire suppression activities. All these activities are essential.”

Suggestions re National Parks & Wildlife Service

- That you consider conducting an intensive investigation of the philosophy and practices of the management of the NPWS towards HBR.
- That you consider conducting an intensive investigation into the fire management of the Royal National Park by the NPWS. This investigation should at least cover the three year periods prior to the disastrous 1994 and 2001 wildfires in the Park and, also, current and future planning.
- That you consider conducting an intensive investigation into claims that the NPWS has closed down or closed off many fire trails in ex-State forests (now National Parks) and has allowed other fire trails to be overgrown – thus hampering and impeding fire suppression activities during bushfires.
- That you consider conducting an investigation into the unsuccessful attempt by the NPWS (as reported by Miranda Devine) to manipulate public opinion by falsely claiming “that hazard reduction had made no impact on the Christmas (2001) bushfire behaviour.

Containment Zones

Turning to other miscellaneous issues, could I draw your attention to a suggestion that I made to Mr Debus in my letter of 10 January 2002 concerning “containment zones” – as follows:

My second suggestion is somewhat more controversial and involves the creation of “containment zones” (or buffer zones) around homes that back onto the bush from suburban streets, especially houses with a westerly or a northerly aspect. These containment zones would, given varying circumstances, be some 100 to 200 metres wide, in which all eucalypt trees would be removed and, ultimately, replaced with various other native plants, bushes and trees that do not have the lethal cocktail mix of eucalypts and bushfires.

As an alternative, to appease the outspoken ‘greenies’, who, in my view, typically reside in Paddington or downtown Balmain, it is possible that the eucalypt trees in the containment zone, could be substantially reduced in height by lopping, without killing the individual trees – but, in fact, producing a much leafier, though substantially height-reduced tree, that would, in effect, mitigate the potential danger to nearby homes from “crown” fires, during bushfire emergencies.

Could I ask that your Committee investigate the feasibility of such “containment zones”, especially in view of comments made by Bill McCormick (page 9) in his Current Issues Brief - as follows:

“More and more suburban housing is expanding into bushland settings and there is a need to protect these buildings and their inhabitants from bushfires. However, having native vegetation close to houses makes it difficult to protect. CSIRO scientist Dr Cheney said that if your house is 200 metres from the fire edge you have a two per cent chance of your house being caught alight and thinks that 100 metres between housing and the bush is a safe margin. This safe distance increases with slope because fire speed doubles with every 10 degrees in slope.”

I realise that creating a 100 metre buffer/containment zone (or asset protection zone) behind established homes would be a mammoth project, but it is a goal that is achievable in certain areas – and is worthy of consideration by your Committee, providing that assistance is provided by organisations such as the RFS, the NSWFB or local Councils because private citizens do not normally have the expertise to fell large trees, nor the financial resources to pay for such expensive work.

Suggestions re Containment Zones

- That you consider investigating the feasibility of the creation of 100 metre containment zones (or asset protection zones) behind established homes on the bush interface, where practicable.
- On the basis that what I call a containment zone (or buffer zone or asset protection zone) may be also called an “adequate fire break”, I believe that it would be extremely helpful to those people who live on the bush interface if you would consider asking the NSW State Forests, the NSWFB and the RFS to jointly come up with a definition of “what is an adequate fire break” and, also, for the three organisations to spell out what rights would a homeowner have to clear or hazard reduce such an area.

Green Influence

Another major problem involved in any clearance of bushland is, obviously, the not inconsiderable political influence that is exerted by 'greenies'; despite the fact that their best hope of winning a seat in the recent NSW State Election lay in the inner city Sydney seat of Port Jackson – which never has nor is ever likely to be threatened by a bushfire.

And while there are undoubtedly many 'greenies' living on the bush interface, it is my opinion that they are in a minority and that the views of the majority of the homeowners who live on the bush interface, whom I would expect to fully support measures designed to reduce future bushfire risks, should, when HRB is concerned, be weighted accordingly, as they, and not the residents of inner Sydney live in the bushfire danger front line.

I have a colleague who believes that the most useful service that a 'greenie' could provide in a bushfire emergency (when they normally seem to go missing) is that they should be conscripted to help fight the fires!

Suggestion re Green Influence

- That you consider applying a weighting factor to the various submissions received on the basis that the views of those people who live on the bush interface (and face the annual summer danger period from bushfires) deserve substantially more consideration than, say, a person who lives in an inner city bushfire-free location.

Environmental Protection Agency

Another side issue in the HRB debate is the involvement of the Environmental Protection Agency (EPA) which, as far as I understand, depending on expected pollution levels, can declare a no-burn day on a particular day that coincides with a day when the RFS has programmed a HRB.

In my layman's view, there are normally a very limited number of days during the off-fire season when HRB can be undertaken and that, furthermore, both windless or windy are unsuitable for safe and/or effective HRB.

Light to moderate winds are, therefore, required before a HRB can be commenced and it is my further understanding that it is these types of days that are more likely to be declared no-burn days by the EPA, during the very limited window of opportunity when scheduled HRB can be performed by the RFS - and the HRB operation is subsequently cancelled.

In my view, the consequences of scheduled HRB being aborted, because of an EPA edict, could subsequently result in high intensity bushfires that can cause much higher levels of pollution that would have occurred as a result of a limited duration low intensity HRB.

A report in the *Sydney Morning Herald* on 7 December 2002 by Deborah Smith, Science Writer (titled "Hidden dangers lurk in smoke from far away") refers to a study in Darwin by Drs Fay Johnston and David Bowman, which was published in the *Medical Journal of Australia*.

In the *Herald* article, Dr Johnston was reported as follows:

“Dr Johnson says the seven month study of the concentration of small particles in the air (less than 10 micrometres in diameter) and the number of people reporting to Royal Darwin Hospital with asthma supported the view that controlled burning could be carried out safely.

“There is always smoke in the Darwin from fires. ‘But we didn’t find any adverse health effects from low levels [of smoke]’ she says. ‘That was reassuring.’

“On high pollution days, 2 times as many people presented with asthma problems than on low pollution days.”

In the same article, it was reported that:

“Even inside an office block in the concrete heart of the city, it is impossible to escape the fires raging on the city’s outskirts.

“The amount of smoke generated by large out of control fires is so great it reaches the air that city workers breathe kilometres away.

“This pervasiveness, coupled with growing evidence of the harmful effects of fine particles in smoke, means urban dwellers have a bigger stake in how bushland is managed than many realise, says Dr Bowman, an ecologist at Northern Territory University.

“Dr Bowman is among those scientists who argue people whose homes are not directly affected by bushfires need to take more interest in the issue of controlled burn-offs to reduce fuel levels.

“ ‘If we don’t manage fuel we will continue to have high intensity fires that produce incredible smoke events. And they’re hurting people,’ he says.”

Again, in the same article, Dr Phil Chaney is reported as arguing that:

“... objections to controlled burning on the grounds that all smoke pollution needs to be avoided is ‘idealistic, impractical and ecologically unnatural. Fires are part of our environment’.”

Given the views outlined above, I believe that your Committee should examine the powers of the EPA to effectively terminate scheduled hazard reduction operations.

As an aside could I suggest to the Committee that many Sutherland Shire residents (in the south of Sydney) would gladly swap the year-round smell from the Lucas Heights Waste Management Station for a few days of HRB smoke pollution – with the added bonus that the HRB could ultimately help save their homes, in the event of a bushfire.

Suggestion re the Environmental Protection Agency

- That you examine the feasibility of exempting HRB from EPA declared no-burn days, on the basis (as scientifically determined by Drs Johnston and Bowman) that the severe pollution from uncontrollable wildfires is more injurious to community health than the low pollution from HRB.

Criticism of Commissioner Koperberg

In conclusion, could I ask that you also investigate the reasons why a number of RFS Captains have publicly criticised Commissioner Koperberg.

I refer specifically to Captains Kurt Lance and Ken Pullen who appeared before the New South Wales Bushfires Inquiry; and, also, Captains Peter Smith and Val Jeffery as reported in the Weekend Edition of the *Sydney Morning Herald* on 18-20 April 2003 (in an article on page 30, titled: "Angry Embers Still Burn").

I attended the New South Wales Bushfires Inquiry on 3 June 2002 and listened to answers and comments given by Commissioner Koperberg in respect of statements previously made to the Inquiry by Captains Lance and Pullen, about the effectiveness of hazard control burning.

I subsequently wrote a further letter to John Price on 4 June 2002, and commented as follows:

Yesterday I attended the Bushfire Inquiry Hearings at Parliament House.

I came away from the Inquiry somewhat perplexed at some comments made by Commissioner Koperberg relating to evidence that was given at the Inquiry last Friday (31 May) by several frontline firefighters.

According to a report in the *Sydney Morning Herald* on 1 June 2002, Kurt Lance of the Hawkesbury Brigade was reported as stating that:

"he watched one of the Christmas fires in the Blue Mountains travel 20 kilometres in a day through an area that had not been burned for more than 15 years. It then took more than a day to travel five kilometers through an area hazard reduced five years before and came to a stop on his own property, which had been burnt off last August."

Commissioner Koperberg's explanation in respect of the events described by Mr Lance was that the reason why the wildfire took one day to travel five kilometers through an area that had been hazard reduced some five years earlier, as opposed to travelling 20 kilometers in a day through an area that had not been for more than 15 years, was directly attributable to more conducive weather conditions.

My recall is that Commissioner Koperberg then proceeded to quote weather statistics (presumably for the area in question) which he saw as contributing to reduction in the speed of the fire; these were – a fire to a drop in temperature, together with a rise in relative humidity and, also, a change of wind direction (accompanied by a drop in wind speed).

My immediate reaction to Commissioner Koperberg's explanation was that if the weather conditions were exactly as he described, moreso the change in wind direction, then the fire would have more than likely burnt back on itself.

In my view, Commissioner Koperberg effectively assassinated Mr Lance's credibility.

On the other hand Mr Lance was actually at the fire front, whilst Commissioner Koperberg may well have been conducting a TV interview at Rosehill.

In addition, I doubt that any experienced firefighter, actively involved in fighting an extremely serious wildfire at the firefront, would be unaware that a change in weather conditions of the magnitude outlined by Commissioner Koperberg would undoubtedly have had a dramatic effect on the speed and intensity of any major wildfire.

Hence, I have concluded that either Mr Lance is a complete idiot for not realizing that more favourable weather conditions actually reduced the speed of the wildfire or that the weather scenario referred to by Commissioner Koperberg simply did not occur at the firefront on the day in question.

I believe that the Bushfire Inquiry Committee should further investigate this particular issue with a view to confirming whether Mr Lance was in error by attributing a reduction in the speed of the fire to the effect of a previous hazard reduction or whether Commissioner Koperberg was in *CYA* mode by attributing a reduction in the speed of the wildfire to more favourable weather conditions, that may (or may not) have occurred at the firefront on the day in question.

And while I doubt that any action was taken by the NSW Bushfires Inquiry Committee in respect of the above letter, these more recent criticisms by Captains Smith and Jeffery signal that all is not well in the RFS – at least, in respect of HRB.

According to the *Sydney Morning Herald* article on 18-20 April 2003:

“(Captain Smith) calls the Rural Fire Service (RFS) ‘the Pontius Pilate service’ because it has ‘washed its hands’ of ensuring proper hazard reduction in national parks. Smith also believes that his organisation has become ‘overly bureaucratic’ – with head office making most of the decisions, demoralising volunteers and retarding the ability to manage fire. The RFS rejects all this.”

Speaking frankly, especially in view of my disagreement with comments made by Commissioner Koperberg (see page 4), it may well be that Commissioner Koperberg was compromised by having to report to a Minister who was in charge of both the RFS and the NPWS (the ramifications of which I have previously alluded to on page 8 of this letter) and that there may be an attitudinal change of direction under a new Minister.

Community concern about a lack of HRB by the RFS was evidenced as a result of a radio interview between Alan Jones and John Winter, PR spokesman for the RFS, on 22 November 2002.

In my letter of 29 November 2002 to Mr Debus, I commented as follows about this interview:

I understand that the issue of hazard reduction was discussed by radio talkback host Alan Jones with John Winter last Friday (November 22) and that Commissioner Koperberg was also involved.

I further understand that Commissioner Koperberg invited members of the public with a concern about hazard reduction to contact the RFS by telephone – the response was such that the RFS switchboard was almost immediately jammed.

There is no doubt in my mind that Commissioner Koperberg is out of step with community expectations in respect of HRB; and also that the criticism of Commissioner Koperberg by four senior Captains has sewn further seeds of community disquiet about HRB.

It is also possible that Commissioner Koperberg's seeming retreat from advocating the virtues of more rather than less HRB may be the result of 'green' pressure filtering downwards from the pinnacle of political power in New South Wales.

Suggestions re Criticism of Commissioner Koperberg

- That you consider investigating the reasons for the public criticism of Commissioner Koperberg by some of his senior Captains.
- That you consider investigating the divergence of opinion between Commissioner Koperberg and Captain Kurt Lance at the New South Wales Bushfires Inquiry.
- That you consider quantifying the level of public concern about a perceived lack of hazard reduction burning by the RFS.

Yours faithfully,

(PAUL KENNEDY)

SYNOPSIS OF SUGGESTIONS INCLUDED IN SUBMISSION

Suggestions re Hazard Reduction (pages 10 and 11)

- That you consider examining the feasibility of transferring responsibility for all firefighting activities in National Parks from the NPWS to the RFS.
- That you consider examining the feasibility of using NSWFB personnel to supplement RFS personnel to conduct HRB – which would allow HRB to be conducted on a 7 days per week basis. In addition, that you also consider examining the feasibility of the amalgamation of any overlapping functions that are now performed individually by the NSWFB and the RFS.
- That you consider examining the feasibility of the NSWFB and the RFS jointly creating a street by street bushfire risk rating assessment, based primarily on 'aspect', of all homes that are situated on or very close to the bush interface.
- That you should consider making Mr McCormick's practical and objective 'Current Issues Brief' (Bushfires: Is Fuel Reduction Burning the Answer) to be **compulsory** reading for the members of your Committee.
- That you consider examining the feasibility of placing strict time limits (say 30 days) on Bushfire Managements Committees to process an application from the RFS to conduct a HRB; failure to process such applications within 30 days would then be deemed as automatic approval for the RFS to proceed with the HRB.
- That you consider examining the operations of the Western Australian programmed/rotational system of HRB to determine whether some or all aspects of that scheme could be duplicated in the eastern states.
- That you consider calling for comprehensive statistics relating to HBT, from the three principal organisations in New South Wales that engage in HRB – State Forests, the NPWS and the RFS.

These statistics should cover the five calendar years between 1998 and 2002, and should include the number of HRB's scheduled each year and the number actually conducted. The difference being the number that were aborted - which should then be split into those that were aborted because of unfavourable weather conditions (rain or wind) and those that were aborted because the EPA declared a no-burn day. The total number of hectares burnt should also be specified.

And, on the basis that the NPWS apparently keeps records of the number of days that they are able to carry out HRB (see page 12, Current Issues Affairs Brief by Bill McCormick), it may be useful to ask State Forests and the RFS if they keep such records.

In addition, it could prove informative to request that the data be broken down into two areas: Metropolitan Sydney and the rest of New South Wales.

Suggestions re National Parks & Wildlife Service (page 14)

- That you consider conducting an intensive investigation of the philosophy and practices of the management of the NPWS towards HBR.
- That you consider conducting an intensive investigation into the fire management of the Royal National Park by the NPWS. This investigation should at least cover the three year periods prior to the disastrous 1994 and 2001 wildfires in the Park and, also, current and future planning.
- That you consider conducting an intensive investigation of claims that the NPWS has closed down or closed off many fire trails in ex-State forests (now National Parks) and has allowed other fire trails to be overgrown – thus hampering and impeding fire suppression activities during bushfires.
- That you consider conducting an investigation into attempts by the NPWS (as reported by Miranda Devine) to falsely claim “that hazard reduction had made no impact on the Christmas (2001) bushfire behaviour.

Suggestions re Containment Zones (page 15)

- That you consider investigating the feasibility of the creation of 100 metre containment zones (or asset protection zones) behind established homes on the bush interface, where practicable.
- On the basis that what I call a containment zone (or buffer zone or asset protection zone) may be also called an “adequate fire break”, I believe that it would be extremely helpful to those people who live on the bush interface if you would consider asking the NSW State Forests, the NSWFB and the RFS to jointly come up with a definition of “what is an adequate fire break” and, also, for the three organisations to spell out what rights would a homeowner have to clear or hazard reduce such an area.

Suggestion re Green Influence (page16)

- That you consider applying a weighting factor to the various submissions received on the basis that the views of those people who live on the bush interface (and face the annual summer danger period from bushfires) deserve substantially more consideration than, say, a person who lives in an inner city bushfire-free location.

Suggestion re the Environmental Protection Agency (page 17)

- That you examine the feasibility of exempting HRB from EPA declared no-burn days, on the basis (as scientifically determined by Drs Johnston and Bowman) that the severe pollution from uncontrollable wildfires is more injurious to community health than the low pollution from hazard reduction burning.

Suggestions re Criticism of Commissioner Koperberg (page 20)

- That you consider investigating the reasons for the public criticism of Commissioner Koperberg by some of his senior Captains.
- That you consider investigating the divergence of opinion between Commissioner Koperberg and Captain Kurt Lance at the New South Wales Bushfires Inquiry.
- That you consider quantifying the level of public concern about a perceived lack of hazard reduction burning by the RFS.