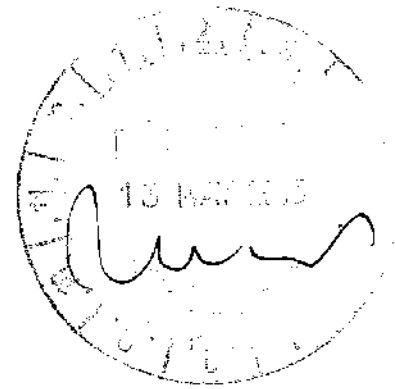


Committee Secretary
House Select Committee on the recent
Australian Bushfires
Department for the house of
Representatives
Parliament House
Canberra ACT 2600

9th May 2003



Inquiry into the Recent Australian Bushfires

Submission No.290

Dear Sir/ Madam,

It is clear that our public land is poorly managed and fuel has accumulated resulting in high intensity fires. We have failed to manage the vegetation, and we have failed to learn from the Aboriginies. Councils around Australia are increasingly trying to turn urban areas into bush indeed it was Canberra's "goal" to become the "bush capitol" of Australia. Unfortunately this gum flora is ecologically programmed to provoke fire and is quite unsuitable for planting in residential areas on the urban rural fringe.

Canberra had planted 80 million fire dependant gum trees since 1927 so when the fires swept down from the bush no one should have been surprised. The warning was placed in the National Museum in Canberra where there is a section about fire. There are simple descriptions of Aboriginal fire management describing cool burning followed by warnings for Canberra. —*"Canberra too could burn one day—its suburbs threaded through bushland."* This display was completed before the fires in January. Why don't they heed their own advice?

On 4-2-03 The Northside Chronicle (a Canberra paper) published a warning, after the fires, to residents not to chop down half burnt or weakened trees without permission from Environment ACT. Penalties include fines or imprisonment. I enclose the copy of the newspaper article.

This outrageous restriction demonstrates the impotence and frustration we feel when trying to save our lives and property. Regulations are for the preservation of gum trees and ignore the preservation of human residents.
What about human life and property particularly in urban areas?

I live in the shire of Nillumbik which is located northeast of Melbourne. We are part of metropolitan Melbourne and our 60,000 residents live in the south, which covers 10% of the land area. The shire is surrounded by state and national parks. Council reserves and parks cover 850 hectares, none of which is adequately maintained. Bushfire may be inevitable but reducing the fuel levels can reduce the intensity of the fire to a significant extent. This lack of maintenance will ensure the next bushfire will

be of high intensity but combined with Council's vegetation planting requirements we are facing a holocaust.

The whole shire is fire prone. **Nillumbik is recognised as one of the highest fire prone areas in the world.** An Environmental Significance Overlay (ESO) covers 67% of the shire mainly in **non-urban** areas. This overlay restricts residents on private property from maintaining their properties in a fire safe manner. Now our council wants to place a Significant Landscape Overlay over the entire **urban** area where no tree can be removed without a permit. This is part of the recent Neighbourhood Character Amendment (C12). If passed by the panel, will require for example 5-20 gum trees to be planted per ¼ acre block, to form a canopy over our houses. Nillumbik Council already uses this planting requirement by the use of section 173 agreements. The intention is to cover this urban shire with a native tree canopy. Native trees drop limbs and leaf litter, they are known as fire flora or fireweeds. Their low water content and high oil content and streamers of bark ensure a "wildfire" develops.

Another grave concern I have is that when planning applications are required to be referred to the CFA, the planting requirements are imposed after the application is assessed by the CFA, yet these are areas covered by a WMO where flora constitutes the greatest danger.

I enclose my submission to the neighbourhood character Amendment Panel. I include also my original submission to Amendment C12 dated 21-12-01 and my submission to Bruce Esplin Emergency Services Commissioner dated 30-8-01. (Included in bound folder)

I also include the submission I wrote to the panel on behalf of the Nillumbik Ratepayers Association.

Another council anachronism is local law 5 20 (f) "*prohibits the removal of dead trees and fallen timber from road reserves and council land.*"

This law makes it illegal to mow or otherwise maintain even our nature strips in suburban Nillumbik.

The council has 50 to 60 enforcement inspections per month and residents are intimidated. I have had several visits from the enforcement officer none of them with any legitimate basis. These officers were unaware of the details in their own planning scheme.

The Country Fire Authority Act 1958 should allow for safe maintenance and planning, however the Country Fire Authority (CFA) fails to enforce its own Act.

I believe the green zealots have joined the local brigades and many of these never fight fires.

Brigades receive part of their funding from local councils, which they now rely on. The CFA administration is also supportive of the green zealots.

I have written to CFA about my concerns with Nillumbik Council and have been ignored. I wrote to the Coroner in desperation and still CFA refused to acknowledge the danger regarding the Wattle Glen nursing home. I enclose a copy of that submission and the copies of the correspondence.

The potential for litigation is the excuse for lack of roadside maintenance by burning off.

The CFA conduct roadside fireguard meetings where residents are advised to "have a plan" "I have attended several of these meetings, however I feel residents are not warned of potential problems.

We are asked to decide to stay or go before the fire starts but I am concerned as how we are to know when the fire will start, in order to evacuate. The water and electricity supply cannot be relied on and people don't seem to understand this. People at the Wattle Glen meeting I attended expected to turn on their hoses for an unlimited and pressured supply. This year the Hurstbridge primary school burned down and CFA found all the local dams dry. The smoke could be too thick for the helicopters to fly overhead. The smoke could be so thick people may succumb as did Douglas Fraser in Canberra who was found dead on the front step of his house. Some residents don't attend the meetings and probably don't have a plan. This is a Shire with young families. A lot of residents believe that the CFA will come to their house in a bushfire. This lack of understanding could lead to some deadly mistakes.

Nillumbik has many narrow, dead end, unmade roads. The CFA sensibly will not enter these areas or the bushy Warrandyte North suburb. These residents have a phone tree notification system. I hope there is adequate warning for these residents, unlike the Macedon fires on Ash Wednesday where the residents of Green Street received no warning.

We must learn from the shocking, yet outstanding report "A Case of Burning Neglect" 30/4/03 prepared by The Eureka Project (Simon Paton, Convener) This report from North east Victoria, telling it absolutely like it is, coming from those with "on ground" local knowledge and experience, should be compulsory reading for all those involved in the CFA and all bureaucrats and politicians. People such as those in the northeast, have been warning such a holocaust would occur but their warnings have gone unheeded. Someone has to listen, someone has to initiate some action, cut the red tape and bureaucratic bungling and get on with preparations to ensure such holocausts cannot occur again. For a start, gum trees on urban areas are a recipe for disaster in fringe areas.

The Autumn 2003 issue of "Brigade" (CFA Magazine) relates the horror of the Omeo (Vic) fires.

"The most frightening moment of these fires occurred about eight kilometres from the Benambra Township. It was two mini tornadoes of fire. Those two balls of fire hit each other on the top of the mountain. And when they did, it was like a big atomic bomb going off--" "They took out cattle, fences, trees and the wildlife. Cows were blown apart. They just spat out their calves, There was no hair left on them... no hooves, no horns, -- nothing, Just looked like heaps of rubber."

The magazine also reports "1.4 million hectares of land has been burnt out in the fires. The contrast to Ash Wednesday, which had catastrophic fatalities but razed just 174,880 hectares, is immense."

We need firebreaks between National, State and Council reserves and parks and residential areas.

We have so many rules and regulations at Nillumbik Council that some contradict each other.

The system of local, state and federal laws are too complex. The responsibility should be with the Commonwealth.

The urban fringe area where traditionally agricultural activities occurred has attracted "greens". In the main these people are from inner suburbs. They seem to believe a "plan" will save lives, property and livestock. (All last summer we have heard from the Public Relations department of the CFA that we needed a plan".) Unfortunately when nature takes over as occurred in Canberra "plans" can count for nothing. In Victoria I have heard many CFA executives and state politicians and local fire-fighters say "It's different in Victoria " we have a plan." It won't happen here. The reality is we have had the fires in 1969 and Ash Wednesday, Lara and the Dandenong's etc. and unless hard decisions are made by this committee nature will again take control helped by our silly and culpable rules.

Burn offs must occur in the non-bushfire seasons. Many aborigines could be employed to undertake their traditional mosaic burns in National parks called firestick farming. Local government and green gurus must not prevent individuals from deciding what are safe trees to plant in close proximity to their homes and when it may be timely to remove them.



Marv McDonald

Recommendations

- Commonwealth should pass laws to allow residents in bushfire-prone areas to clear around our homes without fear from State and local Council regulations. Bushfires don't heed State boundaries.
- Councils should not be able to finance local the CFA brigades. Instead they should be required to donate to their state head office where the pool of funds would be divided equally among the regions.
- Councils planting requirements should be included for CFA consideration before approval of building permits.
- All bushfire prone areas should be covered by a WMO, which should include rules for sensible and safe planning.
- The Wildfire Management Overlay (WMO) (Victorian Planning Provisions) should take precedence over any other overlay.
- Non-fire fighting members of the CFA should not be able to attend committees or contribute to policy. Greens have infiltrated local CFA brigades and should be stopped from decision-making.
- CFA need to cool burn roadsides and reserves and not fear prosecution for smoke descending on washing on the line, or a scorched fencepost.
- Surveys need to be conducted to check the understanding and fire preparedness of residents in Nillumbik. (One of the highest fire danger areas in the world.)
- I would endorse the implementation of all recommendations contained in the report "A case of Burning Neglect."(30/4/03) "By The Eureka Project" (Simon Paton) Convener)
- It is also high time that all parties implemented all the recommendations following the 1939 and 1983 "Ash Wednesday" fires.

Mary McDonald

Enclosed

1. Copy of front page of the Northside Chronicle dated 4-2-03.
2. Copy Nillumbik Ratepayers association submission to Panel for Amendment c12 dated 3-3-03. Written by Mary mc Donald
3. Amendment C12 "will you survive" (bound folder) includes submission to Amendment C12 12-11-02 and 21-12-01 and my submission to Bruce Esplin Emergency Services commissioner.
4. Submission to Bruce Esplin Emergency Services Commissioner re Roadside Management in Wattle Glen. (Bound folder) dated 6-12 02
5. Copy from the State Coroner Graeme Johnstone to Bruce Esplin dated 6-2-03 (no reply ever received)
6. Copy letter from the State Coroner Graeme Johnstone dated 6-2-03 to Neil Bibby CFA.
7. Copy CFA letter to the State Coroner Graeme Johnstone in response to letter 6-2-03. (No action to clear fire hazard.)