

This is a personal submission, by bushfire-affected residents, to the NSW expert Inquiry into the 2019-2020 bushfire season. Whilst this submission relates primarily to sections 3 & 8 of the terms of reference, it also refers to items in section 10.

The bushfire-affected residents:

Brian Woodward and Sally Middleton, [REDACTED]

The situation:

Stockyard Creek is a major tributary of the Wollombi Brook which in turn flows into the Hunter river in the Hunter region of NSW. The Wollombi valley is topographically a series of deep meandering valleys often flowing at right angles into the Wollombi Brook. The region is mostly forested on the hills and even in the valley floor in some areas, and has regular bushfires during most summers. The valley has two very well supported and resourced volunteer Bush Fire Brigades. (Wollombi & Laguna) The members have extensive experience in defending properties against bush fires in the valley, particularly with the limited or no radio contact in large areas. The bottom of valleys (the safest place to build for bushfire protection – fires burn 10 times faster uphill than downhill) are the most affected by lack of radio contact. Stockyard Creek flows generally from the south to the north, the road, although a dirt road, is in good condition, mainly follows the valley floor, and creek crossings were dry at the time of the fires and easy to cross. The valley floor and road area is generally clear of vegetation and does not present a significant safety danger during bush fires. There are many places to turn or move off the road.

We have lived in Stockyard Creek for 40 years. I have been a volunteer RFS Member for 35 years with Wollombi brigade. Because of my experience of fire, my understanding of the current fire situation and my local knowledge I was confident I had a good idea of the possible fire scenarios. I am an architect and planned and constructed our house and surrounds to be protected as much as possible in times of bushfire. Our house is positioned in the bottom of the valley and has a creek bed and road to the north and west, which act as good fire breaks. The area around our home is flat and 90% of the site has land slopping up around the perimeter. The majority of the house and other buildings, particularly the outside walls, are made of 300mm mudbrick. The area around all buildings is cleared to 30 meters to the edge of the bush creating a fire hazard reduction area. We have maintained access completely around the buildings for bush fire tankers and there are two road accesses in and out of the valley. We have our own 1000lt water trailer with fire pump and hoses. Stockyard Creek valley, because of its topography has very limited radio communications. We have a landline phone but no mobile phone reception. The Brigade has worked within these limitations in this valley and other parts of this Wollombi region for at least the 35 years I have been a member. Because of our situation, preparation and experience our 'bushfire plan' was to stay and defend.

Our Neighbours

We are neighbours, in Stockyard Creek Valley, of the [REDACTED] whose home and buildings are located about 3 kilometres further down the valley than ours. We confirm the facts in their submission to the Inquiry. We fully support their submissions, particularly the suggestions made in part 3a Responses to Bushfires.

The Fire Event

About 10th Nov The Gosper Fire became a future threat and so we began full time preparations removing hazardous trees/shrubs, plants, leaves, mulch and other material from the garden. Continued preparations until fire arrived.

Mon 25th Nov Lightning strike started Little L fire at the end of Stockyard Creek valley, as well as a number of other fires in the area.

Wed 27th Nov Sally (my wife)organised extra copies of keys (from Wollombi Real Estate) for Road gates at southern end of Stockyard Creek – for neighbour [REDACTED] and the Wollombi Fire Brigade.

Thurs 28th? Nov [REDACTED] and [REDACTED] from Wollombi Fire Brigade in Cat 7 tanker, came up Stockyard Creek valley and marked Assets with pink ribbons? We gave them a key and list of contacts for people in the valley. We understood that this meant that, if available, we would get assistance from the brigade. **No indication at this time that lack of radio contact would be a problem.**

Mon 2nd Dec We evacuated due to emergency warning because of 'catastrophic weather conditions'. We did not receive any telephone warning, but read about it on facebook. Read later Stockyard Creek road had been evacuated....not true as neighbour stayed.

I stopped at the Wollombi RFS shed and offered my assistance (volunteer with brigade). Was told -"not our fire! " Laguna RFS was organising Little L Complex fire, so went to Laguna. Attended Briefing of crews by NPWS Controller [REDACTED] I was told I could not get on a truck, in spite of my local knowledge because the crews were full. There were about 10 trucks and crew waiting to be assigned to jobs. I was eventually told that if necessary Wollombi RFS would probably be deployed to Stockyard Creek. I went back to Wollombi Shed. Then I was told Laguna Crews had been tasked to Stockyard Creek. Went back to Laguna and in the afternoon I went to Stockyard creek road in my own vehicle, with a Laguna Cat 7, 2 Laguna Cat 9s and a NPWS cat 9 fire trucks, for me to act as a communications link using my landline telephone at our house. On arrival I manned the landline phone with a fireground radio to relay comms back to Laguna shed from the fire tankers. The fire tankers proceeded to properties further up the valley to check the situation. On telephoning the Laguna shed to report in, I was told the crews had been ordered out of the valley by Hunter Control. I asked for a reason and was told this was unknown. I relayed the instructions and the crews left. I left with the crews and went to join my wife at Wollombi . During the evening I decided to return home (1/2hr away) as weather conditions had improved, to check on the situation there and to protect our property. My wife stayed in Wollombi

Tues 3rd Dec

At 5.30am I checked the valley to the south of our property, our neighbours properties, and position of fire, further up valley.

I contacted Laguna Shed and then Wollombi Shed and gave a detailed situation report which included the fact that our neighbours shed ([REDACTED] also a Wollombi valley RFS volunteer) was in danger with active fire on hill close behind.

RFS website says ringing 000 would get assistance for threatening fire. I rang 000 at about 6.30am. I received a return call from RFS control to get details and was told crews would not be available until 8am.

My wife returned at 7am after speaking with [REDACTED] (NPWS Controller) in the Wollombi village who took notes (he was aware of our situation.)

Informed neighbour ([REDACTED]) of the situation and he and his partner returned and together we defended his property all morning. No RFS help came.

No RFS help by 11am so my wife rang 000 a second time. She was told they would follow up. At no time were we told no one would come. I rang RFS fire control and spoke to Incident controller. He refused to listen to my concerns and said that crews could not attend as there was no communication in the valley. There are at least 2 ways out of the valley. Local reports said the 10 trucks at Laguna had all gone up Finchley/Borree. (Don't know for sure) My understanding is that radio contact in the Borree area is bad to none existent.

My wife rang the local fire shed to get help and was told 3 times by a central office official ([REDACTED]) that the fire was 5km away from our home. My wife knew where the fire was as she was here and she can read a map – eventually the official accepted she misread map. Didn't give Sally much confidence!

We then had a call from RFS police officer "[REDACTED]" threatening that I would be charged for harassment if I continued contacting emergency services. He was very rude. He said.. if I was at our house (to speak on the phone) the fire couldn't be threatening. We had been further up the road from 6am until 11am and had returned to communicate what was happening there.

At this stage we realised non of the many trucks and crews at Laguna or Wollombi would be coming here. We contacted an experienced friend and 3 neighbours and asked them for help.

One contact left work early -midday in Newcastle to help us. Later when my wife called Wollombi shed to ask if this persons son could assist his father in our valley , she was told he was allocated to a truck and unavailable- also with no communication. His son, (a Volunteer with Wollombi Brigade) was tasked with a tanker to Patrol the fire at Narone creek (no active fire, no comms).

Mid afternoon the fire front came along the floor of the valley and roared around the containment boundaries we had prepared around our home. A helicopter flew over several times during the fire and could have provided communications. With considerable effort by 9.30pm the fire had burnt past our house and we had managed to prevent

the fire from damaging most of our assets. We lost a tractor shed , storage shed with equipment and hen house. We monitored this fire all night.

We spent the rest of the week assisting our neighbours to protect their properties as the fire burnt further down the valley- **still no brigade assistance**. Emergency services only assisted further down the valley at the end of the week – trucks-water tanks and choppers-still no communication.

4 Dec Wednesday

Immediate neighbours down Stockyard creek road and properties in Bagnells creek road were attended by a bulldozer supplied by RFS to provide containment lines around assets. No one checked if our property was safe at this stage or checked other assets on our property. We did not know this service was available as we were attending the fire front on our property to protect other assets. No one came to our property.

5 Dec to 8 Dec

With the help of our son on the 5th and with neighbours on the 6th, 7th and 8th, as the fire continued to burn down both sides of the valley, we continued to defend assets on our property and 3 of our neighbours properties, with **minimum** loss of assets.

After the Event.

12.20pm Mon 9th Dec

A Kurri Kurri Town Brigade fire truck and 2 SEV fire trucks drove up our valley. Returned sometime later. They were lost, looking for their boss who was leading them somewhere. We told them where they were when they drove in but they insisted driving further into the valley- 3 trucks and 3 crews- no comms -no fire – waste of resources and a dangerous situation being lost! Lack of basic maps were an issue.

9.30pm Tues 10th Dec

Remember no communication in Bagnells Valley leading off stockyard creek . Neighbour [REDACTED] (end Bagnells crk road) had fire brigade attend their property (a week after our fire) ..8pm left 11.30pm to go further up Bagnells to the next property- [REDACTED] family. Bagnells creek road had burnt on the west side some days before. Road access to these properties was over grown-minimal places to turn around-no escape route for trucks and volunteers. Huge amount of dead wattles so fuel levels high. No occupants at most weekend properties.

A week after supporting neighbours we drove down the valley to assist the neighbour at the end of Stockyard creek road - we witnessed there were choppers-multiple fire trucks and water tanker to assist this area – still no communication?? PLEASE EXPLAIN

Mon 16th Dec

Officers from RFS Sydney office in Bagnells creek recording fire damage (for Coroner?) Still no Comms (or do they have better equipment). Not allowed to have Chainsaw, so [REDACTED] (neighbour) had to cut fallen tree across road and remove branches while the 4 city guys watched (2 police-2 RFS). What would have happened if they had been trapped in by fallen tree?

Sat 21st Dec

I was on fire roster this weekend and was with a crew on a tanker tasked with patrolling areas which had recently been burnt to check for re-ignition or dangerous trees. There were many examples of structures which had received protection from RFS resources which in my opinion as an experienced bush fire volunteer should not have received this support because of significant safety issues (compared to Stockyard Creek) . Structures which had not been cleared around by the owners and presented a danger to firefighters, (in some cases the brigades spent significant time doing this clearing work when they could have been protecting other structures). Locations which had only one access and this access was dangerous because of fuel load either side of the track. A large number of these structures were in locations with no communications. Many of the roads we accessed were steep, providing access to ridge top properties. This creates a dangerous situation for bush fire personnel.

During the 2 week period after the fire there were multiple trees falling across the road blocking access. Residents continued to clear these. Council has been to clear 2 trees. We had our phone burnt out 4 Dec and it was only restored on 16th Feb 11 weeks later.

Criticisms & Future Improvements

If regulations are introduced to improve the safety of brigade members, and these regulations prevent brigades from defending large areas of their regions, then resources need to be made available to brigades to enable them to comply with the regulations whilst still being able to support local property owners. What is the point of having restrictive regulations and then not providing the resources to meet these regulations? Why stop brigades going into areas with no communication and not improve communications to allow brigades to protect assets in their area of responsibility? We live in an age of amazing communication technologies, a simple and low cost solution would be a satellite phones on each truck or a number of mobile repeater stations to provide communications in emergency situations?

I was certified to use a chainsaw by the RFS over 30 years ago, and I use a chainsaw regularly on our rural property . I am not allowed to use a chainsaw when out with the RFS brigade as I am not currently certified. The reason for this lack of certification is because there are no certifiers available to do the certifications. Another example of introducing regulations but not providing resources to comply with the regulations.