



Title	Mr
First name	Martin
Last name	TEBBUTT
I am making this submission as	Resident
Submission type	Personal
Organisation making the submission (if applicable)	
Your position in the organisation (if applicable)	
Consent to make submission public	Public
Your story	<p>MY STORY.</p> <p>My wife and I have farmed for 56 years. We own 100 acres on [REDACTED] at Bilpin. Parts of our property severely burnt on 21 December 2019 in the Grose Valley fire. This fire resulted from a Gosper's Mountain fire back burn getting out of control. We were also impacted on 15 August 2018 by the Johnson's Road fire in Bilpin.</p> <p>We have lost a considerable amount of fencing, poly piping, building materials, pallets, spare tyres and incidentals, approximately \$30,000 damage. We did not lose buildings or machinery due to considerable planning, preparation and expenditure on sprinklers, water storage, generators and a 4WD water truck to tackle embers. We remained to operate them. These losses were unnecessary and were undoubtedly contributed to by the excess fuel in the surrounding National</p>

Parks and the constraints forced upon us preventing us carrying out our own hazard reduction along our boundaries. Since August 2017 we have been told we have to obtain development consent from council to allow us to clear a strip of scrub along our boundary. This in spite of the fact that the NSW Government promised that under new vegetation laws "For day-to-day activities, like removing a couple of trees to put in a new fence or vehicle track, a landholder can just go ahead and get on with the job." and that "routine farm work, such as clearing along fence lines and around sheds, will be exempt from regulation." This Government deception has caused us much trauma.

The emotional and psychological pain and damage of the lead up and the days during and after the fires are still causing damage.

We are surrounded by the Wollemi and Blue Mountains National Parks and are classed by the Rural Fire Service (RFS) as being in a Category One Bushfire Prone Area.

When we purchased in 1972 locals told us to expect bushfires approximately every 12 to 15 years and to take our own steps to protect ourselves and our property. The Bilpin Fire Captain told us they had never lost a house to bushfire in Bilpin to that point in time.

In 1972 there were no restrictions on reducing fuel loads. We could clear scrub or just create fire breaks by either burning off in the winter or mechanically clearing at any time without any regulation or control by remote bureaucrats.

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Since 1972 we have witnessed remarkable progress in fire fighting equipment including aircraft and communications. Yet the 2019-2020 fires were the most severe we have personally experienced. Clearly the system has failed badly and has undoubtedly contributed to the loss of life and property destruction across NSW. If there is little fuel there is little fire, regardless of drought, extreme weather and any climate change. Consistently ensuring that hazard reduction is conducted to a greater degree than the worst case bush fire scenario imagined is undoubtedly the only security to be trusted. Encouraging land owners to self protect, instead of preventing them, should solve most of that problem. The other part is minimising the fuel load in National Parks. Any so-called "smaller window to burn" can be avoided by mechanical clearing 12 months of the year. It is clearly disastrous and avoidable to use weather conditions as an excuse for allowing the fuel load to reach such proportions that lives are lost.

My wife and I have continually paid compulsory levies to NSW Local Land Services (LLS) because we own more than 25 acres. These levies are calculated on the number of stock that LLS estimates we could run. We have not previously run cattle but in 2017 we decided to rebuild our boundary fence so we could. LLS would not give us permission to clear a strip of regrowth scrub to enable the rebuild and to create a firebreak. They told us we have to obtain development consent from Hawkesbury Council. They said regardless we still had to pay LLS levies. A development application is quite onerous and expensive and even involves an arborist report and possibly planting replacement trees.

Our formal applications to the RFS for Hazard Reduction Certificates were refused several times from 2017 to now. Permission to hazard reduce along fence lines was refused because we wanted to rebuild the fence. Three days before fire impacted us Shane Fitzsimmons personally refused, by email, to allow us to urgently hazard reduce under his Section 44 powers.

He told us to obtain development consent from council. (Emails available)

All written requests and appeals to NSW Government Ministers over a 2 ½ year period were fobbed off or ignored. (Documents available)

1.1 Causes and contributing factors

1.1 Causes and contributing factors.

I submit that the 2019-2020 fires were more extreme than necessary resulting in avoidable death and destruction. Whilst they occurred during a very dry period the quantity of fuel available caused the catastrophe and inability of fire fighting resources to take control. It is my view that the NSW Government is culpable and that its regulations, policies and agencies have contributed to the death and destruction by restricting hazard reduction.

The principle that should be religiously observed is fires require fuel and the control of fuel equates to the control of fire.

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There are vegetation regulations impeding bushfire preparation in NSW. Then there are discretionary options within those regulations that, in my experience, are generally exercised to prevent native vegetation being cleared. This includes clearing strips along boundary fence lines for hazard reduction and fence maintenance. The RFS, a government agency, has refused hazard reduction permissions to me since August 2017. Some of these refusals have been based on whether or not I intend to build a new fence or replace an existing one. (documents available)

It is my opinion that RFS staff exercise a green ideology instead of following their charter, or statutory requirement, to prevent, mitigate and suppress bushfires. The RFS website advises that "It is every landholder's responsibility to manage the bushfire hazards on their property" and "The simple rule is – if its your property, its your hazard and your responsibility." My paperwork shows their repeated refusals and also a copy of an email where they doxxed me into Hawkesbury Council with a false accusation that I was going to clear without permission and the following day I received a Council inspection to ensure that there was no hazard reduction. Remembering we are in the RFS Category 1 Bushfire Prone Area. (Documents available)

I am aware of volunteer fire captains who despite their considerable experience and decades of local knowledge are prevented/delayed by RFS headquarters from conducting hazard reduction burns. (Names available)

The main change I have noticed in the last 56 years in NSW has been regulations preventing clearing. This has been increased by the mindset within Council, Rural Fire Service head office, NPWS and the Department of Environment and Heritage exercising discretions to stop any tree being cleared or even lopped. Unreasonable restrictions have even been created by councils to make it difficult to annually burn off piles of collected scrub.

1.2 Preparation and planning

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Essential components of bushfire are fuel, weather and ignition. Man only has full control of the fuel and needs to constantly monitor the reserves held. Clearly the reserves, or fuel load, were far too high entering the 2019 bushfire season.

Fuel loads must be dramatically reduced and/or vulnerable areas widely separated from each other.

In my view the best, easiest, largest and cheapest reduction of fuel loads would be to make it less difficult for landowners to hazard reduce themselves rather than the present system where owners such as my wife and myself are terrified to remove or lop a tree because we face fines up to \$2 million or \$500,000 for individuals. Landowners should be allowed to clear a distance into adjoining National Parks. The RFS and NPWS excuse of smaller windows to burn is not acceptable as mechanical hazard reduction is possible 12 months of

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the year. Both need to be combined. National Parks need to be managed differently requiring mosaic burning and/or clearing of larger areas. The public collecting and/or burning of National Park timber should be allowed and encouraged. Allowances for the running of livestock need to be made. Commercial harvesting of timber needs to be allowed.

The absurd loss of access, communication and electricity to isolated seaside and inland locations can be significantly reduced by mechanically clearing, and regularly maintaining, 100 metre wide strips along the single access roads to these townships.

1.3 Response to bushfires

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RFS volunteers and NSW Fire and Rescue appeared to do their best in the circumstances however I have heard that local experienced RFS Captains were ignored when they requested RFS headquarters not to light the back burn in to the Gosper's Mountain fire at Mount Wilson which created the Grose Valley fire.

1.4 Any other matters

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My personal experience with the regulations and administrators preventing/ limiting hazard reduction has been supported by the experience of my daughter and son in law in Basin View (near Nowra) who were refused hazard reduction by the RFS in writing on 15 October 2018. They made a hazard complaint to the RFS in October 2018 and were advised that "the land does not represent a significant bush fire threat at this time." and that "the Service does not intend to take any further action at this stage." In January 2020 the RFS appeared at their front door advising them to evacuate immediately. (letters available)

A local RFS Captain with 52 years local experience has shared with me his frustration at being limited by the RFS headquarters in carrying out essential hazard reduction burns that had previously been carried out regularly on the assessment of his local brigade.

I am aware of other RFS Captains with similar experiences. I understand that RFS policy prevents Captains from speaking publicly about internal instructions from RFS headquarters. I have accumulated extensive documentation over the last 3 years and whilst I have endeavoured to keep this submission concise these documents are readily available if the inquirers would like any of my claims to be substantiated.

Upload files