Supplementary Outline of Closing Submissions for the Affected Owners Community Group (AOCG) in relation to the Inquiry into the Grose Valley (Mt Wilson) Fire, and Stage 2 'Backburning Operations – Planning and Execution'

 This supplementary submission responds directly to the issue of "Communication and Warnings" as established in the Stage 2 Hearing – May 2023 Issues List.¹

Extract from Stage 2 Issues List

5) Thus, fires subject to a Stage 2 hearing operate as case studies to provide a factual matrix underpinning the following wider themes identified:

- a) Bushfire Risk Classification;
- b) Fire Prediction Modelling;
- c) Communications and Warnings;
- d) Backburning Operations Planning and Execution;
- e) Vehicle Design and Safety; and
- f) Investigation of fires

Issues with the Evidence and Conclusions by Mr Conway

2) In his report, court appointed expert Geoff Conway was asked to consider the appropriateness of communications and warnings on 14 and 15 December 2019 at question 8.²

Q8, Were the bushfire warnings and alerts for 14 and 15 December 2019 appropriate under the circumstances? Please have regard to the area(s) which were impacted by the fire on those dates following the breach of the southern containment line on 14 December 2019.

- 3) In response to this question Mr Conway made the following statements:
 - a) "Wording for advice and warnings messages issued by the RFS are predetermined, well-constructed and reflected the RFS Guidance in place at the time....The warnings

¹ Stage 2 Hearings – May 2023 Issues List, 31 March 2023, p. 2

² Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3749

issued were relevant to the people who were impacted."³

- b) "Warnings were delivered via the RFS website, social media, and text message through the Emergency Alert Application, in accordance with Warnings and Public Information Protocol."⁴
- c) "Throughout the evening of the 14th and during the day of the 15th a constant series of major fire updates were posted to the RFS website relating to the fire in the Bowen Creek basin between Mt Wilson and Bilpin."⁵
- 4) Ultimately, Mr Conway concluded in his report that:
 - a) "The warnings and advice provided to communities affected by the fire extension to the east of Mount Wilson Road were relevant and tailored to the needs of the affected community."
 - b) "There was a brief delay in providing initial advice and warnings after the spot overs on Mount Wilson Road were identified. The focus of IMT members in resourcing the defensive strategy for Mount Wilson may explain this delay, but the delay is still of note. Warnings were in place approximately one hour before the fire impacted Mount Wilson."⁶
- 5) Mr Conway's conclusion in regard to the appropriateness of communications and warnings were included in Counsel Assisting's Outline of Written Submission, 5 July 2023. Additional comments were included around Mr Conway's response to public warning documents shown to him during the hearing.
 - a) 236 i) "the warnings and advice provided to communities affected by the fire extension to the east of Mt Wilson Rd were relevant and tailored to the needs of the

³ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3750

⁴ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3750

⁵ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3750

⁶ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3751

affected community."7

- 6) Evidence referenced by Mr Conway in making his conclusions included:
 - a) Internal RFS Situation Reports
 - b) Internal logbooks entries
 - c) Major Fire Updates
 - d) RFS Statements
 - e) RFS Factual Investigation
 - f) Emergency Alert Campaign
 - g) RFS Warnings and Public Information Protocol NSW RFS Operational Protocol 1.1.5
- 7) Mr Conway does not appear to reference any publicly available warnings or communications to make his assessment.
- 8) Mr Conway refers to various internal Situation Reports that include description of the location and heading of the escaped Mt Wilson Backburn. He cites a Situation Report at 16:39 pm (sit Rep 412) which "*identifies Mount Wilson as the area under threat.*"⁸
- 9) The same situation Report also describes that "Spot fire activity on eastern side of Mt Wilson Rd. Fire is running to the north and Mt Wilson is under imminent threat."⁹
- 10) Mr Conway cites a Major Fire Update at 16:19 pm on 14 December 2019 which described that *"fire is moving in a north-easterly direction towards Mount Wilson."*¹⁰
- 11) However, Mr Conway does not include in his analysis that the Major Fire Update at 16:56 pm on 14 December 2019 was changed to state that the fire is moving south toward Mt Wilson. ¹¹
- 12) Mr Conway does not address that the publicly available NSW RFS Facebook Emergency Warning at 16:57 pm, was edited to also state that the fire was moving <u>south</u> toward Mt Wilson.¹²

⁷ Outline of Written Submissions Grose Valley, 5 July 2023, p 68

 ⁸ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3749
 ⁹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11 Table 3 (Situation Report 14 December 2019), p. 311

 ¹⁰ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3750
 ¹¹ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, Majorfireupdateld

⁷⁵³¹

¹² MFI #B, Appendix 7, p. 60

- 13) Mr Conway was shown various public communications and warning from 14 and 15
 December 2019, including the edited RFS Emergency Warning Facebook post from 16:57
 pm on 14 December. In each case he agreed that the communications did not reflect
 what was happening on the ground.¹³
- 14) Mr Conway stated in his report that throughout the evening of 14 December and during the day of 15 December there was a constant series of Major Fire Updates relating to the fire in the Bowens Creek basin between Mt Wilson and Bilpin.¹⁴
- 15) However, analysis of the Major Fire Updates from 4:56 pm on 14 December through to
 11:57 pm on 15 December (approximately 19 hours) show that there were seven
 consecutive updates¹⁵ that:
 - a) do not describe any fire in the Bowens Creek basin between Mt Wilson and Bilpin.
 - b) do not describe that the Mt Wilson Backburn had escaped.
 - c) do not describe that the Mt Wilson Backburn posed a threat to the communities of Mt Wilson, Mt Tomah and Berambing.
 - d) Only described fire to the north of Mt Wilson
 - e) Updates were only issued for the Gospers Mountain Fire, which at the time was a "significant" distance away and did not pose an immediate threat.¹⁶
- 16) Furthermore, whilst referring to some Situation Reports up until 16:39 pm on 14 December 2019, Mr Conway does not reflect on the Situation Reports after this period.
- 17) Mr Conway was engaged by the court to provide expert evidence. In relation to the issue of Communications and Warnings on 14 and 15 December 2019, we submit that this is a matter of fact rather than opinion.
 - a) Mr Conway was not involved in the management of the Mt Wilson Backburn and has no direct experience of the incident
 - b) Mr Conway was not a resident affected by the backburn and has no direct experience of the public communication made available on 14 and 15 December 2019.
- 18) With this consideration, evidence provided by the Affected Residents, who were directly impacted by the backburn and have first hand experience with the warnings on 14 and 15 December should be preferred to Mr Conway's opinion on this matter.

¹³ Transcript for 19 May 2023 (Conway) T1670 5-50, T1671 5, T1671 35-50, T1672 5-10

¹⁴ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3750

¹⁵ See annexure A, Summary of Major Fire Updates 13-15 December 2019 at p. 24 this document.

¹⁶ Transcript for 19 May 2023 (Conway) T1669 40-45

Evidence submitted by residents from the Grose Valley Affected Owners Community Group

19) During the 15-19 May 2023 hearings, a submission made by Jochen Spencer and Kooryn Sheaves was presented to the court. This submission is titled "Submission to the Coronial Inquiry in the fire at Grose Valley, Mt Wilson 2019" and was initially submitted on 27 May 2022. This document was marked by the court as MFI #B¹⁷.

The same submission was also incorporated in the affidavit of Jochen Spencer which was supplied to the court on 5 May 2023.¹⁸

- 20) During the 15-19 May 2023 hearings witnesses including Geoff Conway, Jamie Carter, Craig Burley and Ken Pullen were asked to respond to various communications and warnings publicly available from 14 and 15 December 2019.
- 21) None of the affected residents who supplied affidavits regarding the were called to give oral evidence at the hearings.
- 22) The following issues were addressed in evidence by affected residents in relation to Communication and Warning issue.
 - a) No community meeting was called to advise residents of the threat after the backburn escaped on 14 December 2019. Local Bilpin RFS crews were not aware that the backburn had escaped.¹⁹

Kevin Tame former Senior Deputy Captain of Bilpin RFS Brigade states: "I wasn't aware that the Mt Wilson Backburn had escaped or posed a threat to the community. No one mentioned it at the morning briefing session before we went out. There was no community meeting called the previous evening to advise residents of any threat. This would normally happen. We weren't told anything."²⁰

¹⁷ Transcript for 16 May 2023 (Carter) T1492 10

¹⁸ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4327

¹⁹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4356

²⁰ MFI #B, Appendix 15, p. 68

- 23) That on the morning of 15 December 2019 the day proceeded like any other day and there were no warnings residents were in imminent danger.²¹
- 24) Extracts from the affidavit of William Gruner state:²²

"So, the day preceded like any other here in the community. We had no warnings we were in imminent danger."

"We (Sarah and I) were standing outside and then the big jet came over and dumped pink along the ridgeline around us. That's when I said to Sarah, "We are in trouble now, they only bomb where the fire is." That is when we realised, we were in the middle of a big fire. That's how we came to understand things. I was still in my shorts."

"We'd had a briefing during the week at the Mt Tomah Fire Shed that everything would be ok. We were still working on the estimation that the fire from Gospers was probably 14 days away before it rolled through here. So we were actually pretty chilled out."

- 25) Other residents describe how, partners or family had left in the morning, who, unaware of the danger posed by the escaped Backburn, were then unable to return to defend their property due to police roadblocks. ²³
- 26) Extracts from the affidavit of Sam Ramaci state:²⁴

"On the morning of Sunday 15th December 2019, my wife and our heavily pregnant daughter, and son in law and other family members when over to Penrith to go shopping for baby things. They checked the Fires near me App and the local Bilpin RFS Shed to make sure things were ok before taking the trip which is about an hours drive away, because they didn't want to leave me alone to defend the property if the fire was a danger."

"I was going out on duty that night on the Bilpin truck al 6:30 pm so I actually went

²¹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4389

²² Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4389-4390

²³ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4373, 4375, 4383

²⁴ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4383

and had a bit of a sleep. I would get an update on the fire then."

"At 4:30 pm I got up as the wind had come up. You could see and hear a lot of the wind coming. Then about 5: 00 pm this guy from the RFS came up and wanted to know who was living here. I said it was me. He said: "Just letting you know the fires at your doorstep. But he didn't know what to do. He wasn't a local."

27) Extracts from the affidavit of Margaret Miller state:²⁵

"Because we had no warning of this fire, at the time the fire hit my partner had taken the car and so I was alone and without transport. I rang my partner screaming down the phone for him to come and get me but he couldn't get past the police road block. He was told it was better one person die than three."

28) Extracts from the affidavit of Peter Sterelyn state: ²⁶

"On Saturday 14th December 2019, we had attended a Christmas party at Kurrajong, oblivious to the dangers of the escaped Mt Wilson backburn, we arrived at police roadblock on Bells Line Road about 4pm."

29) Extracts from the affidavit of Lionel Bucket state: ²⁷

"On 15 December 2019, mid-afternoon, Mike Mclean from a neighbouring property at Mt Wilson rang to say the Mt Wilson backburn would be impacting us at Berambing in about 20 minutes."

²⁵ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4373

²⁶ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4376

²⁷ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4368

Major Fire Updates and Situation Reports

- 30) Major Fire Updates are form of public communication issued by the RFS used to communicate warnings, threat, advice, and fire activity relating to a particular fire.
- 31) NSW RFS Operational Protocol OP1.15 Warnings and Public Information Protocol²⁸ identifies that:
 - a) The content of the major fire update is to reflect, in words, the geographic areas the warning applies to.
 - b) Warnings are delivered through Major Fire Updates, which are managed centrally by the Public Information Unit.
 - c) Users are directed to NSW RFS website for major fire updates, as a source of frequently updated information.
 - d) For major fire updates on the NSW RFS website, the name of the incident, Local Government Area, and the main action statement or area affected should be used (eg Browns Road Bush Fire (Wentworth LGA) – Stay Informed).
- 32) Major Fire Updates relating to the Mt Wilson Backburn are available in the Brief of Evidence as unformatted entries in an excel spreadsheet.²⁹
- 33) Situation Reports are internal RFS operational documents that describe, amongst other things, fire activity, warning levels, warning messaging, resourcing, fire origin and plans for divisions across the fireground. RFS Situation Reports relevant to 14 and 15 December 2019 are included in the Brief of Evidence.³⁰

Chronology of Communications and Warnings 13-15 December 2019

13 December 2019 – Communication and Warnings

34) At 4:56 pm on 13 December 2019, a planning meeting took place involving the Hawkesbury IMT, Mt Wilson Brigade and others.³¹ It was in this meeting that Jamie Carter, the Bell Divisional Commander, stated the decision to proceed with the backburn on 14 December 2019 was made.³²

²⁸ <u>https://www.rfs.nsw.gov.au/ data/assets/pdf_file/0015/243240/OP-1.1.5-Warnings-and-Public-Information.pdf</u>

²⁹ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet,

³⁰ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11 Table 3 (Situation Reports), p. 236-330

³¹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-25

³² Transcript for 16 May 2023 (Carter) T1503 40-45

35) At 8:14pm on 13 December 2019, an RFS Major Fire Update did not mention any planned backburning activities for around Mt Wilson on 14 December 2019. However, the update does mention other backburning activities being conducted across the Gospers Mountain fireground. It states:

Where conditions allow, crews will continue to conduct backburning to protect properties in a number of areas including Bilpin, Itchenstoke, Boree, Bucketty and north-east of Wallerwang.

And

Firefighters are undertaking back burning operations in the areas of Perrys Crossing and Fernances, in addition to the Mogo Creek area. People in these areas will experience an increase in smoke.³³

14 December 2019 – Communication and Warnings

36) At 8:10 am on 13 December 2019 the RFS issued a Major Fire Update. It did not mention the planned Mt Wilson Backburn scheduled to commence approximately 2 hours later that morning. The update stated:

Current Situation

- This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including:

<u>- North of Bell, Mt Wilson, Mt Irvine</u>, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon, Kurrajong, Upper Colo and the Colo River.

And

- Where conditions allow, crews will continue to conduct backburning to protect properties in a number of areas including Bilpin, Itchenstoke, Boree, Bucketty and north-east of Wallerwrang.

- Firefighters are undertaking back burning operations in the areas of Perrys Crossing and Fernances, in addition to the Mogo Creek area. People in these areas will experience an increase in smoke

And

Mountain Lagoon, Bilpin, Mt Irvin, Mt Wilson, Itchenstoke and Bell areas

- Continue to monitor conditions.

³³ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7509

- Be ready to take action in case conditions change.
- Follow your bush fire survival plan.
- 37) The Mt Wilson Backburn commenced at around 10:00 am on 14 December 2019, proceeding along Bells Line of Road and Mt Wilson Road.
- 38) Between 1:00pm and 2:00pm Jamie Carter explained that the situation regarding the Mt Wilson Backburn started to deteriorate and there was a "corresponding increase in fire activity." Mr Carter further describes that these conditions and the fire activity experienced "is not the situation that we want to be in."³⁴
- 39) At 1:55pm another Major Fire Update³⁵ was issued by the RFS. It made no mention that the Mt Wilson backburn was underway and that there was fire south of Mt Wilson. It states:

Current Situation - This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including: -North of Bell, Mt Wilson, Mt Irvine, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon, Kurrajong, Upper Colo and the Colo River.

Mountain Lagoon, Bilpin, Mt Irvin, Mt Wilson, Itchenstoke and Bell areas -Continue to monitor conditions. - Be ready to take action in case conditions change. -Follow your bush fire survival plan.

- 40) At around 2:40 pm on 14 December 2019 the Mt Wilson Backburn escaped containment lines and spread to the eastern side of Mt Wilson Road.³⁶
- 41) At 2:49 pm on 14 December 2019 an RFS internal situation update described fire activity around Mt Wilson. It states:

Bell Division: Spot fire activity on eastern side of Mt Wilson Rd. Fire is running to the north and Mt Wilson is under imminent threat. Ground crews are preparing for property protection. Multiple LAT drops ordered to slow fire spread.³⁷

42) Soon after, fire spread prediction modelling for the spot fires east of Mt Wilson Road was completed by the RFS at 3:00pm on 14 December 2019. This prediction indicated that the

³⁴ Transcript for 15 May 2023 (Carter) T1436-1437 45-45

 ³⁵ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId
 7518

³⁶ Transcript for 15 May 2023 (Casselden) T1401 5

³⁷ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3 (Situation Report), p. 321

escaped backburn would likely take a several kilometer run towards Mt Wilson, Mt Tomah and Berambing on 14 and 15 December 2019. It identified that assets in these locations were going to be impacted. ³⁸

- 43) At 3:25 pm, the Divisional Commander "recommends a Watch and Act message be broadcast for the fire to the east of Mount Wilson Rd"³⁹
- 44) No evidence has been presented that this alert was made. Neither the Major Fire Updates⁴⁰ or Situation Reports⁴¹ covering this time period demonstrate that a Watch and Act alert was issued.
- 45) At 3:49 pm Bell Divisional Commander and the Public Liaison Officer (PLO) concurred that an Emergency Warning needs to be issued. ⁴²
- 46) 30 Minutes later at 4:19 pm, the first warning relating to the Mt Wilson Backburn was issued as an Emergency Warning. The warning is inaccurate for the following reasons:
 - a) The **warning was issued for the Gospers Mountain Fire**, which at the time was a "significant distance" away from Mt Wilson at the time and wasn't an immediate threat.⁴³
 - b) The Warning did not make it clear that the threat was from the backburn or that the backburn had escaped.⁴⁴
 - c) The warning did not identify the Blue Mountains LGA as an area being under threat.⁴⁵
- 47) Mr Conway was asked about the delay in issuing the warning at 4:19 pm nearly 1 hour after a warning upgrade had been requested by the Divisional Commander Jamie Carter. He replied:

....We have a fire spread prediction provided by an FBAN at 1,500 (15:00 pm) that indicates potential fire spread from those spots. That period of time between the IMT

⁴² Exhibit 56A, Brief of Evidence – Grose Valley Fire, Mt Wilson Tab 11 (Factual Investigation), p. 200

³⁸ Brief of Evidence Gospers Mountain Fire, Tab 37 (Fire Spread Prediction Map, Mt Wilson 14-15 December 2019) p. 1603

 ³⁹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 82 (Expert Report of Geoff Conway), p. 3749
 ⁴⁰ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7518 & 7526

⁴¹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3 (Situation Report), p. 306-321

⁴³ Transcript for 19 May 2023 (Conway) T1669 40-45

⁴⁴ Transcript for 19 May 2023 (Conway) T1670 5-10

⁴⁵ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7526, 7531

becoming aware that things had deteriorated on the fireground, and when the major fire update occurred, and when the Emergency Alert update occurred; in my mind is a little long, and I haven't been able to interrogate or explore what the context of that was, but certainly as an Incident Controller and Public Information Officer, I would anticipate that you should be able to get those messages out a little earlier than that.⁴⁶

- 48) Despite the 4:19pm warning James Carter, Bell Divisional Commander, agreed that the RFS Emergency Warning issued at 4:19pm, which described that "fire is moving in a north-easterly direction towards Mt Wilson" referred to the backburn.⁴⁷
- *49)* At 4:39 pm an RFS internal situation update described fire activity around Mt Wilson. It states:

Bell Division: Spot fire activity on eastern side of Mt Wilson Rd. Fire is <u>running to the</u> <u>north and Mt Wilson is under imminent threat</u>.⁴⁸

- 50) Following this, at 4:57 pm, the Emergency Warning on the NSW Rural Fire Service Facebook page was edited to describe that *"fire is moving in a <u>southerly direction toward</u> <u>Mt Wilson</u>."⁴⁹ Geoff Conway, court appointed expert, was show a copy of this Emergency Warning from the NSW Rural Fire Service Facebook post, and agreed that the message did not make it clear the fire threat is from the backburn or that the backburn had escaped.⁵⁰*
- 51) This change in direction and heading of the fire threat communicated in the 4:57 pm Emergency Warning is also captured in the Major Fire Update at 4:56 pm on 14 December 2019. This states:

The fire is moving in a <u>southerly</u> direction towards Mt Wilson. - This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including: - <u>North of Bell, Mt Wilson, Mt Irvine, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon,</u> <u>Kurrajong, Upper Colo and the Colo River.⁵¹</u> (underline added for emphasis)

⁴⁶ Transcript for 19 May 2023 (Conway) T1655 30-35

⁴⁷ Transcript for 16 May 2023 (Carter) T1480 40

⁴⁸ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab, Table 3, Item 15 (Situation Report), p. 311

⁴⁹ MFI #B, Appendix 7, p. 60

⁵⁰ Transcript for 19 May 2023 (Conway) T1670 5

⁵¹ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, Majorfireupdateld 7531

- 52) Despite this warning message not making it clear the backburn was the source of the fire threat or that it had escaped, consecutive Major Fire Updates at 5:36 pm, 5:59 pm, 6:35 pm continued to state that *"the fire is moving in a southerly direction toward Mt Wilson"*.⁵²
- 53) Despite the public Major Fire Updates describing the fire moving south toward Mt Wilson, a series of internal RFS Situation Reports between 4:39 pm and 7:47 pm on 14 December describe the fire as being east of Mt Wilson Road and "running to the north".⁵³
- 54) At 6:41 pm on 14 December 2019 the Hawkesbury District RFS posted a message on it's Facebook account which stated *"the fire remains withing the planned containment lines."*⁵⁴
- 55) Mr Carter agreed that this post was inaccurate⁵⁵ and that the backburn had escaped containment lines at around 14:40 pm that day. He further added that "within minutes" he had communicated the breach of containment lines to Karen Hodges, the Hawkesbury Incident Controller.⁵⁶
- 56) Ken Pullen, Hawkesbury Group Captain, and administrator of the Hawkesbury District RFS Facebook page⁵⁷, explained that the normal practice for posting on the Hawkesbury District RFS page was that a Public Liaison Officer (PLO) would be requested to publish a post from the Planning Team or the Incident Controller.⁵⁸ Mr Pullen was unaware of who the PLO was on 14 December 2019.⁵⁹
- 57) Once the warning level had decreased to "Advice," the Major Fire Updates at 8:00 pm and 8:02 pm on 14 December 2019 stated:

Fire activity has eased across the fireground, reducing the threats to homes. - This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including: - <u>North of Bell, Mt Wilson,</u> Mt Irvine, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon, Kurrajong, Upper Colo and the

⁵² Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7536, 7538, 7544

 ⁵³ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab, Table 3 (Situation Report), p. 287, 291, 296, 301, 306, 311

⁵⁴ MFI #B, Appendix 12 p. 65

⁵⁵ Transcript for 16 May 2023 (Carter) T1480-1481 45-30

⁵⁶ Transcript for 16 May 2023 (Carter) T1483 5-15

⁵⁷ Transcript for 16 May 2023 (Pullen) T1510 25-30

⁵⁸ Transcript for 16 May 2023 (Pullen) T1511 5

⁵⁹ Transcript for 16 May 2023 (Pullen) T1511 10

Colo River.60

58) From 4:56pm to 8:02 pm on 14 December 2019 there were six consecutive Major Fire Updates (mentioned above) issued by the RFS, which covered 3 Emergency, 1 Watch and Act and 2 Advice warnings. In relation to the communications and warnings in the Mt Wilson Backburn area, a summary of these Major Fire Update has been produced below:⁶¹

The Major Fire Updates describe:

- a) Fire as being located north of Mt Wilson.
- b) The fire threat was from the Gospers Mountain Fire <u>not</u> the escaped backburn

The Major Fire Updates do not mention:

- c) The Mt Wilson Backburn had escaped containment lines
- d) The Mt Wilson Backburn was the source of the fire threat.
- e) The Blue Mountain LGA was under threat.
- 59) Mr Conway was asked to reflect on the Major Fire Update at 8:02 pm on 14 December 2019.⁶² In response he replied:

Q. Again, Appendix 13, you can see the highlighted bit north of Bell, Mount Wilson, Mount Irvine, and those other locations, that was where the wildfire was, that's correct?

A. That's correct, that's where the main part of the fire was.

Q. It doesn't mention anywhere there, where the backburn is. A. That's correct.

Q. That's a significant omission in this Major Fire Update to the affected community, is it not?
A. Let me finish reading. <u>Yes, the point you make is valid, it doesn't capture</u> that.⁶³

⁶⁰ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7550, 7552

⁶¹ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, Majorfireupdateld 7526, 7529, 7531, 7536, 7538, 7544, 7550, 7552

⁶² MFI #B, Appendix 13 p. 66

⁶³ Transcript for 19 May 2023 (Conway) T1670-1671 40-5

- 60) It is important to note that the Major Fire Updates did at other times on 14 December 2019, describe other ongoing or planned backburn operations across the Gospers Mountain Fireground. However, the Mt Wilson Backburn was not mentioned.
- 61) For example, at 4:56pm on 14 December 2019, at the same time the Emergency Warning message was changed in relation to the fire threat at Mt Wilson, the Major Fire Update described a different planned backburn operation at Wolgan Gap:

Firefighters will be working to implement a tactical backburn on the Wolgan Road (at the Wolgan Gap) commencing at 7:00pm tonight.

- The backburn will run from Wolgan Gap for approximately 2.5km in a northerly direction to the valley floor.

- This operation will result in the closure of Wolgan Road for up to 48 hours. Residents north of Wolgan Gap on the Wolgan Road will have no access in or out during this time. Residents may choose to remain, but will need to be self-sufficient for this period.⁶⁴

- 62) The Watch and Act communication issued at 6:36pm on 14 December 2019 which described "Watch and Act Gospers Mountain, Lithgow and Hawkesbury LGA" did not appear to have been communicated to the Blue Mountain LGA, where Mt Wilson is located.⁶⁵
- 63) The Hawkesbury District RFS Facebook communication at 6:41 pm on 14 December 2019⁶⁶ which stated *"the fire remains withing the planned containment lines"* was not correct.⁶⁷ The backburn had breached containment approximately 4 hours earlier and was burning out of control.

15 December 2019 – Communication and Warnings

64) At 8:49 am on 15 December 2019, an RFS internal Situation Report stated that:

Spot fire activity on eastern side of Mt Wilson Rd. Crews now mopping up and patrolling. Heavy aerial support on spot over yesterday, however fire continues east of Mt Wilson Rd

⁶⁴ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, Majorfireupdateld 7526, 7529, 7531, 7536, 7538, 7544, 7550, 7552

⁶⁵ Transcript for 16 May 2023 (Carter) T1480-1481 45-30

⁶⁶ MFI #B, Appendix 12 p. 65

⁶⁷ Transcript for 16 May 2023 (Carter) T1480-1481 40-45

and south of Mt Wilson township.⁶⁸

- *65) At* 9:30 am on 15 December 2019 Fire Spread Prediction map was completed which confirmed that the escaped backburn would likely impact Mt Wilson, Mt Tomah, Berambing and Bilpin that day. ⁶⁹
- *66)* At 10:09 am on 15 December 2019, the logbook of Hawkesbury Management Support Officer (MSO) Patricia Back recorded:

"Some pre-emptive planning for Grose Valley Break Out analysis"⁷⁰

67) At 10:27 am on 15 December 2019, the MSO logbook recorded:

"Alert status to be advised" "Range Hill Trail @ Mt Wilson driven by C Burley adv won't hold." "Mt Wilson East Powerline Trail fire in this area & going hard."⁷¹

68) At 10:30 am the 7th consecutive Major Fire Update described continued to omit that the Mt Wilson Backburn had escaped containment lines and was burning south of Mt Wilson. It states:

Current Situation

- Fire activity has eased across the fireground, reducing the threats to homes.

- This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including:

- <u>North of Bell, Mt Wilson,</u> Mt Irvine, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon, Kurrajong, Upper Colo and the Colo River. ⁷²

69) At 10:52 am Log book of MSO Patricia Back recorded a telephone call with Jayson McKellar, District Manager RFS, which noted: *"fire going strong crowning at the ridges*

⁶⁸ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab11, Table 3 (Situation Report), p. 277

⁶⁹ Exhibit 56A, Brief of Evidence – Grose Valley Fire, Mt Wilson, Tab 94 (Additional Gospers Mountain Fire Spread Prediction Map) p. 4139

⁷⁰ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-2

⁷¹ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-3

⁷² Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7568

looking like it will cross Bowens Creek."73

- *70)* At 10:54 am on 15 December the RFS ICON Intelligence log recorded that "…*primary objective is property protection in Mt Tomah*…"⁷⁴
- 71) Craig Burley, was shown a transcript of a radio recording from 11:06 am on 15 December
 2019. The recording details an exchange between Bell Operations and Air Attack
 Supervisor.⁷⁵ After reviewing this transcript, Mr Burley agreed that:
 - *a)* He and Chris Banffy (Air Attack Supervisor) were in concurrence during this conversation:
 - *b)* they were not confident that the mediums (helicopters) were going to hold the escaped backburn at Bowens Creek;⁷⁶
 - c) That at 11 o'clock, fire behaviour was only going to increase.⁷⁷
 - *d)* That Mr Banffy's statement from the transcript "that things are pretty much starting to pick up to a level where we can't do anything now, let alone what it's going to do later today" was accurate.⁷⁸
- 72) At 11:54 am on 15 December 2019 a Major Fire Update finally described fire activity in the Bowens Creek area south of Mt Wilson. :

Current Situation

- Fire activity has increased in the Bowen Creek area, south of Mount Wilson. Today there is a very high risk of the fire crossing to the south of Bowen Creek and threatening Mount Tomah.

- This large fire stretches from the Lithgow area in the west, through the Hawkesbury area and towards the Central Coast in the east including:
- North of Bell, Mt Wilson, Mt Irvine, Mt Tootie/Itchenstoke, Bilpin, Mountain Lagoon,

⁷³ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-5

⁷⁴ Exhibit 56A, Tab 11 – Table 3 – Item 2, Brief of Evidence -Grose Valley Fire, Mt Wilson – ICON Intelligence Log Gospers Mountain Fire, Intelld: 519876

⁷⁵ MFI #B, Appendix 17 p. 70

⁷⁶ Transcript for 17 May 2023 (Burley) T1557 15

⁷⁷ Transcript for 17 May 2023 (Burley) T1557 25-30

⁷⁸ Transcript for 17 May 2023 (Burley) T1557 5-30

Kurrajong, Upper Colo and the Colo River.⁷⁹

- 73) Between the Emergency Warning at 4:56pm on 14 December 2019 to the Major Fire Update at 11:54 am on 15 December 2019 there <u>was a 19-hour period</u> where public communications and warnings issued by the RFS did not mention:
 - a) that the backburn had escaped and posed a threat to communities
 - b) that there was fire south of Mt Wilson
 - c) that properties at Mt Wilson, Mt Tomah and Berambing would be impacted.

After the Major Fire Update at 11:54 am on 15 December

- 74) At 12:06 pm on 15 December 2019, the RFS Blue Mountains District Facebook page posted a community newsletter titled: "Information on fire activity in the Blue Mountains area". Despite the Mt Wilson escaped backburn continuing to burn within the Blue Mountain LGA where it had already been identified as threatening properties at Mt Tomah, Mt Wilson and Berambing (all within the Blue Mountains LGA), the community newsletter states that "there is no immediate threat". It makes no mention of the escaped Mt Wilson Backburn burning south of Mt Wilson.⁸⁰
- 75) Mr Burley was further shown a transcript of a radio recording between Bell Safety, Bell Operations and Bell Divisional Command from 12:49 pm on 15 December 2019. The transcript describes a request from Bell Safety to increase the warning level to Emergency Alert level.⁸¹ Mr Burley explained:
 - a) He had no recollection of this conversation.⁸²
 - b) He agreed that he was Bell Operations on that day. 83
 - c) Mr Burley was asked if an Emergency Level was warranted at 12:49pm that day and he stated that "Given the fire behaviour that we experienced that day, yes, but I do not recall what time that I would have taken that stance."⁸⁴
- *76)* At 12:55 am on 15 December 2019 the RFS ICON Intelligence Log for Gospers Mountain Fire recorded a request from Bell Divisional Commander requesting an increasing warning

⁷⁹ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7569

⁸⁰ MFI #B, Appendix 21 p. 76

⁸¹ MFI #B, Appendix 23 p. 78

⁸² Transcript for 17 May 2023 (Burley) T1557 5

⁸³ Transcript for 17 May 2023 (Burley) T1558 15-35

⁸⁴ Transcript for 17 May 2023 (Burley) T1558 25-35

level due to expected fire impact within 30 minutes. Eight minutes after this request at 1:03pm the ICON log recorded that the Incident Controller had rejected the request. One of the reasons given was that the community was already aware of the situation.⁸⁵

- 77) At 1:58 pm on 15 December 2019, RFS Line scan imagery⁸⁶ showed that there was an approximately 5km fire front heading eastward from the escaped Mt Wilson Backburn toward Mt Tomah, Berambing and Bilpin. The fire front is approximately 2.3km from private property at Mt Tomah. The same Line scan image also shows the fire front closing in on properties at Mt Wilson.⁸⁷
- *78)* At 2:33 pm on 15 December 2019 a Major Fire Update was issued, maintaining the same advice and warning level as the previous update at 12:30 pm.⁸⁸
- 79) At 2:34 pm on 15 December the ICON intelligence log recorded from Bell Divisional Commander that "fire was 150m off properties – undertaking property protection."⁸⁹ Bell Divisional Commander had previously requested an upgrade to Emergency Warning level 1 hour and 40 minutes earlier at 12:55 pm This request had been rejected by the Incident Controller.⁹⁰
- *80)* At 3:01 pm on 15 December another Major Fire Update was issued which maintained the same communication and warning level.⁹¹
- 81) At 3:27 pm on 15 December 2019 the log book of the Management Support Officer,
 Patricia Back recorded a series of entries:⁹²
 - a) 3:27 pm Banffy 617 662 Spotfires E side to Mt Wilson. Spot fires. Too windy for bucketing & gel....

- ⁸⁸ Brief of Evidence Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7573
- ⁸⁹ Brief of Evidence Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 520102
- ⁹⁰ Brief of Evidence Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 519973, 519982
- ⁹¹ Brief of Evidence Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet, MajorfireupdateId 7574
- ⁹² Exhibit 56A, Brief of Evidence Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-13

⁸⁵ Brief of Evidence - Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 519973, 519982

⁸⁶ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Table 5, Item 3 (Line Scan 15 December 2019 1358), p. 462

⁸⁷ MFI #B, Appendix 26 p. 80-81

- *b)* 3:32 Craig Crossed at 562 882. Coming up on E side of Mt Wilson. Multiple spots E of Mt Wilson all units deployed on prop protection.
- c) 3:32 M Reeves -> Craig More fire than resources available. Could come out to Waterfall Rd.
- *82)* At 3:33 pm on 15 December 2019, Jochen Spencer took a photograph of a helicopter circling a spot fire near private property in Berambing.⁹³
- 83) The spot fires were subsequently noted in the ICON Intelligence log at 3:37 pm where it was recorded that "AAS observing fire wrapping around knoll [GR 499874]. Tomah leader is observing 4m FH from Skyline Drive. He doesn't think it will hit Mt Tomah more likely to be Berambing."⁹⁴
- 84) At 3:50 pm on 15 December 2019 the NSW Rural Fire Service posted an update on its Facebook page. The post made no mention of the escalating situation, imminent threat to properties in Mt Tomah and Berambing or that properties were already being impacted at Mt Wilson:

Watch and Act - Gospers Mountain (Lithgow and Hawkesbury LGA)

The fire continues to burn in the Bowen Creek area, south of Mount Wilson. Ground crews, assisted by waterbombing aircraft, are working to slow the spread of the fire.

If you are in the area of Mt Wilson or Berambing, monitor the changing conditions. Know what you will do if the fire threatens.⁹⁵

- *85)* At 3:55 pm on 15 December 2019 ICON intelligence log recorded that *"The fire has crossed across Wynnes road from west to east at Mt Wilson."*⁹⁶
- *86)* At 4:07 pm on 15 December 2019 the ICON Intelligence log recorded "9 properties being impacted on East side of Wynnes Creek Rd (correction Wynnes Lookout Road)."⁹⁷
- 87) At 4:13 pm on 15 December 2019 the NSW Rural Fire Service finally issued an Emergency Warning in relation to the escaped Backburn. This was more than 3 hours after it had first

⁹³ MFI #B, Appendix 31 p. 87

⁹⁴ Brief of Evidence - Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 520179

⁹⁵ MFI #B, Appendix 34 p. 90

⁹⁶ Brief of Evidence - Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 520213

⁹⁷ Brief of Evidence - Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 520237, 530244

been requested by Bell Divisional Commander. The Emergency warning was issued after properties had been threatened and impacted by fire in Mt Wilson, Berambing and Mt Tomah.

- 88) The Fires Spread Prediction maps created by the RFS at 3:00 pm on 14 December and9:30 am 15 December 2019 predicted that the escaped Mt Wilson backburn would make a run toward Mt Tomah, Berambing, Mt Wilson and Bilpin. This is exactly what occurred.
- *89)* To reach these locations, the escaped Mt Wilson Backburn would need to take a significant fire run over several kilometres. When the escaped Mt Wilson Backburn took a run towards these locations on 14 and 15 December 2019, there ultimately was no other viable option available to the IMT other than a defensive strategy. Backburning along Bells Line of Road was considered on 15 December 2019 by the IMT.⁹⁸ Bell Divisional Command stated on 15 December 2019 *"Recommend not to light as fire behaviour too high to backburn so watching it creep along Bells Line of road."*⁹⁹. It was reported that this option was excluded, as recorded in the Logbook of Patricia Back (MSO) at 11:30 am on 15 December.¹⁰⁰
- *90)* Mr Conway explained how *"very, very high risk"* such a defensive scenario is for firefighters and the community:

"The sort of fire intensity that you get from significant fire runs that have been running for a number of kilometres is incredibly challenging for firefighters, and very, very high risk, and we've seen tragic consequences for firefighters and residents in circumstances where defensive strategies were the only things available to them, in those high intensity fire runs."

"The challenge for firefighters in that circumstances are extreme, and the potential for successfully protecting life and property in those circumstances is minimal."¹⁰¹

91) Mr Conway was further asked about the potential of long distant spotting, and he replied:

"There's actually a lot of very good research being done in Australia in relation to potential for spotting, and a lot of the modelling nowadays gives you really

⁹⁸ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-5

⁹⁹ Brief of Evidence - Gospers Mountain Fire, Tab 41 (ICON Intelligence log, Gospers Mountain Fire), Intel Id 519915

¹⁰⁰ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 11, Table 3, Item 23 (Operational Log Book Extracts of Management Support Officers), p. 399-5

¹⁰¹ Transcript for 19 May 2023 (Conway) T1647 25-35

good indications of potential. So, you know, three to 5 kilometres is not uncommon. Eight to 10 kilometres in extremely severe circumstances."¹⁰²

Evidence of Affected Residents

- *92)* Various affidavits were supplied by affected residents which document their experiences of receiving no warning on 14 and 15 December 2019.
- *93)* For some that day proceeded like any other.¹⁰³ Other situations describe how partners or family had left in the morning, unaware of the danger posed by the escaped Backburn, and were then unable to return to defend their property due to roadblocks.¹⁰⁴
- *94)* Had timely, accurate and tailored communication and warnings been issued on 14 and 15 December 2019, impacted residents would have had more time to prepare for the impact of the backburn.

Conclusions

- *95)* In regard to the appropriateness of Communications and Warnings on 14 and 15 December 2019, we conclude:
 - *a)* The communications and warnings issued by the RFS on 14 and 15 December 2019 were inappropriate and not tailored to the specific needs of affected communities.
 - *b)* The constant issuing of inaccurate and defective warnings, that did not reflect the realities of the fire threat posed by the Mt Wilson Backburn, caused residents to be unaware of the impending disaster until it was too late.
 - *c)* There was a <u>substantial</u> difference between what was recorded in the internal RFS Situation Reports, fire spread predictions and other internal documents compared to what was broadcast through public communications and warnings.
 - *d)* The RFS were aware of the serious threat to the communities in Mt Wilson, Mt Tomah and Berambing through accurate fire spread predictions completed at 3pm on

¹⁰² Transcript for 19 May 2023 (Conway) T1647 40-50

¹⁰³ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4389

¹⁰⁴ Exhibit 56A, Brief of Evidence - Grose Valley Fire, Mt Wilson, Tab 99 (Evidence from Grose Valley Affected Owners Community Group Members), p. 4373, 4375, 4383

14 December and then at 930am on 15 December. The threats identified in these fire spread predictions were never communicated to the affected communities until the fire had impacted on 15 December.

Annexure A

Summary of Major Fire Updates 14-15 December 2019. Major Fire Updates are included in the Gospers Mountain Brief of Evidence. Each of the Major Fire Update IDs listed below reference where each entry can be located within this document.¹⁰⁵

Major Fire Update ID	Major Fire Update Date / Time	Major Fire Update Name	Major Fire Update Warning Level	Major Fire Update Summary	Major Fire Update Fire Location	Actual Location of Backburn
7518	14/12/2019 13:55	Advice- Gospers Mountain (Lithgow and Hawkesbury LGA)	Advice	<u>North</u> of Bell, Mt Wilson, Mt Irvine	North of Mt Wilson	South of Mt Wilson
7526	14/12/2019 16:19	EMERGENCY WARNING- Gospers Mountain (Lithgow and Hawkesbury LGA)	Emergency Warning	fire is moving in a <u>north</u> <u>easterly</u> direction towards Mt Wilson.	South of Mt Wilson	South of Mt Wilson
7529	14/12/2019 16:53	EMERGENCY WARNING- Gospers Mountain (Lithgow and Hawkesbury LGA)	Emergency Warning	The fire is moving in a <u>north easterly</u> direction towards Mt Wilson.	South of Mt Wilson	South of Mt Wilson

¹⁰⁵ Brief of Evidence – Gospers Mountain Fire, Tab 41, Major Fire Updates Excel Spreadsheet

Major Fire Update ID	Major Fire Update Date / Time	Major Fire Update Name	Major Fire Update Warning Level	Major Fire Update Summary	Major Fire Update Fire Location	Actual Location of Backburn
7531	14/12/2019 16:56	EMERGENCY WARNING- Gospers Mountain (Lithgow and Hawkesbury LGA)	Emergency Warning	The fire is moving in a <u>southerly</u> direction towards Mt Wilson	North of Mt Wilson	South of Mt Wilson
7536	14/12/2019 17:36	EMERGENCY WARNING- Gospers Mountain (Lithgow and Hawkesbury LGA)	Emergency Warning	The fire is moving in a <u>southerly</u> direction towards Mt Wilson	North of Mt Wilson	South of Mt Wilson
7538	14/12/2019 17:59	EMERGENCY WARNING- Gospers Mountain (Lithgow and Hawkesbury LGA)	Emergency Warning	The fire is moving in a <u>southerly</u> direction towards Mt Wilson.	North of Mt Wilson	South of Mt Wilson
7544	14/12/2019 18:35	Watch and Act- Gospers Mountain (Lithgow and Hawkesbury LGA)	Watch and Act	The fire is moving in a <u>southerly</u> direction towards Mt Wilson.	North of Mt Wilson	South of Mt Wilson

Major Fire Update ID	Major Fire Update Date / Time	Major Fire Update Name	Major Fire Update Warning Level	Major Fire Update Summary	Major Fire Update Fire Location	Actual Location of Backburn
7550	14/12/2019 20:00	Advice- Gospers Mountain (Lithgow and Hawkesbury LGA)	Advice	<u>North</u> of Bell, Mt Wilson, Mt Irvine	North of Mt Wilson	South of Mt Wilson
7552	14/12/2019 20:02	Advice- Gospers Mountain (Lithgow and Hawkesbury LGA)	Advice	<u>North</u> of Bell, Mt Wilson, Mt Irvine	North of Mt Wilson	South of Mt Wilson
7568	15/12/2019 10:30	Advice- Gospers Mountain (Lithgow and Hawkesbury LGA)	Advice	<u>North</u> of Bell, Mt Wilson, Mt Irvine. Fire activity has eased across the fireground, reducing the threats to homes.	North of Mt Wilson	South of Mt Wilson

Major Fire Update ID	Major Fire Update Date / Time	Major Fire Update Name	Major Fire Update Warning Level	Major Fire Update Summary	Major Fire Update Fire Location	Actual Location of Backburn
7569	15/12/2019 11:54	Watch and Act- Gospers Mountain (Lithgow and Hawkesbury LGA)	Watch and Act	Fire activity has increased in the Bowen Creek area, south of Mount Wilson. Today there is a very high risk of the fire crossing to the south of Bowen Creek and threatening Mount Tomah	South of Mt Wilson	South of Mt Wilson