TRANSCRIPT OF EVIDENCE

given before
the
ROYAL COMMISSION APPOINTED TO INQUIRE INTO THE CAUSES AND ORIGINS AND OTHER MATTERS ARISING OUT OF HIGH FIRES IN VICTORIA DURING THE MONTH OF JANUARY 1939.

held at
FORREST
on
TUESDAY, 21ST FEBRUARY, 1939.

PRESENT:

HIS HONOUR JUDGE STRETTON,
Royal Commissioner.

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MR. GREGORY GOWANS appeared to assist the Commission.
MR. A. G. LAWRENCE appeared on behalf of the forests Commission.

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HENRY GERALD IRVINE, Sworn and Examined:

MR. GOWANS: What is your full name?—Henry Gerald Irvine. I am a forest officer stationed at Forrest and I am in charge of the Otway East district. I have two foreman and a clerk stationed at Forrest under my control and, in addition, a foreman stationed at Moria.

From what points north and south does your district extend?—From Colac to Apollo Bay in practically a direct line, thence northerly to Wansleydale and Airey's Inlet. East and west it is roughly from Colac to Lorne, broken by private property.

What is the extent of the reserved forest in that area?—Approximately 110,000 acres.

Officially, it is set out at 132,500 acres of reserved forest. Would

941. IRVINE.
you agree with that?—I thought it was a little less.

There were 30,000 acres of protected forest?—Yes.

What was the position with regard to fires in your district in December of last year? Were there fires in your district then?—Yes.

Where were they, generally speaking?—At Barwon Downs, 5 or 6 miles east from Forrest; at Upper Gellibrand, about 5 or 6 miles to the west; between Dean's Marsh and Lorna, and north from there. It was practically the whole of the fires of importance in December.

Were those fires got under control?—They were got under control, with the exception of the Barwon Downs fire.

Do you know how those fires arose, or how the Barwon Downs fire arose in the first instance?—It was deliberately lit in December.

By what type of person, a grazier, a farmer or a millowner?—I put it down to grazing interests.

Were any investigations made into the cause of that fire, to find the person who lit it?—Not by me.

Apparantly it was lit during the proclaimed period?—Yes.

Can you tell the Commission the practice in this district of forest officers investigating the cause of the fires, when they occur in or near a forest reserve?—Yes, if we have sufficient time we investigate. This year particularly the fires were so severe that little time was available to actually inquire into the causes.

Ordinarily would they have been the subject of investigation by you, or a member of your staff?—Yes, in conjunction with a police officer.

So far as you know were any steps taken by the police?—No. I spoke to the local constable in connection with that particular fire, with the object of making inquiries.

Do you know whether he did make enquiries?—No, we decided finally that it was of no value.
Why do you say it would be of no value?—He had been in that particular area the day before, and the person or persons whom we thought would probably be the cause of lighting the fire—well we thought it would be of no use going.

The policemen thought it was no use going?—Yes.

Why did he think it was no use going to make inquiries?—One of the persons concerned, or whom we thought would be concerned, went into a tirade about people lighting fires, condemning them and that was why it was considered that it was of no use going.

Do you mean you thought you would get no admission from him?—Yes.

Do not you think it might have been possible to have made inquiries from persons other than him?—No, it is of no use.

THE COMMISSIONER: What was his occupation?—He is a farmer.

Did you question any of his neighbours?—No.

MR. GOWANS: We appreciate the fact that personally you were very busy on other fires since then?—I have been.

What police constable did you speak to?—Const. Gibson.

What happened with regard to that fire at Barwon Downs. It was burning in December; you say you had not got it under control; but what happened to it subsequently?—On that particularly hot day, January 13th, it broke away and burnt further areas of reserved forest.

When did you first hear of the Barwon Downs fire?—Late in December but I cannot remember the date.

Apparently you were fighting that fire from late December until January 13th?—Yes, and other fires as well.

What men did you have available to fight fires at that time?—Approximately 15 men, some of whom were permanently employed by the Forest Commission, and others employed with unemployment relief funds.

Were you in need of other men?—No.

Would you have been able to get this fire under control if you had had more men at your disposal?—No.

843. IRVINE.
What was the difficulty about that fire between the time you first observed it in January 13th that you were not able to get it under control?—To all intents and purposes it was under control, but on that particularly bad day, January 13th, a spark must have blown from a tree well inside the fire and spread it.

I thought you told me that you got all those fires in December under control, with the exception of the Barwon Downs fire?—Yes.

How you tell me you did not get that one under control?—That is what I said. That was the fire that was not under control, although it appeared to be.

At what stage before January 13th was it that you thought it was under control?—A few days before.

Did you take any particular steps to see that it did not get away?—Yes, it was patrolled, water carted to it, and tracks made around it.

Did you have plenty of water?—Yes.

How did you get water to that particular place?—It was carted in drums in the Forests Commission's utility trucks.

Did you have plenty of equipment?—Yes.

And enough men for the purpose?—Yes.

It was on 13th January that it actually broke out again. We know that was a particularly bad day with a north wind?—Yes, and very hot.

What happened to that fire on 13th January and afterwards?—It spread up that valley and burnt a few thousand acres of reserved forest. Finally it was fought again from then on and was stopped within a week or ten days.

(Continued on page 845.)
Did it burn any mills?—No.
Did it burn any property?—No.
And no lives were lost?—No.
Were there any breaks in the path of the fire?—Forest tracks.
No breaks?—They were used more for burning back on; they were not actual breaks.
Were they actual breaks or just tracks?—Tracks 12 ft wide.
You did burn back?—Yes.
With any success on the 13th?—No, it could not be attacked again until the 14th or 15th.
How did you finally get them under control; by burning a track, or did you simply burn back?—We more or less burnt back in the finish.
That is the Barwon Downs fire. What other fires did you have in January?—There were 18 fires altogether in January.
Have you made an investigation of the causes of those fires in a general way?—Yes, but not in any particular case.
Yesterday the Forest Officer for Otway West was able to give us an analysis of the fires in his district. Can you give us similar information? I mean as far as possible, not with any certainty. For instance, can you say how many of the fires were caused by graziers?

**THE COMMISSIONER:** Give us your belief and on what you base your belief?—12 of the 19 fires were put down to grazing interests.
Two were put down to farmers burning back, in fear of their own properties. One was put down to deliberate lighting to cause damage or loss to Hayden Bros., tram and bridges. The causes of two others were unknown. I just cannot recall any more at the moment.

**MR. GOWANS:** What was the basis for your belief in regard to the 12 fires put down to graziers?—Cattle on those particular areas; no other work going on in the areas, and no other reason that could be cited for anybody else having
any concern in lighting them.

It all goes on the assumption that they were lit by human agency?---
Yes. I do not think there is any doubt about that in
these cases.

Those fires would all involve offences against the Forest acts or the
Regulations?---Yes.

I suppose the same thing applies to those as to the other one at Barwon
Downs, that you have not had an opportunity of investigation;
do you still regard it as your duty to do so?---Not now.

Why?---As I said before, when I visited the local constable he considered
it was no use going on.

That applies to all of the 12 as well as the one at Barwon Downs?---
The state of the fires was such that I could not get any-
ting to work on for a beginning.

What about the one that was supposed to have been deliberately lit to
damage Hayden's mills. Has there been any investigation
into the origin of that fire?---No, we have absolutely
nothing to start on. It was lit in the State Forest.

What then is the basis for your belief that it was lit deliberately?---
It was lit near their tram and near a couple of bridges.
There is perhaps a certain amount of ill-feeling with that
particular millowner.

Is that arising out of the strike last year?---Yes.

Was it lit anywhere near their mills?---No.
Or anywhere near their cutting area?---No.

Was it lit in several places?---No, one place only.

Investigations into that fire have been abandoned also, apparently?---
Yes.

You have a number of mills in your district?---Seventeen.

They consist of Shelton Bros. mill at Forrest, Bennett & Sons, at
Bembra, Hayden's at Barwon Downs - two mills, Lorne saw-
mills at Mt. Sabine, two mills, Anderson McKay at Barwon
Downs, Heimie & Sons at Kawarren; Arnested's mill at Lorne,
Otway mills at Mt. Sabine, Condon Bros. mill at Kawarren, Westwood mill at Barongarook, and Babbington's mill at Benwerrin. Of these mills, one of Hayden Bros.' mills was burnt, one of the Otway sawmills on Mt. Sabine, Condon Bros.' mill at Benwerrin and the Westwood mill at Barongarook were also destroyed; is that right?—I do not think the Westwood mill was destroyed.

Are you satisfied that Westwood's was not destroyed?—Yes.

At how many of the mills in your district were there dugouts?—First of all only six of those mills happened to be on forests. Which ones were they?—The two Otway sawmills: Heinze's, Westwood's, Condon's, Anderson McKay & Co., and one of Hayden's.

Taking the six mills that were actually in the State Forest, at how many are there dugouts?—At two only, Anderson McKay's and one of the Otway mills.

Did you consider it desirable to have dugouts at the other places?—No, I consider that Anderson McKay & Co. was the only mill where it was necessary to have a dugout.

Why was that?—No clearing was possible around that particular mill, for the reason that it was just being built and the clearing around the mill was done right up to the end of December with the result that no burning could be done around it. It was therefore unsafe.

What about Hayden Bros.' mill?—At that mill on the State Forest there had been no felling of timber near the mill for years. The present felling area is one to two miles away from the sawmill.

Where do the men live?—In the huts at the mill itself.

Would it not be at the mill itself that a dugout would be wanted?—No, there was a very large pool of water at that particular mill which in my opinion is of greater value than a dugout in this particular instance.

THE COMMISSIONER: Are the river banks cleared?—Yes, there is only a little scrub.
MR. GOWANS: How wide is it?—In that particular spot, I suppose it is about 3 yards.

How far is that spot on the river from the mill?—One chain.

Is there any undergrowth to go through in order to get there?—Very little if any.

Your view is that so far as that mill is concerned, it would be quite possible and easy for them to get into the water?—I should think that they would be definitely safe.

Is it a condition of their license that a dugout should be provided?—No, I do not think so.

THE COMMISSIONER: What would be the condition of the men if they had to shelter in that stream for 2 or 3 hours, as they have had to do in other cases?—There is no actual dense forest around that mill because it has been cut out, and I do not think there would be any possible chance of them having to stay there that long.

There would not be enough intense heat?—No.

MR. GOWANS: What is the position in regard to Heinze & Sons' mill?—It is well burnt around their mills. They have a very large break; they are absolutely safe.

Is there any water there?—Only what they cart themselves; they only work the mill themselves. There are only three employees at the mill, the family.

What about the Otway Sawmills; have you dealt with them?—No, I did not mention them; one has a dugout; one sawmill that was burnt has since arranged for a dugout. In my opinion a dugout is unnecessary in those two Otway sawmills because a clearing has been cut around the mills; heads have been burnt and cleaned up as much as possible.

Do you know if it is a condition of their license that a dugout should be provided?—No, I think not.

What do you say about Condon Bros.?—Condon Bros. closed down in August last year. Nobody resided at the mill and it was therefore quite unnecessary to have a dugout. They have
not returned since.

How long have you been in this district?—3½ years.

Did you consider it was necessary to have a dugout there before they closed down?—They have only been working about four months. They are a new sawmill to me.

They had been cutting for some four months?—In the winter.

Did you give any thought to the question of a dugout there then?—No.

I have thought that if an adequate burn was made around their mills it would be unnecessary to have a dugout.

What do you say about Westwood?—Westwood is in a very safe area. It is not mountainous there like the Otway Sawmills and the Haydon's Mills areas. It is undulating country.

Are there any mills operating in the State forests that are situated outside the forest?—Yes, the remainder of those mills mentioned are operating in the State forests.

What do you say as to the position in regard to the safety of the men in the cutting areas at those mills. Do you think it was at all necessary to have had a dugout where they were cutting?—No.

(Please follow.)

849.
Why?---Provided they could get to their respective mills, which in every case was possible to my knowledge, it was unnecessary to have any shelter.

What was the furthest distance men were cutting away from their mill?---Approximately half a mile, I think from memory.

What was the means of getting back to the mill, along a tramtrack?---Yes. In that case I suppose the men simply went out each day from the mill to the cutting area?---Yes.

I think in the case of the Otway Sawmills there were two mills; one was destroyed by fire. Did you say that in neither case was it necessary to have a dugout?---Yes, that is what I said.

Have you had any instructions from your Department as to the provision of dugouts?---No, no definite instruction.

Have you had any kind of information about that at all?---No.

So it is purely and simply a matter for your own discretion as to whether you would ask for a dugout to be put in or not.

You have not in fact asked for any dugouts to be put in?---Yes, in Anderson & Moray's case I considered that necessary because burning could not be done.

When was their dugout put in?---In January this year. Since the fire?---Since the 13th January. They have not actually started to cut at that mill. It was in course of construction and very few men were at that mill.

THE COMMISSIONER: When did you ask that the dugout be provided?---A week after the 13th January.

That is when you suggested it?---Yes.

How many people were on the mill before that?---Eight at the most.

When did you consider it unsafe, after the fire?---January 13th certainly made me consider it definitely unsafe.

Did you think it was unsafe before that?---No, I did not.

How long had these men been on that site before the fire?---About two months construction the mill.
MR. GOWANS: Did January 13th make you change your mind with regard to any of those other mills?—No, I considered the other mills safe.

Will you tell the Commission what has been the practice in your district with regard to the burning off of heads at these mills?—That is something I am very strict about. I believe in having them burnt except in certain mountain ash areas.

Have you had burning off of heads recently?—Not since the proclamation. Of course, you could burn them off even since the proclamation?—No, not with safety.

You were the Forest Officer who could give authority if necessary?—Yes. But you did not think it desirable. We heard some suggestion yesterday that the proclamation came out at a time which was unsuitable for the Otway West district. What do you find is the position as far as your district is concerned?—That applies here, too.

You find you cannot burn before the proclamation, and do not like to burn after it comes into operation?—That is correct.

What is the remedy? Have you anything to suggest?—The proclamation has to be made more pliable to apply to different districts. We are usually behind other districts; our season is late.

When do they come into operation here?—Normally not before 1st January, but certainly earlier this year.

The 1st December?—We can burn here in December quite safely in our mountain ash areas.

Of course, you would not burn in your mountain ash area?—In certain parts.

Take each of these mills; was there any burning off at Shelton Bros. this year?—Yes.

Was it a good burn?—Yes.

Were all their heads cleaned up?—Yes.

When was the previous burn?—They are a new sawmill.

This was the first year they were operating?—Yes.

What about Bennett & Sons; did they have a burn this year?—Yes, I think so. I am not too sure about that.
Who would know about that?—My assistant, Mr. McDougall at Anglessea.
What about Haydon Bros., did they have a burn?—No.
Why?—They were in that portion of the mountain ash forest that I do not agree with burning other than for protection of their mill or the lives of the men.
How long have Haydon Bros. been operating?—I suppose the firm goes back 20 or 30 years.
During the three years you have been here has there been any burning off of heads at their mills?—Yes.
When was the last big one?—The summer before this particular one. Would that be the summer of 1937-38?—Yes.
The only heads that were not burnt off at Haydon's were the ones that have accumulated over the last 12 months?—Yes.
You told the Commission as far as Haydon Bros. were concerned you did not agree with burning because of the timber in that area. Did not that apply 12 months ago?—No, that particular area varies a great deal. In places it runs out of mountain ash country into other species.
It happens to be a mountain ash area they are cutting in this year?—Yes.
What are you going to do about those heads, leave them there?—With one good winter's rain on you will hardly notice them next year; that is the leaves.
The position is this, that if they stay in mountain ash areas, you do not propose to burn them?—No, I do not like burning them in a pure mountain ash area.
I suppose if they continued on cutting in a mountain ash area for some time you would then reconsider your decision?—I would only so far as it affects other people.
Would it be possible to go round burning the heads individually without doing a great deal of damage to say mountain ash?—Not in mountain ash country.
Is there actually any young mountain ash in that area or is it fairly well grown?—What is being milled is matured, but there are places where there is young ash besides.
Take the Lorne sawmills, has there been a burn there this year?—No.
When was the last burn there?—About two years ago to protect their
  mill, when they were felling around their mill.
That is burning off of heads I am referring to?—Yes.
Why has there not been any burning there in the last couple of years?—
  That is in pure mountain ash as well.
Was there a burning at Anderson & McKay's?—Yes, in parts.
Why, could they not get a burn?—No. They were also in the same
  position. They were working away from their mill into
  mountain ash country.
How long is it since their heads were burnt?—About two years.
Armstead & Sons?—All burnt this year.
Have they been burnt regularly in the last few years?—Yes.
Armstead's heads were burnt?—Yes, except for a portion of the back
  country.
The Otway sawmills?—They are in ash country. They had a very good
  burn around their mills to protect the mills and the huts.
What about Condon Bros?—They were burnt.
This year?—Yes, by a fire. The only felling that was done was in the
  winter time and it was impossible to burn.
When had there been a burning off of heads in Condon Bros. mill?—
  They burnt as much as possible around their mill. They
  left the site when burning could have been done and the whole
  lot of heads were not burnt.
Are there no means by which you can see that heads are burnt when millers
  are about to cease operations in a particular area?—They
  closed down to take on a road contract, and they went away
  from that particular area altogether.
Yes, but I do not think that quite answers the question. Suppose
  you anticipate the mill owner leaving the area is there any
  way by which you can see that they burn off the heads that
  have accumulated?—Yes; they can be made to return to
  their mill. It was unknown to me at the time they
were going to stop their cutting.

When you found they had stopped their cutting and gone away, did you take any steps to get them to return?---I wrote to that particular mill owner.

With what result?---The burning was not completed to my knowledge.

In other words, they did not do it?---They did some.

Has there been any burning at Babington's mill?---Yes, an extensive burn there of heads.

Have you had any definite instructions from your Commission with regard to seeing that the heads are burnt off?---I take it as part of their policy to burn.

How do you understand that. Have you had instructions about it?---Not definitely but in various districts I have been in, burning is carried on in parts green off the axe. I carried that principle on here as far as possible.

I suppose you accept the responsibility for deciding whether heads should be burnt or not?---Yes.

You do not bother about waiting until you happen to see your local inspector, and ask him?---No.

You regard it as being your responsibility solely?---Yes.

Do you depend upon reports from your forest foremen as to the position in different parts of your area, so far as heads are concerned?---Yes, but I usually gauge that pretty well myself.

You have been here three years; you know the district pretty well?---Yes.

During those three years have you been able to carry out any systematic fire protection policy?---Yes.

Tell the Commission what it has been?---In the first place a plan has been drawn up to create a protection zone on the worst fire areas, that is to the north and west of the mountain ash areas. Those are thinned, burnt and cleared. There is also as much patch burning done in connection with those thinned areas as possible.
Have you been able to carry out patch burning fairly extensively?—
Yes, but not as extensively as I would like.
What has been the difficulty?—The difficulty has been money.

(Page 856 follows.)
THE COMMISSIONER: Do you burn all the country, where there is valuable timber, or just where it is not valuable?—We burn where it is not valuable.

You do not burn at all in valuable timber country?—No.

MR. GOWANS: What is the difficulty about money; have you always one amount allotted to you?—Yes.

Supposing you thought it desirable to patch burn on a more extensive scale because of the growing danger from fire, would you apply to the Commission for more money?—

THE COMMISSIONER: With respect, Mr. Gowans, I think we might be getting into departmental matters and getting away from broad cases.

MR. GOWANS: As I understand it, this Commission is to inquire into something more than causes. Your Honour has to go into the question of what can be done in the future with regard to the protection, and to that extent I think the question is relevant.

THE COMMISSIONER: The Commission could suggest things which obviously would be very expensive, and the Government could do what it liked, either in the way of finding the money or not finding it. I do not want to go into a departmental inquiry and I do not think it is part of my duty.

MR. GOWANS: I shall take my direction from Your Honour desires to give. The view I was taking is this that the question becomes relevant in two ways, firstly, whether proper protective measures have been taken in the district in the past and, if not, how far the absence of these measures have contributed to the intensity of the fires in the district.

Secondly, whether it might not assist Your Honour to decide what steps should be taken in the future.

THE COMMISSIONER: A further point occurs to me, that in fairness to the local officers it may be of value to them to prove that although they were willing to do these things they could not do them because of lack of finance. On the
general ground of fairness, which does not seem to come
within the purview of the Commission, it could be taken.

MR. GOWANS: (To Witness): What steps did you take, or would you take
if he came to the conclusion that further patch burning
was necessary but you did not have the necessary money
available?—I should have to apply for more money.

Have you done so within the last three years?—No.

THE COMMISSIONER: Would you feel a little diffident about asking for
more money?—Yes.

The reply might not be at all satisfactory?—No.

MR. GOWANS: I am not asking for actual details, but have you any reason
to think that the money would not have been made available?—
I know money is short and possibly I would receive a rebuff.

THE COMMISSIONER: A man who is always asking for money might be thought
to be a rather inconvenient sort of officer?—Yes.

MR. GOWANS: That might suggest that the Forests Commission was not
ready to make the money available. It might be that the
Forest Commission did not have the money.

THE COMMISSIONER: Yes, wherever it comes from.

MR. GOWANS: You were telling us about the steps you had taken. Do
you desire to add anything to what you have told us?—
There were tracks for a motor vehicle constructed in
connection with that opening of breaks. These were on the
main spurs leading up to the more valuable country and
connected up one with the other.

With the object of enabling you to get into the country?—Yes.

Have you been able to do as much as you would like in that direction
since you have been here?—No, the system has not been
completed and it is only in course of completion.

When was it commenced?—Two years ago.

MR. GOWANS: Were you carrying out your own ideas or was this a plan
that you were asked to carry out?—One half of it was my own
ideas, and one half was a plan.

Which came from somebody above you?—Yes.
MR. LAWRENCE: I would like you to paint a word picture of the conditions pertaining in your district for the information of the Commissioner. First of all, what is the general topographical aspect of your district?—There is a main range running roughly north-east by south-west, dividing the forest into two areas, the coastal side falling away to the coast and the north-west side falling away to the hotter and drier areas. The main range in this district runs from the Forrest-Apollo Bay road to a point towards Apollo Bay and about 10 miles right through the forest to Benwerrin.

Will you describe the coastal fall of the range, and make your description to include the class of forest and risk of fire?—The coastal fall of the range embraces most of our mountain ash forest in this district, also extensive blue gum areas and messmate forests of good quality. That is the heavier rainfall area, ranging from 40 to 60 inches annually. The fire risk in this part is very low, and only in a year such as this do fires occur in this area. On the north side the risk is very great. There the average annual rainfall ranges from 30 to 60 inches on the main Divide.

What is the class of forest on the northern aspect, taking it firstly from the crest of the range and then going north-west?—There is a certain amount of ash in the wetter localities ranging through messmate, mountain grey gum into the poorer classes of messmate and grey gum—peppermint country.

Do the poorer classes of forest contain any commercial milling timber?—Only in the gullies; but there would not be a great quantity.

In relation to the whole outlook of your forest tracks do the poorer classes of forest that constitute the northern boundary belt predominate or are they interspersed with good country?—They are interspersed with good country.
The poorer country occurs on the drier ridges and they may
run into the better class areas but only on the ridges.

By comparison with the extent of the good country in your forest
boundary on the north what proportion of the whole boundary
would be good country and what proportion would be poor
country?—The proportion would be low, with probably
10 per cent. good country.

That would be constituted mainly by flats and creeks?—Yes.

On the whole of your northern boundary, it would consist mainly of the
poorer valueless country?—Yes, from a sawmilling point of view.

What other point of view do you take into consideration?—They are
certainly of less value but still they hold timber of value
for posts and firewood.

What is the susceptibility to fire of the timber on that class of
country?—It is not easily killed.

Would you say that in comparison with mountain ash, for example, it is
fairly resistant or highly resistant?—I should say
highly resistant.

From what locality do you consider your main fire danger arises, from
the point of view of your whole forest area?—On the north
or north-west side.

From outside the forest or from anywhere within the forest?—From my
experience this year from both outside and from within as well.

Am I to infer from that that until this year you had not suspected
any fire danger from within your forest?—Not to the
same extent.

What condition has caused you to change your opinion?—The fact that
there were more fires lit in the forest this year than I
expected.

Have you ever known fires to be lit within your main forest belt
before?—Yes, but not in the ash country.

Were fires lit in the ash country this year?—No, not to my knowledge.

None have been actually lit in the ash belt.
Your ash belt is threatened by fires which approach from the dry country; is that it?—That is correct.

If that is the position where do you consider that your protective works should be situated?—In the poorer class areas to the north and north-west on the hotter side of the range. Is that in accordance with a plan?—Yes, I produce the plan.

The Commissioner: This is a map entitled "Fire Protection Scheme, Otway East" showing in red the proposed areas for protective burning. What width of burn were you contemplating in those areas?—Anything up to half a mile.

On the northern slope?—Yes, and on the main ridge. That would be economical to timber on the northern slopes?—Yes. And probably more effective as a protection?—Yes.

Do you favour burning over a ridge as well?—Yes, a little way over it, particularly in areas that have been thinned in connection with the fire protection areas. They were burnt clear on the forest floor in the better class areas that are shown in yellow on the plan.

They were thinned and burned and are carrying more valuable timber?—Yes. That is the area near Callaghan's Creek, in the Parish of Barwon Downs which was thinned and burned. The forest floor was clean.

Mr. Lawrence: You have already told Mr. Gowans that this scheme was conceived two years ago. What in fact has been done in connection with the scheme; is it still just on paper or have you achieved something?—Something was achieved, but of course it would take a period of years to complete the scheme, unless a large amount of money was made available to have it done within one or two years.

How much has been achieved in the sector marked "D". How much of the track, and, perhaps patch burning has been achieved there?—A certain amount of patch burning and tracking has been done. The patch burning was not completed for the reason that we could not get it done with the amount of money available. That refers to portion of areas coloured red near
Matthew's Creek, which were done.

THE COMMISSIONER: How often would each part be burnt?—If you burnt the whole lot in one year there would not be sufficient growth to run a fire over it in the next year. It would need a space of two years at least between burns.

You would try to burn every second year?—Yes, and perhaps then some of it would not burn.

You would burn as often as you had sufficient growth to take a fire?—Yes.

That would be your plan, but it is a question of money. Do you consider that the danger here comes from the north?—Yes, definitely.

Have you ever considered burning a double line of that kind; not necessarily in close proximity?—The ridges lend themselves best for burning and in a normal year you cannot burn in two strips towards the gully.

I do not mean in close proximity. You mean you could not get a burn in the lower country?—Not in the gullies or the slopes, but more than one ridge is burnt. The main ridges are all tried for patch burning.

What size patches do you burn in patch burning?—Anything up to 30 or 40 chains wide and perhaps extending for 3 or 4 miles on those ridges.

Do you call that patch burning?—Yes.

It seems you merely burn in a sector instead of on a long front?—Yes.

What is the object of patch burning?—Really to control a fire later on by having a wide break.

What is the object of burning in patches?—It is the continual line burnt on one spur and is not one patch on one spur. The whole spur is burnt right through.

It is not patch burning so far as a spur is concerned, but it is so far as the general plan is concerned?—That is right.
MR. LAWRENCE: Do you recognise any difference between strip burning and patch burning?—The burning I do on the ridges could be regarded as strip burning but I really class it as patch burning.

To get back to this protection scheme. What other work has been carried out in that area to substantiate that scheme?—I do not quite follow you.

Have you done anything towards improving the mode of access?—Yes.

Tracks have been constructed up those main ridges leading to the main road and linking up; bridges have been built wherever possible across creeks, and those tracks have been linked up right through; burning has been done wherever possible along ridges. The tracks have been made suitable for use by utility trucks so that water can be carted in the case of a fire. Dams have been constructed at permanent springs so that they are accessible from the tracks and water can be readily carted to the fires. I think those are the main things that have been done.

Are all of those tracks on those ridges negotiable by motor trucks?—Yes.

In summer?—Yes.

How many miles of such tracks have you put in in the last two years?—Speaking of the utility trucks, I expect about 30 miles.

Prior to this undertaking, was it possible to obtain access by motor vehicle into that forest?—No; only at limited points and never right through on the linking up with other places.

Do you consider that access by a motor vehicle is a basic factor in successful fire protection of an area?—Absolutely.

This scheme was conceived two years ago. I think this forest is pretty well burnt out this year?—Yes.

On the face of it it would appear that the scheme has fallen down. 

THE COMMISSIONER: Mr. Lawrence, that does not give him a chance.
MR. LAWRENCE: Not to complete it.

(To Witness): Could you indicate if the scheme contributed in any sense towards your holding your country as long as you did?---It certainly held it while the weather was reasonable and the fires were not too numerous. Definitely when they got out of control on January 13th, the thing was gone.

THE COMMISSIONER: A lot of them met behind your breaks. They got across your break, jumped it, and lit behind it?---Yes.

That would not happen except in abnormal weather?---No.

When you got jumps, you would have some time to attend to them?---Yes, you could cope with them.

You think it was of some use?---Definitely.

Until the weather got out of control?---Yes.

MR. LAWRENCE: This Commission has obtained evidence in different centres which indicated that on January 1st, 8th and 10th, and finally on the 13th, there were very bad fire days. You have already told Mr. Gowan that a fire broke out in the Darwen Downs area---I think in Norman's track region - late in December?---Yes.

When did you get that fire under control?---That is not the fire I referred to.

Was there not a fire in the Norman's track region late in December?---Yes.

When did you get that under control?---Within three days.

Did it break out again?---No.

Not/All?---No.

Where was this other fire to which you referred in your previous statement to Mr. Gowan?---In the Dan Creek.

When did that fire break out?---From memory, it was about the end of December.

That fire was not completely under control at any time?---No, January 13th proved that it was not, although it looked to be under control.

When is a fire under control in your opinion?---When it is dead out.
Do you not draw any distinction between a fire that is under control and a fire that is out?—I do in a normal year, but this year fires that would have been considered under control in other years, were proved to have been not under control.

What is your general conception of the phrase "under control"?—The general conception of "under control" is that the fire is under control, but not safe.

Would you agree with this statement: "A fire is under control when its further extension is arrested—when its progress is arrested"?—Yes.

Have you by practice such as back burning, pushing in, trail making, etc. arrested the progress of that fire?—Yes.

Then it was under control?—

The Commissioner: It was under control in that case but the witness said that this season upset all their previous conceptions of what was under control and what was not under control.

Mr. Lawrence: I was trying to find out how he subscribed to the previous evidence given before you when a very clear distinction was drawn between a fire that was out and a fire that was under control?

The Commissioner: I think he has the same idea. It did not make for safety this year.

Mr. Lawrence: That fire got away on the 13th January, in any case?—Yes.

Was the whole of your country swept after Friday the 13th January?—No.

Was much of your good country swept?—No, not on the 13th.

Even after the 13th 1st, 8th, 10th and 13th when practically all the rest of the timbered country in other parts of the State was gone, you still had your good timber belts intact?—Yes.

To what factor, if any, do you ascribe your ability to hold those fires?—

To a great extent to the arrangements shown in that plan; by that protection scheme and the tracks in conjunction with it.

In other words, by the fact that means of access were available which enabled you to get into your forest area with men and
equipment?---Yes, that was done.

When was your forest country swept by fire?---January 30th.

That was Australia Day?---Yes.

What actual factors arose on that day which caused your country to be swept?---
A gale was blowing and the forest was getting drier and drier with the repeated high winds and high temperatures.

And those fires got away?---Yes.

They all broke away again?---That particular one did.

That Den fire?---Yes.

There was no new fire in that country at all on that day?---No, that fire got away again.

Are you quite sure that no further outbreak occurred in that forest on that day?---Not in that particular area.

Anywhere within that patch of country?---Yes, in the East Harwon.

What was the nature of that outbreak?---It was a fire deliberately lit.

Can you suggest to the Commission the motive to which the lighting of that fire can be ascribed?---I would say definitely, grazing interests.

THE COMMISSIONER: Would they light it in that weather?---They would light it in any weather I think—some of them.

Do you think they have leases?---No, in this particular interest it was probably an illegal grazier.

A poacher?---Yes.

MR. LAWRENCE: Did you see that fire break out in the East Harwon area?---Yes.

At what time of the day?---At approximately 2 p.m. on the 30th January.

Had those two other fires obviously broken away at that time?---Which two fires.

The Den fire?---No.

They were already under way?---Yes.

If was after they were under way that you saw this other fire break out?---Yes.

Do you think that this fire in the East Harwon contributed in large measure to the destruction of your whole forest, or do
you think that had it not been lit the other fires would have accounted for equal destruction on their own?---I think they would have accounted for equal destruction, finally.

Is this track of forest area leased to graziers?---Yes.

What motive could any grazier have in lighting this country?

THE COMMISSIONER: He says it is concerned with grazing illegally.

THE WITNESS: Only for further Braes for stock.

THE COMMISSIONER: To promote growth of the next season's grass?---Yes.

We have had suggestions to the contrary?---In this particular country - and I think it is the same in all mountain districts - it is the wire grass that is good cattle feed. It creates a very succulent growth. After wire grass grows for four or five years it becomes coarse and the cattle will not eat it, but if it is burnt it becomes fresh and young.

What is the state of the burnt out parts of the forest now. For how long will they be safe from further scrub fires, or whatever you like to call them?---For two or three years.

It will have grown again in that time?---Yes.

You have seen something like that in the Lorne district before when they have had local burns?---Yes.

The ground has been very clean but the next year you could see it started again?---Yes, it does not take long.

Any scheme for protection would have to be continuous, almost?---Yes.

It would have to be frequently repeated?---Yes.

MR. LAWRENCE: Have you seen cattle illegally grazed in this forest?---Yes.

THE COMMISSIONER: Unless you are making a point, I do not think you should pursue that question.

MR. LAWRENCE: Are there many blocks adjoining or within the forest area which are held by absentee landholders?---Many.

What is their general condition?---In the main they carry either a crop of timber or else they have just plain scrub on them, blackberries, etc.
Do you regard them as being in any sense a menace to the safety of the forests from fire?—No, I do not, because the fires more often originates in the wetter country.

That is, in this district?—Yes. They may prevent the extension of fire into good country if they are kept clean. They could be used to help to form a break in front of the fire to the north in a bad year like this and so prevent it from sweeping into the country.

There are no such blocks adjoining the forest boundary on the north or west?—Yes, there are.

What is the position on the western boundary, Barramunga, for example. Are there no such blocks?—Yes, they are heavy with scrub and timber.

Does the presence of these blocks in any way hinder your fire protection work, such as patch burning work?—They create a greater food for fires because they are not clean.

Would you care to suggest to the Commission any way in which you, as a forest officer, would like to have power to deal with these areas?—I think that where our forests are in an unclean state adjacent to landholders, we should burn and keep them clean. I also say that those landholders adjacent to the forest areas, in the same class of country, should be made to keep their land clean and made to burn.

MR. COWANS: You can already do that up to a distance of 50 yards?—Yes, from a State forest.

Is not that what you are suggesting?—Yes. The whole of those blocks that are privately held and are covered in scrub and timber should be burnt. A narrow strip is of no value at all.

MR. LAURENCE: With respect to patch burning operations, do you consider that effective and practical burning can be carried out in mountain ash country?—Do you mean to protect the forest as a whole.

Yes, to protect the forest itself?—No, I do not.

Would you be in favour of patch burning or wide strip burning in any way—

I am not just talking about ridge burning, but general patch
burning throughout mountain ash country?---No.

What would be the root of your objection?---Firstly, because the fires do not actually start in the ash bush. It is uncommon for a fire to do so. The, again, it would ruin ash country or ash timber, so that it is of no use. I would rather protect the areas to the north, or certainly on the fire hazard side.

Do you consider that protective burning in the more fire resisting species of trees such as messmate, gum and peppermint, on the lower country, on the norther slopes below the main timber belts, is the practical means of protecting your forests?---It would certainly help a great deal.

I want to know your opinion for the Commissioner. Will you tell the Commissioner definitely if it is your personal opinion that that is the practical and forestry way of doing the job?---I think this particular district lends itself to something more than that, particularly where the areas are that I referred to as being broken up into these private holdings on the main range which in the main are on the fire hazard side. Personally, I think those blocks ought to be taken over by the Commission.

Mr. Oldham said the same thing yesterday? Your Honor.

THE COMMISSIONER: Yes.

THE WITNESS: The land should either be bought, or if the owner will not sell, taken by some means. That country that has been just waste, should be cleared, cultivated and grazed to keep it in that state, with perhaps some cultivation. I would not let anybody on those blocks. They should be settled by forestry employees.

(Page 869 follows).
MR. LAWRENCE: With respect to the burning of mill heads do you ever issue an instruction in writing to millers to burn?---Yes, I have done so.

What form does that take?---I have written a letter myself; it is not a circular. I do not issue circulars to them.

Did you issue any such instructions last year?---Yes.

Have you a copy of one of them?---Yes, I have a copy of a letter of that type. (Produced to the Commissioner).

MR. GOWANS: Would Your Honor like me to read one of those copies so that it may appear in the transcript.

THE COMMISSIONER: Yes. (To witness) It is a carbon copy?---Yes.

MR. GOWANS: This is a letter headed "Forrest, 5th September, 1938.

Messrs. Shelton Bros. Yeo. Dear Sir, please note that in accordance with your licence all heads, debris, etc. caused by the felling of log timber must be burnt by you before the 1st November 1938. This work can be done as soon as the weather permits. Yours truly, H.G.Irvine, Forster."

There are similar letters of the same date addressed to Gordon Bros., and to Westwood, Colac.

There are also letters of the same date addressed to timber cutters with regard to the burning of heads?---Green firewood cutters at Colac and Barwon Downs.

MR. LAWRENCE: At Colac yesterday a woodcutter stated in evidence that he had cut post timber in your district at Barongarook and had lopped the tops but had never been instructed to burn. In the position in your district and in that locality such that these tops are allowed to remain unburnt?---No, I prefer to burn them myself.

Do you, in fact, burn them yourself?---Yes. I do not allow post and firewood cutters to burn them themselves. For one thing you cannot rely on them to be burnt, and secondly, they do too much damage. Perhaps in other cases they are not as clean as they would be if we did them ourselves.

MR. GOWANS: Can you tell the Commission whether there was any systematic
Was there any system about it?—Yes.

This scheme only came into operation two years ago?—Yes, but some of those tracks were constructed before that plan was drawn up.

Was it to comply with a plan drawn up by your superior officer, the previous officer or by yourself?—Both myself and the previous forestry officer.

There was no scheme directed from headquarters?—No.

So really the position is that this scheme drawn up two years ago has not yet been put completely into force?—No.

As I understand it, the area covered by it runs roughly north and north-east from Mt. Sabine, practically parallel to the coast?—Yes, more or less. The east Barwon fire began on the land side, away from the coast.

The position is that both of these fires you refer to, the Ben Creek fire, and the East Barwon fire began on the inland side of the range?—Yes.

The direction of the wind on that day would be north or north-west?—Yes.

It took those fires over the area in which this scheme was operating down towards the coast and towards the Lorne district?—Yes.

Would you tell the Commission whether you consider there were any weaknesses in this scheme, in the light of your experience of January 13th and 30th?—In that particular portion of the east Barwon that the fire threatened the work had not been done in connection with this plan. We did not get that far.

What about the Ben Creek fire?—I consider that probably the patch burning was not extensive enough for such a year as this. That might be the weakness of the scheme drawn up two years ago; it was not drawn up to provide for a year of this kind?—Yes.
That Den Creek fire swept on over the range into the reserved forest area and down towards Lorne?—Yes.

Was that the fire which made its way into the Lorne township?—No.

Where did that start?—That was in Penny Royal Creek.

Is that near Penny Royal itself?—Yes.

Of course, it must have been that gone over the range to get into the valley of the Erekine river?—Yes, there was one fire also in the Erekine river, but from Mr. McDougall’s information it was the Penny Royal Creek Fire that ultimately went through Lorne. It burnt through country that had been burnt previously; it just swept over it as though it had never been burnt.

Down into Stony Creek?—Yes, and apparently extended into the Erekine River Valley.

You told the Commission that you learnt this from your experience this year, that the fire danger was not only outside the forest areas but from within; the fires had been lit in the forest area?—Yes.

Were you referring to any particular fires?—The one on the East Barwon.

Was that inside the forest itself?—Yes.

That is a matter of a deliberate fire; but surely that must have been apparent to you before this, that there was a possibility of people lighting fires inside the forest area?—Yes.

Of course, there is always that danger; you cannot get away from that, but we try to patrol to prevent that sort of thing.

The basis of your remarks is that this year taught you the fire danger was not only from without but from within?—To a greater extent than I had done before.

Why was the fire danger within a greater danger than before?—The forest was over so much drier and it would burn more towards the main range this year than it would have in other years. They could light it in one area and it would burn, but in other years it is not possible to do that.

Does that mean this, that up until the present season you were under
the impression that the forest was in such a condition and was not likely to burn extensively. This year with a season of this kind you realise that the forest itself becomes a fire danger?—No, I really meant from the point where the fire has to commence?—The forest would burn as extensively in other years, but the fires would have to be lit closer to the forest boundary or out in private property to burn a great area.

Did you have in mind any particular condition of the forest from the point of view of distances when you made that remark—scrub or anything like that?—Yes, it was only the effect of the scrub and the bracken.

I do not want you to go too far in this if you are not prepared to do so; but what I want to get at in this, were you suggesting the condition of the forest in recent years has been such that the fire danger from within has become greater?—No, I do not think that, only with this particular year being so dry and hot with heavy winds.

With your future protection schemes you have to contemplate a very dry summer which you will get particularly which will make the forests themselves a menace?—Yes.

And direct your protection schemes to dealing with that condition of the forest?—Yes, that is right.

Do you think this particular scheme drawn up here did not take that sufficiently into consideration?—No, evidently not, from experience.

THE WITNESS WITHDRAW.

GORDON FORBES YOUNG: Sworn and Examined.

THE COMMISSIONER: Are you the gentleman who wrote to the Commission about giving evidence?—Yes.

Are you the designer of that illustration of a dugout that I saw in the paper this morning?—Yes. I have had those drawings on my desk for years. Mr. Knox was down and he said "Give
me a drawing of that dugout and an article on the bush fires".
I have the original drawing here.

MR. GOWARDS: What is your full name?—Gordon Forbes Young, and I am a
farmer residing at Apollo Bay.

I suppose you have had a fair amount of experience in connection with bush
fires, their causes, and the methods of protection?—Yes, I have
had a life's experience of forests and bush fires.

I understand you have written out your evidence and you would prefer to put
it in your own words?—Yes.

(Reading):—"I am of opinion that our forests are too extensive
and should be subdivided by wide and clean breaks, a mile or more
wide. These cleared sections would be planned according to the
lay of the country and with regard to existing grazing lands, hills,
streams, and roads. Each shire, or forest area, presents its
characteristic problems and adaptability.

Speaking for the Otway Shire, I would forbid any
grazing whatever. Take away the temptation to burn (so as to
gain stock feed) and shoot any beast found in a proclaimed area.
Instruct all forest patrols that they will be dismissed if their
superior officer visits the district and observes cattle tracks
in the areas under the subordinate officers' control.

These measures will minimise the risk, I know of no
human effort or measures of laws which will guarantee forest
safety from fire. Only by isolation and confining the outbreak,
certain to happen in favourable dry months. Some bush fires
are inevitable for the same reason that some city fires are certain
to start up.

The safety of humans living and/or working in forest
areas can be made simple and 99 per cent. effective by two here-
tofore neglected though elementary precautions:

1) Clearing the road sites of standing dead 'spars', 'tubs',

275.

YOUNG.
and old rotten trees;

(2) the provision of dugouts of differing sizes in each place where men, women and children live and/or work in forest areas.

Almost every road in forest country has countless illustrations of the wisdom - the necessity - of falling such dead timber as will likely fall as soon as a fire sets into the rotting and usually hollow, fire-inviting trunk. These old and often limbless "shells" and tall stumps are saleable, as they stand, for firewood. They have by falling during fires, cut off the retreat and led to the death of many people. Not only should they have been removed but they would have earned revenue by such removal.

Dug-outs: An excavation, preferably on sloping ground, suitably lined and timbered and the whole covered with the soil removed. Connect the excavated chamber with a long trench, 5 ft. deep and not less than 300 ft. long, containing 6 inch piping, the whole then covered in. At the far end protect with a frey dray loads of big stones. Inside the dug-out this line of piping could have a fan (suction, similar to blower on forge, costing 30/-) fitted to the end projecting into the chamber.”

(Page 875 follows).
The occupants of dug-outs could then draw a stream of cool air into their fireproof retreat. Much of the smoke would be trapped in its passage through these underground pipes. No matter how hot the locality and how fierce the fire all about this dugout so ventilated, a big volume of cooled and cleaner air would be available by operating a little fan requiring a child's labour only.

The outlet of air need only be a few feet of piping going into a pile of stones on top of the earth filling.

The entrance to dugout should be along the inside of a trench (say, 5 ft. deep, 18 inches wide, 50 ft. long). At the end door the filling would need to be supported on old firebars or lengths of iron pipe; and this outer door 18 x 48 inches made of fireproof material. The inner door, 18 x 60 inches fitting reasonably well against stops.

The cost of such a dugout, to house 20 people, under £10, with not more than another £10 to house 100 people.

Inspection and extra precautions are only necessary during the few weeks of danger.

Bush and forest fires never come without warning. In extreme cases there is always some warning if only ten minutes duration.

Usually we have weeks of warning, often days and in 99 per cent. of fires, hours to get ready, at a minimum of warning.

Green trees (milling logs) do not burn and fall on roadways - old rotting shells and hollow spars should not be tolerated within such distance as their fall may block the road to safety.

A motor car, given a clear run, can travel miles - many miles - in intense heat along a road.
The human body can stand an unbelievably high temperatures in the surrounding air; but a human running through a burning forest is soon disheartened and fatally handicapped by even a moment's delay at some obstruction. Clear roads not only help towards a safe retreat, they aid greatly in getting men and gear into action quickly. It is, in my opinion, of the utmost importance to have forest roads safe from blockage in summer months. In only very special instances would I allow mills inside a forest. The log should go to the mill which shall be beyond the edge of timbered area'.

With regard to the suggestion that any animal found within a proclaimed area should be shot, what proclaimed area are you referring to? Any area under the jurisdiction of the Forests Commission - any forest area or timbered area.

You have made two answers. Of course you realise that the areas under the jurisdiction of the Forests Commission are the State Forests, and that Crown Lands come under its control only to the extent of their loading of timber?--Yes.

Would you shoot animals found in unoccupied Crown Lands where timber was growing?--Yes.

That means that a very large portion of Victoria is going to be out of bounds for cattle?--I do not agree with that.

You must agree with my statement, at all events?--A small portion, not a large portion.

Do you know the area of reserved forests in Victoria?--No.

There are 5,000,000 acres of reserved forests and nearly 11,000,000 acres of protected forests on Crown Lands. There are 16,000,000 acres of forests, which is a large area?--And what is the total area of the State?

Do not you agree that 16,000,000 acres is a large area to place out of bounds for cattle?--"proportion" was your word, not "area".

876. YOUNG.
Do not worry about correcting me; it is all recorded. Do not you consider that that is a large area to place out of bounds for cattle?---Yes.

Do you think it is too large an area?---I cannot give a direct answer to that because it all depends on the class of country in the area. Each locality differs. A forest in the Mallee and a forest in Apollo Bay are totally different.

Whatever may be the difference in different places it does not affect this position, that you are placing 16,000,000 acres of forest lands out of bounds for cattle?---Yes, I would put it out of bounds.

That being so, do you think the Forests Commission or the Lands Department should be obliged to fence around those areas to keep the cattle out?---No, but the man who owns the cattle should fence, to keep in, not to keep out. I fence my cattle in, and I do not expect the Forests Commission to come along and put a fence round the forest to keep my cattle out of it.

You suggest that all forest patrols should be dismissed if their superior officer visited a district and observed cattle tracks in areas under the control of subordinate officers. Do you know how many men there are in the Otway East forest district—forest officers?---I do not know anything about that.

Actually there are five men in that district, one of whom is a clerk.

Do not you think it would be hard to dismiss any of those men if cattle tracks were found in that area which comprises approximately 162,000 acres?—Certainly not. You have missed the whole point.

I am merely asking do not you think that if there were only five men to patrol 162,000 acres it would be pretty hard to dismiss any one of them if his superior officer happened to find a cattle track in that district?---Certainly not. Cattle have no right to be in a proclaimed area, and the forest
patrol should shoot them. If he did not shoot them, well he is responsible.

He might not see the cattle?—I am not that simple. Everybody knows that cattle do not fly about the bush like the birds.

Since there are only five men in the district to cover 162,000 acres, would not you agree that it is possible that all five of these men might not see some particular cattle?—No, I cannot give you that. They have not the right to be there if they have not that amount of intelligence. One man could do the lot.

With regard to the suggested dugout, what would be the nature of the filter that you suggest to prevent smoke from getting into the dugout?—I do not think you would need any filter normally, but in extreme cases, where there are women and children who would feel the effects of the smoke, a filter may be necessary. The dugout would be going down hill and you would have about 400 ft. of 6" or 9" piping, and in the passage of the smoke-laden air long that pipe it would be cooled and some of the tarry portion of the smoke would be precipitated on the walls of the pipe. The air would be cooled by 20 degrees at least. Some of the smoke would be taken out, and then you could have the extra precaution of leading the pipe into a box of charcoal or small stones.

Would charcoal be effective without wetting it?—Yes, anything is effective. Do not forget that the smoke would be cooled, and if you bring that pipe into a bigger chimney you would help to precipitate the tarry particles.

The air would be cooled merely by reason of the fact that you would have it underground?—Yes. It is no different from what you see in nearly every bush home at present—a cool safe which draws the air by a pipe under the house. You only enlarge it by taking the pipe to 400 ft. instead of 40 ft.
What do you mean by your statement "Inspection and extra precautions are only necessary during the few weeks of danger"?---A dugout would not be necessary for 10 or 11 months of 11 months of the year. When a fire did happen a reasonably prolonged warning of bush fire conditions approaching is given. It would be the forest officer's duty to go round the dugouts in that period.

When you say "green trees, (milling logs) do not burn and fall on roadways", what exactly do you mean?---I mean just exactly what I say.

Do you mean that even in a fire they do not burn and fall on to the roadway?---Falling limbs may go on the roadway, but milling logs do not burn and fall down.

Have you been in the Matlock Forest lately?---No.

I suggest that there are plenty of cases where green trees have snapped off and fallen down right through the forest?---Big milling logs burnt off?

No, broken off with the wind?---I am speaking of a fire. That breaking off could happen on any windy day, as well as in a fire. In that case it would be the wind that would cause them to fall, not the fire.

What would happen if a fire was accompanied by a strong wind?---I would not allow that.

THE COMMISSIONER: We do not want to do anything that you would not allow, but the fact is that we have actually seen it, in very many cases?---I do not want to be contrary, but I cannot allow that a fire can make such a wind that it will blow so hard as to cause tall trees to break. I think that is what my friend is trying to put over me.

MR. GOVANS: I was not suggesting that necessarily the fire caused the wind, but I do say that a fire may be accompanied by a wind, or a wind may accompany a fire to such a degree?---You are using different words now; you are very adroit.
There is one other suggestion that interests me, and that is your suggestion that mills should not be allowed in the forests?---Yes.

Your idea would be that a mill should be placed on the edge of the forest and that the logs, when cut, should be conveyed to the mill outside that area. There would be great difficulties from an economic point of view?---No, I disagree entirely with that.

Do you think it would be more expensive to do it that way than to have the mill in the forest where you are cutting your logs?---No, it would be less expensive. With a lower rate of insurance, which alone would probably knock off about 20% of the cost of the timber, it would be cheaper.

Let us put the insurance aside?---That is a big item and I will not have it put aside lightly.

Let me choose some form of expression that would enable you to put it aside, instead of me putting it aside; will you leave out the question of insurance for a while?---Certainly, go ahead.

Would you agree that it would be more expensive to have your mills outside a forest area?---No, certainly not. It is less expensive on many accounts.

Even leaving out of account insurance?---Yes, I leave that out of account.

The log must be carted from the place where it is cut. Under your suggestion, instead of carrying it to the mill in the immediate vicinity of where it is cut it would have to be carried outside the forest, which would involve additional expense?---Yes.

Still disregarding the question of insurance, what would offset that extra expense?---At the average mill, such as the one I have just left, a log is cut, it is pulled in to the mill with the tractor and the timber is cut or sawn. Much of that timber is stacked, but a little of it is put on to a lorry. That lorry then comes into the railway siding where two or three men help to unload and stack it from the lorry. In a week or two it would be rehandled.
into the rail trucks, taken to Melbourne and some of it would go straight to a building. The greater portion of it, however, would be again handled, and so it goes on. My argument is to bring in modern transport. I do not mean to bring the transport to each little mill, but combine all the operations of the silly little spot mills into the one big mill, and you would probably get timber at one-third its present price. In fact, it is one of the most expensive things in Australia today.

Can you tell the Commission what proportion of the timber milled at present is brought out of the forest; and timber that is cut and brought out of the forest without being actually milled?—I do not know. A number of telegraph poles, piles, and such things are brought out and you would only have to guessing if I said anything.

I was wondering if you were guessing on the question of expense?—No, I am with you there. I cannot give you the figures off hand, but I will not give you one iota on that point. It is absolutely silly to have mills in the forest. They are the most extravagant silly little things I have ever seen and I have a lifelong experience behind me.

Would it be necessary, in those circumstances, to have governmental control of mills if you were to co-ordinate them in that way?—Possibly. Would you only grant a licence to a big mill and not grant a licence to a small mill that could not operate economically?—I would not say that in every possible instance. I would not have little mills. I am speaking more of this forest to Norden Vale. It is ridiculous to see these little fire traps all over the place.

Supposing you got a dozen mills in this forest, under your scheme you would throw them all out?—You bet I would; and I would have them here on the railway line.

Were you also suggesting that instead of having a dozen mills you would
only have two, three or four mills?—One or two, yes.
Who would you cut out?—I do not know.
I am not asking you to mention names, but on what principle would you work in cutting them out?—As I say, you have enough of the stupid policy of the Forests Commission. It is not the individual but it is the system I want to "buck".
Never mind about the Forests Commission at present, I am asking on what principle you would act in selecting the people who would be permitted to have mills and those who would not be permitted to have mills in the course of your reducing the number from twelve to two?—That seems an awfully silly question.
It may be but I would like to know your answer?—You would have a form of regulation and would insist on the regulations being complied with. It does not matter whether somebody came from Timbuctoo, from Bris, from Western Australia or from anywhere else; he would have to comply with the regulations.
I am trying to find from you, as a man with lifelong experience, how you are going to reduce the number of mills from 12 to 2?—Those are your figures.
Let us take the figures as the basis of the argument. Is there any way in which a Government department could make the selection among the 12, other than by taking charge of the whole milling industry?—Yes, you would not find 12 banks in a town and that is the same thing. It does not necessarily mean that you would pick and choose, that you would have a lottery and draw for it. You would have the regulation and could leave the rest to private enterprise. Draw up the regulation and say not more than one mill should be in a given area, and that would be your business.
You would only grant two licences in the whole district?—Yes.
I am not going to stick to that off hand. I would stop
having mills by framing a policy that would prevent the
establishment of small mills all over the place.

You would want a Mill Licensing Board to grant the licences; or some-
thing like the Transport Regulation Board?—Yes.

THE WITNESS WITHDRAW.

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JAMES HENRY GRANT: Sworn and examined.

MR. GOWANS: What is your full name?—James Henry Grant.

I understand that you are the owner of a sawmill in this district?—My Company owns it. It is the J. H. Grant Forests, Pty. Ltd.

I have called you for one reason. You heard the previous witness?—Yes; you mean the immediate previous witness?

Yes. What do you think, as a miller of experience, of this idea of taking the mills out of the forests?—I think it would be rather too expensive. It would add to the cost considerably; all the off-cuts would be on our hands and could not be readily dispensed with, I should say.

You have heard the suggestion that you would save enough in insurance alone to practically make up for the extra expense in bringing the logs down out of the forest. Do you think there is anything in that?—I do not agree with him at all in that matter, certainly not.

Would there not be a good deal of extra expense in handling?—You would be handling material that was of no value to the miller and perhaps conveying it for a mile, or whatever the mileage might be. The refuse would be practically useless. In fact, it would be an encumbrance.

At the present time you merely cut off the edges, etc., from the logs and the ends, cut them up in convenient lengths and get it out of the forest. Otherwise you would have to take the whole log?—You only take out what is millable, otherwise you would be taking out the rubbish as well.

Do you think it would be at all possible to bring into operation a scheme which would enable, say, two mills out of a dozen to operate in the Otway East district. Do you see any way in which it could be done?—If you could get people of the same opinion to co-ordinate, it might be all right but the difficulty might arise that you could not get that co-ordination.

If the millers were ready to form some kind of co-ordinative society or company it would be all right, but otherwise it would be a little difficult?—Yes, you would have to change
human nature to do it.

I understand from this map that part of the fire protection scheme which has been drawn up for the Otway East area embraces the region around your mill. Has any part of it been put into operation around your mill?—No, not that I know of. I do not think so. Around about the mill was very clear. It had been milled some years ago.

Have you not any views to express in regard to the steps that have been taken here in recent years in the Otway East district with regard to preventing fires?—I think they have been very adequate and all that has been done reflects very favourably on the Forests Commission.

Do you know what has been done around your place?—Cleaning and burning off generally. When we were working in the State Forest the burning off of the heads was attended to with regularity.

Has that been done regularly and effectively as far as you know from your general experience in the district?—So far as I know, but one miller does not know too much about another miller’s business or how it is being conducted. It takes him pretty well all his time to mind his own business.

Your sawmill is fairly well cleared; did you have a dugout there?—No. Was it necessary?—There was no one living at the mill.

Where do the men come from who work at the mill?—Forrest and Barrengunga.

Was your mill affected by the fires?—Yes, it was completely destroyed.

Could any steps have been taken to prevent that?—The change of wind alone did it, carrying the fire up a gully that is owned by private landholders.

What was the condition of that private property from the point of view of fire protection?—It must not have been too
clean, otherwise the fire would not have had the intensity that it did have.

We know that a large number of mills have been burnt in those fires throughout Victoria. Have you any idea that would assist the Commission in regard to a scheme to make mills and milling settlements safe; short of shifting them out of the forest? I have not considered that. The controlling body in forest country is the Forests Commission, of course.

You know that many of these mills are situated on private property, and not on actual forest areas, and that any scheme that could be formulated would have to apply equally in forest areas and on private property?—Quite so.

You have not given any consideration to the matter?—No.

MR. LAWRENCE: Have you ever calculated the additional loaded cost per 100 super ft. that would be incurred if you moved your mill into a place such as Forrest instead of remaining close to your logging areas?—I have not considered it but as I have already stated it would add very much to the cost of the timber to convey what was not millable any distance from the forest. You mean to a centre.

What is your recovery? How much do you get out of a round?—It varies; I have not calculated it.

Have you any idea at all?—No, I have never had occasion to calculate it. We have been working in private property for some time and it has never been calculated.

How long have you been on your present site?—A little over two years.

How long was your mill on your previous site?—About 4½ years, and then it was moved again. I think about 4½ years previous to this.

Would four to five years be about the average life of your mill on any one site?—No, years ago—about 15 years.

Under present conditions what would you regard as the average life of a forest mill on any one site?—It depends on the size of the area and on the timber granted to the miller.
There must be a considerable cost involved in moving a mill and all the employees’ dwellings, etc. — Yes.

Would it not be a reasonable proposition to put your mill in a permanent settlement where there would be no question of moving plant, and then simply move your winches, etc. from logging area to logging area? — As I said before in my opinion it would increase the cost of production.

THE COMMISSIONER: Why would it do so? Would it be because of the cost involved in carrying the unmillable parts? — You would have all the hearts left on your hands and all the unmillable parts, which are called waste. Sawdust would be another thing.

Would not the same principle apply to your waste and to your sawdust?

You get rid of them now? — The same principle would not apply if you were carting your waste several miles.

You mean bringing it in? — Yes.

MR. GOWANS: If you could have some co-ordination among mill owners with regard to using common tramlines, would you not save some money? — Yes, that is in existence now in Crown Lands.

If there were a definite policy adopted by the Commission concentrating milling activities in a particular area, it would be much easier then to save money by having common tramlines out of the forest? — As I said, there are common tramlines in existence now.

I appreciate that, but it is not possible to apply it generally, I presume, because the mill owners select the areas where they want to mill at their own discretion? — Yes.

That being so, unless that discretion is controlled in some way the millers will be cutting at any place in the forest that they choose and consequently, they will be strewn around the forest area? — They will be where the production is most effective, consistent with cost.

THE WITNESS WITHDRAW.
ERNEST ALFRED HENRY: Sworn and Examined.

MR. GOYANG: What is your full name?—Ernest Alfred Henry and I am a mill owner. My mill is situated beyond Mt. Sabine, between it and the coast.

You have heard the suggestion made that all mills might be removed out of the forest area, and also the discussion that has just taken place. Have you anything to contribute to that discussion?—I would not like to have anything to do with a suggestion like that.

You do not approve of it?—No, definitely.

For the same reason as that advanced by the last witness, that it would be too expensive?—Yes, it would be too expensive.

THE COMMISSIONER: What do you think the extra expense would consist of?—Hauling waste such as hearts, sawdust, edgings, skirtings and all the accumulations.

What proportion of the rough log is wasted ultimately?—It is hard to say.

Give me a rough idea?—I should say about 35 to 40 per cent. That is based on 60 per cent. recovery.

MR. GOYANG: Do you know whether mill owners have ever considered that possibility?—I have never heard of it.

Have you ever given any thought to some scheme of fire protection that would apply to millers in general in forest areas?—No, no more than the procedure of burning off the heads and keeping clean everything around the mills as far as possible.

Of course, it is obvious that the question of fire protection is of considerable importance to mill owners in Victoria, and for the assistance of the Commissioner I would like to know whether they have done anything in the past towards bringing into operation some scheme of protection which would save the destruction of property that has occurred in recent years?—I think they have done all in their power with the cutting of breaks and their general bush work including the burning off of rubbish at the right times.
MR. GOWANS: Was your mill affected in the recent fires?—One mill was badly scorched.
Did you have any clearing around it?—Yes.
About what clearing was there?—I should say it was in the middle of about 6 or 8 acres clearing.
It must have been owing to the special conditions existing on the day of the fire?—Undoubtedly.
You would not expect it to happen again?—No.
Did you have people living at your mills?—Yes.
Did they have any place to go to in the event of the mill catching on fire?—They had a creek.
In both places?—At one place they had a creek, and the mill that was scorched had a good water hole well sheltered.
Is the creek you are referring to that waterhole?—No.
There is water in each case?—Yes.
Do you know if it is a condition of your licence you should have dugouts?—I would not be sure of that.
Are you on private property?—No, on State forests. I did not know dugouts were absolutely compulsory.
It may be they are not. How long have you been operating?—On this particular site, 20 years.
Your Honour will remember some evidence was given that there was a condition in cases of licences granted since 1930.
(To witness) Has the Forests Commission been carrying out in the last few years any fire protection measures in the vicinity of your mills?—The area has been pretty well cleaned up with unemployed labour, and we have had the notification about the burning of heads at the correct season.
I take it from what you and others have said the District Officer here is pretty strict about the burning of heads?—Yes. He has not been strict with us, because we generally go to him and ask his permission to burn the heads.
Have you ever had any difficulty in getting permission?—No.
Your mills are on the coast slope?—On the coast fall.
That would be the wet side?—Yes.
What do you think about the proclamation operating from about the middle of November? Do you think it operates late enough for you people to burn?—We can burn there quite safely up until the end of November. Of course, after that, perhaps not.
Can you burn after the end of November easily?—Not a safe burn.
Can you burn effectively before the end of November?—No.
Are you in this position: you cannot burn effectively before the end of November, and you cannot burn safely after the end of November?—Something like that.
Is there any period at all when you can burn down where you are?—Not apart from that; we just have to abide by the prescribed periods.
Apparently you do get a burn?—Yes.
When do you burn, early or late in November?—As late as we can.
I suppose that means somewhere on towards the 25th or so?—Right up until the end of November.
What do you think of the work the Forests Commission has been doing in this particular area, from the point of view of fire protection. Have you given any thought to it?

The Commissioner: Do you know what the Forests Commission has been doing?
—Yes, I have a fair idea. The work the Forests Commission does is all right, but I think it could be carried a little further with regard to clearing and burning, because they, of course observe the safety regulation with regard to time.

Mr. Goward: There has been criticism, from graziers particularly, that the Forests Commission has in recent years, with the co-operation of millowners, left the forest in a condition which makes it a fire menace. What do you think of that criticism?—I would not call it a fire menace. I think that is a bit rough on the Forests Commission.

Do you think it helps a little towards the danger of fire?—Yes, I think so. I would say that.
Do you mean the policy of keeping fires out of the forests as much as possible? — Yes.

THE COMMISSIONER: Are you a member of any association or organization of sawmillers? — Not at present.

Have you ever been? — Yes.

Did they ever do anything, or recommend anything to their members of any course to be taken for the protection of life and property at the mills? — Never to my knowledge.

MR. LAWRENCE: Do you think it a practical proposition to carry out burning operations in ash country? — Yes, if they are carefully carried out, because ash is very susceptible.

What do you mean by "carefully carried out"? — I mean at the right season so that the fire will not be too serious.

Has it not been your experience that you are just one way or the other, either you cannot get your fires going or else they burn too fiercely? — Quite so.

Does that not make it almost impracticable to burn widely for protection purposes in ash country? — I think if they were attended to they could be burned and cleaned up. It would entail a little labour and expense.

I will put it in another way. Would the burnings which you would carry out be of any utility against a hot fire coming in from the mesmate country? — Yes, definitely.

Would you consider that burning in ash country should be adopted instead of burning in the drier belts, or if the drier belts were thoroughly and effectively burnt that the burning in ash country could then be dispensed with? — I think if the drier belts, such as mesmate and gum country were properly cleaned up there would not be a fire through the ash country as fierce or damaging.

For the guidance of the Commission which would you consider the more desirable? — I take it there are three aspects you have developed; either burn everything, widespread burning all through the forest — ash and mesmate alike — or just burn the ash country in the hope that if a fire did go in it
would not spoil it. The third would be to burn the dry belts and leave the ash country untouched?—I would burn the dry belts.

Did you hear Mr. Irvine giving his evidence?—Not all of it.
Did you regard this year as a very abnormal year?—Yes, definitely.
Did you have any experience of what happened in this Kaanglang country on the 30th January? Did you see what happened that day?—

Yes.

Do you not think on a hot day such as the 30th January if you had some of your ash country burnt, if a hot fire came up into the ash country, or across from Smythe's Creek into your ash country, it would have burnt all over it, even if it had been patch burnt?—I do not think it would have burnt so fiercely.

Would it have burnt at all?—Yes, there may have been fires sneaking through with the drier scrubs.

Do you know what date the proclamation came in this year?—No.
Do you know what date it came in last year?—No.
You do not know much about the proclamation?—I know we are not allowed to burn after the end of October until the end of April.
You are not aware of the vacillating nature of the period prescribed for the proclamation?—No.

With respect to this matter of removing the mills out of the forests, do you base your statements with reference to the economic objection only to the transport?—I should say that is the biggest consideration.

Is there any other consideration?—Yes, the finding of a suitable site for a mill; water supply and get-away for your offal.
These are difficulties which you anticipate you would have to face in putting a mill in a town such as Forrest?—Yes.

What proportion of your manufacturing costs is represented by the transport cost of your logs, mill to mill?—I could not say offhand.
MR. GOWAN: I suppose there is one other consideration relative to this question of taking the mill out of the forest, and that is you would have to have your men settled in the area where you were milling. There would be some kind of settlement in the area where you were milling?—Yes. That being so, although there would not be a mill there, you would have some human habitation and you would have to give consideration to the preservation of that settlement as well?—Yes, that is so.

I suppose from the point of view of the millowner the loss of his mill is a very serious thing?—Yes, it is.

In general, do mill owners insure in this area?—I do not think so. We were not insured; we never have been.

I suppose that is owing to the high premiums that have to be paid?—Yes, the high percentage.

You have no ideas of how the premiums run?—I have not. I heard there was a percentage of 10, 13 or up to 15% in some cases. I do not know whether that is so.

MR. WITNESS WITHDRAW.

ALFRED HENRY SCOTTS, sworn and examined:

MR. GOWAN: What is your full name?—Alfred Henry Scots. I am a grazier and dairymen living at Apollo Bay.

You had experience of the recent fires?—Yes. I have been in the forest all my life.

You had had experience of the disastrous fires here in the foothills of the Otway Ranges for quite a considerable time?—Yes. Where do you find that they crop up mainly?—In my opinion the most disastrous bush fires start in the foothills on the north side of the Otway Range, and on a severs day it will take the fires a long way towards the coast, or possibly right to the coast. However, smaller fires may start anywhere on a dry season like this and do a lot of damage.

What do you think starts them?—I think in a lot of cases it is settlers burning off. In some cases I think it is
settlers and landholders burning abandoned blocks full of noxious weeds. In some cases I think it is perhaps settlers burning round their homes, possibly in forest land, to make themselves safe. I think they are some of the reasons.

Do you agree with the view that many of those people would start that burning fairly early in the summer and that those fires crop up on hot days because they have not been properly put out?—Yes, I agree with that to a certain extent. If the fires are lit a little way on in the summer it is quite all right. That would account for all these fires suddenly cropping up on the one day.—That accounts for a lot of them.

Surely nobody would be lighting fires on a day like January 13th?—I would not think they would, but when there are fires everywhere it leaves the possibility of anyone wishing to light a fire to do so with absolute safety. There is no possibility of his being caught.

You think they sometimes take advantage of the fact there are so many little fires and it would not matter so much?—I do.

Do you think the graziers in the States do much burning off for the purpose of getting feed?—No, they do not, and graziers are totally opposed to hot forest fires.

You have heard some evidence this morning that graziers apparently have been doing a lot of burning up on those ridges you are speaking of?—I heard Mr. Young. I do not think graziers do much burning. The very hot fires are disastrous to graziers in forest country.

You had one instance recently of a grazier in Apollo Bay being convicted of burning on those days?—To be quite correct he is not a grazier. He is practically a labourer. He has a small farm. I have known him for 5 or 6 years and I have never known him graze in the forest country in that time.
Do you think there is more danger of the small settlers lighting fires than graziers?—I think there is.
Why?—Because they possibly may be trying to make their holdings safe, and in many cases they are right amongst the forest country. I think possibly they might be burning off.

(Please 894 follows.)
You say the graziers do not want hot fires?—No; because a hot fire is likely to kill all the green timber, and when the whole of the green timber is killed it comes up in a very coarse growth of broken fern and so on, which is absolutely useless to graziers. In many cases 500 acres would not graze one sheep after a very hot fire. After such fires the broken growth is very great.

That must be obvious to any grazier who has had experience?—It is, and that is why graziers are opposed to hot fires.

THE COMMISSIONER: What about a light burn?—A light burn that does not injure the timber meets with the approval of the graziers, because it makes the feed grow.

MR. GOWANS: Of course they would not expect to get a light burn in the middle of January?—No, they would not; but the graziers have had much experience and they know that they should not light at that time.

You have heard a millowner say that the Forests Commission has been doing work of value but it is practically impossible in this district to do anything in the way of fire protection; do you agree with that?—No, I agree that the Forests Commission has done very little of practical value in the Otway and my evidence refers only to the Otway.

Do you think the Forests Commission has done anything to create a fire menace in the district?—As a matter of fact I do.

In what way?—In many cases, or in some cases at least the Commission has cut the undergrowth and rubbish in thinning out the forest and has left it there. It has attempted to burn too early in the year when it is impossible to get a burn, and it has made a very poor job of cleaning up the bush. This big fire this year came along and made a very hot job of it, and it looks to me as if it has killed the timber.

It has been fairly obvious that the Forests Commission and the mill owners get on pretty well together, but how do the settlers and the Forestry officers get on on this matter of burning?

---The settlers and the Forests Commission as a whole are
very much opposed to one another, for the simple reason
that the proclaimed period, in the opinion of a great
number of settlers starts much too early and it leaves
them no opportunity to burn off before the dry weather
comes. It makes it very difficult, because this country
can only be cleared for the settlers by burning.

Apparantly there is a good deal to be said in favour of having a
specially proclaimed period for the Otway or for some
parts of the Otway district?---I think it is very necessary
and that it would be a very good idea.

Do you think the condition of affairs, with the Forestry officers and
the settlers at loggerheads on this matter, has in any
way contributed to the settlers' practice of lighting
fires rather indiscriminately?---I should not say definitely
but I should think possibly it is so.

You think it possible that settlers who do not get on too well with
the Forestry officers say "We will light our own fires"?---
I think it is quite likely that that is the position.

What do you think should be done in the Otway forest to make it more
safe?---I think the proclaimed period should not start
until about the third week in December and that the Forests
Commission should have systematic burning with light fires.
There is a lot of ash country in the Otway forest and it
requires careful burning, or it will be killed. It could
be quite easily burnt by experienced men at the right time
of the year, when it is a simple matter. It cannot be
done every year, because some years it may be too damp to
set it.

What do you find to be the position of the forest from the point of
view of unburnt millheads?---I do not know very much about
that; but I think the Forests Commission did as good a
job as possible in burning them off. I should say in the
young forest country in my opinion nothing is done to save
the young forests. Areas under lease to millowners are
probably dealt with all right.

When you say nothing is done to save these areas of young forests, what do you mean?—I mean nothing practical is done in the way of fire protection.

It was suggested by a Forests officer this morning that we find in the Otway forest many isolated settlers in various areas, and that it would be a good idea to get them out of it and take over that land?—I think that would save a vast number of small fires throughout the Otway Forest. At the present time there are isolated settlers in the vast tracts of forest, and they are surrounded on all sides by forest country. Often there is only the one settler there and it is necessary for him to burn to clear his land. He is a terrible menace to the forest. There are several cases of that kind in the Kaänglang forest.

THE WITNESS WITHDREW.
MR. GOWANS: What is your full name?—Cyril Lidgerwood, and I am a former living at Forrest.

You are one of the settlers about whom the witnesses have been speaking this morning?—I suppose I would be.

Do you agree with what the previous witness has been saying, that the lighting of fires in the Otway district in many cases has been done by settlers who are burning off?—Many of them.

What is the great difficulty about it?—Why is it that the settlers are burning off like this indiscriminately, and without receiving proper authority?—As a previous witness has stated, it has to be burned to clear the land. A fire is the only thing to help the settlers clear their properties.

They could burn off before the proclaimed period starts. Is there any difficulty about doing it then?—In my opinion, the undergrowth, or what has to be burned, is not dry enough then, because summer has not advanced far enough by that time.

Your great trouble is that the proclaimed period comes into operation too early?—Yes.

That would be one way to make the Otway safe, to make it a variable proclamation period, so that the operation of that proclaimed period in the Otway would be different from the period of the proclamation in other parts of the state?—Yes, there could be different times in different years for various parts of the state. In some years, October and November may be very wet months, and the settler is unable to burn. The proclamation should be in accordance with the seasons.

Your property was burnt out, was it not?—The property I lease, yes.

Could anything have been done to save it, by proper precautionary measures taken beforehand?—In my opinion, it could have been saved by lighting around, when the day suited.

Did you take any steps to do that?—No, the law would not allow me to burn.

Could you have burned some time in November?—No, not in November.
It would be fully Christmas in that part of the country when we could have burned.

You did not try to obtain permission to burn?—No, I did not try.

Do you know that you can get permission some times?—I did not know you could. I thought there was a certain time of the year when you could not burn.

THE COMMISSIONER: Where did you get that idea about there being only a certain time when you could burn; how did you find that out?—It is just general knowledge, that after the end of November you cannot burn, for the safety of the countryside or the forests.

MR. GOWANS: That is a pretty common idea, is it not?—I think so.

The settlers generally do not realise that, in certain circumstances at any rate, they can obtain permission to burn off the breaken and scrub country, even during the proclaimed period?—I did not know that.

You would be surprised to know that, under the proclamation, breaken, scrub, timber or herbage may be burned with the written permission of the forest officer between the hours of 4 p.m. and sunrise on a day when the temperature has not exceeded 90 degrees, and provided that, at the time of burning, no more than a light breeze is prevailing. There is also a provision that a break has to be cleared around it, and a certain number of men available. Had you been aware of that, possibly you could have applied for permission to burn around your place, and, perhaps, have saved your property?—No, in this case, it was different, because it was not a case of breaken or poor country. This was a case of timber country, and it was valuable timber around there.

What kind of timber was it?—I do not profess to know much about timber, but I think it was mountain ash, and that class of timber.

Have you ever seen a copy of a proclamation like the one I produce?—No.
You have not seen a copy of a proclamation like that around this area?—
   Posted on trees, and so on, there are certain notices that
   I have never bothered to read. I have seen notices that
   you are not to light fires, and so on, but I do not think
   I have seen a copy of that document before.

Have any fire precaution measures been taken by the Forests Commission
in the vicinity of your place?—No.

How far are you from a State forest?—I do not know exactly which area
constitutes the State forest. It was in the Kaanglang
Ranges, where my place was burnt out, and there is forest
all around it. It is one of the very few selections
left in the forest.

Do you have any fire precaution measures been taken by the Forests Commission
in the vicinity of your place?—No.

How far are you from a State forest?—I do not know exactly which area
constitutes the State forest. It was in the Kaanglang
Ranges, where my place was burnt out, and there is forest
all around it. It is one of the very few selections
left in the forest.

So you are one of the isolated settlers in the forest about whom
witnesses have been speaking?—Yes.

You, and other settlers like you, find your greatest problem to be that
you are surrounded by forest but you cannot get the
opportunity or the permission to burn off when you would
like to?—Yes.

MR. LAWRENCE: How many head of cattle have you?—None.

How many did you have before the fire?—None.

Do you rent Rickett's property?—Yes.

Do you rent Curtis's property?—No.

How did you put your cattle on Curtis's property?—I did not have them
on Curtis's property.

Well, how did they get there?—They break out sometimes from Rickett's
property.

Nearly all your cattle break out, do they not?—No, not all of them.

How many did you put in on Rickett's property?—Rickett's property is
about 1,000 acres freehold, and there are about 150 to 200
acres of cleared land on it. The balance is wiregrass
country, and that is where we run our cattle.

How many head did you put on to it?—Anything around 100 head of cattle.

How far is it from Rickett's property to Curtis's?—From three to
three and a half miles.
I have seen up to 40 head of your cattle on Curtis's property, and I suppose you suggest that number just broke out?—Were they all my cattle?

You said you had 100 cattle on Rickett's property?—You did not see any of my cattle on Curtis's. Is there no other grazier in the forest besides me?

You have already admitted that your cattle got on to Curtis's property?—Sometimes they broke out on to it.

They broke out on to Curtis's property and have come right through the forest?—They came along the track, yes.

Then your cattle do move about through the forest?—Sometimes, when they break out, and until we get them back in, which is a very short time. They are on the forest area, and they are on Curtis's, most of which is private property.

Curtis's block is unfenced, is it not?—Yes.

As long as you think they are somewhere about the neighbourhood of Curtis's property, you think they are all right?—No, we get them in immediately.

Why would they make for Curtis's property, instead of going into the general forest?—It is partly cleared, and there is a bit of grass.

You suggested to me that some of the cattle I saw on Curtis's property would probably be the property of other graziers?—Yes.

There are cattle belonging to other graziers on Curtis's property?—I have seen the cattle, but I do not know to whom they belong, as I did not take that much notice of them.

You say quite definitely that there are other cattle moving about on Curtis's property?—Very few, yes.

Were you short of water at Rickett's property this summer?—No, there is plenty of water, with springs everywhere.

What about the cattle that got out, where do they get water from? I refer to cattle that got away from Rickett's property on to Curtis's?—They would get water on Curtis's property.
MR. GOWANS: Does Your Honour desire to have this copy of the fire protection scheme for the Otway district submitted as evidence?

THE COMMISSIONER: Probably a rough sketch could be made of it, if the plan is needed for the departmental records here.

MR. LAWRENCE: The plan is only supplementary to an organized scheme which is the subject of typescript. The Forests Commission will be prepared to submit the whole of that typescript in evidence in Melbourne, if Your Honour so desires.

THE COMMISSIONER: Yes. I understand you are submitting a case and you can make that part of your case.

MR. GOWANS: I should like it made available for the future sittings tomorrow.

THE COMMISSIONER: Perhaps Mr. Lawrence could produce it there.

MR. LAWRENCE: Very well.

THE COMMISSION ADJOURNED UNTIL 10 A.M. ON WEDNESDAY, FEBRUARY 22, 1939, AT LORNE.
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Victoria. Parliament

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Transcript of evidence and Report of the Royal Commission to inquire into the causes of and measures taken to prevent the bush fires of January, 1939, and to protect life and property and the measures to be taken to prevent bush fires in Victoria and to protect life and property in the event of future bush fires.

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