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

held at
H A F F R A.
on
THURSDAY, 2nd MARCH, 1939.

PRESENT:

HIS HONOR - JUDGE STRETTON - Royal Commissioner.

MR. GREGORY GOWANS appeared to assist the Commission.

MR. BARBER appeared on behalf of the Forests Commission.

MR. OFFICER appeared on behalf of the Sale Branch of the
Graziers' Association of Victoria.

FRANCIS JOHN HALLORAN: Sworn and examined.

MR. GOWANS: What is your full name?---Francis John Halloran. I am
the Forest Officer in charge of the Tanjil district which
covers a total area of 1,750,000 acres.

How much of that is State Forest?---110,060 acres. There are 906,000
acres of protected forest making a total of 916,000 acres
of protected and reserved forest.

What staff have you?---There is one officer in charge, one foreman, and
three temporary permanent labourers. Also, I had about
six casuals during the summer.

Where is your foreman stationed?---At Bragolong; I am stationed there

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HALLORAN.
What was the position in regard to fires in your district in January?---

During January the main outbreaks of fire in this district occurred between the McAllister River and the Seaton -
Walhalla Springs track that divides Tanjil and Erica districts. That is on the western side of the district. The fires in that locality came in from the adjoining districts, from Erica, from Wood Point, and from all along the main divide.

Were there many outbreaks in your district that you know of?---None that I know of. The outbreaks in our district were all under control at that period.

What had been the position in December; had you serious fires here?---There were two outbreaks in December. One fire was north of Briagolong along Freestone Creek. It burnt down towards Briagolong. The other fire was in the gully of the Valencia Creek and the Avon River.

Did you get these fires under control?---They were under control about the 29th December.

I take it that they were not out?---They were under control. No further outbreaks occurred from them.

They were not out?---Not definitely out. They were still burning in boundaries.

Did they revive again at any time during January?---No.

Even on the 13th?---No.

Have you compiled a list of causes of outbreaks in your district?---

In the Tanjil district the suspected causes are as follows:- grazing interests, three; spread from private properties, etc., three; deliberate lighting for various reasons, three; unknown, one.

In regard to the deliberate lighting cases, what do you mean by various reasons?---For the purpose of clearing away scrub and getting rid of dogs.

Were there any cases of vindictive lighting?---They appeared vindictive from the fact that they were lit in different places.
Does that information relate solely to January?---No, the whole season.

Where did you get the information as to the causes?---From our observation of the fires in the locality.

Was it your own observation?---The observation of myself and my men.

Were there any prosecutions?---No.

Have there not been any cases in which you have had evidence available upon which prosecutions could have been launched?---No.

Have there been any investigations made by the police as far as you know?---Not as far as I know.

Can you tell the Commission the nature of the localities in which those fires have arisen from the point of view of classification of reserved forests, Crown lands, and private properties?---Three outbreaks occurred in reserved forests, four outbreaks occurred in protected forests and Crown lands and three outbreaks occurred in private property.

In what reserved forests did the outbreaks occur? I will give the date of the occurrence and the date of suggestion of the fires. 4/10/38 to 8/10/38 in the Parishes of Wadereck, and Monosnak.

Where is that area in relation to Briagolong?---West of Briagolong on the Avon river.

Do you know what was the cause?---The suspected cause was burning to clear country along a track.

In State Forest?---Along a cattle track in the State Forest.

To whose advantage would it be? I do not want you to mention names.

What type of person?---Persons travelling on the track towards the high country.

Do you mean cattlemen?---Possibly.

Apparently you got that under control in four days?---Yes.

Did you get it out at any time?---Yes.

Did you have enough men to fight it?---Not on the day of the occurrence.

It was impossible to deal with it because of a severe north-westerly gale.
What stage had it reached when you first heard about it?—When I first saw it, it had advanced about a quarter of a mile from the Avon river, on the Bragelong side of the Avon after crossing the river.

On about what front?—A front of about half a mile to one mile.

How many men did you have available?—I had four men, all forestry employees.

How many men would you have needed?—I do not think it would have mattered very much. If I had 50 men on that day we could not have coped with it.

That is because of the conditions?—Yes.

How long had it been burning before you got there?—Approximately one hour.

What happened to that fire in the next few days?—It was under control late that evening.

Was it possible to get it out?—After the first day it was possible.

Did you, in fact, get it out altogether?—Yes.

What did you use; did you have any water?—There was no water there.

We had a small amount of water. The men broke along the tracks.

We have been told that it is impossible to put a fire out without water?—We had to use water on the logs around the fire. We used haversack sprinklers. There was a long way to carry water and it was only in places that we could use a lot of it on the fire.

Did you make any application for more men?—No.

Was that because you considered you could do nothing with it?—Not on the first day of the fire. After the first day we could handle it.

Did you need any more men then?—No.

Tell the Commission about the second fire; did that arise in the State Forest?—It arose on 7/11/38 and was extinguished on
9/11/38. It was in the Parish of Bowworrung, north of Bringolong. I suspect that the fire was deliberately lit to clear away undergrowth with the idea of getting rid of vermin and dogs in the State Forest.

To whose advantage would it be to light a fire for that purpose?—Settlers—grazers.

Have any steps been taken in regard to vermin?—I have had no complaint officially of vermin in the forest.

Have you had any unofficial complaints?—No unofficial complaints; only hearsay. There have been no steps taken in this district to my knowledge.

I understand that in some instances the areas would be too large. It would have been possible in that particular area because it is comparatively small; would it have been at all feasible?—It would have been feasible if the vermin were a nuisance.

Would you have regarded it as your duty to attend to the matter if you had received a complaint that the forest was full of vermin?—Yes, if the matter was reported by the Vermin and Noxious Weeds officials. We would make an inspection of the area and if necessary steps would be taken to get rid of the vermin.

What was the position when you first went to that fire? In what foreground was it burning?—It was only a small fire and it was extinguished after it had burnt about 90 acres.

Did you have enough men to deal with it?—Yes.

How many did you have?—About eight men.

Tell the Commission about the third fire that occurred in the State Forest area?—The third fire originated both in State Forest and protected forest. It was on 17/11/38 to 21/11/38 in the parishes of Bowworrung, Marlook and Moornapa.

Is that north of Bringolong?—Yes, practically adjoining the other
What do you think was the cause of it?---I suspect the same causes for that fire.

Do you think it possible that the previous fire had not been right out and had cropped up again?---No, it was definitely out.

How far away from the other fire was the place where the new fire cropped up?---In one position it was three miles away and was apparently lit along a ridge towards the previous fire.

Was that the nearest point it reached to the other fire?---No. Eventually it practically burnt into the locality of the other fire.

Do you suspect the same person?---Yes.

Have you taken any steps at all to try and obtain evidence?---We were unable to obtain any evidence. The only things we could see were horse tracks. The locality of the fire and general knowledge of the country raised our suspicions.

There were horse tracks there?---Yes.

In the Apollo Bay area we were told that black trackers had been used. Have you ever done that in this district?---No.

With regard to the other fires, some of them cropped up on Crown Lands apparently; were they close to State forest areas?---Generally, no. One fire was near the State forest and did burn into the State forest.

Did you go out to fight that fire?---Yes. That fire started on 18/12/38 and burnt until 29/12/38. It was in the north-western corner of Boworrung.

What do you suspect the cause was?---I suspect that it was lit to obtain grass for winter feed.

Are there any grazing leases in that area in the forest?---Not in the State forest.

On leased Crown land?---I am not definite on that point.

Would there be any cattle in the vicinity of the fire?---There have been cattle in that vicinity but I do not know whether they
were there at the time of the fire.
How long before the fire were they there?—I could not say exactly.
I do not want it exactly. You do not mean the previous winter?—No, during the same year.
I am trying to find out from you whether there would be any danger to cattle in that area from the lighting of a fire?—I do not think so.
You appreciate that if there was such danger it is very unlikely that anybody with grazing interests would have lit the fire?—I appreciate that point; but I do not think there would be any danger to cattle in that particular area.
How long have you been in charge of your district?—Two and a half years.
Will you tell the Commission what steps have been taken under your supervision to make the forest areas safer from the point of view of fire protection during that time?—During that time certain fire protection work has been carried out each summer along the main tracks; fire lines in the forest areas.
Have you any idea how many miles of fire line you have carried through?—In the Tanjil district there are 3,640 chains of tracks negotiable by motor vehicles. There is also 1,940 chains of fire lines not negotiable by motor vehicle. During 1938, 4,350 chains along these tracks and fire lines have been strip burnt.
Can you say how much of that has been done since you took over?—Practically the whole of those tracks and lines have been treated since I took over.
Does that mean that nothing had been done before you took charge of this district?—No, they were done similarly before I took charge of the district.
What I asked was how much of that work had been done since you took over?—Those tracks are done annually and they were done
similarly before I took over.
That would mean only cleaning them up?—Burning debris along them.
Have you put in any new tracks or lines since you have been in charge?—-
Yes.
Take patrol tracks negotiable by motor transport; about how much of
that track has been put in since you have been in charge?—-
Work is going on at the present time on tracks of that nature
that are not yet completed.
I do not want to tie you down to figures but can you give me an idea how
much you have done yourself?—-about 250 chains. Last year
there was practically 140 chains of new track.
Of patrol tracks?—-Yes. Two-hundred-and-fifty chains this year was
on tracks negotiable to road traffic and the previous 140 chains
was negotiable for horse traffic.
That amounts to 390 chains in the last two seasons. Is that the lot?—-
I think that is the lot of the new tracks.
It is about five miles; is that right?—-Approximately.
What about these fire lines; how many miles of those have been carried out
by you?—-140 chains of fire breaks in the last couple of years.
Can you give us any idea of the strip burning that you have done in the last
couple of years?—The figure of 4,350 chains is approximately
what is done each year.
Is there any other type of fire protection that needs to be carried out?—-
Improvement work in the forest areas, thinning work, general
cleaning up of the ground during that operation, debris on the
ground and the thinnings that are taken out, stacked and burnt.
Since you have been here have you done as much as you would like to have
done?—In respect to improvement work?
Fire Protection work?—We have done as much as it was possible to do.
That was no the question I asked. Have you done as much as you would
like to have done?—I would like to have done more if the
weather circumstances had been suitable.

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Were the weather circumstances the main difficulty?—It was one of the difficulties; but the limitation of staff has been the main difficulty in the last two years. The dry conditions have limited the amount to be done.

How many men could you have done with?—Possibly double the number of men that we had during the summer period.

Have you made any application for further men?—No, we were limited to a certain number of men during the summer season.

That means that you made no application because you knew you could not get any more men?—I consulted the Divisional Officer.

The Divisional Officer is Mr. Calbraith at Bairnsdale?—Yes.

Has there been any systematic scheme prepared for fire protection in your district?—We have no scheme other than the maintenance of the existing tracks and lines.

In your district you have not yet had the benefit of the scheme prepared by the Chief Fire Protection officer?—Not as yet.

I take it that the work you have carried out in the last two and a half years has been done practically on your own initiative?—No, it was in conformity with the general policy of the Commission.

THE COMMISSIONER: You might get what you want by asking what is the general policy of the Commission.

MR. GOVANS: What is your understanding of the general policy of the Commission so far as fire protection is concerned?—The maintenance and good order of all tracks and fire lines; getting rid of debris possibly, heads of trees for licensees, and keeping down as far as possible the dangerous litter in this forest, more particularly along these tracks. We have been working solely on new work during this last season.

Have you had any instructions about this new work or have you done it yourself?—No. We have had instructions that if we had any available places in which tracks suitable for motor traffic or for patrol purposes could be put in, that was
to be done.

When did you get those instructions?---In the earlier part of 1938, before the summer. I got the instructions from Head Office. They were in writing.

Is that the extent of the instructions you have received; that where you could open up new tracks you were to do so. Did you get anything more precise than that?---Not that I can remember.

I take it that you would consult with your Divisional Inspector?---Yes.

Would you take instructions from him as to where these new measures were to be put into operation or would that be left to you?---I would recommend them to the Inspector. If they required to be done, he would authorise it.

Do you think that your area is such that some definite systematic scheme could be worked out for making the forest safer?---I consider that Bowworrung which is at present well criss-crossed with tracks and fire lines would be safe in ordinary years for fire fighting.

Was it not in that area that you had most of your trouble?---Portion of the outbreaks occurred in that area.

Was not most of your trouble there?---Most of the trouble was north of Bowworrung. The biggest fires were outside the State forest.

Did you find that the measures you had taken were effective in this Bowworrung district?---Yes.

So far as you are concerned, it is your honest opinion that nothing further need have been done from the point of view of fire protection?---I would not say that; it could be improved. There is always room for improvement.

Tell us what your ideas are?---You can improve on the existing tracks by more connected tracks. We are at present engaged on that work, connecting from one place to another. Improvement could also be made perhaps by burning in dirty corners in suitable weather.
MR. GOWANS: Why is it these dirty corners have not been burnt out?—
It was not possible to burn, because of weather conditions.

What about your other forest at Ben Gruachan, you consider everything has
been done there that could be done?—The greater portion
of the Reserve is in inaccessible country, and it is not
possible to do much with it.

You think no scheme could be put into operation?—Not at present.

It is a very poor type which is a protected forest from the
point of view of erosion. There is very little commercial
timber accessible in that area.

What type of timber is it?—Mainly red stringybark and the poorer
class timber—stunted box in places.

How many saw mills have you in your district?—Three.

Are they on State forest or private property?—They are all situated
on private property.

What practice do you put into operation with regard to the burning off
of heads?—The licensees are notified in writing, to burn
the heads each year.

Do you see it is done?—Yes.

Did all of those mills have a burn last year?—One of those mills started
prior to the summer, and the others started during the summer,
one started only this month, consequently there was no need to
carry out this burning.

Were there any mills in your district before they started?—No.

You have had no mills at all in your district in the two and a half years
you have been here?—There was a small mill in the township
of Briagalong.

MR. OFFICER: You said that you received instructions, or it is the
policy of the Forests Commission, amongst other things, to
keep down the litter in the forest. Is that correct?—
Yes, as a method of pre-suppression of fires.

Apparently the first of the fires in your State Forest was lighted in
October to burn litter along a cattle track?—Apparently.
And the purpose of that was to make that track safe?—No. I should say the purpose of it, as far as I can see, would be perhaps to it make/a little easier for travelling by those persons accustomed to travel.

Not with any idea of safety?—No.

As a further protection, you suggested that dirty corners of the forest might still be burnt out. Apparently there are dirty corners?—They could be burnt out by patch burning.

You said it was not safe to burn them?—No.

Was it any safer earlier in the year?—It was not safe practically all through the summer. This country had had very little rain for the last two years.

Yet in that October fire it burnt fiercely on the first day and then died out and could be controlled by four men?—It could be controlled because it had burnt on to improved country—country that had previously been cleaned.

Was it not the case that all those breaks you put through the dirty country, would need to be cleaned to give some protection?—The breaks are all kept clean.

In October, would it not have been possible to clean up many of those dirty patches even this year, which was an extremely dry year?—No, it was very dangerous, right through the end of September and October.

How did you get this early October fire out with your four men?—Change of weather conditions helped us in a certain sense. They worked on the fire through the night and the early evening, and got it under control along the tracks.

So that in the early spring you can control it because the weather conditions do help you?—When you get the weather conditions suitable.

In the early spring, those conditions are regularly favourable?—Not regularly favourable, because you can never tell when a bad wind might rise to take the fire out of your control.
What were the width of those fire breaks you put through?—The width varies, in places up to about 10 chains.

Of the 4,350 chains, are the tracks probably that width, or are they very much narrower?—They vary considerably.

What are the narrow ones?—The narrowest ones are from about 16 feet to half a chain.

In regard to the dirty corners, you were there last season as well?—Yes.

Was it still not safe, even in the early spring or autumn, to burn those dirty corners?—Some of the dirty corners had been burnt, but there was still quite a lot.

How long does it take for a portion of the forest to get into a condition when it is dangerous?—It takes four or five years to get into a dangerous condition.

So that many of these corners that are a potential danger, apparently have not been burnt for four or five years?—No, I would not say that. They have been burnt periodically, but there are always small corners that can be dealt with.

Are there any small corners in your forest?—There were a few, but not there are too many now.

Prior to this fire, of course?—There were some, but not a great many.

Prior to coming to this district, what experience have you had in forests?—Seven and a half years in East Gippsland.

In the control of your area, you are entirely responsible for it. You are the supreme authority in that area. You never consult with local people who have lived there all their lives?—No, not altogether. Of course, I may have spoken to them unofficially.

You do seek their advice?—I have spoken to persons unofficially.

Did you find that helpful to you?—In some cases.

Have they given you information which will assist you in deciding precautionary methods?—Sometimes we might agree, but
very often we might not. On some points you might be able to obtain assistance.

You have actually done that in your time here. You have obtained their views, applied them to your own specialised knowledge, summed the thing up, and then decided on a policy?—No.

Perhaps I have spoken with different persons about it, and they may have suggested something. I may have agreed with that, or I may not have. If I agreed with their proposals, I would incorporate them with my own ideas.

The responsibility of the forests is entirely yours?—Yes.

MR. BARBER: Reverting to the question of not having burnt corners this year, I am taking it you are putting that any fire is dangerous in a season like this?—Yes.

You would not care to take the risk in case the weather conditions altered, and the fire got out of control?—Certainly not.

How long has your Divisional Officer, Mr. Galbraith, been appointed to that position?—About 9 months.

He has a vast area to cover?—Yes.

Were you satisfied that your Fire Protection works were adequate to cope with local outbreaks?—Yes.

I take it the big fire came in from the west of your area?—Yes.

How did they stand up to that?—That was all Crown Land area.

We have no protection methods in that locality.

Were your own forests menaced by that fire, or actually entered by that fire?—One small corner was entered.

You had 11 outbreaks in your area this last year?—Yes.

That is a satisfactorily small number, from your point of view?—Yes.

Other fires did occur in the further back hill country.

Of course, they were inaccessible, and could not be attended to.

Did you have any applications this year, from anybody, to burn off during the proclaimed period?—I think one during the
MR. GOWANS: You told Mr. Barber that Mr. Galbraith was appointed nine months ago. Does that mean there was no Divisional Officer here before Mr. Galbraith was appointed.

Who was that?—Mr. Firth.

I suppose you consulted with him in the same way as you consult with the present officer?—Yes.

The change meant nothing to you from the point of view of your protective measures?—No, it meant nothing to me.

Then when you told Mr. Barber the measures you took were sufficient for local outbreaks, I take it you did not direct your attention only to fires arising around here?—No.

You did not work on the basis that nobody else’s fire is allowed in your district?—No, we did not work on that basis. I presume the fires you refer to were on the Western side of the district. We were unable to attend to that fire because of the lack of men and facilities.

I assume that; but I am asking you about an answer you made to Mr. Barber.

I take it in working out the measures you were going to adopt for fire protection, you did not work on the basis of no big fires getting into your district?—No, that is always possible.

Therefore, you would have that in mind?—In forest areas, yes.

And consequently, your measures would be directed against big fires as well as small fires in your areas?—Yes.

Do you regard the measures that you took at the time you were in charge as being effective to deal with large fires which might enter your areas from outside?—From Crown Lands or adjoining property?

Anywhere at all, any fire that might get into your district. In the
light of your experience now, do you think those measures were
effective; you are quite satisfied with them?---As far as the
Reserve Forests are concerned, on which we can spend the money,
I am satisfied. As far as the Crown Lands are concerned, there
is, of course, no prevention methods carried on in that area.

I am not asking you about that. Has it been your practice not to carry
on any fire prevention measures in Crown lands?---Not as far as
breaks, fire lines or tracks are concerned. We attend to the
fires in those areas.

Where did you get the idea that you cannot carry on any fire prevention
measures in those areas?---We are not authorised to spend the
money in those areas.

The Commission was told the other day at Woods Point that the Forestry
officer there had spent some money in Crown Lands. Taking
just those measures you have outlined to us, have you ever
been told you could not do that?---The only work that has
been done in Crown Lands is the cutting of tracks from one
forest track to another.

THE COMMISSIONER: Have you ever been told you cannot do that in Crown
Lands, by anybody. Where did you get your impression you
cannot do it?---The impression I have is that the money is to
be spent on Reserve Forests, and not on Crown Lands.

Where does that impression come from?---I had no instructions to do
work on Crown Lands areas.

MR. GOWANS: You have had no instructions not to do it?---I have had no
instructions to do it on Crown Lands.

You have had no instructions not to do any such measures on Crown Lands?---
Not that I can remember.

Have you had sufficient men and money to enable you to carry out fire
protection methods on Crown Lands?---No.

You would have liked to have done it, if you had authority and the
money?---If we had authority, the money and the men, it would
be a different matter.
In fact, I suppose you reckon it is very desirable you should carry out those measures on Crown Lands, in order to save the forest when the fires came, for that reason if for no other?---Yes.

THE COMMISSIONER: Did you say you had instructions in writing to clear up the litter in your territory?---Yes, as a means of pre-suppression of fires.

When do those instructions come to you. Do you get them every year, or did you receive it only that once?---I have had the instructions only once.

When did you get the instructions?---Early this summer.

From whom did they come?---From the Head Office in Melbourne.

Is it not your usual duty to keep the forest clear of litter?---Yes, it is our usual duty. In our forest improvement work, and in our work on tracks and lines, it is our aim to keep the litter down as far as possible. In our improvement work, all ground litter is cleared up as far as we can do it. The scrub or thinnings which are taken out are heaped and burnt with the idea of cleaning it up.

How do you clear up the litter in your forest?---By burning in cooperation with our thinning work. We stack the litter when it is cut. Where the scrub is dense it is thinned out or cut down.

Do you not pull your thinnings into a heap and burn them?---Yes, and it is possible we allow the fires to creep around the heaps.

You do not pursue the policy of burning to clear the forest of litter, as a general thing?---No, not as a general thing. Too much burning is not advisable.

I do not want to get into that old argument with you, but what I want to know is what has been done in your territory to keep the forest floor clean?---We have burnt the litter in connection with the improvement work.

That is only the thinning and burning a little away around the heaps of thinnings?---Yes.
up?—Not generally, no.

What is your method of keeping the floor of the forest clean. Is there any method of doing it except by burning?—No.

You do not burn as a general rule?—Only the heaps.

They are only little patches compared with your territory?—No, there is no general burning.

That means it is a very small part of your forest which you burn. You burn the thinnings and a little way around it. What do you do to keep the remainder of your territory clean?—It is not burnt.

What do you do to it?—We just do what I have outlined. Apart from the track works there is no burning done to keep it clean.

I went you to understand you are not on trial. I want to find out what you do, and when you do it?—We do not burn the forest to keep it clean.

And you say there is no other method of keeping it clean. Therefore, you do not keep it clean?—We keep it clean as far as we are able to.

I know your position.

MR. OFFICER: Your Honor, that reply is absolutely at variance to the reply the witness gave me.

THE COMMISSIONER: That is a very common occurrence in this Commission.

MR. OFFICER: He gave me the impression they do burn those dirty corners.

THE COMMISSIONER: He says they do burn, but only in very small areas. As to the main area of the forest, they do not burn.

THE WITNESS: We do not allow fire to go uncontrolled. We burn a small area which we can control and keep in limits.

THE COMMISSIONER: Let us get your evidence clearly. Mr. Officer points out something you said. The impression may be you are making varying statements. Is the position you do burn only in comparatively small areas, so that the greater part of your forest is not burnt at all, therefore, it is not clean?—The greater part -----

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Is that a fair summary?---Yes.

Mr. Officer, I think that should satisfy your query.

MR. BARBER: What is the area over which you have done these thinning operations?---The total area that has been thinned is 13,500 acres.

That is thinned, the thinnings raked and burnt, and the fire is allowed to creep round?---Yes.

MR. GOWANS: I suppose the operation you have just described, is rather from the point of view of giving the existing timber a chance to grow than with the idea of cleaning up the forest?---It is done with the idea of both, giving the tender trees a chance to improve; and at the same time, protecting them.

Have you any mountain ash in your district?---Not in the forest areas.

What is the type of timber, mainly?---It is stringy bark type.

That is not very susceptible to fire, is it?---It is not as susceptible as ash; it will stand a fair fire.

Your area is really one in which you could have carried out light burning fairly extensively, without any great damage to the timber?---Light burning could be carried out at suitable times of the year.

Have you interpreted the policy of the Forests Commission, that in spite of that you were not to burn?---I think that rests with ourselves, whether we should do small burning. Small areas have been burnt at times.

THE COMMISSIONER: The general instructions to clear up the litter of the forest did not amount to anything much. Do you think it only meant you had to clear the litter up from small portions?---It has only been done in the small portions of the forest.

The Melbourne Office knows that?---Yes.

Do you think they do?---Yes. 13,000 acres of improved work has been done in the district.

We are talking about burning as a method of fire prevention?---That has
not been carried out.

When you got instructions to clear up your forest, the casual reader
would think that meant the whole of your forest. It does
not mean any such thing?—No.

You are not allowed to burn, and as you say, burning is the only way you
can clean the forest?—Light controlled burning at suit-
able times would be unadvantage.

MR. GOWANS: How long ago did you get your instructions to clear up the
litter?—We are instructed every year to place our fire
protection methods in order for the ensuing summer.

Are the instructions as general as that?—Every year we are instructed
to keep our tracks, lines and other means of fire protection
in order.

I think we are getting away from what you told the Commission a little
while ago. I think you told the Commissioner you were
instructed to clean up the litter in the forest. You are
now telling us those instructions were confined to clearing
up the litter in your tracks?—Yes, that is the general
instruction.

It is simply this, every year you have had an instruction to see that
your tracks are kept clean from litter?—Yes.

That is about all it amounts to?—That has been the general instruction
this year. We received an instruction wherever possible to
allow the fire to burn and run out small patch burns for
pre-suppression.

When did you get those instructions?—In the early part of the summer.
That is something new and novel you have received since the appointment
of the Chief Fire Protection Officer last year?—They are
the first instructions of that type.

Prior to that, you have never had any general instructions in such
general terms as that?—No.

THE WITNESS WITHDRAWS.

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(Page 1165 follows).

1164-A.

HALLORAN.


MR. GOWANS: What is your full name?---Garfield Riley. I live at Munro, and I am a councillor in the Shire of Avon. I am a grazier and I have had practically a life long experience in the district, varying from the mountainous country to the low country.

You have some views as to the steps which could have been taken in the forests, from the point of view of general policy, which would have made the fire outbreaks this year a great deal less serious than they have been. Will you put those views in your own words?---Yes. Before giving my views, I have been deputed by the Avon Shire Council to represent it here. The area of the shire is approximately 850 square miles, and most of it is country that is subject to fire risk. The shire also contains large areas of Crown lands, and, as a previous witness stated, a large portion of the forests is in those areas. I would not be definite on the actual amount of forest in the area, because the Avon shire forms a narrow neck and then widens out again through the Dargo country, joining on to the Bright shire on the high plains on which there were serious fires. We look on the foothills where the forests are situated as a potential menace to the country with which I am directly concerned. We maintain that the north-westerly winds which travel through the arid parts of Australia gather force and become a very devastating influence when they get a fire to assist them. As a local authority, we think that we should have some control over those lands.

THE COMMISSIONER: To which land would you particularly refer?---To forestry lands particularly, although the Crown lands, I believe, are held under lease. I understand the leases definitely state that they are not allowed to burn.

They are lands to the north and the north west of your shire?---Yes.

You say that your shire would like some control to enable it to take protective measures?---First and foremost, I think the general
opinion in my council is that, in view of the fact that previous to the present methods of the Forests Commission being put into operation — in the good old days when we were allowed to burn — we were allowed to burn, that policy should be followed at present. I do not say for one moment the burning was definitely legal, but in those days not much notice was taken. Settlers would burn periodically, and the result, from a grazing point of view, was satisfactory. You cannot burn the same country every year, but you can only burn when the country gets to a state in which it is a menace to the community. In different years, different parts of the forests are burnt. In a year like this, if a fire got away, sooner or later it would join up with portions that had been burnt at the right time, and that would assist in holding it.

You are really advocating what the forestry officers call patch burning, or sectional burning in or out of season?—Yes, but what we are after is to be allowed to burn. There are certain times in the year in forest areas when we are not allowed to burn. We cannot enter the forest area, or go within a certain distance of it.

A previous witness said that the Commission has territory considerably over 100,000 acres in extent. Fires can rage in definitely out that area and be out of control. We suggest that a local body of control should be appointed. We do not suggest that you should wipe out the Forests Commission, or anything like that, but there should be an organisation to work in co-operation with the Commission, to adopt methods that would prevent a repetition of what has happened this season.

MR. GOWANS: You would like to have that control even in State Forest areas?—Yes.

I suppose you see the possibility of trouble there, when your fire protection measures come in conflict with the forests policy of the Forests Commission. The Commission might think that your protective measures would destroy the forests altogether.
Mr. Gowans: You are not likely to be able to do that effectively so long as the policy of the Forests Commission is to keep fires out of the forests as much as possible. Your ideas would be entirely different from the views held by the Forests Commission?—No. We do not think the Commission will ever deal with fires in that way.

The Commissioner: Mr. Gowans is suggesting that, if you try to co-operate with men who have so entirely different views from you, that you might find a stalemate; would you agree with that?—It is quite possible. Perhaps some authority such as you suggest should deal with it. They would be more concerned with fire prevention than with the conservation of the forests. It is a very difficult problem, as you undoubtedly are aware?—We have no idea of wiping out the forests—we want them.

You might find the gentlemen with whom you desire to collaborate saying...
that your way is the very way to wipe out the forests. I am not putting that as my idea, I am putting it merely as a proposition?—In reply, I can only state that the bulk of the timber destroyed by the recent fires was not grown by the Forests Commission. It grew years before the Forests Commission came into existence. As old bushmen, we maintain that the forests such as we know here—I do not understand the ash country—but the stringy bark and such timbers in our opinion wants periodical burning to allow the wind and so forth to pass through them. That is necessary before you will get a good tree to grow. Of course, you will get trees to grow, but actually you want a sound tree.

MR. GOWANS: No matter what machinery you set up to enable collaboration between the two of you, it would really come to this, that you would have to persuade the Forests Commission to change its policy?—That would be so.

If it did not see fit to change its policy on your advice, or suggestion, what machinery could possibly be set up that would enable you to have some kind of say in the matter. It is one thing to say that there should be more collaboration, that the Commission should take more notice of you people, but it is another thing to set up machinery by which it could be done. Have you thought that out?—I think years ago the policy we suggest was followed by the appointment of a forest ranger. It would be a suggestion that the forest ranger could patrol these areas and the dirty corners referred to by previous witnesses, and he could see that they/burnt. That could be made to apply to Crown lands or private property.

What about setting up an officer whom we might call a fire warden for a certain district, to have power to direct the Forests Commission, the Lands Department, and private owners to carry out certain fire protection measures. Do you think that would be successful. That would be a man who would
not merely be an officer of the shire council?---We do not want that.

He might, at all events, have forestry experience and be able to see the point of view of the Forests Commission. Supposing such a man were appointed, do you think that might help?---Yes, that would be a reasonable suggestion. We really want an unbiased man, a man who understands the position.

It was suggested at one stage that it would be desirable to separate the fire protection activities of the Forests Commission from its other various activities. Do you think that is a good idea?---If it were possible, it may be a good idea, but it seems to me impossible?

THE COMMISSIONER: Would that officer be under the jurisdiction of the Forests Commission?

MR. GOWANS: There are two different suggestions, one being that there should be an officer appointed under the jurisdiction of the Forests Commission, a fire protection officer quite distinct from an officer dealing with forests policy generally - afforestation and so on. Another suggestion is that there should be an officer who would not be under the jurisdiction of the Forests Commission, but who would have power to control fire protection measures on private, Crown or forest lands.

THE COMMISSIONER: I should think the witness would prefer the latter type of officer?---Yes, I would.

Would you like the officer to be under the jurisdiction of the Forests Commission, or to be independent?---I should like him to be independent.

MR. GOWANS: Have you some other views that you would like to put on these matters?---No, except that I personally favour a certain period for burning. That raises another difficulty which can be best explained in this way. In the low country, in the summer or early autumn, when you get the seasonal rains, there is a definite shoot in the grass and undergrowth. The bracken and so forth has had all the summer to dry, and very often you can get a favourable burn.
That burn is not a menace to the country it travels over, or to animal or human life. While the policy of burning then would be quite all right on the country I represent, when you go on to the snow country, such as has been affected by the burn on the high plains this year, about the only time that you can get a reasonably good burn is in the opposite season, after the long winter and the snow has left and the undergrowth or grass has become dry. With the dry conditions then, you could burn better.

There are different ways of dealing with different parts of the country.

It has been suggested that the proclamation should not operate evenly throughout the whole of the State. Have you any ideas on that point. Can you suggest what unit area should be the area in each proclamation, and period. Should the area be the whole of a shire, or a particular area around a local village or township?—That is another difficult matter to determine, more especially with shires with representations such as we have here. I suggest that the shires should co-operate, where there is territory running into mountainous areas, because, after all, it is the mountainous areas that constitute the danger. Grass fires are not as menacing as forest fires. They can often be got under control and generally occur in more widely populated areas where the force is present to deal with them.

I do not quite answer my question. Suppose everybody was of the opinion that it is not a good thing to have a proclamation period for the whole of Victoria, with the exception of the Mallee, which is deleted in any case.

Suppose we all had that opinion about the proclamation period, and were agreed that separate dates should be made applicable to separate areas, have you any suggestion to large make as to how/those areas should be?—I would not make a suggestion on that point, but definitely I
would not confine it to one local authority. For instance, I would not give my council the authority to make a proclamation within its territory.

You would not even recommend the whole of a shire area. Do you think it feasible that the council at a certain time should recommend to the Minister of Lands that the proclamation should operate in some particular part of its territory, and only that part?—No, I think it should cover a wider scope.

Do you think it should operate throughout the whole of the territory, for instance, throughout the whole of the Shire of Avon. Would that be a satisfactory way of dealing with it?—No, because, as I explained, we join on to other shires, and, with a chain road dividing us, it would not be fair to have the proclamation applicable to one side of the road, allowing a man to burn on that side and not allowing his neighbour opposite to burn. To my mind, that would be unworkable.

You cannot help us on that point?—No, I cannot, because of the geographical position of the country. We join the Maffra and Bairnsdale Shires, all running into mountain areas, and unanimity can only be brought about by an arrangement between the shires concerned which cover the same class of country.

I understand you belong to the Sale branch of the Graziers Association of Victoria?—That is so.

That body passed a resolution on the 8th of February, 1939, which you desire to place before the Commission?—Yes. At a meeting of the Sale branch of the Graziers Association of Victoria held on the 8th of February, 1939, the following resolution was carried unanimously: "That having heard the opinions of members who have had fifty and sixty years experience in forest areas, this Branch urges the authorities to practice judicious burning off of forest areas, under local control." I am authorised to present
that resolution to the Commission.

Are there any other matters you desire to touch on for the guidance of the Commission?—We generally recognize that the danger period from fires is in the two months from Christmas to the end of February in a normal season. The present season is abnormal, but in a normal season, it is reasonably safe to burn up to Christmas time. We would suggest that the fires should be definitely banned during the months of January and February.

That is another matter on which the Proclamation should be more elastic?—Yes.

MR. OFFICER: Dealing with the present policy of the Commission, your interest in it as a representative of the Avon Shire is largely on account of the potential danger of the forests in their existing dirty state?—That is so.

You mean danger to country outside the actual forest area. You mentioned the policy that landowners adopted prior to this more rigorous control or prohibition of burning. In your experience, did the old policy of judicious burning injure the timber?—In my opinion, no. I think the proof of that is that the bulk of the timber destroyed in recent fires and killed in recent years was grown under those conditions.

From your long experience, do you consider that that old policy of intelligent burning caused erosion by burning the humus end so forth?—In my opinion, no.

It is the present policy of the Forests Commission which permits the undergrowth to get up that not only makes the country more dangerous but also injures the stock carrying capacity of the country?—Quite so. The present policy of the Commission, in some cases at any rate, from the point of view of people who are necessed by the dirty forests, forces the people into the position of being criminals, inasmuch as they must burn to protect themselves.

THE COMMISSION: Lambrokers, not criminals: I do not think anybody regards them as criminals?—It was the custom in the
olden days to have the co-operation of neighbours when burning. If you were going to burn a dirty patch, you immediately advised those around you and you took the necessary precautions to control it. Under the existing law, you must, as Mr. Officer has said, go out like a criminal, light the fire and make yourself scarce before you are found out. The result is that that fire for the time being is nobody's business, and it is out of control.

You told Mr. Gowans that you desired a reversion to that old policy where it was possible to have controlled burning?—That is my personal opinion, and it is also the considered opinion of the body that I represent.

Because of the varying conditions, even in localities in the same district, in your opinion it is essential that the control of that intelligent burning should be in the hands of somebody with actual experience in the district?—That is so.

Have you considered the idea of the Lands Department, or whoever it is that controls Crown lands and forest areas, appointing a special fire ranger on the nomination of the local shire council. Do you think that an appointment of that kind would make fairly sure of the appointment of a forest ranger who has had local experience.—I think so, provided, of course, that the officer was conscientiously appointed. With regard to that, the Avon shire is divided into three ridings, and some ridings in the shire are not directly concerned in this policy. Perhaps the representatives of those ridings would be able to outvote the other representative. I think that if some system were agreed on whereby the representatives of the actual territory concerned in a shire made the appointment, that would be better.

THE COMMISSIONER: You would leave it to the country ridings, rather than to town ridings to make the appointment?—Yes.

MR. OFFICER: Do you consider, as a complete reversion from the present
policy, it would be desirable to place the responsibility on the people occupying the Crown lands to actually burn the dirty areas systematically? — I would suggest something in that direction, because it seems unreasonable that they should be allowed to keep the country in that state, to remain a menace to their neighbours.

If some locally experienced ranger were appointed, his job would be to see that the people did burn, rather than to stop them burning. The burning would be done at the proper time, and the ranger would have to accept that responsibility. That is so.

If there is to be a reversion to the intelligent use of fire in proper seasons, would you say, that in your opinion, it is essential to have some man with local experience appointed to police the actual burning? — I should think so.

THE COMMISSIONER: The main point about much of your evidence is this, that you are going to take control locally, but that the control should be taken by the interests in your community who best understand bush fire conditions? — Yes.

As long as something to that effect was done, you would have achieved something? — Yes.

THE WITNESS: WITHDRAW.

(Continued on page 1174).
HARRY LEWIS TREASURE, sworn and examined:

MR. GOWANS: Your full name is Harry Lewis Treasure?—Yes, and I am a grazier with grazing interests on the Dargo High Plains.

I have Crown land there leased from the Lands Department.

I understand that you were a heavy loser in the recent fires?—Yes.

I lost a considerable number of cattle, anything up to 900 head of cattle and seven miles of fencing. We had a hard fight to save the buildings. Eight men worked hard one day and we finished up the day with hardly a man able to see; we were blinded with smoke.

Men like you with interests up there are not likely to be lighting fires?—No. My son and I have been grazing there for years.

We were running about 1800 head of cattle during the spring. We bought 400 or 500 more thinking that if we could hold them through the summer there would be a bit of a rise in the autumn and we could make a little money from them. Our only fear was that we might get burnt out. We thought that we would then lose our grass.

That is, in fact, what happened?—Yes, we did not only lose the grass but we also lost two-thirds of the cattle as well.

Have you any idea of the type of people likely to cause fires in January?—No. Graziers get a lot of the blame but no grazier will light a fire during a time like that unless he is mad.

Two fires seemed to connect in that country?—I suppose we rent anywhere about 100,000 acres. One fire seemed to come in from a westerly direction from country that is not occupied by anybody at all. The other one seemed to come over the main dividing range from a north-westerly direction. I think those two fires met in our country and swept on in the direction of Cobungra and Omeo.

You say that no grazier would light fires at that time of the year.

How does that square with the statement that has just been made to the Commission that graziers do have to light fires
illegally and get away?—I did not say that they did not light fires but I think no grazier would light a fire at that time of the year.

Do you mean in the middle of January?—In the middle of January and in February with such a dry time.

It would be between November and December that graziers would light fires for spring food?—I daresay that would be possible.

And probable?—And probable.

I would like you to put your views before the Commission as shortly as you can without repeating any views that have been put already.

The Commissioner: We do not wish to cut your evidence short, but we have had so much evidence on similar lines that we almost know what has happened?—I would like to give an outline of the country that I am occupying. I have been there for 60 years, practically all my life, and I have a good idea of the conditions and of what has happened there. We have been burnt out in 1918, in 1926, and in these fires. Prior to that we never had a bad fire. I do not say that there were not fires that might have killed a small patch of timber in little places. Prior to 1918, before there was much restriction on the lighting of fires, that country was populated with miners—diggers—fossicking along the rivers for gold. There were up to 100 diggers working along the Dargo River and each man had his hut. They had no fear of ever being burnt out and they never were burnt out. If they had been there during the recent fires, not only their houses would have been burnt but the men themselves would have been burnt to death. In those days there were no restrictions on the lighting of fires and yet the travellers, tourists, etc., were safe. The country was burned regularly whenever it would burn and that stopped any fires from getting a hold and going a long way. If one man happened to light a fire in one locality it could not go far.
because it would run into burnt ground. That was all right.
No timber was destroyed. Later on the restrictions were
imposed and in 1913 I suppose there was a lot of debris,
beakon, leaves and undergrowth that had been hoarded up in
the bush. I think a fire started during February over the
other side of the Dividing Range. It came through our
country and killed thousands of acres of beautiful woolly-
butt timber. We were lucky with our cattle but it burned
down a lot of our fences. We had no more fire from then
until 1926 when another one occurred under similar conditions.
There was a heavy fire in February which killed more valuable
timber, and almost exterminated the woolly-butt on the
northern side of the range, leaving it on the south side
where it was more shady. After those fires the woolly-butt
trees died. Once they are burnt they will never suckle
but a new lot will come up from seed. I know of places now
where a light fire has thinned out the young seedlings and
the forest has been practically remodelled. It is there
again but if another severe fire goes through the young
seedlings before they grow to about 15 years of age and shed
more seed, the woolly-butt in that area will be exterminated
for all time. There has been practically no fire there since
1926. Odd patches may have been burnt here and there but
there had been very few. We had no fire until last
January. In our area of approximately 100,000 acres hardly
a tree was left living on the other side of the spurs and
ranges except in very small patches where there had been a
fire within the last two or three years.

It did not go through those areas?—Those areas are there and I would
be pleased to show anybody through or let them inspect them
if they wish to do so.

You are not advocating a return to the age of uncontrolled burning, are
you? You are not suggesting that we should lift all re-
strictions?—No, I should not think that would be altogether
a good idea. I think there should be some restrictions.

1176.

TREASURE.
but the restrictions would be almost unnecessary if the people were compelled to burn. That is what I think. If something is not done and the present policy is continued, there is no doubt it will not be safe for people to live in the mountains at all. I think we were lucky in this fire on the Dargo High Plains last January, but had we been down on the runs or on the river, I do not think we could have lived. I do not see how a man could have escaped. There is not a living tree left along the Dargo River for 60 miles, and all the logs and debris washed up by the water is scorched right out. With reference to erosion, I think the mountain country is lucky this year. Erosion is bad after heavy rains. It washes the soft soil down into the rivers. Had we got heavy thunder storms after the January fire, the valleys would have been practically filled up. However, rain came down very steadily and nothing worth speaking of has been washed away. There is little or no erosion after a light burn, but it is different with heavy fires such as we have had. They not only burn the debris and wood on and above the surface but they burn into the soil itself. There are acres of ground that has been burnt right down to the grass roots and if we get heavy rain on top of that it will cause much erosion. Luckily, we did not have it this year.

Is the danger from erosion over now?—Yes, practically. The loose soil has settled down and the grass will be growing. The worst danger is over. I was in Melbourne some years ago and met the late Mr. J. W. McLauchlan, M.L.A. We were discussing these mountain areas and particularly the areas that I was interested in. He said "We would not mind giving you those areas clear of rent if you could keep them absolutely clear of fires." I think that had Mr. McLauchlan said
to me "We do not mind giving you those areas free of rent
if you can preserve the timber" I would have said "If you
will let me do it in my own way, the timber could be preserved?"

MR. BARBER: You are a man of great experience and knowledge in this
country. Can you tell the Commission from your point of
view where you think these fires came from?---I can only
refer to the fires that swept our locality. One came from
a westerly direction and seemed to come off country that
was unoccupied.

Through the right far-back country?---Yes, I have not the slightest
idea who started it.

Do you think it would be started by human agency? What do you think
about fires being started by lightning?---I think more fires
are started by men than by lightning but I am quite satisfied
that lightning does light any amount of fires. I have
proved that in many instances.

One fire started from away out in the west somewhere; where did the
other one come from?---It seemed to come over the Alps from
a north-westerly direction, burning through a lot of country
that I think was owned by people named Beveridge.

Is that private property?---No, Crown lands. I believe that nearly
all of their stock, of which they had a good number, was put
to the ground. I think they had very little standing after
the fire.

You have put with great restraint this theory about the more or less
unrestricted burning in the old days. As I understand it,
the first restriction came in about 1915?---Yes.

Do you agree that in fact those restrictions were scarcely enforced
at all until about 1924?---I do not think they were
enforced too strongly.

I mean particularly away back in your district?---We all knew the law
and refrained from lighting fires on that account. I
certainly agree with every man who says that if we can
do without any fires at all in the forest it is going to be better for the timber, but I think that is absolutely impossible. It is my belief that the longer we hoard up debris to be burnt, the worse our situation is going to be.

Certainly up to 1915 there had been unrestricted burning, and up to 1918 there had been a fair amount of burning?---I do not think there was much burning prior to 1918.

Up till 1918 there was a fair amount, in fact, a great deal of deliberate burning for protection purposes, in the way you are putting it; is not that so?---Yes, some years prior to that, I would say.

How do you account for the big fire of 1918 that burnt you out?---I account for it by the non-existence of previous small fires. That is the very thing I am putting to you. As I understand it, prior to 1918 there had always been the small fires?---I took no notice of what fires were burning prior to 1918 but I did take notice of that fire because it burnt me out.

Possibly a number of years before that there had been little or no burning done.

The witnesses are all putting it now that since the restrictions were definitely enforced, from 1927 onwards, the fires have got worse. That is your attitude also; I am asking you whether if there were a lot of small protective fires prior to 1918 how did the big fire of 1918 come about?---Supposing yap the restrictions were put on in 1918 and there was no burning done beforehand.

I am putting it to you that at least up to 1918 no restrictions were enforced, and that there was, in fact this number of small fires; in other words, there was an open go for burning off. Apparently you cannot recollect exactly when the restrictions were enforced?---No, I cannot, but I think it comes under the Police Offences Act for many a long year before, although the law was not enforced.
There is no forest officer up in your locality?—No, there is no
forest officer.

Is there anybody else up there; any people other than yourself?—There
is no one living there permanently. There is another man
who lives at Hordern Vale who goes there periodically. We
have to go to Hordern Vale or Bargo whenever we want our mail.

Do you think that the fires that came this year might have been caused
by people lighting fires for spring feed earlier in the
season and that those fires were not completely out and
were resurrected in the bad weather?—That would be a very
hard thing for me to say. We knew that one fire in a
westerly direction from our locality had been burning for
several weeks. My son was up on the High Plains and when
he came down he said he was a bit afraid of that fire.

It is not impossible that this big fire was the result of earlier fires
that had been lit for feed and had never gone out properly?—
No, it is not impossible. Some of those fires were on
the burn for weeks.

MR. OFFICER: If those fires were the cause, or if they had not gone out
and were later the cause of this big fire, that would be
due to the fact that you had to light them and then cannot
look after them because it is against the law. I do not
mean you personally.

MR. BARBER: In September? There was no Proclamation then?—If there
is rain of anything up to one inch, they will go out;
A shower of rain might stop them and the logs would start
up later; but in most seasons fires lit in September,
October, and even in December, go out absolutely. It is
seldom that they will burn in December.

MR. OFFICER: If you had the authority to light a fire in late November
and were able to watch it, you could control it in your
country. At the present time, if you put a match in
there, it might be quite a suitable time but you cannot
stand around and see how it goes or control it in any way. I am not speaking of you personally but of the men in that area.

MR. BARBER: That is an entirely different point from the one I was putting to the witness. He may be confused.

THE COMMISSIONER: I do not think he will create any confusion in the matter in the long run.

MR. OFFICER: What is the effect of the recent fires on the carrying capacity of your country. You said that the woolly-butt timber is dead?---Yes.

What is going to happen in the next few years?---We contend that our country is ruined. It has been spoilt from a grazing point of view. Next year, if it is a reasonable season, and possibly the year after there will be more grass than we know what to do with. After that we contend that our country will not have two-thirds of its previous carrying capacity.

THE COMMISSIONER: Why?---Where that timber was growing, there was grass all through it. Now the young timber will come up in millions and it will grow that thick that we will not be able to get through it. In a few years later it will make an enormous litter on the ground and grazing will be practically nil.

I thought you would get sweet grass all along?---We will for one season, but each year the undergrowth will grow up more.

Is that fallen logs or scrub?---Fallen logs will come down later. The heavy fire of the kind we had in January will ruin the country absolutely from a grazing point of view. A light fire is all right. It would be a lesson for anyone to see the country next year and then again in about five years time.

THE WITNESS WITHDREW.

THE WITNESS WITHDREW.
GEORGE OLIVER BENNETT, sworn and examined:

MR. GOWANS: What is your full name?—George Oliver Bennett. I am a grazier living at Briagolong.

I understand that you have lived in timbered areas all your life?—Yes.

At one time you were the owner of a sawmill?—Yes, that was in 1914.

The last witness discussed the intensity of fairly large fires years ago before the restrictions were put on. Have you had any experience of a fire occurring in climatic or weather conditions similar to those existing during the month of January last?—I do not think they were the same conditions as we had in January last. It was a very hot day. I think, in the summer of 1914. The fire started in Valencia Creek and travelled to Fernbank in one day.

You say that the weather conditions were not the same?—If I remember rightly it was only 100 degrees in the shade. I had the mill at the time. I took the chaps up at the mill. They rode bikes up and left them in the shade. An old apple orchard was gone but that was the only damage done. There was a strong north-west or westerly wind.

You do not know whether the humidity was the same?—No.

You take the point that there was some good reason for that fire burning out in such a short time. The country was clear in those days. There was not so much bracken. The more the country is worked, the more bracken or this other scrub comes up. Then the wind carries the fire along.

THE COMMISSIONER: How did you keep the country clean in those days?—People lit fires. It was nobody's business. You would get a thick patch and burn it.

Have you heard the evidence of the previous witness?—Yes.

Do you agree with what he said?—Yes.

And the second witness; he is of practically the same opinion?—Yes.

We have heard somewhat similar opinions from many parts of this State. You agree with what they say. Is there anything further you would like to tell us?—No.

THE WITNESS WITHDREW.

1182-5. BENNETT.
MR. GOWANS: What is your full name?—Norman Fullarton Chester, and I am a grazier and auctioneer residing at Chesterfield, Glen Maggie. I hold leases of Crown lands on Bennison's Plains.

Are you the owner of some property adjoining the Forest Reserve?—I am the executor and manager of the estate.

Have you ever known any fires to come out of the forest reserve and threaten your property?—They have more than threatened my property: they have gone through it and destroyed the fencing.

How often?—That was in 1926, and the fence was not re-erected until this year.

Do you know whether the fires started in the reserved forest area, or whether they simply came through from the other side?—We do not know where they came from, but they came out of the State forest into our country.

We know that the Forests Commission has power to require you to burn within a certain area near the boundary of a State Forest.

Have you ever asked them to clear a break near that State Forest reserve?—Yes, I asked for permission to clear it myself first. In 1926 I wanted to put a wire-netting fence along the boundary, a new fence in place of the one that was burnt. After some time I got permission to clear a break six feet wide. In my opinion it was not worth putting a fence along there, and I did not do the job.

THE COMMISSIONER: What was the break for?—Preventing fires coming from the State Forest, and to save the fence.

Is it a thick forest right up to the fence?—Yes, I have that permission enabling me to put a six foot break along the fence, with me. (Produced to Commission).

That was in 1926?—Yes, after the fire.

Apparently those were the days of the great humourists?—The next notification I received was one informing me the Forests Commission had decided to make a break a chain wide. That
was in 1926.

That is a long while ago?—Yes.

The notification is from the office at Briagalong and not from the Head Office?—Yes, but the officer there had to confer with the Head Office before he could let me know. Our boundary fence joins country in the low falls, and at the back it runs up to a long range known as the Black Range. I thought that a chain-wide break would be all right if the fire started on our side of the range and crept into the break, that perhaps you could control it; but a couple of years later another fire came in over the Black Range from the Glen Maggie Creek, got a rush on at the top of the range, created a draught and lighted fires over an area of seven miles. The wind carried the draught that distance, and within half an hour there were two fires in our place and three round out neighbour's places, I think that break was absolutely no good for a fire of that sort.

What break are you talking about?—The chain-wide break the Forests Commission cleared up afterwards. I did not clear the six foot break, and the Forests Commission cleared the chain break themselves. They did that until they got short of money and then they cut it down to half a chain. The second fire that came through did not touch us much, except a little corner. The fire jumped miles of country, and I say that break was of no value.

What about this year?—There were a lot of fires this year. I do not know whether I might incriminate anyone. It is not myself, but people in the district. I cannot prove anything but I know what happened.

Just tell the Commission what happened, without mentioning any names?—Early this year we had a meeting and the settlers in the district decided they were not going to be burnt out again, and men went out repeatedly and I understand lighted the
At what time of the year was that?—In October. It was dry in October and the fire went through lightly and burnt a distance to the top of the range. A bit went over it. There was a patch eight to ten miles in length along the Range country. Several fires were lit and went out, but possibly there was a strip a quarter of a mile wide left in this break that was not burnt. This year a fire came down and burnt down the narrow strip that was left in the break. People got together and burnt a break in front of that fire, which stopped it. At the other end where it was not burnt, it broke through and burnt in the timbered country. There was not sufficient grass in the country to carry the fire, and it jumped from stump to stump. If there had been sufficient grass the fire would have gone to the sea, but it blew itself out. There was not enough wind to carry the fire, where there was sufficient grass. Eight men stopped that fire from 4 o'clock in the afternoon until 8 o'clock at night, and it did not get near the State Forest.

That all points to what the other witnesses have told the Commission.

You are another person in favour of these protective fires?—Yes.

You have heard the general evidence given this morning?—Yes. I think it should be under the control of a good local man. To my mind the proclamation is of no value. If a local man has enough ability and judgment to understand his country he should have the power to burn. He may only get one day in a week when he could go out and burn, and the fire would go out at night. The job I was speaking of was spread over a month. The men did not want to extend that fire, and it was a job to burn it. The fire that came through and broke through, was one that came from Mount Useful.
Where would that be, north-west or west?—Practically north-west.

MR. BARBER: You regarded that general practice as being inadequate?—Yes. I did not regard it until the fire jumped over it.

THE COMMISSIONER: Are you allowed to burn back from the break, or is it supposed to be the protection?—The protection. My application to make a break was to protect my fence.

MR. BARBER: How wide a break did you want?—I asked for a chain break to protect the fence.

You got a chain break?—That was for the protection of the forest.

You still say a chain break was inadequate?—Inadequate for the safety of the country.

A fire which jumped seven miles would not be stopped by any break?—That is my argument. It jumped more than seven miles.

MR. OFFICER: The general practice would be quite adequate to protect your fence?—Yes.

It would prevent trees falling on it, debris collecting, and prevent the burning of the fence?—Yes.

THE WITNESS WITHDREW.

GAVAN MICHAEL MOLPHY. Sworn and Examined:

MR. GOWANS: Your name is?—Gavan Michael Molphy, and I am a grazier living at Glen Maggie. I have leases in the Mount Useful and Mount Selma areas.

Do you know where the fires came from in the Mount Useful area?—They appeared to come out of Aberfeldie.

Did they go right through that area and go outside on the other side from where you were?—They came right past us.

They continued over toward the State Forest at Ben Cruachan?—Yes.

In that fire, did you see the effect of areas being burnt either during the year or in previous years?—We were up there, I think on the Tuesday when the fire came through. We got in a patch of mountain ash that had been burnt last October, and waited until the fire went past us. The fire never touched that patch of ash at all.
Aside that particular area was the fire pretty fierce?—-It was very hot. As air as we could see, the fire on the tops of the trees seemed to hundreds of feet ahead of the fire.

What day was this?—-That was on Wednesday, two days before Black Friday.

There was some wind with it?—-It was very choppy wind up there; the wind comes from the gullies. The wind was strong enough on that day, but nothing like the wind on the Friday.

Do you support the same views that have been put forward by the previous witness?—-Yes.

Have you anything to add to that?—-Nothing at all.

THE WITNESS WITHDREW.

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JOHN DENNIS GUY: Sworn and Examined:

MR. GOWANS: What is your full name?—-John Dennis Guy, and I am a grazier at Dargo. I have a lease on Mount Howitt.

When is the best time to burn up there?—-I would say up until October in most years, after the snow. A lot depends on the season.

The proclamation period suits you, from November onwards?—-In certain seasons.

THE COMMISSIONER: Do you generally get a burn there in October?—-We get patches.

MR. GOWANS: That is what you call the top country?—-Yes.

Do you support the views that have been put forward by the other witnesses about controlled burning where possible, in order to clear up the forest?—-Yes.

Have you nothing to add to it?—-No.

THE COMMISSIONER: Is there anything you would like to put forward at all. We are anxious to learn from your experience?—-The only feed we have left is in the patches that were burnt in October. That saved the big fire going over the lot.

MR. GOWANS: Those areas were not burnt out?—-No, the fire did not go through them.

THE COMMISSIONER: Not talking about yourself at all, the graziers up
in those hills do light fires at times when they think they ought not to do so. I am not asking you to give anyone away?—-
—No, you would not light a fire that would be dangerous to anyone.

They do it in other parts of Victoria. I have been told quite frankly they do burn. In fact, I know it before I started on this Commission. What is the difference in your district that they will not do it?—They are practical men who have been in the country all their lives.

Apparently it is a different local custom?—Yes.

**MR. GOWANS:** When do you take your cattle out of the plains?—In autumn. We take them up in October when the snow has gone.

In what month do you bring them out?—That depends on the season, but usually about May.

A fire during that time would not suit the people up there at all?—In most seasons it would not.

When you want to burn up there, do you make a special trip before you take your cattle up?—You do not take them all up at once.

If you want to get a burn, in October for spring feed, do you make a special trip to burn when there is no cattle there, or do you do it while you have some cattle there?—It is not necessary to make a special trip.

At the time you do the burn, there would be no danger to your cattle?—No.

**MR. BARNET:** For the purpose of comparing your evidence with evidence from other districts, did you say your spring burns stopped the fire that came through at the bad times?—It stopped it in that area.

Do you know of instances in your area where the spring burn was burnt all over again? That has occurred in some districts?—Very rarely, yes.

That has occurred rarely in your district?—Very rarely. This was the only season it has occurred.

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MR. OFFICER: On the question of making special trips to burn, there is not a wholesale burn, is there?—No.

It is just a matter of small patches of about one hundred acres?—That is correct.

THE WITNESS WITHDREW.

THE COMMISSIONER: Mr. Officer, I am not saying the gentlemen do burn; I am just putting to them what I have been told in other parts. These men are on oath.

MR. OFFICER: I appreciate that. I am merely trying to clean up an impression they went out and burnt the whole country, and then brought the cattle in afterwards.

ROD ALEXANDER ESTOPPEY, Sworn and Examined:

MR. GOWANS: Your full name is?—Rod Alexander Estoppey, and I am a bee-keeper at Briagalong.

How did the fires affect you and your occupation?—They affected me a good deal, because they scorched a certain amount of the forest tops. I generally put a lot of bees on Crown Lands, and a lot of the undergrowth was burnt. There was no feed there for the bees, so I lost a lot of them.

THE COMMISSIONER: Do you have to get a license?—Yes, we get permits from time to time to put bees in Crown lands or in the State Forests.

Are you charged much for that?—No. You can get a three months permit and costs about £1 10s on State Forests.

MR. GOWANS: I understand you have certain views about fire breaks around the boundaries of State Forests?—Yes.

I understand your view is that certain wide fire breaks on the boundaries of State Forests prevented destruction of an area?—Yes, I am quite satisfied about that.

Just tell the Commission where those breaks were?—On the northern boundary of the State Forest.

What State Forest was it?—Bow Warran. On the northern boundary.
a range runs from the Freestone Creek to the Insolvency Track towards Stockdale. Part of that range had been burnt on and off for the last two years, from the Freestone Creek back towards Valencia in a westerly direction. Most of the country had been burnt in the early spring and winter, and there were still other strips of country burnt on private property. There was one portion of Crown lands that had a lot of dry tops in it. They had been cutting sleepers there, and the place was in a terrible mess with dropped tops and scrub. I mentioned this particular area to the local Forestry Officer some time after. I understand the men in that area had a permit to cut sleepers. He burnt those tops when it was safe, and the big bush fires at Christmas time came up to that place. In one place there was about a chain, and another place about three chains that had been burnt when they were burning the tops. Another man and myself went along early in the morning and burnt places that were not burnt. We could not get any help from the Forests Commission Officers because they were engaged elsewhere. With the help of one other man I got the fire under. The Forestry Officer deserves great credit because he got this work done in this particular area and the fire did not get into the State Forest at all. The fire came through from a north-westerly direction about December the 26th. We were unable to get it under control before the north wind came along.

What day was it you got it under control?—On Wednesday the 11th.

Is it your view there should be more of this protective burning?—

Some people suggest burning in the late spring. My experience is that if you light a fire in the late spring there is always the possibility of a stump or log smouldering until later in the summer and then catching fire. In November of last year it was very dangerous to light a fire.
I think the burning should be done in the late autumn under the supervision of a Forestry Officer.

About how late would you burn? Would you get a burn through in April?—

Yes. I have seen times when even in April it would not be safe to light a fire in the forest because it would do too much damage. It all depends on the season. If you can get a burn in the late autumn when there has been a light fall of rain, the ground is damp and the fire runs over the tops. It does not burn the humus out of the ground.

How does a light fire affect bees?—It burns a lot of the flowers of shrubs like the native hop. Light fires will kill all the native hops, I believe in no fires at all in the forest, but it cannot be done. You cannot keep fires out of the forest. The only way I can see of dealing with bush fires is to make preparations to keep the fires out of the forest and make the forest clean so there will be no serious fires. All timber cutters, saw-millers, sleeper-cutters and others should burn off their tops in the winter time.

Are you in favour of patch burning in the forest?—Yes, provided there is no young timber or wattles. I would suggest that if any burning was done where there was any young wattles or seedlings, if the Forests Commission had the men available, it should be burnt at night time.

The previous witnesses apparently thought it desirable that there should be a great deal more general burning in the forests, provided it was done at the proper time of the year. Are you of the same opinion as them?—I have been talking to some of them and they have suggested the forest should be burnt every 3 or 4 years. I would not really consider that as long as the tracks on the boundary of the forest were wide and there were roads in the forest. Where there was any timber of value it could be burnt in the winter time. From what I have seen of bush fires, they generally come from the north or north-west,
or north-west, and when they get on the top, sparks are blown all over the country. We very seldom get a bad fire with an east or south wind.

(PAGE 1194 FOLLOWS)
We have heard evidence about what has been described as the dirty state of the floor of the forest, even in this district. Do you think that that is so—-I know some places through which there has been no fire for over twenty years. In some parts there are no tree tops or other rubbish. As the Forestry Officer said, under conditions existing this year, it was impossible for them to do any burning.

THE COMMISSIONER: That would not account for a twenty years accumulation?

---No.

MR. GORDON: From whom do you get your licences, the Forests Commission or the Lands Department?---Both.

THE WITNESS WITHDREW.

THE COMMISSIONER: Before we adjourn, I should like to express the appreciation of the Commission for the assistance that has been given to it in this district. It was very good of you gentlemen to attend. It is true that we are trying to do something for our mutual benefit. In some districts, we have not had the support that has been afforded us in other districts. I think special thanks are due to Mr. Officer, and to First Constable Marvin for the assistance they have both given. The Commission will now adjourn.

THE COMMISSION ADJOURNED UNTIL 9.30 A.M.

ON FRIDAY, MARCH 3rd, 1939

AT CHEC.

1194.
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