MINISTERSH DAY.

TRANSCRIPT OF EVIDENCE.

given before

the

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

held at

THE MEMORIAL HALL.

BELGRAVE.

on

Monday, 6th March, 1939.

Present:-

HIS HONOR - JUDGE STRATTON - Royal Commissioner.

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MR. GREGORY GOWANS appeared to assist the Commission.

MR. A. KEILG appeared on behalf of the Melbourne and Metropolitan Board of Works.

MR. E. H. E. BARBER appeared on behalf of the Forests Commission.

MR. W. GWYNNON appeared on behalf of the Bush Fire Brigade Association.

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ERIC ALLEN LEANE: Sworn and Examined.

MR. GOWANS: What is your full name?---Eric Allen Leane. I live at Belgrave.

What is your occupation?---I am unemployed at the moment.

You are a councillor of the Shire of Ferntree Gully?---Yes.

Will you tell the Commission what is the particular problem that you have in the district of Belgrave and Ferntree Gully as to
the causes of fires?--The main disability that we are working under at the present time is the prevalence of sub-

divisional areas which are in a dirty condition, covered with debris and undergrowth, making it necessary for the

bush fire brigades, when a fire breaks out, to concentrate their attention on the saving of buildings rather than the

attack on the fires themselves.

Where are these dirty conditions to be observed?--They are practically

surrounding this particular area.

On what type of property?--Sloping property to hillside.

Private property?--Yes, private property; and largely alongside the

Sherbrooke Forest, which is in a similar condition.

Are there any other areas around here that are unoccupied crown land?---

In these particular areas outside of the State Forest they are all sub-

divisional areas; getting further out you come to farm areas with no large unoccupied lands.

Have you any Government bodies here occupying lands besides the

Forestry Commission?--The State Rivers and Water Supply

Commission occupy narrow areas about the creeks, which they keep clear.

What is the condition of these areas?--In the last 12 months or two

years they have greatly improved and a considerable amount of money has been spent in clearing up those particular

areas.

Have any steps been taken with a view to making this district safer in

the last few years?--Yes; in the form of the local

organisation of volunteer fire brigades. They are very highly organised and are very efficient.

Is there a fire brigade in Belgrave?--Yes.

Is there one also in Ferntree Gully?--Yes; there are fire brigades

in Belgrave, Lockwood, Selby, Upwey and Upper Ferntree

Gully.
They have all got their own separate fire brigades?—Yes.
You have told us of the difficulties of the fire brigades being able
to do anything in these uncleared places?—Yes.
What is the remedy for that state of affairs?—Powers to compulsorily
dispose of the debris and dangerous undergrowth from such
properties. I do not mean by compulsorily clearing the
timber, but the dangerous undergrowth such as wiregrass,
bracken ferns and other debris. Whether that should be
administered by the machinery already in existence by the
Vermic and Noxious Weeds Department destroying noxious weeds
and debris, or by the local municipalities who know the local
conditions and who know whether those powers should be
exercised or not in a particular area, is a matter for
consideration.

Have you got any preference?—I would prefer to see the power in the
hands of the municipalities.

We have been told that the difficulty of putting it in the hands of
the Vermic & Noxious Weeds Department is that very often
the inspectors are not familiar enough with local conditions.
Do you find that so here?—No. We have in this particular
district a very efficient inspector, but the difficulty I
see is that the areas which the inspectors have under their
control are too large for them to do justice to the work.

Would that apply to your municipality in this area or the shire of
Ferntree Gully, in respect to the area being too large?—Yes; I believe it is far too large. I think it extends
over a great distance in this Shire.

I was not speaking about the Vermic & Noxious Weeds Department just at
the moment. Putting that aside, supposing you had this
power in the municipalities to deal with the area governed
by the Shire of Ferntree Gully, is that suitable from the
point of view of taking fire precaution measures?—The area
of the Shire is 121 square miles, and the staff of the
municipalities are covering the whole of the area efficiently.

In that case there is no great difficulty?—No, I see no great difficulty.

It has been suggested that there should be some kind of fire warden officer appointed by the municipality to control such areas; is that the idea you have in mind?—In lieu of the present powers of the Forests Officer?

Yes?—I think that comes more under the suggestions submitted by the Bush Fire Brigade Association.

Very well: we will get that information from them. Apart from this compulsory power aim of cleaning away debris and undergrowth, what other suggestions can you make in the way of fire protection?—One of the ideas that I submit is in connection with the proclamation that is issued each year and which does not bring within the scope of its powers townships with not over 1,000 people, and in a district such as this close alongside a State Forest and with the conditions already mentioned of dirty properties, the elimination of such an area as this from the proclamation would be dangerous.

What is the population of Belgrave?—The area of Belgrave has not definitely been defined, and I do not know of exact figures, but they are in excess of the township of Belgrave itself.

What do you suggest should be the limit once you go over 1,000?—That is governed very largely by local conditions. In some townships with only 1,000 people, the conditions are not satisfactory, and grave risks of bushfires exist, but in regard to the others where the population is 2,000 or 3,000 the risk of bush fires is very bad.

Is there any suggestion that you can make in regard to amending the proclamation?—These areas could be defined as they are in the terms of the proclamation; there are a number of
areas definitely proclaimed and the localities in which
those townships do occur govern the position very largely
in some areas, but in the larger areas those provisions do
not apply.

Do you think it might be possible to say that that proclamation shall
not apply to include townships with a population of over
1,000 inhabitants with the exception of certain townships?—
Yes, that would get over the difficulty.

Have you any other views as to the way in which the proclamation applies?—
Yes. Another aspect of it is that we believe that all
government departments should be governed by the proclamation,
and that employees of those departments burning off during
the proclaimed period should be liable to prosecution. We have
had an instance only this year of a bad fire taking place in
this district through the burning-off of blackberries by such
officers including the State Rivers & Water Supply Commission.

Approximately where was that?—In the vicinity of the Belgrave Reservoir.

What was the particular watercourse?—The Tamaunong Creek.

When did that fire occur?—Early in December.

Was the fire actually started by the employee of the Vermin & Noxious
Weeds Department or the employees of the State Rivers & Water
Supply Commission?—By the employees of the Noxious Weeds
Department.

Did you ever have any trouble with fires escaping from railway areas?—
Not recently. We have not had any actual experience of
that, but in this district we did protest a few years ago
against the practice of the Railway Department burning
areas in the middle of December. They said that was the
only date at which they could get a good burn, but that
practice has not been indulged in recently.

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Are there any other views you would like to put on record?—I would like to say that whilst in this immediate area we have been rather fortunate this year in not having any disastrous bush fires, that does not indicate that the risk is not here. The fact that we have not had vast bush fires in this area is largely due to the keenness of the local bush fire brigade, which has been on the spot all the time.

From what direction has Belgrave been threatened this year?—From the Tremont area. The fire brigade were on the spot very quickly and attacked the fire on the main Tremont Road, and held it back, preventing it getting towards the forest.

Do you know where that fire came from?—No.

THE COMMISSIONER: On what date was it?—I cannot say the date.

What month?—That was in January.

THE COMMISSIONER: Was it in what has been called "bush fire week"?

MR. SWINDON: It was on the 13th January, your Honor.

THE COMMISSIONER: It was on the 13th January, and they stopped it?—Yes.

On the second night a fire was lit in the Sherbrooke Forest, and the fire brigade got to work on it straight away and confined it to a very small area; they patrolled it the whole night, and the patrol carried out a lot of work on Sunday morning in removing the debris as well.

MR. GOWANS: Do you know what reason that fire was lit in the State Forest?—Nobody knows why, but it was apparent that it was deliberately lit.

Can you guess at all?—No; only a "fire bug", I should say.

THE COMMISSIONER: You do not think it was merely carelessness?—No.

I understand from a lieutenant of the local fire brigade who examined the area very carefully that he saw evidence of two other places where an attempt had been made to light fires, and found matches there.

MR. GOWANS: Can you tell us of anybody who came from the Tremont
area in connection with that fire on the 13th January who
took steps to get it out?---I do not know definitely anybody
in the hall at the moment. I happened to be away from the
district on that date, so I do not know.

MR. SWINDON: Do you get any active support in connection with bush
fires from the Forests Department?---Yes.
Do you find that they stand up to their job and work in with the Bush
fire brigades?---Yes, we get every help from the local officer
of the Forests Commission.

In the past, the burning of blackberry bushes has been the means of
causing many fires in this district, has not it?---Yes.
Do you think it necessary that the Vermin & Noxious Weeds Department
should be asked to cease issuing notices to destroy blackberries
during the proclaimed period, or fire period?---Yes, I certainly
do.

Do you find that the tendency is for people when they get such notices
to clear off by fire instead of by adopting other means?---Yes,
that is so.

On that bad Tuesday, the 10th January, did not you have a bad fire to
the south of the town?---Yes, there was a fire there, but I
cannot speak of it as I was away for a fortnight.
That fire was got under control by the local bush fire brigade?---Yes.
They were not able to get assistance from any other fire brigades
because those brigades were busy on their own affairs?---That
is so.

Is the Belgrave Bush Fire Brigade well equipped?---Yes. They have
pumps and knapsack equipment, and they have a chemical
extinguisher on a chassis as well. The brigade is very well
equipped, but it is handicapped not by the equipment, but by
the number of people they can get to help.

Do you find that the knapsack outfit is very efficient?---Yes.
Is it practically the best means of defence?---Yes.
Are you in favour of the appeal proposed by the Bush Fire Brigades
Association, whereby the Government and the municipalities are asked to contribute to the upkeep of Bush Fire Brigades?---Yes, I think they should. The bush fire volunteers themselves do the work in an honorary capacity.

Practically the only assistance you get is an occasional donation from the Forests Commission?---That is so.

Have you had anything from them in the past season?---I cannot say.

MR. BARBER: In regard to the proposed amendment of the proclamation to include towns of over 1,000 inhabitants, does the suggestion appeal to you that the figure be left as at present, 1,000 inhabitants, but that the Country Fire Brigades Board should have power to specify the minimum equipment and other measures such as cleaning unoccupied allotments, which are deemed necessary for the protection of the locality?---If the power of compulsorily cleaning dangerous subdivisional and private properties is enforced, then the necessity for eliminating the provision regarding 1,000 people does not apply.

THE WITNESS WITHDRAW.

AUGUSTINE MICHAEL HERMAN. Sworn and Examined.

MR. GOVAND: Your full name is Augustine Michael Herman?---Yes.

Where do you reside?---At Belgrave. I am a confectioner by occupation.

Have you lived here for many years?---Not for many years.

I understand you are able to tell us something in regard to the way in which the work of local fire brigades is handicapped?---Yes.

Tell the Commission in your own words?---It is our opinion that some legislation should be brought in compelling property owners to clean their properties, more especially subdivisional roads. We find when we go out to fires that if the subdivisional roads were kept clean it would make our work much easier because we would have somewhere to fight from, whereas now when a fire breaks out all we can do is to get out.

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in and distribute our men amongst houses in order to save the houses.

THE COMMISSIONER: Those roads have not been dedicated to the public?---No.

They are still private land?---Yes.

MR. GORDON: What about the other roads in the control of the Country Roads Board?---They are quite all right.

What about the borders of the roads?---Have you any trouble in regard to the edges of the roads being uncleaned?---For a number of years we have not been worried about fires in forest areas.

But you have some roads under the control of the Country Roads Board, have not you?---Yes.

Have you had any cases of the edges of those roads being left in an unclean condition?---No, they have been found to be all right.

Is there anything else you wish to put before the Commission regarding the work of the local fire brigades?---We would like the brigades to be officially recognised so that it would be possible for one man in Belgrave and one man in the Ferntree Gully area to see that those areas are kept clean, and that they should be subsidised in some way to enable us to have those men for at least four months of the year, to see that these properties are kept clean.

How do you think they could be best kept clean?---By compulsory burning, in the first instance, and cleaning up once every couple of years; I think that would be satisfactory.

Are they large areas?---No. They are not very large areas.

What about the local forest areas; have you any trouble with their condition?---They are a very dirty at present, but they have made a very fine break between the forest and the town, and during the last year or two they have done a pretty good job.
You do not regard that condition as a danger to the town, do you?---
They are still a danger to the town.

In spite of the brakes?—It depends on the site of the fire. If
the fire gets into the trees tops there is no break in
the world that will stop it.

That being so, do you think it is desirable that the condition of
these forests should be taken care of?—Yes.

How do you propose that that should be done?—We realize that it is
a big problem to clean up the forests, but we think that
some efforts should be made even if they put roads through
the forests to give us an opportunity of getting to the
fires at their outbreak. At the present time there is no
way of getting in except by bridle tracks or firebreaks,
but if the roads were put into the forests it would give us
a chance to get at the fires in that area.

How long is it since a fire occurred in the State Forest area?—I
have been here only a year or two; portion of it has been
burned out.

THE COMMISSIONER: Is there any one in the hall who can speak about
it? Do not hesitate if you can answer the question.

MR. L. F. BYRNE: It is forty years since there has been a burn in
the Sherbrookes area of the State Forest, that is to say,
a real fire.

THE COMMISSIONER: Is this local opinion, or do you know if of your
own knowledge?

MR. BYRNE: I know that to be so.

THE WITNESS: There was one small area burnt out about 18 years ago.

MR. GOWANS: What part was that?—I am told it was in the south side
of the forest.

Anywhere near Mallista?—No.

Was it this side of Mallista?—Yes.

Was it between Mallista and Belgrave?—Yes.

Was it along the Monbulk Road?—It did not do Monbulk Road; it went
all the way down to what we call the Hiawatha area.

About what area did it cover?---I should imagine about 100 acres.

It is a long time back.

That forest is pretty damp at any time, is not it?---Usually.

What is its condition at the present time?---At present it is in a shocking condition.

Do you mean shocking from the point of view of undergrowth, or dryness?---Dryness.

Those are the views that you wish to put before the Commissioner?---Yes. We have been fortunate this year as we have only had small fires.

MR. HINDON: You were one of the members of the Belgrave Bush Fire Brigade when the bad fire occurred on the 13th January last?---Yes.

About what size was that fire on the "bad" Friday?---That was threatening the Sherbrooke Forest.

Where did that fire come from?---It came from the Basin.

And the Belgrave Bush Fire Brigade with their equipment were able to check that fire?---Yes, along with the assistance of the local people.

Did the local Shire Council send any water up there for them?---Yes.

They provided water in tanks for their assistance?---Yes.

These subdivisional blocks that you speak of are mostly about a quarter of an acre in area, are they not?---Yes.

You only require really to deal with undergrowth such as grass, bracken ferns, dogwood, and you do not suggest destroying the timber itself?---That is so.

Does the Belgrave Fire Brigade put men on patrol work after a fire?---Yes.

What are those men paid?---They are paid 2/- per hour.

All other labour is honorary?---Yes.

The Country Roads Board and the Vermin & Noxious Weeds Department have
caused a break to be cut around blackberries all over the area?---Yes.

That break makes a fairly good break for the brigade?---Yes.

MR. BARBER: Do you realise that the Sherbrooke Forest around here is a recreation forest, and that its main objective is tourist attraction?---Yes.

And that continual burning or continual clearing would tend to destroy to a great extent its attractiveness for tourists, and would also destroy and drive out the famous lyre birds?---We would not wish to see it burned.

You would not like the Forests Commission to put fires through it regularly?---No, certainly not.

Are you putting it that it is in fact in a dirty condition, and do you suggest that it should be cleaned up?---Yes, and that roads should be put through it.

Again, you cannot civilise it too much with roads?---I do not mean motor roads, but only tracks.

You are not in favour of a policy of frequent burnings?---No.

THE COMMISSIONER: How would you go about cleaning it up?---Sometimes they clean the area on the opposite site.

Now?---They just put gangs of men in and clean the scrub out.

By rakes, and so on?---Yes. They made a good job of it, too.

They cut it and raked it and built it up into heaps for destruction.

MR. BARBER: It is a fairly expensive process, that; it would take time and labour to do it?---Yes.

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The only other thing I want to ask is this; your evidence regarding the serious burn in the forest does not apply to Elindal?—No.
That area in fact was burnt; do you know anything about that?—That is outside our area.

THE WITNESS WITHDREW.

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CHARLES EDWARD SHAW: Sworn and examined.

MR. CONANT: You live at Selby?—Yes.

What is your occupation?—Storekeeper.

You have been here for some years?—About nineteen years.

This year you had some serious fires at Selby?—That is so.

In what direction did they go?—Are you referring to any particular date?

Supposing you tell us in your own words the history of the bush fires in the Selby area during January?—There was one on Monday, the 28th of January, which started on the south side of Black Hill abutting the railway.

Where is Black Hill?—It is in the district where the main road forks the Selby-Emerald road and the Selby-Senzies Creek road.

The fire started on Monday at a place called Bates Crossing.

Does anyone know the cause of it?—No.

Is there any suspicion as to the cause?—Insufficient fire breaks.

What happened to that fire?—That fire swept over the top of the Black Hill trees and then back towards the township and down to a place known as the Tourists Retreat.

Does as far as Lockwood?—No. Lockwood is north of that.

Was the local brigade able to deal with it?—Not successfully. There were not sufficient men there at the start of the fire to check it, and a fire naturally burns faster uphill than down. Before we could meet with any success, it had got a good hold, and it was not possible to do anything but save the houses.

It burnt a number of houses?—Not at that particular stage. Later in the afternoon that fire practically petered out. The brigade saved that fire on the subdivisional road.

When?—Three hours later. A break was then put in at the back, on a
half mile front, and that saved the township.

Was that under the control of the local brigade?—Yes, with the assistance of some members of the Selby brigade.

That deals with that fire; were there any other fires?—Another fire started at Trestle Bridge on the south side of the old main road. The general impression was that it was caused by a spark from a passing train.

What happened to it?—That was a devastating fire that swept along the south side of the old road, jumped across the main road, and was checked by the brigade there only to continue along the railway line between the line and the main road until it reached a point where the old Narre Warren road forks to the south. A valley commences there, and that acted as a funnel on the fire when the wind changed. That saved the township and then the fire carried across to Narre Warren.

The wind changed?—Yes, it changed at that moment from the north to the north west.

Was there any burning in that area a year or two ago?—No.

Not at the point where the old Narre Warren road forks?—At the side of the mine, in the heavily timbered subdivision, yes.

Did that have any effect on this fire?—It is burnt out there now.

Have you knowledge of any other fires during January?—A fire came again on the same afternoon, in the opposite direction, between the railway land and the Selby-Menzies Creek road, but that was a comparatively small fire.

Was that the same fire starting up again?—It was from the source of the original fire.

What was the main difficulty so far as dealing with bush fires?—"Dirty" week-end blocks, and subdivided areas.

The local fire brigades have no power to clean up these areas?—No.

We have already had suggestions that power should be given to some local body to do this. What local body do you suggest should be given this authority?—I suggest that the authority...
be vested to the local fire brigades, and that one man should represent several brigades, or one shire for that matter. Possibly the fire warden could control or supervise the area and report on dirty properties.

Do you suggest that he should have power to compel owners to clean up these areas?—Fewer to report to a proper fire authority.

What authority?—A municipal body.

What about the Vermin and Noxious Weeds Department; would that be a suitable body?—Not in my opinion.

Why?—They have not sufficient knowledge of local conditions.

Did you receive any assistance from the Forests Commission in dealing with these fires?—Little assistance.

Where is the nearest part of the State forest?—On the north side of the main road.

Where is the nearest part to Selby?—A quarter of a mile.

What is the condition of the forest there?—It is dirty, but not as dirty, from a fire prevention point of view, as it was some years ago.

Do you agree with the previous witness that something should be done to clean up these areas?—You do not approve of burning there?—I see no reason why undergrowth and scrub should not be burnt at suitable times.

Collected and burnt?—Yes.

You would not agree to burning which might destroy the tourist value of the forest?—In a portion of the Selby district there is a large open space that has been cleared—where mills have been working—and that area could be burnt.

THE COMMISSIONER: I think you are at cross purposes. (To witness)

Mr. Cowans is talking about the ordinary method of putting a fire through the bush to clean it up. Do you agree with the use of that method?—Not in a wholesale manner.

You would prefer to clean up the debris and burn it in heaps?—Yes.

MR. COWANS: There was a break put in from the vicinity of the Trestle Bridge up to the Ridge road near Wallingford what was the
object of that? -- I have not patrolled that particular area;
I know that it is there.

Is that part of the State forest? -- I understand so.

Are there any other views you wish to put before the Commission? --
None other than that subdivisional areas should be cleared
up, and that the governing bodies should be controlled by
the same Act, including the dealing with noxious weeds.

Around Selby, and along the main road, there are areas of blackberries.

Are these areas private land or Crown lands? -- I think it is
fifty-fifty.

What Government Departments are concerned in this? -- The Railway
Department.

Are any other Crown lands? -- Mostly the Railway Department, so far as I
know, and privately owned land.

Is the Railway Department keeping these areas clean? -- They have done
so by spraying, burning, etcetera.

At what time of the year do they do that? -- About December and January.

Do you think January is a suitable time in which to do that? -- If properly
supervised, yes.

MR. SHINDON: Up to the present year, when the Proclamation came in, it
was impossible, was it not, in Selby to burn off? -- Yes.

The Proclamation really practically prohibited burning off in that area?

That is so.

What is your opinion of the work done by the bush fire brigades in saving
houses? -- They were remarkably efficient, to my mind.

And all the local brigades co-operated well? -- Yes, excellently.

Do you know whether in the local districts conferences are held to secure
organisation and co-operation? -- Yes.

You think the brigades could not be more effectively co-ordinated? -- I do
not think so.

Has your brigade received any assistance from the Forest Commission? --

Yes. I think we received six axe handles this year.

THE COMMISSIONER: Will you get the axe heads next year? -- We had them.

MR. SHINDON: All your comments are given. --
THE COMMISSIONER: (To witness) Did you ask for equipment?---We did, and that was the result—six axe handles.

Did you say in your request that it was equipment that you wanted?---I can only repeat the conversation with the local fire brigade's secretary.

Do you know what it was?---It was a request for assistance in regard to equipment.

In general terms?---Yes.

MR. SWINDON: How many houses were destroyed in that last fire?---Thirty-four.

And the estimated value of those properties was about $29,500?---Approximately, excluding fences and outbuildings.

That means a loss to the district in that a good many of these places will not be replaced?---Definitely not.

Your brigade would strongly support giving more powers to the Bush Fire Brigades and bringing them under a chief officer to deal with these dirty blocks?---We certainly would, because the brigades at the present time have excellent staffs.

Was your brigade tried to get permission from owners of property to burn off?---We have tried on several occasions with little or no success.

THE COMMISSIONER: What is the average size of the holdings referred to?---Varying from one quarter to two or three acres.

And the owners will not let you burn off?---They are afraid of their properties being burnt.

MR. BARBER: Would there be houses on these properties?---Not in every case.

MR. SWINDON: In 1926, your area also suffered badly?---Yes.

How many properties were destroyed in that year?---Twenty-six.

There have been no lives lost during these fire periods?---No.

Do you put that down to efficiency on the part of the local fire brigades?---I do.

MR. BARBER: When was the brigade, to which you refer, formed?---I cannot give you the exact date. I think Mr. F. L. Byrne can tell
you.

It is some years ago now?—Yes.

Do you know that when the brigade was formed the Forest Commission donated equipment?—I should say that the brigade was formed approximately in 1923.

Do you know whether the Forest Commission gave the brigade equipment when it was formed. If you do not know, we will probably get that information from someone else?—No.

THE COMMISSIONER: You do not know?—No.

MR. BARKER: Do you know whether you have received equipment from the Forest Commission from time to time?—No, I am not aware of that.

Can you give any explanation as to why this particular gift of axe handles should have been made. Did you ask for axe handles, or did you ask for bread and were you given a stone?—Not exactly. We asked for equipment.

Equipment in general? For what obscure reason did you draw out of the lucky dip these six axe handles?—We asked for pumps and equipment and we got axe handles.

Was it a lucky guess that they knew that you had six axe heads to go on to them?—It was a sporting chance.

Who made the request?—The local secretary, Mr. R. K. Day.

THE COMMISSIONER: And they say public departments have no sense of humour. (To witness) Thank you for your evidence.

THE WITNESS WITHDREW.

FREDERICK LAWRENCE BYRNE: Affirmed and examined.

MR. GOWANS: You live in Belgrave?—Yes.

What is your profession or occupation?—I am an auctioneer and a real estate agent.

You told us by way of interjection earlier that it was forty years since there was a fire through the Sherbrooke Forest?—The old inhabitants say it was forty years since Sherbrooke Forest was swept by fire.

Do you know whether it was a hot fire?—I do not know anything about it at all. I have been down here only twentyone years.
Do you know anyone who could tell us anything about it?—You would have to get the opinion of the early settlers.

Can you say when the bush fire brigade was formed?—I was organizer of the bush fire brigade. At first bush fire brigades were loosely organized, and they fought fires as they occurred. The present organization is of fairly recent origin. The big settlement came here about 1918 onwards. Previously when fires occurred, all the people around went out and fought them. In the early Twenties, the brigades became organized. In the old days there was no equipment whatever for fighting fires. People used to fight fires with branches of trees. The Upwey people were the first to organize on proper lines. From this centre, Belgrave, we organized six brigades, and established an organization for co-ordinated control and attack in the event of fire.

On that, I understand, the bush fire brigades built up their present organization.

You have a bush fire brigade here, of course?—Yes. I might add that in 1927 the Lord Mayor of Melbourne called a meeting and out of that meeting brigade organization was established with co-ordinated control.

Credit is due to them for organizing this work; do you think something more could be done?—Yes, a lot. Bush fire brigades fight fires, but relatively few attempt to make provision for preventive action. The reason is that they are voluntary organizations; they do not get any payment. We used to pay them for fire fighting, but the more money we paid, the more fires we had, and when the money ran out the fires stopped. On that experience, in Belgrave, no money is paid for fire fighting. A number of people think that the whole district should be mapped out under a proper system of fire prevention. Evidence has been given regarding the cleaning up of allotments. There are thousands of vacant blocks in the Shire of Pomona Gully. Practically the whole shire from Boronia has been cut up
into quarter acre allotments. You may have 150 allotments in one estate with only four or five houses thereon.

I think it is a matter of impossibility in any regulation compelling owners to cut scrub and undergrowth on all these allotments. I do not think it is necessary, in the first place, and, secondly economically it is an impossibility, and, thirdly, I consider that if the roads to these allotments, where required, were cleared back 50 or 60 feet, that would be an advantage. If local brigades can get clear spaces, they can generally hold a fire, although, under the conditions that existed on that hot Sunday, no brigade could hold any fire. Those were abnormal conditions, in heavily timbered areas at any rate.

We heard of a fire being held up here?---Not in heavily timbered areas.

The brigade did, in times past, cut breaks. It assisted in cutting breaks at Trestle bridge and Kallista in 1926. Some men gave a lot of their time, and their work saved Belgrave.
The Forests Commission admitted that. The break was cleaned out and widened afterwards.

It was only cleaned up a couple of years ago?---It needs to be cleaned out again. The State Forests Commission cleaned up a section of the forest between the "Red Hill" and Kallista on the right of the road. On the right of the road, there is a fine example of afforestation. There are breaks of reasonable size about every quarter or half mile, and they need to be cleaned out every year. If breaks are cleared, the Forestry officers and local fire brigades can probably hold and sectionalize fires. That does not apply to the other side of Cole's Ridge, where we had a lot of fires in 1926. The fires swept over that area, right down to Belby. In an area of 2,000 acres, referred to as State forests, about 1,000 acres have no trees on them. They are covered in rubbish and bracken.

Where is that?---That runs between the Ridge road and Belby. The Forests Commission has been trying to deal with that area, but has not been able to surmount the difficulties.
claim that in dense forest trees do not burn readily in the gullies, but anything will burn in an exceptionally dry season. When you speak of "dense forests", you mean a densely timbered area?---

Yes.

A lot of the country between Selby and the Ridge road consists of thickets of scrub?---Yes.

That is not the kind of country you like?---No. I wish to draw attention to the forests on either side. The Sherbrooke Forest is a recreational or tourist forest, and we must realise that the treatment of that forest cannot be the same as the treatment of commercial forests away from the centre of civilisation. Melbourne is dependent on these recreational forests. Today it is impossible to get through many parts of the forest owing to wiregrass and blackberries and other rubbish growing on the floor of the forest. We suggest that certain sections of the forest should be treated and that the public should be debarred from certain sections of the forest under certain conditions. There would not be any detriment to the forest if the Forests Commission cleaned out the old trees and allowed fresh growth and forest trees to take their places. From one end of the State Forest to the other, the forest is ceasing to exist, as a proper forest, due to the nature of the trees, many of which have grown past their maturity and with debris and branches are becoming dangerous fresh fire point of view. We feel that persons should not be allowed to go into State forests as they are at present. We asked the Forests Commission to debar people from going into the forest, owing to the danger from a fire risk point of view, and the Commission agreed to stop people going in when the temperatures were up.

(Continued on page 1265).

1263-4. F.E.BYRNE.
THE WITNESS (Continuing): The reason is that there are only a few tracks through and it is difficult if a fire occurs to get out.

This brigade submitted a scheme to the Forests Commission 2} or 3 years ago. It was a scheme to put radial tracks through from a circle in the centre with direction boards. When a fire occurs, it does not just sweep into the forest; the debris falls in behind and fresh fires are lit. Commissioner Day came up and agreed that it should be done. It has never been done. I understand that when the fire occurred it took from half an hour to three-quarters of an hour to locate it. They could not even get into their own forest.

Did it light up in an area where there were no tracks?—The tracks wind about and they are difficult to find. They could not get water in. They ought to be able to take a track, fire fighting equipment and water into the main sections of the forest.

Your suggestion amounts to providing more tracks?—More tracks and safety tracks. We have never had loss of life. The other point of view I want to place before His Honor is the danger of the forests to Belgrave. Fires are not so dangerous to Belgrave from the South as they are from the North. The Sherbrooke Forest is safeguarded to a large extent by the firing from Tremont area through Sassafras and Sherbrooke—mainly by eliminating 130 acres of land. Virtually a fire break has been provided across the top of the mountain. The fires that sweep the Clinda area are not as dangerous to us as they were. We feel that the break the Commission put in a few weeks ago at our request—a 2 chain break this side of the forest—protects us from fires in the forest and protects the forest from fires on this side. We feel that that break should be maintained.

Is it obvious that apart from not adopting your suggestion the Forests Commission has been ready to operate?—They have

1285.
F.L.BYERS.
The fact that they have allowed half their forests to go out of commission shows that they have neglected the forests in this area.

What area - between the Ridge Road and Selby?---Yes, and the state of the Glinda forest speaks for itself. We have made certain requests to the Commission. They said they would attend to them when they could get the men and the money. They did not do it until we put pressure on them. We told them that there was a desire on the part of the local people to ventilate the matter in the press. We then received an answer at once stating that if we would find the men, they would allow them to go into the forest.

How did that strike you?---It struck me that the Commission would do things when public opinion forced them.

How did the suggestion that you should find the men strike you?---The council agreed to find the men. The Commission said it would not send men, but two days later it sent them. The council were prepared to find the men to cut the break.

MR. BARBER: Do you suggest that the Forests Commission has neglected the burnt out area between the Ridge and Selby?---They have not succeeded in replanting it.

They have tried, I understand?---They have, and they have been unable to surmount their difficulties.

But they are trying. They have not neglected it since 1926?---They are experts and they should be able to solve that point.

Even experts meet natural difficulties. I am asking you to reaffirm that they are attempting to re-afforest the area?---Yes.

The suggestion you put was that the Forests Commission should mill some of the trees in the Sherbrooke Forest?---Yes.

Are you aware that the Forests Commission has attempted to do that on a number of occasions, and on each occasion has been met with a public outcry and allegations of vandalism?---Yes.

A pretty considerable storm was aroused when they attempted to carry
out the suggestions you have made?

THE COMMISSIONER: Did that stop them doing what they thought was right?

MR. BARBER: I do not know whether that stopped them, but the outcry may have brought other forces into play.

THE WITNESS: We stated that we were prepared to organise public opinion and we promised to support the Commission.

MR. BARBER: Are you aware that the Forestal Commission has no power at present to prevent trespass in its forests except in enclosed areas?—It was the moral force that kept them out.

You realise that your suggestion as to clearing and cleaning forests is a matter of men and money and that the Forestal Commission has not unlimited men or unlimited money?—I realise that.

When you offered to make men available, the offer was readily accepted?—Yes.

MR. SMITH: What class of men were provided?—Counsell employees and sustenance workers.

Are local bush fire brigades properly conducted?—Yes, for the purpose of fighting bush fires. I should like to see more rakes used. I have a difference of opinion with some of the local men. They consider that the knapsack pump is the best weapon. Before we had knapsack pumps we successfully fought the fires with rakes, slashers, brooms and watering cans. The pump is good, but, in my opinion, there is need for using the other measures also.

You do not think the knapsack pump is as good as an article as it is cracked up to be?—I realise that it has advantage but I think the other tools should be used in co-operation.

You do not think that they should eliminate them?—They simply cannot.

Were you at the Selby fires?—Yes.

I saw the breaks run down and I considered that very good work was done.

MR. KELO: Referring to 1,000 acres of forest at Selby, has that actually been timbered country in your recollection?—Yes,
it was swept in the 1926 fires when they lost the main part of it.

What was the condition of it before 1926?---The seed trees were destroyed in 1926.

Before 1926 there were seed trees and young trees?---There had been a fire through it before 1926. It has always been a bush fire area.

It has been suggested that these areas should be saved from bush fires and preserved by regular burning. Is not that a typical area that has been turned to broken by regular burning?---No. A creeping fire in the autumn or late spring is a different kind of fire from a bush fire. It will burn slowly underneath and not go right through. It would search young stuff, but it could be run through where big timber is growing. It is a matter of impossibility to cut debris in Sherbrooke Forest and burn it.

I thought you might be able to help the Commission in the matter of burning. Take your mind back to the time when the forest had been burned but the trees in it. It had a good deal of scrub. Could you have put a light fire through it at any time that it would burn without having a hot fire?---Not without sectionalizing the fire.

If you tried to broadcast burn it, you would have a hot fire?---Yes. Sooner or later if you do regular burning, you will have a hot fire?---You must sectionalize it. The section on the right of the road shows how you can burn out each section. That and the one at Sherbrookes are examples.

It has involved a lot of work?---And has saved a lot of money.

You agree that we cannot burn out the forests and still preserve them?---It will destroy them.

(The witness withdrew)
You are a retired civil servant and you live at Upwey?---Yes. You have something to tell us about the cause and prevention of bush fires in Upwey district?---The causes, I think, in Upwey district are more than likely careless burning off.

What time do they burn off?---Last year was a very dry season. We had fires in April, September, October, November and December.

Who are these people who burn off?---Local residents who have a little fire in their backyard and allow it to spread to their next hill door neighbour's, and then away it goes up the/before they can stop it. They do not make provision to prevent the fire getting away.

Could they burn off before the proclaimed period?---Not every year.

Some years they could have a good burn off in September. I have known fairly big fires in October and November.

At that time of the year they are not required to take any particular measures to prevent spreading?---Under the Police Offences Act they must not allow a fire to become dangerous to a neighbour.

How are you going to stop this state of affairs?---I would suggest that more power be given to clear up the ground before the danger period starts, and proper control should be exercised over small fires.

Who do you suggest should control them?---The people who light them.

I suppose experience has taught you that people will light fires and not control them?---Yes.

How are you going to make them control them?---Inflict heavier penalties on them.

Do you think that would bring about the effect you desire?---It has been effective in one case. On February 23rd, in the Ferntrees Jolly Court, heavy penalties were inflicted and from that time until the present time, we have hardly had a fire in the district.
THE COMMISSIONER: There may be other reasons. People may be appalled by the danger made manifest by the big fires. I am not much impressed with the idea that heavy penalties prevent crime.

THE WITNESS: It has certainly made an improvement in this district.

MR. COWANS: Are you a member of the local Court?---I am.

On how many occasions in 1938 were fines imposed for lighting fires?---To my knowledge, only two.

And in previous years?---Not many. Perhaps half a dozen.

The batch of fines imposed by the local Court were imposed since the big fires?---Yes.

Do you think there should have been more prosecutions in other years?---I think that would have prevented the recent fires?---Fortunately when the very hot weather was on, except on Tuesday, the 10th, we did not have fires below Belgrave towards Upwey.

Apart from these suggestions, have you any other suggestions to advance for preventing fires?---I agree with previous witnesses that there should be compulsion in the cleaning of sub-divisional roads which would make good breaks. There should also be compulsion in cleaning up a lot of sub-divisional blocks.

Who should have the power to do that?---I think there should be a fire warden in the district.

She should appoint him?---Possibly the local council. Perhaps on the recommendation of the local brigades. The appointment should be between the council and the brigades.

She should pay him?---The municipality. As the municipality and the insurance companies would receive the benefit, possibly they could both contribute.

Have you ever tried to get money out of insurance companies for fire protection?---Once.

What was the result?---A point blank refusal.

Is there any other matter you want to touch on?---We have a system whereby 12 men are appointed at the beginning of the year,
in November. They are paid 2/- an hour when called on to fires. We have found that that system is most effective. You have not had the same experience as a previous witness that the money burned their fingers, or rather burned the area?--We have had 8 fires since the 1st of October. Five of these were under control within an hour. Any of these would have been serious if it had not been got under control promptly. Have you any difficulty in obtaining volunteers to fight fires?--

No.

From your own area or from the town?--When the fire bell rings, every able bodied man who can turn out, turns out.

Have you plenty of equipment?--Plenty at Upwey. We are well supported by the public.

MR. SWINBOURNE: For how long have you been secretary of the Upwey brigade?--11 years.

How long has that brigade been in existence?--Close on 20 years, 17 years in its present form, and about 3 years prior to that.

Has your brigade ever burnt breaks before the fire season?--Yes.

With the permission of the owners?--Yes.

And the brigade has paid the men?--Yes.

You have found it an effective protection for town houses in the event of fires like the big fire of Tuesday, the 19th?--Yes.

You were able to control it in the face of the wind?--Our brigade was not sufficient. The Ferntree Sally brigade helped us.

Were any properties destroyed?--One house.

Did you have any destroyed on the bad Friday, the 13th?--No.

Do you support the suggestion that steps should be taken in the State schools to educate children on the danger of fire?--I think the children in this district realize it well. I agree that teaching in the schools would not do any harm.

THE COMMISSIONER: It would perhaps be more valuable to teach children in the city schools.

THE WITNESS: And perhaps better still to teach the parents.
THE COMMISSIONER: We have to look ahead and teach the children.

THE WITNESS: We have had examples of the apparent lighting of fires in this district. Some people will light a fire when a gale is blowing at 60 miles an hour.

MR. SWINDON: Did you discover a fire one Wednesday as a result of a fire left by trappers on the previous Sunday?---That was a small fire in Barwood avenue.

The brigade checked it before any damage was done?---The brigade was out in five minutes.

Do you think the insurance companies could assist the brigades by cancelling fire insurance policies when properties are in a bad condition?---Definitely.

THE COMMISSIONER: They might do that for their own purposes, but not to assist the brigades.

MR. SWINDON: There was a case at Selby in which a policy was cancelled.

(To Witness): Were there any in the Upwey district?---I don't know of any.

(Continued on Page 1295).
MR. SHINNEN: Do you suggest that men should be placed on lookout towers in this district during the bad periods, to detect fires and give early warning to the brigades?—I do not know that that is quite necessary. While the fire on the Friday was very bad, I think all our men were on the lookout, and during the summer all our men are on the lookout for fires without any lookout towers being necessary down our way; I do not know what it may be like up this way.

THE COMMISSIONER: You are in a much more closely settled district here?—
Yes.

MR. SHINNEN: You get support from the residents to enable the men to be equipped?—Yes.

MR. BARBER: You said the men were paid 2/- and there was some discussion about it. I take it that the members of your brigade would not be making a profit out of 2/- an hour?—No.

In other words, the payment of a small sum to recompense the members of the brigade to some extent for their lost time, works satisfactorily with you?—It does.

And I suppose the satisfactory nature of that depends on the fact that your individuals do not make any profit out of the 2/-?

Would you agree that it might not work so satisfactorily if the payment made was actually 5/- an hour, say?—No. In certain places we have our picked men. We do not take anybody.

A lot would always depend on the individual chosen?—Yes.

If the fire fighters were paid 5/- an hour, it might be an inducement to get circumstances such as have been described by one of the earlier witnesses?—Yes, that is human nature. I might inform the Commission that our men besides being insured by the Bush Fire Brigade Insurance, are also insured under the Workmen’s Compensation Act.

THE COMMISSIONER: It is a special arrangement?—Yes.
"Amended Rules" of the Upwey Fire Fighters' Association,
dated 4th April, 1938. These rules contain the following provisions:

Rule 7: That a fire fighting brigade of twelve members be formed. These shall be paid for services rendered at such rates as the Committee may determine. Present rate 2/- per hour.

Rule 9: That claims for payment by registered members of fire fighting brigade shall be verified by Captain, 1st Lieut. or Secretary, and shall be submitted to following meeting of Committee of Management for confirmation. Claims for other persons who assisted brigade, and by doing so lost wages, may be considered.

THE COMMISSIONER: I think the whole document should go into the transcript for future reference.

Amended Rules adopted 4th April, 1938.

1. This Association be called THE UPWEY FIRE FIGHTERS' ASSOCIATION.

2. Membership shall be comprised of persons who subscribe to the funds of the Association.

3. That these shall have power to vote at the election of Committee of Management and Auditors.

4. That Committee of Management be composed of twelve members including President, two Vice-Presidents, Secretary, Treasurer, and three members of actual fire fighting brigade.

5. That this Committee shall deal with matters financial and pertaining to the general working of Association and shall report to the Annual General Meeting.

6. That all material acquired shall become for all time property of the Association.

7. That a fire fighting brigade of twelve members be formed. These shall be paid for services rendered at such rates as the Committee may determine. Present rate 2/- per hour.

8. Members of fire fighting brigade to be appointed annually by the Committee of Management, and vacancies occurring during year shall be filled at discretion of Committee.

9. That claims for payment of registered members of fire fighting brigade shall be verified by Captain, 1st Lieut. or Secretary and shall be submitted to following meeting of Committee of Management for confirmation. Claims for other persons who assisted brigade, and by doing so lost wages, may be considered.

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10. That members of fire fighting brigade shall respond always to Captain's or 1st Lieutenant's call, unless some lawful excuse be given.

11. If during a fire there are vacancies in brigade the Captain or his lieutenant shall have power to fill such vacancies.

12. That officers of fire fighting brigade be elected by members of fire fighting brigade, and these shall be submitted to Committee of Management for approval.

13. That an Annual Members Meeting of the Association be held to receive reports of Committee of Management, election of same and auditors, and for such other business as may be brought forward.

14. Any member of Committee of Management being absent from three regular meetings without an apology shall forfeit his seat.

15. That these rules cancel all previous rules of the Association.

(Signed) J. O. VOGLER,
Secretary.

THE WITNESS WITNESSED:

JOHN STEWART DUNBAR: Sworn and Examined.

MR. GOVANS: What is your full name?—John Stewart Dunbar. I live at St. Dandenong.

What is your occupation?—I am a dairy farmer.

Did you have any fires near St. Dandenong during January?—There were very few places where there were not fires during January.

From what direction did they come?—They came from several directions. Some came from the north up the hill from Montrouge direction, others came out from the State Forests, that is, to the south or the south-east. On the day of the fire it was very difficult to tell just exactly where the fires came from on Friday, the 13th, because the smoke conditions were so bad.

Do you know anything about the causes of these fires?—The causes of these particular fires?
Yes; without mentioning names; have you any idea?—The fire that came from the south from the Glenina forest, it is hard to say the origin of it originally, but it had been burning down towards Bpendik for several days.

In the forest!—In the forest, that the Metropolitan Board controls; and it burned up the southern boundary of the forest; on the previous Tuesday it was burning up towards Glenina and during that week with the variation of the winds it was blown in various directions right through the forest.

That Tuesday you are speaking of was the 10th?—Yes.

So you say that the fire down towards Bpendik burning in the Board of Works area, had been burning there for some time?—Yes. It had been burning for some time previous to the Tuesday, for some days.

Did you see it yourself?—I saw the smoke of the fire.

Did you know what area it actually was in?—It is hard to say within half a mile when you are looking over the top of a hill at a fire, but it was down towards the corner of the forest at the southern end of the dams as it came up that steep slope towards Glenina.

Have you any doubt about it being within the Board of Works area?—As I say again, I could not tell from miles away over the top of the hill exactly where it was, but it certainly was burning in that area all that day.

Do you know anything about the cause of it?—Not that particular fire. What about those fires that came up from the Montrose area?—They were similar fires to that. The cause of the particular fires were not visible, either.

Can you tell us generally what are the main causes of fires in your opinion?—From a general point of view it is very difficult to say, and I am not saying it of every fire, but the greatest cause of fires is carelessness in burning off.
By what type of person?—By local residents. There was a fire at the
foot of my property on Tuesday the 10th, just across the road;
that fire was burning that day; and there was also a fire
lit adjacent to that property on the Saturday after the fires.
I am positive that is the main cause of the destructive fires —
pople think it is a good opportunity to burn off a lot of
rubbish, or they are upset by vermin coming out of their
neighbour’s properties, and they take a chance by putting a
match in and then let it go. Sometimes those fires do not
do any particular damage themselves, but they get into the
trees and lodge amongst the leaves, and on a hot windy day
they flare up again and throw sparks out. I have seen sparks
flying half a mile away from a burning tree causing other
fires.

Were those fires lit during November and December?—In some instances,
yes.

And I suppose in these cases the people who lit them did not stay to look
after them?—No.

What is the reason for their burning off at that time? Is it because
they cannot stop the fire when it starts, or because they do
not want to try?—Partly for both reasons. If I may say
so, there is a peculiar psychology which has been handed down
from the pioneers when they went into the district, that the
only means by which they could clear the land in those days
was to light fires and “get down to earth”, as it were. It
is easier to burn in those cases. I know of one instance
where advantage was taken of the existence of a fire in a
man’s district, and the man went along and burned off his
blackberries under the guise of burning a break. I know that
is a fact, and that has occurred very often.

What are the steps that should be taken in your area to get at this
fire menace?—I would suggest that no burning off be done
at any time of the year without permission from some responsible
authority.
At any time?—at any time of the year. Possibly it could be granted as a right in those months of the year when they are not dangerous. The reason I state that is—supposing the Forest Commission were the authority to issue the right they would have some idea of where the burning-off would occur, and they would have some idea also of where there were smouldering logs and trees. Diverting for a moment, after the fire of the 13th, I saw two stumps of trees burning last Monday, that was after all the heavy rain. If there was notification or direction in such cases, it would be useful. I would go further and say that it should be compulsory that there should be notification of any trees or stumps or logs that were remaining smouldering. I do not suggest that there should be a penalty for having such trees or stumps because it is almost impossible not to have something of the kind after burning-off; but that would give the Forest Officer or the responsible authority some chance of taking steps against that practice if the weather conditions than obtaining were dangerous.

Do you suggest that that should be so at any time of the year, that the owner should be on the land owner to notify some local authority of the existence of a fire on his area?—Yes; of the existence of, say, an uncontrolled fire, because a burning tree is an uncontrolled fire. I do not suggest that should apply to a man burning off rubbish in the middle of the notification, but I mean burning off that is extensively done in scrub country.

What other suggestions can you make?—I would suggest a declaration being issued that dogwood is a noxious weed. That would allow the Government to use its present machinery to see that those vacant lots and properties that are being held for speculation are cleared up. I do not think it would entail the Government in very such additional expense because they send
men around every year to go through this vacant country to find out whether there is blackberry or other noxious woods there.

But it is going to cost the people money if they are to be required to burn broken off?---Yes, but is it much better that they should be put to a certain amount of expense than that their property should be a menace to their neighbours, and perhaps cause fires which would be an expense to their neighbours.

Should the Forest Commission come under the effect of the Act as well?---No, I do not suggest that. The sole purpose of my idea is some means of forcing absentee owners to make their properties less dangerous to their neighbours.

I could understand how that would apply where there are small holdings, but it would be very difficult where there were large holdings?---I think that applies at present in connection with blackberries. The Noxious Weeds Inspector has discretion if he sees that where a man has a large area of blackberries, he has provided breaks or cut it out, or has cut a break around his section to protect his neighbours, to make allowance. I understand that applies to blackberries, and the same thing should apply to broken.

The practice should be made elastic?---I think so.

Is there anything else you would like to suggest?---I would suggest the enforcement of the proclamation that nobody, no authority at all, should have any right to light fires during those proclaimed times.

You mean a complete prohibition?---I mean a complete prohibition outside of the proclaimed times.

Do you know where the fire came from that went through the Glinda forest?---That was the fire that came up from Benbul; there was another on the Thursday; but we live on the crown.
of the ridge, and, as you know, a fire will run uphill against
the wind, and we were beset with fires on all sides.

MR. SWINDON: You made a statement that you saw stumps burning on the
27th February that were burning on January 13th; is that
correct?---Yes.

That was 45 days they had been burning?---Yes. They had been burning
right through.

On the question of vermin, you mentioned that many fires were lit to
get rid of vermin. Where would the vermin come from?
Would it be from crown lands, the State forests, or private
property?---From private property and crown lands as well.

How many properties were destroyed during these recent fires in that
district?---I think eight houses were destroyed.

Have you any idea of the value of these places?---That would be hard to
say. Some of them were not of great value; others were
worth £300 or £400 each. It would be difficult to say, but
I think the total damage would be somewhere about £2,000.

You have no brigade at Beatrose?---No, not at the time. There has been
considerable opposition from some of the older residents to
a fire brigade. They do not like the idea of empowering
anybody to go on their properties to light fires.

You have formed a brigade there recently?---Yes.

You did have some equipment before these fires?---Yes. One of the
Reserves Committee had a certain amount of equipment, pumps
and so on.

And you were able to get that equipment during the fire?---Yes.

MR. BARKER: With regard to the fire which you said commenced on the
Board's property, what was the date you first saw that fire?
Was it Saturday the 7th?---I would not like to say definitely
as to that date, there were so many different fires, and
there were points at which fires may be seen on the top of a
hill that I might confuse the dates.
It is going to be put that that fire started on Saturday the 7th, at a point south of the Silvan township near the south-east end of the Silvan dam; what do you think of that?—It did start at the south-east. I should say that would be the correct position.

THE COMMISSIONER: Is that where the caretaker’s cottage is; that would be north?—It would be really nearer Mansfield than Silvan.

MR. KELLO: There are two cottages there.

THE COMMISSIONER: There is the one that we were in the other day when we were caught in the rain; is that the north end?

MR. KELLO: Yes.

THE COMMISSIONER: Your case is that that fire started at the northern end.

MR. KELLO: There were three separate fires. That fire we spoke about was on the 10th, and this discussion is about the 7th.

MR. BARKER: I am putting it to the witness that there was a fire that started there on the 7th?—Yes; the most definite thing I can say is that it was burning on the 7th.

It was burning on the 7th?—Yes, I can say that.

Did it burn on the Board’s area until right up till the Tuesday?—Yes.

It burned up the hill against the wind as fires will do, and it burned on the Tuesday; and on the Tuesday evening some person or persons lit it down the face of the forest from Clinda towards Mt. Dunsmore. I observed it from my own place being lit as a break, and naturally I would not approve of it myself.

What about the fire that we have been following, what happened to it on the Tuesday?—It joined up with those breaks, and they came down into the Clinda forest, and that mill got burned down at the foot there, and from there they came back up through my neighbour’s property into my own property.
And they got right away? -- Yes, they got away on the Friday and were absolutely out of control.

Are you familiar with the Board of Works property at Silvan? --- Yes.

I am more familiar with the northern and north-western end of it.

Have you observed any fire control work that has been undertaken in that area? --- I am situated on the north-western side of that, and my business does not take me very often down into their area; therefore, I would not like to say.

I do not want you to conjecture. I want to know whether you know as to that? --- No, I do not know.

As to the matter of the proclamation, do you think that if the proclamation came into force a little later in this district, the people would be able to get some burning done and it might reduce the tendency for risky burning later in the year? --- No.

Why is that? What is your attitude? I am not saying you are wrong? --- For the simple reason I mix with people there, and I know the attitude of the local residents in a lot of cases; some of them have the idea that you cannot burn on a north wind day, and they do not attempt to burn.

You see no objection to the Forests Commission Officer being the authority to control burning, apparently? --- No.

MR. KELSO: Before we start on the question of these fires that you have given dates for, what was the fire position in the area some time before that, say in December, in the State Forests there? --- This year it was critical right through the year.

I am talking about December. Were there fires in the State Forest below Silvan and Mt. Dandenong in December? --- No, not to my knowledge.

Did you see any smoke of any sort from that direction before the 7th January? --- I have no recollection of seeing any fire burning.
Did you see any smoke from the direction of the south end of the Board of Works property before the 7th, whether it was in the State Forest or not before the 7th, the date which you have fixed?—As I answered a previous question, I would not like to pin myself down to a day or two.

Are you correct in saying the 7th; will you pin yourself down to that?—Yes, I would say so, to the best of my recollection.

You have a distant view of this area, and you know how wide the Board of Works strip is there?—Yes; between the road and the area there is a quarter to half a mile of country.

Are you in a position to say in respect of that fire that it was in the Board of Works property?—I think I explained that before.

I would like to be clear on that?—It is impossible to confine a fire to within a few hundred yards when you are in a position miles away.

Then your opinion is that it was in the direction of the Board of Works' property?—I am not accusing the Board of Works.

I do not feel that you are, but I want to get at the truth of this.

If I say to you that on the 7th there was in fact no fire on the Board of Works' property, you do not know whether that is true or not?—No.

It is common ground that there was a fire between the 7th and the 10th in that vicinity. Did you go down there at all?—No.

You do not know whether there were men working on those fires?—No.

We come then to the fire which occurred on the 10th; at what time did that fire sweep on towards Bundenong? That was on the bad Tuesday, the 10th?—As I said before, it did not go towards Mt. Bundenong, it went up the south-eastern side of the reserve.

Towards Olinda?—Yes.

At what time did you see that sweeping up towards Olinda?—I do not know whether I actually saw it progressing there at that
time, but it was some time during the afternoon.

How do you arrive at that if you did not see it yourself? How do you arrive at the time it swept up to Climia?—I saw evidence of the fire on the lower section.

You saw it afterwards?—Yes; and I saw it afterwards progressively coming up the side of the reserve.

I want to know at what time it was on the Tuesday that you yourself saw it? It does not matter what people told you or what you deduced afterwards, but what time did you see it going up towards Climia?—I should say about 6 o'clock in the afternoon.

Was it before that?—I could not say.

What far up the hill was it at 6 o'clock?—On the hill, I would say it would be at the old mill.

Was it well up the hill?—Yes.

If I say to you that the same fire burned down towards the Board of Works area and was still not in the Board of Works area, would you be prepared to correct that?—No, I would not challenge that; I do not know the boundaries.

That is what I wanted to point out. The Board of Works area is a very narrow area between the State Forests. You were in the vicinity and you have mentioned the Board of Works in connection with the fire, in fixing the direction, but are you fixing the fire?—I only used it in fixing the direction.

When I offered to come and give evidence I did not intend trying to fix the blame on anyone. It was only to assist his Honor in whatever way I could in a general manner.

MR. KELEO: And you have done so. There is no doubt about that.

MR. KELEO: What time was the fire lit? Was it a break that you referred to on the 10th?—Rather than fix the actual clock time, I would say just at dusk. I had had a very busy day, and I had just returned from Mooroolbark in the
outside my place, and I went straight over on to that section of the forest.

And that might have been down in the forest at the Forest Commission's place, and it might have been down in the Board of Works' territory?---I do not think that fire was on Board of Works' territory.

So that outbreak was not in the Board of Works' territory?---To the best of my knowledge; but I do not know where your dividing line runs. I know it comes up towards Dr. Gwen's place, but where it goes down I do not know. Does the fence run down there?

There is a fence round it, but you cannot see it from Mt. Dandenong?---I did not know there was a fence around that area.

THE WITNESS WITHDRAW.

(Continued on page 1300).
MR. GOWANS: Where do you live?---Lysterfield.

I understand you are a lieutenant in the Dandenong Bush Fire Brigade?

Yes.

I understand that you have certain views regarding the issuing of permits during the proclaimed period. I should like to have your views in your own words?---At Lysterfield on the 19th of January we had a bush fire. On inquiries being made, we found that a permit had been issued by the Forests Commission. This came from the police and the secretary of the bush fire brigade. The Dandenong and the Ferntree Gully brigades attended that fire — the Dandenong brigade four times a week or so, and the Ferntree Gully brigade twice. The fires continued to start up on that property of 200 acres of fallen scrub and timber. I believe a sub-contract had been let to cut scrub in this country. In spite of the precautions taken, these fires continued to start up from this area. On the 30th of January, the day of the Selby fire, the police actually caught two men lighting fires there. The fires then ceased until the 6th of February. On the evening of the 7th of February, the owner of the property telephoned me and said that he had that day received a permit from a forestry officer for the burning of fallen timber. The temperature that day in Melbourne was 103 degrees, and a bush fire warning had been issued.

THE COMMISSIONER: What was the name of the officer, not for publication but for Mr. Barher's information. You are giving only hearsay evidence?---I will give this information.

MR. GOWANS: Thank you, Your Honour.

THE WITNESS: The burning continued every day after the second permit was issued; in fact, it is continuing yet. It is stopped on wet days. The owners of this property wished to sow grass seed in the ashes.
It is obvious you do not approve of burning in these circumstances?--

Not at all, particularly from the 18th to the 24th of January, after all the trouble that was caused. I do not approve of granting permits to burn fallen timber under such circumstances.

Have you an effective bush fire brigade in Bambang?--Yes. It is only about three years old. We have about seven or eight pumps. We are gradually improving our equipment. The area of which I speak of is at the back of the old police paddock. Knapsack pumps are good fire fighting equipment. We had a fire last year burning 300 acres, and the Bambang brigade attended that. That fire was put out with the aid of the pumps. I walked around the edge of that fire at night time, and I did not have to touch a place, although I had a pump full of water, so that I could put out any trees that had caught alight. Putting fires out in those circumstances only fans them, but water puts them out.

How far away was your source of supply?--We had two dams practically on the edge of the fire.

You were fortunate in that respect?--Yes.

MR. SWINSON: Your brigade is taking steps to improve its equipment and facilities, so that all sections shall have a reasonable supply of water?--Yes.

Bambang covers a big area?--Yes, the whole of the Bambang shire, and part of the Fern tree Gully shire.

Has your brigade received any Government assistance?--Not to my knowledge.

In your area there is a fair amount of unimproved land?--Yes.

Would you be in favour of brigades being allowed to burn strips through that area on the Bambang side as a protection against fires fanned by north winds?--I am against lighting fires at all in the danger period.

This would be before the danger period?--Yes.

You say you had one permit for burning?--I think there were two.
You did not get word of a third permit; I know there were three permits granted, because a copy was sent to me by mistake. It was for burning heaped timber. Was any heaped timber burnt recently?---In the first place precautions were not taken. I was up there when fallen scrub was lying on the boundary fence and no attempt was made to clear it.

And a strong south wind was blowing?---It chopped in various directions. It was almost as strong as on the two previous days?---Yes.

MR. HARBER: What was the date on which the first permit was granted?---I understand it was from the 18th to the 24th of January.

The first fire occurred on the afternoon of the 9th.

A permit was granted for burning between these two dates; do you know when it was granted. It was not necessarily granted on the 18th?---No. I heard rumours.

But we will not have any rumours?---Well, I went to the police station, and they had no knowledge of it.

Did you communicate with the local forestry officer?---No. In Bundamung they did not know where the forestry officer was.

You might tell us afterwards the name of the officer previously referred to?---Yes.

THE COMMISSIONER: Are there any other questions counsel would like to ask?

MR. HILMO: No.

THE WITNESS WITHDREW.

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ALFRED WILFRED SMITH: Sworn and Examined.

MR. GOWANS: You live at Clinda?---Yes.

What is your occupation?---My occupation is that of berry growing and flower growing.

Do you know anything of the history of the fires that threatened Clinda on the 7th of January?---At the outset, I would like to say that I have not come here appointed by any organisation, but am giving evidence voluntarily. My name was put down as one to be asked to give advice as to what I thought should be done to prevent bush fires.

I should like to know whether you saw any of the fires that occurred on
the 7th of January?--Yes.

There were they?--in the Bandoong forest. It is hard to define fire
areas at any distance, because of the smoke.

Where do you live exactly?--On the Clinda road, about one hundred yards
from the post office this way.

You could not have a very clear view towards Honbolk?--No.

When did you first see the fire in that direction?--At the beginning of
January.

On the 7th of January - the Saturday after New Year's Day - did you see
any fires, or did you see any fires before that?--I
cannot say for certain, but I think there was a good
many fires in that district before the 13th of January. I
live near the fire bell, which was ringing almost con-
tinuously.

You are a member of the Clinda Bush Fire Brigade?--I am not a member,
but a subscriber.

Will you tell us of the advice you desire to proffer?--I have been
living in this part for about nineteen years, and my opinion
is that the fires are worse now than when I first came here,
although there was more scrub than there is today.

I think that the Proclamation we have is rather drastic for
some of our districts, especially in the mountainous districts
where the rainfall is heavy. We have a heavy rainfall, up
to 60 inches per year in places. The grass keeps green up
to Christmas and even into January, and it is impossible to
burn usually. If the Proclamation allowed us another
fortnight to burn rubbish, under stumps and logs which burn
a long while, say from the 1st to the 15th of December, it
would be better.

When you speak of rubbish, do you mean growing scrub?--I mean cut scrub.

I have a property which I keep clean. I have a lot of
scrub cut now, and I am not allowed to burn it, and when I
shall be permitted to burn it, I shall not be able to do so
because it will be wet.

1906.

A.S. SMITH.
Do you suggest that this timber should be burnt in heaps?---Certainly.
Supposing the Proclamation were varied to suit small areas like that, what area would you proclaim in your district as a special area?---Two or three acres.
I do not mean on a particular property to be burnt off, but I mean in a district. You say there are special circumstances at Olinda---that you cannot secure a good burn at the time allowed---and I should like to know what districts could be defined as the ones in which you should be able to burn a little later?---I would say on the hill tops and mountains.
You cannot very well put that in a Proclamation, can you?---Perhaps not, but the Bush Fire Brigades Association could be given the power in those districts to give permission later to burn off.
You know you could get that from the forestry officer now?---That causes a good deal of trouble, to get permission to burn on the right day. When we get permission, it may be too late in the season.
Do you think you would be any happier in getting permission from the local fire brigades? Do you think that these concerned would find it easier to get permission from them?---Yes, more easily obtained.
Do you know where the nearest forestry officer is?---I cannot say, but we have a man who works for the Forests Commission up there.
It would not be difficult for you to find out where the forestry officer was?---The people will not go to the trouble to get permission from a distance if they can get it locally. I should like to make another suggestion, that residents and non-residents---and particularly non-residents who live in Melbourne and have country houses---should be made to keep their properties clean. There should be some way of making them do this.
We have had that suggestion put before us on a previous occasion.
Thank you.
MR. SWINDE: Would you suggest that the bush fire brigades be empowered to burn off, with the consent of the owner, during the most of proclaimed period, considering that the captains and lieutenants of the brigades are honorary forest officers?---I would.

You think that they, as members of the local brigades, know the local conditions even better than the forestry officers?---Yes.

We can trust them to recommend the right time when we should burn and not burn.

You think that permission like that would meet the cases of which you speak?---Yes.

MR. BARBER: You realise that forest officers are usually placed in positions where they may be found readily?---Yes.

I take it that captains and lieutenants of brigades have their own businesses to attend to?---Yes.

Would it not be a great deal easier, in general, to find or to get into touch with forest officers than it would be to get into touch with one of the brigade officials attending his own business no one knows where?---That may be so, but I think it would be better in the Dandenong, Upwey and Belgrave area if a body were formed to deal with situations according to local circumstances.

That is perhaps decentralising the duties instead of relying on one officer?---Yes.

THE WITNESS WITHDREW.

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SIDNEY RAYUEL WALLACE: Sworn and Examined.

MR. GOVANS: You are a caretaker employed by the Melbourne and Metropolitan Board of Works at the Silvan Reservoir?---Yes.

THE COMMISSIONER: At which end do you live?---At the Melbourne end.

That is where the fire is stated to have started, across the road?---Yes.

MR. GOVANS: Your duties are to superintend all maintenance work on the Board's property at Silvan, making fire breaks and attending to fire, etcetera?---Yes.

Last year there was a fire in the neighbourhood of your area, either in the Board of Work's area or outside of it?---Yes.

1319. SMITH.
Can you give us details of that fire?—About February, 1935, there was an area burnt from the northern boundary to Stoneyford Road.

That is in the Board of Work's area?—Yes.

Was that done by design or accident?—For two or three days fires were getting troublesome.

**THE COMMISSIONER:** Was that done on purpose or by accident?—Partly.

For two or three days we were getting fires on the Monbulk road and these fires were beginning to get a little dangerous. It was decided to approach the forestry officer to allow us to burn the remaining portion, and he gave permission, inspecting the preparations we had made. This section was fired at 10 o'clock at night.

**MR. GORDON:** Who was the local forestry officer?—I do not know his name.

That was in February of last year?—Yes.

Did you burn a portion of the Board of Work's area along Monbulk road?—That is part of the Board's area.

Did you burn through that area; when you say it was lit at 10 o'clock at night, were you burning inside the Board's area?—Yes.

About what acreage did you burn?—The area just stated.

What is the description on the plan?

----------**EXHIBIT "X"----------**

(Map showing fires in Silvan Reservoir put in by Mr. Nolso.)

(Map examined).

**MR. GORDON:** The area referred to by the witness is the area running along the Monbulk Road on the north side of Stoneyford road. (To witness) What other burn did you do last year?—In the area immediately facing the township, from the south side of Stoneyford road, down Stoneyford road, and along the water's edge along either side—this was burnt in September, 1935.

Did you have any other burning last year?—Only from fires coming into the Board's property from other places.

Coming to January of this year, what was the position in regard to fires in the Board's area?—The first fire we had this year was
on the 7th of January, when I received a telephone call from the Assistant Caretaker stationed at the south end of the dam, saying that a fire was approaching the Board's property from the eastern side of Ronbulk Road.

Who had control in that area?---I cannot tell you whether it is private property or not.

That would certainly not be State forests?---I do not think so.

I suppose you took steps to deal with that?---It was on a Saturday afternoon and all the regular employees had knocked off. I collected these men and dispatched them to the fire, and followed myself with fire fighting equipment.

Did you get the fire under control?---Not until 11 p.m.

Was it put out then?---Yes, and it was patrolled all night.

What happened next day?---There was a small outbreak from a burn from the northern end of that fire in the Board's property, and that was out by noon.

Did you hear anything more of that fire?---Nothing more.

When was the next fire, on the 10th?---Yes, on the 10th.

What happened then?---There were two fires on the 10th, I believe. I will begin with the one that occurred on the northern side of Stoneyford Road, immediately in front of my entrance gate. Visibility was bad on that day. About 10 a.m. I went outside and I distinctly heard crackling. I ran out and found that a fire had started on the other side of the road, and when I got to it, it covered only about the space of 10 yards.

Seeing that the fire had a good hold, and that there was a high north wind, I left the fire under the control of the Assistant Caretaker, Mr. Hook, and another man.

How many men did you have there?---Three men altogether.

Was the fire still on the northern side of Stoneyford Road then?---Yes, when the other men took over to enable me to go to telephone for assistance.

Did you have equipment to deal with it?---Yes.

What acreage did the fire cover then?---A small area.

What was the position then?---The fire was on the edge of the road, and
my residence is only a few yards from where the fire started.

There were only three men there.

Did the three men leave there?——They retreated to keep the fire away from the houses.

The position was that you had a small fire on the north side of Stonyfore Road and you called all the men off and went back to the residences?——It was not a case of calling them off, and they retreated back to the residences.

You are not suggesting the you had to retreat because of the size of the fire?——The road is only about a chain of metal wide, and the nearest residence is only another chain off the road. The fire was right on the edge of the road.

Do you think it might not have been better to try to keep it on the northern side of the road?——The wind was so high that that was impossible.

When did it jump the road; how long after you left?——A few minutes after you left.

Where did it go?——It came into the enclosure and went through the country where we previously had a burn off in September—that is, immediately facing the township.

This fire, after it cut across that road, would burn straight to the township?——Yes, if the wind were blowing that way.

It burnt through the corner of that area which you say was previously burnt in September, and it jumped the road into the township?——I cannot say that it jumped the road.

Did someone take it across?——No. When I visited the end of the fire, we fell back on to a break, and tried to hold the fire there. A burn back was made from the break ahead of the fire, and by 4 o`clock it was definitely held, but suddenly a swirling wind carried the fire on to unburnt country.

How long after the outbreak was it before it crossed on to your property?——About five minutes.

1315. WALLACE.
To what size had the fire spread then?—It had spread both ways on the Stoneyford Road.

What size?—On about a three or four chains face.

THE COMMISSIONER: It had not spread both ways; it had gone north-west, had it not?—It was on the edge of the road.

I have seen the site. What size was it when it cut across the road?—On a face of about three or four chains on the other side of the road.

And it cut across a made road and a strip of recently burnt and clean country?—Yes,

And into your property?—Yes.

Where did it enter?—Just below the entrance gate. You have been down there, Your Honour; did you notice on the way down you passed another gate, a little this way?

THE COMMISSIONER: Yes; that is about the middle of the property?—Yes, the middle of the property on that strip.

MR. GOWANS: You say this fire started at 10 a.m. When was it finally under control?—Right p.m.

You said at one stage you held it?—Yes, from 4 o'clock.

You held it apparently in this comparatively small corner where a fire had been through the previous year?—Yes,

(Continued on page 1515.)
How did it get across the road to Silvan?—There was still an unburned area.

Did the people from Silvan township give assistance?—At 4 o'clock when I left that large fire I went southerly for 2 miles to visit some men I had working further along. They had been patrolling after being called to a fire on the eastern side of Monbulk Road. I found when I got there that everything was quiet. I gave the men instructions what to do. I returned at, I suppose, about a quarter to five. I saw no sign of fire when I came back.

Between 10 o'clock in the morning and 4 o'clock in the afternoon did any of the residents of Silvan township help you?—Yes.

Where were they fighting the fire?—They were in the gang I had on the break.

Inside your area?—Yes.

THE COMMISSIONER: How can they get in in case of emergency? You have six or a dozen barbed wires strung on the top of a fence?—The majority of the locals know how to get in very effectively. I do not and I am asking you how they do it?—Some of them cut the wire and they find it simple to climb over.

MR. GOWANS: You say they find it simple. I suppose you mean they sometimes climb over, but do they agree that it is simple?—I do not know whether they do.

THE COMMISSIONER: I am talking about responsible people who may want to assist you. How can they get in?—They usually got through the main entrance.

MR. GOWANS: That would mean that they would have to run down the Stoneyford Road with fires on both sides?—There was no fire there at that time, on either side.

What time are you speaking of?—Between 10 o'clock and say 3 or 4 o'clock.

You told us that the fire started opposite the entrance to your place on the northern side of Stoneyford Road and that it was
across the road five minutes later, jumped into your area and was burning in the direction of Silvan township. In those circumstances, how can you say that there was no fire on either side of the road between your entrance and the Silvan township? The fire on the north side could spread only a certain distance. It ran into last year's burn. Do you mean that it had gone out?—On that side of the road.

What about the other side of the road?—It was burning through some property. It was going towards the break where I had men to hold it.

**THE COMMISSIONER:** I did not see any burned area in the district you are describing?—It burned the whole lot of that area. It was burned previously in September.

**MR. KELSO:** On the north side of Stoneyford Road, there was only a short length burning. It burned on to the old burn and went out. On the south side there was a break just short of the road and most of the time there was a narrow strip unburned along the edge of the road except near the witness's gate where it had crossed the road and gone into the bush. There is a length on both sides still unburned and a length where the fire has burned and gone out.

**MR. GORMAN:** (to witness): Taking the strip of land not burned since the previous September, was that the Board's area?—Yes.

WHERE WAS IT?—It was running from the other side of the township following the Monbulk Road to the water's edge, about 2 miles. That area, apparently, had not been burned in the break burned in the previous September?—Some was burned and some unburned. It got into unburned and burned area?—Yes.

Take the unburnt area—that was the Board's area?—Yes.

How is it that that was not burned in the previous September?—I admit that it was not burned. It was a narrow strip down to the water's edge.

I am trying to find out why it was not burned when you were taking.
fire prevention measures?—It is very difficult to explain.

Was it left out by accident?—No. It was just a piece that did not get burnt.

Was it left out by design?—No.

THE COMMISSIONER: Was it non-inflammable?—No.

It was pretty lucky then. Do you know Mr. Henderson there?—Yes.

Does he not say that there was no such burn as you describe?—I have heard that he has stated that.

Who helped you with the burning?—Various Board employees.

How long did it take?—A little over a day. We did it in a day and cleaned up the day after.

Would local residents know you were doing it?—Some of the local residents were there.

Would your smoke be quite noticeable?—Were there any other fires about?—There were no other fires about.

I am not suggesting that you did not burn the break.

MR. GOWANS: That was the fire that got into the Silvan township and burned the Church and one or two houses. You cannot tell us how it got across the road?—I do not know personally.

There was another fire on the south-west corner of the Board's area?—Yes.

Where did that come from?—I can only say from reports. At about 7 p.m. on the Tuesday, the Assistant Caretaker, Mr. Baker, reported from the southern end that a fire was approaching the Board's property in the south-west corner. I instructed him to get what men he could down that way as I had my hands full at that time.

You have not told us where it came from?—It is alleged to have come from the State forest.

From the eastern side of the Board's area?—Hardly the eastern side.

The western side?—How long have you been here?—About 7 years.

What steps are taken by way of fire prevention in the Board's area?—We ran a one-chain fire break round the whole of the Board's boundary where the Board's property abuts on public roads.

1317.

WALLACE.
That is cleaned and burned every year.

Was there one along the Monbulk Road abutting on the Silvan township?—Yes.

Had that been cleaned up this last year?—Yes.

By fire or by cutting?—By both.

Was it a chain break?—It was a chain wide.

Was that effective against the fire on the 10th?—It was not.

What other fire prevention measures are taken?—No others.

No burning is done in the watershed area?—No.

It is merely a reservoir, not a catchment area?—It is a reservoir.

Would burning be dangerous in any way to the reservoir?—No.

Do you know whether anything has been done to clear out the areas during the years you have been there?—Only from fires that have come in from the outside.

No clearing except by fires that have come in?—I cannot say that definitely.

During the period that you have been there nothing has been done to clean up the area except by fires that have got in?—Yes.

Has there been very much scrub on it?—No.

What kind of timber is it?—All kinds. It is not good timber. It is mostly a mixture of peppermint and stringy bark.

Where are the pines in the Board's area?—There are several small plots of pine; they are shown on the plan.

There are two plantations on the Monbulk Road, on the eastern side, and another opposite the township?—That is not exactly a plantation. It is 5 or 4 rows of pine-trees.

What is the object of them?—I do not know.

Those three or four rows of pines were in the area directly opposite the Silvan township that the fire burned through on the 10th of January?—Yes.

MR. BARBER: The Board's policy, or at any rate the policy as far as your instructions go, is definitely to have no burning in your area?—Yes.

Do you do anything in the way of cleaning and removing old timber?—We do not do any cutting.
That is cleaned and burned every year.
Was there one along the Monbulk Road abutting on the Silvan township?—Yes.

Had that been cleaned up this last year?—Yes.
By fire or by cutting?—By both.
Was it a chain break?—It was a chain wide.
Was that effective against the fire on the 10th?—It was not.

What other fire prevention measures are taken?—No others.

If burning is done in the watershed area?—No.

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Has there been very much scrub on it?—No.

What kind of timber is it?—All kinds. It is not good timber. It is mostly a mixture of peppermint and stringy bark.

Where are the pines in the Board's area?—There are several small plots of pine; they are shown on the plan.

There are two plantations on the Monbulk Road, on the eastern side, and another opposite the township?—That is not exactly a plantation. It is 3 or 4 rows of pine-trees.

What is the object of them?—I do not know.

Those three or four rows of pines were in the area directly opposite the Silvan township that the fire burned through on the 10th of January?—Yes.

MR. BARBER: The Board's policy, or at any rate the policy as far as your instructions go, is definitely to have no burning in your area?—Yes.

Do you do anything in the way of cleaning and removing old timber?—We do not do any cutting.
That is cleaned and burned every year.

Was there one along the Monbulk Road abutting on the Silvan township?—Yes.

Had that been cleaned up this last year?—Yes.

By fire or by cutting?—By both.

Was it a chain break?—It was a chain wide.

Was that effective against the fire on the 10th?—It was not.

What other fire prevention measures are taken?—No others.

Is burning done in the watershed area?—No.

It is merely a reservoir, not a catchment area?—It is a reservoir.

Would burning be dangerous in any way to the reservoir?—No.

Do you know whether anything has been done to clear out the areas during the years you have been there?—Only from fires that have come in from the outside.

No clearing except by fires that have come in?—I cannot say that definitely.

During the period that you have been there nothing has been done to clean up the area except by fires that have got in?—Yes.

Has there been very much scrub on it?—No.

What kind of timber is it?—All kinds. It is not good timber. It is mostly a mixture of peppermint and stringy bark.

Where are the pines in the Board's area?—There are several small plots of pine; they are shown on the plan.

There are two plantations on the Monbulk Road, on the eastern side, and another opposite the township?—That is not exactly a plantation. It is 3 or 4 rows of pine-trees.

What is the object of them?—I do not know.

Those three or four rows of pines were in the area directly opposite the Silvan township that the fire burned through on the 10th of January?—Yes.

MR. BARBER: The Board's policy, or at any rate the policy as far as your instructions go, is definitely to have no burning in your area?—Yes.

Do you do anything in the way of cleaning and removing old timber?—We do not do any cutting.

1518c 3, 1518c 7, 1519c 8, 1519c 9.
Some of the timber falls. Do you do anything about that?—We let it lie.
You have told us that no milling or cutting is done?—Yes.
Have you any hollow trees?—Every dead tree is a hollow tree.
They are very dangerous in case of fire?—Yes.
A hollow tree in a fire is a definite menace because it acts as a chimney
and increases the fire risk?—That depends on the position
of it.
A hollow tree is always a risk?—Yes, in any bush fire.
You have a good many of them in your area?—I would not go so far as to say
that.

THE COMMISSIONER: Why do you not have them when they are all over the
forest?—I would not go so far as to say how many.

MR. GOWANS: What sort of bush is it — natural bush?—Yes.
You have a great number of very old trees?—I would not say a great
number of very old trees. The country according to my
information has been milled too much.

Before the Board got there?—Before the Board took over.
I suppose one of the dangers is that the millers remove the good trees
and leave the bad trees behind?—I suppose that would be so.
Is that so from your knowledge of the area?—No.
You say that you suppose it would be so and then that it is not so. Are
there a lot of hollow scrubby trees?—There are a number of
dead trees.
What happened to the fire that started at the northern end and got into
Silvan?—It followed southerly along the Hambulk Road down
to the water's edge, covering a strip about a quarter of a
mile wide.

In your property?—Yes. It is indicated by a red arrow on the eastern
side of the map. It passed through the area marked "partly
grass land".

That was the grass fire?—Yes.
Did it go out?—It was put out.
Completely put out?—Completely put out.
How many men did you have?—Eleven—about.
What methods did you use?—Spray equipments, beaters and breaks.
You are quite satisfied that there were no burning logs or anything like
that left?—Yes.
Do you know anything about the fire that has been described as having
occurred on Saturday, the 7th of January, and as having
commenced at the south-eastern end of your property?—No.
When I arrived at the southern end on Saturday, the 7th, the
fire was definitely on the Board's property and was burning
on the eastern side of the Monbulk Road.

There was a fire on the Board's property on the 7th of January?—Yes.
Could you see whether it had started on the Board's property?—That is
hard to say. There was a fire on the eastern boundary and
when I arrived there was a small fire on the Board's
property and a large fire across the road.

What direction was the wind?—South or south-east. It was in a southerly
direction.

Where did that fire go?—It burned along the Monbulk Road to the water's
edge on the Board's property.

Did that fire remain burning on your property until Tuesday, the 10th?—No.

What happened to it?—It was put out the same day about 11 p.m.

Were there other fires between the 7th and the 10th on your property?—Only a small extension of the fire in question.

When was that?—On the 8th.
The fire that you said was put out on the 7th burned up on the 8th?—

It woke up on the 8th on the northern end and was put out again.

Did it wake up again on the 9th?—There was no recurrence of that fire.
You do not agree that a fire started on the 7th, burned on the Board's
property on the 8th, 9th and 10th and crossed to other
property on the 10th?—Yes.

WALLACE.
The Commissioner: What was the general tendency of the fires on that day? Did they come from the east?---The wind was south or south-easterly.

You say the fire came from across the road to your property?---Yes.

Would that apply to that part of the locality where the church was burned?---No. There were 3 days elapsed between the two fires.

Mr. Barber: The direction of the wind did not continue south-east over the danger period from the 7th to 10th?---No. Definitely there was a north wind on the 10th.

Is it not probable and did it not in fact happen that when the north wind came the fire was blown from your property to adjoining property?---No.

The Commissioner: At no time?---Only the fire caught the township.

Mr. Barber: Is not the real position that on the 10th the wind seemed to come from all directions? Do you remember what the wind was like?---Speaking of the fire at the northern end that crossed to the township, there was a definite north wind between half past 4 and half past 5 o'clock. There was a sudden turn westerly and possibly southerly.

At what time do you say the fire came in from the northeast to your land?---About 5 p.m., according to reports.

Where was the wind then?---According to reports, southerly.

The Commissioner: Which way does the Stoneyford Road run?---Near enough east and west.

And it was a north-westerly wind that drove the fire across the road into your property?---That was just the time when the wind changed.

That fire started outside your cottage, and it could only have got onto your property with something northerly behind it?---Yes.

How did it burn so far back in a north-westerly direction?---On the north side of the road, it did not burn back too far.

1321. WALLACE.
It went back a good number of chains to the north-west?—That is so.
It was a hot looking burn?—I had a gang of men on that end of the fire.
It seems that it burned in two opposite directions under the influence
of a north-west wind which I should think would be impossible.

When did you first see the fire?—At 10 a.m.
When did it cross to your property?—A few minutes later.
Your story appears to be an impossible one unless I have totally misunder-
stood it. How does a fire burn both ways north-westerly and
south-easterly with such apparent force?—I cannot tell you
that, Your Honour, but it did.

Did you see the fire start?—I heard it. Visibility was bad.
It was about three chains away?—Yes.

With a good wind blowing?—Yes. I ran immediately after I heard it and
ran completely round it.

Did you hear it from inside your house?—Not from inside.

MR. BARBER: Do you know anything about the fire that attacked your area
from the east on the 10th of January?—No fire from the
east attacked our area on that day.

(Continued on Page 1325)
MR. BARBER: You seem to have had fires threatening you from every point of the compass except south, on the same day? Do you adopt any protective methods along the western boundary of your area and between the Board's area and the State forest?—No.

No firebreaks or anything?—No firebreaks.

In regard to the 13-wired fence, that is a serious obstacle in the path of any responsible person trying to get in to fight your fire?—Yes.

How often in any one year would a fire get into your area, roughly?—Once a year, I suppose.

And do people rally to your assistance and come into the area to help you?—Yes.

Then they have to go round by the gate?—Yes; as I say, they do sometimes get over the fence.

And at the risk of tearing the selves and their clothes, they get over the fence?—Yes.

You do not think it might be a good idea to have some gates in the fence where responsible people, such as fire brigades, could get through?—Yes, it might be a good idea.

You make subdivisional breaks in the Silvan area?—Yes; there are several old roads that we keep clean.

Were they kept clean in 1938?—Yes, more especially on the eastern part.

How many of them have you got?—I suppose altogether there would be about four.

Running in what way?—From Monbulk Road to the water's edge.

Were they kept clear in 1938?—Yes.

THE COMMISSIONER: When you saw that small fire outside your cottage, about 10 yards square, or something of that sort, did you see anybody in the vicinity or the neighbourhood?—No, nobody at all.
Had any vehicle recently passed?—Nothing at all.
Were there any fires in that district?—No. The policeman from Mooroolbark came about half an hour afterwards and I asked him "Did you see any fires between this point and Lilydale"? and he said definitely "There is nothing burning from here to there".

What started this fire?—I could not tell you.
Not lightning?—No.
Nobody, as far as you made out?—No.
You must have got there almost as soon as it was alight?—Yes.
Was it thick growth?—It was not very thick.
Then why did it roar?—It was just the high wind.
What is what you would call a "mystery fire"?—Yes.

Mr. Kelso: There has been some question regarding this actual fire burning in two directions. Is it not a fact that that fire made practically all its progress down towards the south?—Yes.

How far did it work back from the post where you saw the fire first?—about three chains.
And that in what time?—In about three-quarters of an hour to one hour.
There has been a suggestion that this fire made substantial headway to the east? Was there any such thing?—

The Commissioner: That is what the witness said himself.

Mr. Kelso: There must be some misconception.

The Commissioner: He did not make the point. He said along Stoneyford Road, which is towards the east.

Mr. Kelso: Is not it a fact that you got the man to drop back some distance from the fire before you attempted to make a break?—Yes.
That was the point I wanted to make, that this fire did not make substantial progress against the wind across the area. How many men did you have on that fire at 11 o'clock, an hour after it started?—About 35 men.
So you were not working with the three men, who, apparently, have been suggested, or that implication has been left?

MR. GOWANS: I do not quite follow what my friend’s suggestion is when he says that there was an implication that three men were left.

THE COMMISSIONER: The only evidence is that there were three men and it has not been added to in any way. It might well be that the impression has grown that those were all the men that were left.

MR. KELSO: The implication might have been left in the minds of the hearers, not by intention, by Mr. Gowans.

THE COMMISSIONER: Quite so.

MR. KELSO: With the distribution of those 35 men around that fire, how many men were working on this small break where you say it was held at 4 o’clock?---About 11 or 12.

Where were the others?---Some were on the western side of the fire, some were round the water and some were two miles on the southern end of the Monbulk area.

This fire on the 7th, when you got there, was burning on both sides of the road?---Yes.

What was the message you got?---That a fire was approaching the Board’s property from the eastern side of the Monbulk area.

And the implication of that message was that it was not then within the Board’s property?---Yes.

Whatever Mr. Baker thought about it, that was the message sent to you?---That is the message I received.

There has been some discussion about what the Board actually does in this area to keep it safe. How long is it since the Reservoir area became active as a Reservoir at all, under the Board’s control?---I was the first caretaker upon it, and I have been appointed for 7 years.

Is it not a fact that a firebreak has been burned around a considerable
Portion of that area as a protection against burning from outside?—Yes.
Is not it a fact that during 1938 the Board deliberately burned some of that area for the purpose of safety?—Yes.
Is not it a fact that a substantial portion of the rest is open country without timber?—Yes.
And is not it a fact that there is a firebreak all round except on the side of the State forest?—Yes.
Is not it a fact that on the State forest side the strip of country between water, which we will accept as a firebreak, and the State forest, is very narrow?—Yes.
And not accessible to persons easily?—Yes.
And not likely to be visited by them?—That is so.

THE COMMISSIONER: Have I misunderstood you, witness? Did you not tell Mr. Gowans or one of those gentlemen, that there has been no fire in the reserve except what had come in by accident, for some years past?—I do not remember saying that.

MR. KELSO: I think the witness did, your Honour, and I think he misunderstood the point. He has given it as his evidence that in September last and the previous February, sections were deliberately burnt for protection.

MR. GOWANS: He certainly gave that evidence.

MR. KELSO: But the sweeping statement was not right in that respect;
(To witness): Of course, Mr. Wallace, the actual fact is that this area is only virtually a strip between the road and the water?—Yes.

And a good deal of that strip has no timber on it?—That is so.

MR. KELSO: I think other witnesses will clear this position up. I will not pursue the matter with this witness.

THE COMMISSIONER: Yes. Witnesses are excused, in an enquiry of this sort, when they say things they do not quite mean.

MR. BARBER: I would like to put this to the witness. Mr. Kelso just
put it to you, and you gave some evidence, that your assistant's message was that the fire was approaching or coming into the Board's property?—Yes; that is the fire I was referring to.

That is on the 7th?—Yes.

This fire on the 10th definitely started on the Board's property?—No.

The Commissioner: No; it jumped Stonyford Road.

Mr. Barber: Then the fire at the south corner of the area continued till the 7th?—Yes.

When you got there you cannot now say dogmatically whether it was in or off the Board's property when it started?—I can only say it was on both sides of the road.

Mr. Gouhans: (Referring to map): These two areas marked "Burnt" on either side of Stonyford Road are the areas which were deliberately burned by the Board as a piece of fire protection?—Yes.

You told us they were burned in 1935, one in February and one in September?—That is correct.

Apart from those two there were no areas in the whole reserve deliberately burned by the Board of Works?—No.

We cannot get back from them?—You want Mr. Kelsey to take you back?—Am I allowed to say something?—Yes?—I must say those fires came in from outside, and there has been a considerable amount of the Board's area burnt.

I will take you on to that later; at the moment that is a fact?—Yes.

Can you remember whether in 1937 any areas were deliberately burnt by the Board of Works' employees as fire protection measures?—No.

When you say you cannot remember, are you prepared to say that in fact no areas were burned by the Board of Works' employees as fire protection measures?—There were areas burned in 1937.
I thought you told me you could not remember whether there were or not?—

I remember one.

Where?—On the eastern side of the Monbulk Road (indicating on plan). That is marked "burnt in January"?—1938.

Was that deliberately burnt for a fire protection measure?—No, not as a fire protection measure, but it got burnt.

Put those out of your mind for the present; apart from those which were indicated and which you have given evidence about on the other side of the Reservoir Road, were there any other areas in that reserve burnt deliberately by the Board's employees as a fire protection measure?—No.

In 1937 do you remember any?—No.

Would you say there were none burned deliberately as fire protection measures in 1937?—Yes.

In 1936, can you go back that far?—There was a firebreak area burned.

Where is that firebreak area?—Where the Board's property abuts on the public road.

May we take it that that is done each year?—Yes.

Can you remember apart from that burning of a firebreak, during the seven years, any part of the Board's area being deliberately burned by the Board's employees?—No.

Putting aside deliberate burns, there have been areas accidentally burned, at all events accidentally burned from the point of view of the Board, from outside?—Yes.

In 1938 there are various areas marked on this map. Looking at the north-western corner there is a large area marked "Burnt February 1938" by fire from Mt. Evelyn?—Yes.

Was that in fact a very large area?—Yes.

About how large?—I could not tell you the number of acres.

Can you tell us what proportion of the reserve was so burnt?—The whole of it.

The whole of the reserve was burnt by that fire?—That is a month or

1330.
The whole of the coloured area?—Yes.
Did you prepare this map?—No.
Does that mean all that area?—Yes.
The whole of the part coloured brown was burnt in February 1938 by fire coming from outside?—Yes.
Did you have much trouble fighting that fire?—No; but I would like to say that apart from our own employees the Forest Commission officers who were there assisted us to stem it.
Were you trying to stem it?—Yes.
Did you come across the fire when it first entered the Board's area?—Yes.
May we take it then that in spite of your efforts and the efforts of the Forest Commission's employees you were unable to stop that fire till it burned the whole of that area marked in brown?—Yes.
Do you think that might have been due to the condition of your reserve?—No.
What do you think it was due to?—It was just a case of fire. It was coming from Crown land at the same time as it was coming from the Board's land, all in the same forest, the same fire. I am not suggesting it was not in some other area; I am asking you whether it in fact burned right through that area of the Board's property in spite of your efforts?—Yes.
And you do not think it was due to any special condition of the Board's reserve?—No.

THE WITNESS WITHDREW.

LUNCHEN ADJOURNED.
ON RESUMING AT 2 P.M.

HENRY GEORGE BAKER: Sworn and Examined:

MR. CORAH: Your full name is Henry George Baker?—Yes.
You are an employee of the Melbourne and Metropolitan Board Of Works?—Yes.
You are assistant caretaker at the Sylven Reservoir?—Yes.
Your duties are general maintenance work at the Monkland end of the Sylven Reservoir?—Yes.
That work included the reporting of fires and attention to fires?—Yes.
I understand you noticed the fire on the 7th January at the south end of the Reservoir?—Yes.
You went along and had a look at that fire?—Yes, I went down about a mile and a half.
It was outside the reserve?—It was.
What did you see when you looked at it?—That is the first time I went down to detect smoke; then I came back again and I went back after dinner.
When you first went down there you could not locate the fire?—I could not locate the smoke of the fire that time.
Then you went down again and found the fire?—Yes.
Was it on private property?—I could not say whether it was on private property or not; it is cut up into blocks.
Then you got into touch with Mr. Wallace, the previous witness, to get some help?—Yes.
Did you continue trying to fight the fire?—Yes, I tried to extinguish it.
Did you get some help?—I had help. Mr. Wallace brought help.
How many men?—Three men I think at that time.
Were there more men later?—Yes.
You worked at that fire until the next morning?—Yes.
And you got it under control?—Yes.
And you left men there to patrol it?—Yes, all night.

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BAKER.
That is the 7th; on the Sunday did it get away?—There was a tree burning, and the wind swept round to the north and the north wind blew sparks on the unburned ground and we could not then extinguish it, and the fire got away.

The north wind brought it back on to your area?—The north wind brought it on to my residence.

It was burning when you first saw it, to the east of the reserve?—Yes, I should say so.

On the Saturday did it get inside the reserve?—Yes.

Then the north wind took it to the south again?—The north wind brought it back towards Monbulk on the Sunday.

What happened about that fire on the Sunday?—At about 10 a.m. sparks from the lighted trees were blown by the north wind on to unburned ground, and it got too much for us and we had to go to my residence and protect it.

Did you stop its progress?—We stopped its progress. It was turned back from my place and there was no progress of that fire afterwards.

It was turned back inside the Board's fence?—Yes.

When did you finally get it under control again?—The last man left at 10 o'clock at night.

Did you have it patrolled for some time after that?—Yes; and all logs and burning debris were watered.

Had that portion of the Board's area been burned previously?—Only for a firebreak; the other had not been burned since I have been there.

How long have you been there?—Five years.

Did the fire, in order to get into the Board's area, have to jump the firebreak?—Yes.

It did so?—Yes; sparks from the trees did it.

Was it an easterly wind at that time?—Yes, it was.

I understand that fire finally died out, and was patrolled for several
days and did not break out again?—That fire did not break out again after the Sunday.
That was the 7th and the 8th; when was the next time you saw a fire threatening?—The next fire in the area would be Tuesday the 10th.
Where was it you noticed the fire this time?—Right in the south-west corner, that is the far corner right back.
From what direction was that coming?—That was coming from the west.
Out of what area?—It would be out of the forest.
Did you actually see it burning in the State Forest?—No; I saw smoke and from where I was I saw it come to the corner of the Board's property.
Did it actually get inside of it?—Yes.
Did it again jump the break?—On the forest side there is no break, and on the road there is a break right up into the top corner, of one chain.
It did not need to jump any break to get into the Board's area at that point?—Not at that point.
That fire you noticed at about 5 o'clock p.m.?—Yes.
How long did you fight that?—Up till 11 that night.
Did you have help?—Yes.
From the Board's employees?—Yes.
How many?—One of their permanent men.
How long did you fight that fire?—Till 11 o'clock.
Did you get it under control?—Fairly well under control, safe as I thought, till morning.
And you left it?—Yes.
What happened the following morning, the Wednesday?—At 2 a.m. burning debris and sparks were flying over my house, and I had to get out and burn a break back from the north end of the wall of my cottage to the fire that was coming down McCarthy Road.

BAKER.
That was travelling in a northerly direction inside the reserve?—Yes, on the road.

Had there been a change of wind?—Yes, the wind chopped round in different directions, early in the morning; eventually it got round to the north.

You burned the break later?—Yes.

Inside the Board's area?—Yes, inside the enclosure.

How long did you continue fighting it then?—I think until 10 a.m.

How many men did you have?—I had three men.

Did you have all the help that you needed during the time that you were fighting those fires?—Yes.

Did not you need any more?—No.

Could you have got the fire out with more men?—Not on the Tuesday night; but on the Wednesday, if it had not started up through the night down McCarthy Road we probably would have got it out.

You got that fire out on the 11th, using water?—Yes, and rakes.

MR. BARBER: You told us at the beginning of your evidence that you went down to the southern end of the reserve twice on the evening of the 7th, once before tea and once after tea?—On Saturday the 7th I went down in the morning at 11 a.m.

You went down at 11 a.m., and saw nothing?—No, I saw nothing.

Why did you go down? Was it in response to a warning?—No; I detected smoke from the east side, and I went along to see if I could detect any fire.

Did you think it was on your own area?—It is my duty to go around on my patrol work to see what I can see.

You went down towards smoke at the southern end of the area, but at that point you were unable to see smoke any further?—That is correct.

When you went back again it was after tea?—No, it was 2 p.m.

When you went back again there was fire; you detected it then all right?—Yes, I did.
Was you say definitely at that time it was not on your area?—No; it
was across the road on the east side.
In what direction was the wind blowing at that time?—Southerly.
It is your view, apparently, that you got that fire out completely on
the 7th?—Completely; at 8 a.m. we had it quiet and safe;
to the best of our knowledge it was out provided the north
wind did not start up; but it did.
Mr. Wallace said it started up again on the 8th?—The 8th would be the
Sunday, yes, it started up in the morning from burning sparks
from the trees.
Did you put it out again on the 8th?—We put it out, but owing to the
debri that was falling from the trees it got the best of us,
and then we beat the fire back from my residence.
Did you eventually get that fire out?—Yes.
Did it break out again in the night?—No.
You told us about a big fire that came on the 10th; did that fire that
came on the 10th have any relation to or was it caused by the
fires of the 7th and 8th?—No, none whatsoever.
You are quite definite about that?—Quite definite.
What about the fire that came down McCarthy Road?—That came from the
top of the mountain, the forest end of the property.
That again was a third independent fire, this McCarthy Road fire you are
talking about?—Yes; that was the Sunday fire, too.
What do you say?—The Sunday was the second fire.
The McCarthy Road fire was the third fire that occurred on the Monday
night or Tuesday?—On Tuesday night. That fire came in from
the fire down the mountain as far as I can tell you.
Did any fire, once it had got into the Board's property, get out of the
Board's property and do damage elsewhere?—No.
Do you believe that there was a big fire that started in this area
(I am not saying the Board's property), and got right back
into the Bunyip River country?—I do not know the Bunyip River country.

Do you know McRae's Creek?—Would that be in Mt. Dandenong?

If it is outside your range I will not worry you about it. It is up almost due east of your Silvan Reservoir?—I may know it but I do not know it by that name.

Did any fire get away from this Olinda-Belgrave area?—No, none at all. I am putting it to you that a fire got away and travelled east away back into the country to the east, and you say there was no such fire as far as you know?—No.

MR. KELSO: But you do know that that fire that came up did come up from the east?—The fire that came out of the forest?

No, the other one, on the 7th?—Yes, that fire came from the east.

And if it is suggested that some fire was known from the eastward of the Reservoir that could quite likely be the fire that came up into the Board's reserve from the east?—That is across the Monbulk Road?

There was actually a fire out in the east somewhere at this time, to the east of the Monbulk Road?—There was a fire towards Noori Yellock.

MR. O'WANGS: Do you know the area between the Board's Reservoir and Olinda?—That is the top of the mountain on the south-west side?

Do you know the area at the foot of the mountain between Olinda and the dam?—That is at the north end.

I would say it is on the west side of the dam. If you take a line between the dam itself and the Olinda township half way along?—That is the back portion from Olinda to Mt. Dandenong?

No; between Olinda and the Silvan Dam, I mean?—

THE COMMISSIONER: Do not you know the points of the compass up there?

If the Monbulk Road is on the east, where do you think the

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wast would be?---The wast would be right back up between the
dam and the ranges.

MR. GOWANS: Do you know that part?---Yes, I go round out fences once
or twice a week.

Is that Crown lands?---That is Crown lands all to the left.

What do you mean by "all to the left"?---To the west.

Does the boundary of the Board's reservation shut on the State Forest?---

Yes.

Have you ever been in the State Forest area just in that point on the
western side of the dam?---Yes.

Before these last fires came there, what was the condition of it?---
Some was light and some was heavy; the majority of it was
light.

Right I suggest to you that it was absolutely scrub up to well over your
head?---No, not if you go back half a mile, there was no
scrub over your head there.

THE COMMISSIONER: That do you mean by "if you go back half a mile"?---

Down in the forest.

Were there any scrubby parts/over there as Mr. Gowans suggests?---At the
top end of the west corner there were ferns, and they were

very heavy, but when you got further down it was not very heavy.

MR. GOWANS: Do you know the old mill there?---No. The only mill I know
on the Board's property was Hansen's Mill that used to be
down near the creek before the dam was there.

Do you know the road running up from the Silvan Dam to Linda-Mt. Dendemon
Road, where you go through Happy Valley?---Yes, I think it
has a name like that.

Do you know that area going up that way on the left-hand side?---I cannot
say anything about what is on that road after you pass the
top of that hill.

THE COMMISSIONER: What would you say generally was the condition of the
forest floor?---Some is light and some is fairly heavy.
but the majority is light.
What do you mean by "light"? Light scrub?—Light ferns and scrub.
What do you call "heavy"?—Thick scrub and high ferns.
Would there be bark and fallen branches?—Not so much fallen branches, because there is not much timber there.
The ordinary decay of the trees, does not that take place in your reserve?—
—Limbs will fall off the trees, yes.
Would not that be a pretty dangerous condition from the point of view of fires?—Yes.

MR. KELSO: You do know that a lot of that area even at your end is actually cleared country inside the Board's property?—Yes, there is not a great deal of actual timber.
A big area of actual timber, whatever its condition?—No; there is some of this area that has been cleared by people who had the properties before the Board secured the land, and that has been ploughed ground.

MR. BARKER: Did I understand you to say in answer to His Honour that some of the forest area was in a dangerous condition?—

THE COMMISSIONER: The Board's area?

MR. KELSO: The witness thought you were talking about the State Forest. I think you asked him about the Board's area and he was answering about the general Olinda Forest.

THE COMMISSIONER: Just confine your attention to the property of the Board up there inside that fence?—I was on the other, Your Honour.

Come off the other and come inside with me on to the Board's property.
What would you say the condition of the Board's forest floor is from the point of view of safety or danger regarding bush fires?—The majority of it is light and some of it is heavy, and if it caught alight it would be dangerous.
That is what you said before, some was light and some heavy?—Yes.

1339. BAKER.
And the heavy part is dangerous?—Yes.
And the answer you gave on that occasion fixed this question also?—Yes; the majority of the timber is light timber. The big timber has mostly gone.

Would you say it is the same sort of country inside your reserve and outside of it?—I think ours is lighter. The majority of the timber has gone. There is not a tree on it in places.

You spoke of some areas that had been cleared by the previous inhabitants of the Board's area?—Yes, just above my cottage on McCarthy Road there is a big area cleared.

This reserve of the Board's was made up of a number of private properties, was it not?—Yes.

And some of those private owners had cleared the land?—Yes.

(Continued on page 1340).
But the Board has planted pine trees in some parts of that land since?—Yes, pine and other trees.
That has been done in order to timber some of the areas which had been previously cleared?—Yes.
How long has the Board done any work of that kind?—Replanting? About two years.
Are the trees of any size?—The Board is always replanting with pines and other classes of trees.

THE WITNESS WITHDREW.

MAX HUGH HOOK, Sworn and Examined:

MR. GOWANS: You are a maintenance labourer at Silvan employed by the Board of Works?—Yes.
You carry out the duties of Assistant Caretaker, patrolling the Board's area, and doing general maintenance work?—Yes.
You went to the fire which began on the northern side of Stonyford Road on the 10th of January?—Yes, that is correct.
Was the fire on the northern side of the road when you got there?—Yes.
Was it not on the southern side?—Not then.
Was it close to the road?—Yes.
Only a few feet in?—Yes.
About what size was it when you got there?—Not much more than the size of this room.
Who was there when you arrived?—Mr. Wallace, Caretaker.
Anybody else?—No.
What did you do when you got there?—There was very little we could do, but go around and collect buckets and hoses to save the houses.
You did not do anything to the fire itself?—Not in those few minutes.
Did the fire get into the top of the trees before you went to the houses or afterwards?—Yes.
Did it get over to the other side of the road and then you went back to the houses?—Yes.
You assisted Mr. Wallace?—That is right.
You know the area between Stonyford Road and Monbulk Road opposite the
Silvan township; do you remember that area being burnt?---Yes.

When was that?---In September.
Was it a light burn?---Not a heavy burn.
When was it carried out?---During the daytime.
Did the fire get into the pines?---Yes, it did.
How did it manage to get there?---I did not actually work on it.
You were working in the pines?---No.
But the fire on the 10th of January got into the pines?---I was not there on the 10th of January.
You stayed around the Caretaker's house and your own house?---Yes.
Who was up fighting in the break then?---I cannot tell you.
When you came off the fire on the northern side of the Stoneyford road and went to your house, did the caretaker come along too?---He was there.
Anybody else?---No; another man came along afterwards.
From where?---From Lawns.
Did the three of you go back to the house?---Yes.
How soon afterwards did anybody get on to the fire and fight it in the break?---I cannot tell you.
Where the fire had been the previous year?---I did not leave the houses all day.
But the caretaker did?---He went to ring up for assistance.
Where did he go to that?---To his own house.
So far as you know, you do not know who fought the fire up there?---No.

THE WITNESS WITHDRAW.

FREDERICK JOHN TARR, Sworn and Examined:

MR. GOWANS: You are a labourer employed by the Board of Works at Silvan?---Yes.
You were present at the fire at Stoneyford Road on the 10th of January?---Yes.
Are you the third man who arrived there?---No, I think I will be the fourth.
There was the caretaker, and the previous witness, Mr. Hook, and who else?---Jack Williams.
Did you get there?—About 10.30 o'clock.

Was anybody fighting the fire then?—These three men.

Where?—On the edge of the Stoneyford Road. They had a job to keep the fire from Maxwell's place. The fire jumped over the road.

Did you go back to the house?—I did.

When did someone go on to fighting the fire on the southern side? The fire started on the northern side. When it got across to the southern side and these three men went back to the houses to protect them, who went to fight the fire?—The houses are only the width of this room away, and they did not have to go back far.

Did anyone fight the fire as distinct from protecting the houses?—He separated sprayed it and did our best.

Were you in front of the fire?—Yes, it was not that severe, because the scrub had really been cut on the southern side.

Could you have got the fire out if you had had the services of a few more men?—No.

When you said it was not "that severe", what did you mean?—There are a few big mesames there, and the brush was falling all around on the road.

Outside the fence?—Yes, on the Stoneyford Road.

You stayed there most of the day?—I was there until a quarter past one p.m., until I had my lunch.

Were you also protecting the houses in the township?—That was later in the day.

Were you there when the church caught fire?—I was.

Did you see the pines in the Board's area catch fire?—I did not see them catch fire. They did not exactly catch fire.

What did they do?—I think one or two sizzled and others were scorched.

How did the fire get across the road?—I think there was a fair breeze, and it was natural that that would take any fire across the road under conditions like that.

The edge of the road was not very clean?—Not so far as the council's road was concerned. It was pretty grassy, with little bits of dead leaves about.
MR. BARBER: Is the Stoneyford Road a much used road?—So far as the entrance to the dam is concerned, yes.

It is a council road?—So far as I am aware, it is a public road.

And on the back of the property on the north side of Stoneyford Road, where the houses are, and where the fire originated, that is Board property, is it not?—I cannot say.

The houses are on the south side, according to the map before me, and the map is coloured to represent Board property. It is somewhere on this property where the fire originated. Have you any theory as to how it originated?—None whatever.

Do you know whether it originated on the road or in the property?—I take it that it started about 50 yards in off the road.

You do not know where the boundary of the road is?—No, I can only judge it. Someone has indicated it on the map, and there is a good deal less than 50 yards.

MR. KELSO: Evidence has already been given on that matter: that is a matter for Your Honour to decide.

(To witness) Will you describe what you actually did and what was done on that occasion. How many men were there, how were you obtained, what did the Board's men, to your knowledge, do in the way of fighting the fire in the township? Give the explanation in your own words?—After we had saved the houses, it was somewhere about 3 p.m. I was detailed with seven men to go to the town and find the most suitable break—from the Silvan Reservoir to the pump. The wind was becoming more south-easterly. We started at 3 p.m. and we burnt a break back. About 4.30 p.m. that break was burnt through for about 50 feet back to meet that fire. I was pumping at the time the fire started; we went down and cut the pump off, then someone run down and told us that the fire had jumped and that we had better get back to the other four men. When we got back, the fire was just about the the Silvan township. When we got there, I said to the others "It is hopeless to do anything else, we will burn back here". We fired a break of 20 to 25 feet.
That is another break you are talking about?—Yes. The other one was left, as we thought, perfectly burnt, for about 50 feet or more. I was not there when the fire jumped over to the ground previously burnt. We went up to Silvan to look after the buildings.

The fire was in the street?—Yes, and going down the paddocks from the Church of England.

How many of the Board's men assisted in the township, and what other men were working in the township?—At the time the four men went up from the dam, the other three men were left on the pump and I got them and another gang working on the Stoneyford Road to give assistance. There were about fifteen Board's men in the Silvan township at that time.

In addition, how many town men?—We were on our own. We got there in advance of the others. The others came from the Stoneyford end. We had to go through the fire to get to the Silvan road. The Church of England was slight then. We went along to see if we could assist anyone in shifting things out of houses. I posted myself at the Post Office, and there were five others at the back of Rienstead's place.

The Commissioner: We might stop there. We can take it from the evidence that the Board's officers rendered good assistance.

Mr. Keir: Thank you, Your Honour. There was apparently some doubt as to the assistance rendered by the Board's men. (To witness): When you said this fire started 50 yards from the road, that is actually hearsay, because you arrived at 10.30 a.m., half an hour after the fire had started?—I was on my way from the pump when I first heard crackling.

The statement as to where the fire started, so far as you are concerned, is something you have heard?—So, I could see the smoke.

I estimated that from the smoke.

Mr. Gohans: If the fire started 50 yards in from the road, it would be on the Board's area?—They say it is the Board's area.

Mr. Barham: Did the man who assisted stay with the fire all night?—They did. I was knocked off at 10.30 p.m.
Mr. Wallace, you were employed by the Board of Works at Silvan. Yes, and on Tuesday, the 9th of January, you were employed patrolling the fire on the south and corner of the reservoir?—On the east corner.

On the Hombuk Road corner?—Yes.

Then did you first see that fire?—On Monday, the 9th, on the east side of the Board's property.

Were you the first to see it from the Board's property?—Yes, from the Board's property.

We have been told by Mr. Baker that he saw the fire from there on the 7th?—That is an absolutely different fire altogether.

But in the same direction?—Both were on the east side.

In the same area?—Within a quarter of a mile of each other.

You say there was another fire on Monday, the 9th, while you were patrolling the first one?—The first fire I saw was on the 9th.

I went to help Mr. Alan Edwards. On the 10th, when I came back to work everything looked safe, but about 3 p.m., smoke was rising. I had a look at the fire again, and a Mrs. Smith informed me that a tree had caught fire outside of her property. With two men, I went to Smith's property and cut a break around the house, and took what action we could to save the property.

That was on the 10th. That is not the same tree Mr. Baker spoke about earlier as having caught fire on the Sunday?—No.

You kept on patrolling that fire, you say, for the next couple of days?—For the next day.

Did it get inside the Board of Works' area at all?—Just in one corner.

1945. HUNTER.
It was put out.

Did it jump the break?—Yes, sparks from the trees on Mrs. Smith's property caught the grass.

You do not know what caused the fire on Monday, the 9th?—No.

MR. BARBER: Have you any theory of the cause of the fire coming in from the east side of your reserve?—I have never heard how it was caused.

What was the direction of the wind on Tuesday, the 10th?—It was choppy; sometimes north-east, sometimes north, but at that time it was north-east.

At what time?—When I noticed the fire about 3 o'clock.

Did you have anything to do with the fire on the 7th?—No.

You cannot say whether or not it was put out?—Yes. I went patrolling that fire on the 9th, and then there was no sign of any fire burning.

Well, the fire which burnt on the 7th, burnt again on the 8th, and you were patrolling it on the 9th?—Yes.

And on the 9th, there was no sign of the fire?—Not in the Board's property.

That fire might have been burning outside of the Board's property?—Not the same fire I am speaking of.

You are firmly convinced that there were two different fires?—I am positive.

MR. KELSO: You say that the fire came from somewhere in the east?—Yes.

You actually worked on that fire while it was still east of the Board's property?—Yes.

MR. GOODMAN: Do you usually do that, going outside the Board's property?—Yes, while working for the Board, yes.

How far do you go?—About half a mile or a quarter of a mile, if necessary.

Is that part of your job?—Yes.

Have you been instructed to do that?—Yes, occasionally. Mr. Wallace has said "Go over and have a look at that fire and see if you can give a hand to put it out".

THE WITNESS WITHDRAWN.

1346. BURKE.
MR. COMER: You are a Forestry Officer in charge of the Dandenong Forest?—Yes.

That district is not a very large one?—No.

It contains 4,440 acres of reserved forest and 5,000 acres of protected forest?—No; there is an area of reserved forest in addition.

What is the total area of reserved forest in your district?—I am not actually certain, but there is an extensive area of reserved forest in the district.

Do these areas comprise the Glinda forest along the west of the Silvan Dam, the Bonbulk forest, which includes Sherbrooke lying north of the Belgrave-Bonbulk Road? Are there other State Forests in your district?—Yes, on the eastern end of Sherbrooke.

Is that called the Beenak country?—Yes.

What staff have you got?—At the present time, one foreman regularly employed and twenty men. At present eleven of these have been engaged recently in a temporary capacity.

How long have you been in charge of the district?—Since last May.

Who was your predecessor?—Mr. Betham.

He is now in Mansfield?—Yes.

You have not had much time to carry out fire protection methods here?—No.

Have you done anything at all?—Yes.

Of what kind?—Notably maintenance work, construction of some breaks, etc.

There is no scheme drawn up for that area?—Yes.

There is now, but when did it come into existence?—It commenced early in the summer.

Last year, after the appointment of a Chief Fire Protection Officer?—Yes.

We were told at Kooyong that a number of fires came from the Beenak country in your district. Did you have any fires there in January of this year?—Yes, one.
Where did it start?—At the head of the Kosmehawk Valley.

On that boundary of the State forest is that?—That is the northern part of the eastern boundary.

Did it start in the State forest?—Yes.

Do you know the cause?—Not definitely, but I have strong suspicions.

What are your suspicions, leaving out names?—There are no names involved.

Sportsmen of some kind were responsible, I think; probably deer shooters.

What happened to that fire?—Give us a brief account of it?—The fire broke out on the 1st of January, burning fiercely at about 10.30 a.m. On the Sunday, there was a fairly strong wind. During the night, with a gang of six men, I endeavoured to check that fire. It obtained too great a hold for us to do much with it. It developed into a series of fires and engaged my men the whole of the ensuing week checking portions of it.

(Continued on page 1380).
Did it get away from you?—-It ultimately did.

Was that possibly the fire that got into the Latrobe Valley and Hoojee?—-It was one of the fires.

Did it get near Powelltown?—-Yes.

How far?—-I should say one face of the fire got away. It was not the face we had been working on but it was part of the same outbreak. I was on it again on Monday the 9th between Powelltown and the Ramp.

What was your great trouble in keeping it under control?—-Lack of men, in the first place.

How many men had you?—-Six at first, and then ten.

Did you make any application to the Department or to the police for more men?—-I sent in a return stating the minimum number of men I wanted.

What time of the year would you do that?—-About, I think, August or September.

Were you asked to state the maximum number you wanted?—-No.

Later, when the position became more dangerous, did you make a further application?—-No.

Did you try to get any volunteers to fight the fire?—-No. There were no people in the vicinity.

It is a pretty wild area?—-Yes.

Are there mills in the area?—-Yes.

How many?—-Yes in the forest and one on private property.

Were any of them affected by the fire?—-One mill lost the huts around the winch and the winch was damaged.

Did the fire start anywhere near the mills?—-Not far from the one on private property and actually not far from the others, but they were on the other side of the range.

How far?—-Three or Four miles.

Were they cutting in the area?—-Not where the fire started.

What do you do about burning heads?—-I instructed the millers to burn their heads.

Vertally or in writing?—-In writing.
Did you do so last year?—Yes.

Did they get a burn?—Yes. As a matter of fact the fires here were very bad early in the season. From the 27th of September onwards, we were troubled very much with fires.

I do not think you answered my question whether they got a burn?—They did get a burn.

What time?—They were burning from early in September.

Before the proclamation period?—Yes. They were burning really before I issued instructions.

Regarding the Benbulen fires, including Sperbrook, are there any further steps you would like to take to secure safety against fire?—Yes. Quite a lot could be done in opening up tracks wide enough for vehicles so as to provide ready access for a truck during an outbreak of fire.

That about cleaning up the floor of the forest?—It could be done, but the expense would be great.

Not a very large area, is it?—No.

It is one of those areas where the experiment might be tried?—It could be done in parts. The whole trouble is that the forest has not been looked upon as a commercial forest and the Commission have not spent as much as they perhaps would spend in another part because the expense is not warranted.

You apparently find the same position have found around Baa where it is not used as a commercial forest and not much money is spent on it by the Commission?—Not exactly. Quite a lot has been spent in this area.

On fire protection measures?—Yes.

Not as much as you would like to have spent?—Not as much as could be spent. I have a programme of works that might do the job.

Have you submitted it to any superior officer?—I have, and at present it is under consideration.

Has anything been done in the Clindo forest?—Yes. Fire breaks have been provided throughout that area.
Is it millable timber?---The area is practically cut out. There is a small portion with mill logs on it.

There is an old mill there?---Yes.

Have you been there recently?---Yes.

What was the condition of the scrub before the fire?---In most places it was not very dense. There has been a fire I think through part of it about 8 years ago, and that burned quite a lot of scrub. The western end had been burned badly in previous years and there was a lot of broken on it.

Have you done maintenance work there?---Not this year.

Is that included in your scheme?---Not the particular scheme I spoke of.

I suppose that forest is not regarded by the Commission as being worth much money?---Actually it is one of the areas they have endeavoured to re-forest by sowing seed.

Was the experiment successful?---In parts it was. It was a matter of waiting a while for it to come good.

Apparently it is not intended to spend much on it for fire protection?---It was the intention before the area was burned to continue with what we considered was the most effective system of protection.

What was that?---Fire breaks and patch burning.

Do you know of any fire that started in that area and threatened the Board of Works' area in January?---I was away on other fires at the time and I have no definite knowledge of anything that occurred.

What was the cause of the small fire that started in the Sherbrook forest?---Apparently it was lit alongside on of the tourist tracks and above it. We found two small charred heaps indicating fires that had not spread, as if there had been an attempt to light the forest.

Can you get at any motive for that?---No. The two charred heaps...
wore more or less in a drain at the edge of the bank. If anyone had intended to light the forest, they would be expected to light it above the bank.

Have you any comment to make on the suggestions given in evidence this morning?---Yes, in regard to the Sherbrook Forest. I think something could be done to make it safer than it really is, but the fact that there has been no fire in it for 40 years seems to indicate that it is not dangerous.

Is that your opinion?---It is just a fact that it has not been burned. Might it not be one of these days?---Quite easily. I was perturbed about it this year. Had it caught slight this year, it would have been a distinct menace to the people in the vicinity.

Apart from the provision of roads and tracks, have you any other suggestion?---Yes. Boundary breaks could be widened by thinning. Patches of the timber have been thinned in previous times and the undergrowth more or less cleaned. Those particular patches are not nearly so dangerous as the bulk of the area. I think if the same thing was done along the boundary breaks and other breaks constructed throughout and the floor kept clean, the danger of a big fire in the area would be more or less negligible.

Mr. Barnes: You have power to engage extra labour for fire fighting?---Yes.

You have told us about lack of men, but you can engage extra labour if you can get it?---I cannot always get it.

While you may be confined to a limited number of men for ordinary work, in the case of bush fires you have the power to engage extra labour?---Yes.

Have you any idea of the cost of the fires in the Blinde forest this year?---Really my knowledge of it is only what I have been told.
Have you investigated the cause?—My assistant did.

THE COMMISSIONER: That do you believe to be the cause?—One cause was apparently a picnic party. Another was the result of a back fire deliberately lit. Regarding the other two outbreaks, the evidence given to my assistant indicates that one occurred on private property and one on Board of Works' property.

Were they on the same day?—No.

Were there four distinct fires?—Yes.

MR. BARBER: There was considerable argument this morning about the fires that came into and out of the Board's property, on the 7th, 8th, 9th, and 10th. Have you any views about that?

THE COMMISSIONER: to MR. BARBER: Does it matter what happened? It is the condition of affairs that we are concerned with and unless you have some particular point in view that I cannot see, the answer to the question does not appear to be necessary. I shall not stop you if you think the question desirable, but we are not investigating the circumstances concerning particular fires.

MR. BARBER: I thought the witness might help to clear up the confusion.

MR. KELSO: The witness has already stated that he was not there. It would not be of much use cross-examining a man who has said that he was not there.

THE COMMISSIONER: You would not have to cross-examine him if it were not his direct observation. We are concerned mainly with the state of affairs for future guidance.

MR. BARBER: (to witness): You told us about the fire in the Beemak area which got over towards Powelltown and Roojoe. Was there also a fire in McCrae's creek area?—Yes.

Did that get away in January?—It broke away on the 8th of January.

Those two fires were the serious fires that swept down the Latrobe?—I think so.

Do you know the cause of the McCrae Creek fire?—No, it was not in
my district.
Do you know where it started?—Only vaguely.
On private property or Crown land?—I think private property but I am not sure.
I take it that on those few days there were individual fires that joined up, which each other and other fires that split off from larger ones, and that no one knows how the whole thing worked out. Is that the position?—Yes.
McCree's Creek fire joined up definitely with the fire from Boonak?—Yes.
And swept down the Lutrobe Valley?—Yes.
It was stated this morning that a permit to burn was given to somebody in the Benandarah district on the very hot day of January, the 18th. Did you give that permit?—I did.
Apparently the person to whom the permit was given was named Alburney?—Yes.
Was he working on contract?—He owned the property and there was a contract team clearing it.
What was the condition of his land shortly before the 18th of January?—It was a mass of dried out scrub.
Was it dangerous?—In its condition, yes.
What was the extent of the area?—In the vicinity of 200 acres.
Did you regard the area as a menace?—Definite menace.
What was the date of the permit?—It was issued on the 18th and was dated from the 18th to the 28th.
What was the permit for?—To burn bracken, scrub or herbage on the clear fire break.
Did you have a conversation with Alburney?—Yes. He came to me regarding the issue of the permit. He had made previous application and we had already inspected his block. He rang me and I think came to see me the day I issued the permit. He said he did not want to burn the block but that he was frightened that someone might light it, and it was in a most dangerous condition. He advised him that it would
be a wise thing to clean a break round it and that was what I gave the permit for.

To make the stuff on to a break and burn it?—Yes.

Did he do that?—As far as I know, someone lit the black and it all went.

Before he had done it?—From the information I have been able to collect, it appears that somebody outside lit the fire.

That is what Alburyo says?—Yes, and others.

There is nothing to suggest that he lit it?—No.

Was there a second permit on the 7th of February?—Yes.

What happened then?—The fire had left broken and timber on the ground and the owner of the property applied for permission to burn the timber in stacked heaps. I gave him a permit to do that.

Was that done satisfactorily?—Some was burned and some was not, and a later permit was issued.

As far as you know, did the fire, even the unauthorized one, get away?—No, it did not get away from the property.

Did the bush fire brigade help to fight it?—Portion of the Bandonong and Fern Tree Gully brigades attended.

Were copies of the permit sent to the bush fire brigades?—Yes.

Is that your habit?—Yes.

To what member?—To the secretary of the brigade concerned.

MR. HARDY: You know something of the history of the Bandonong State forest?—Yes.

The northern part is the Olinda forest after the excision of the area for the Metropolitan Board of Works on which a mill had already operated and had cleared a good deal of country. The western part was milled over, I think, by Norman's mill which had cleared that part considerably also, leaving it a partly cleared area, from Olinda to Stonyford Creek. The road which goes through from Bandonong North to Silvan and is too steep for through vehicular traffic is a popular pedestrian route?—Yes.
Is that track not a danger to both the forest area and the Metropolitan Board of Parks area, from which fires may spread?---Yes, from hikers and such.

People are apt to go to Glinda Falls and boil the hilly along the track?---Yes.

Have you known any small fires to be caused there by hikers and pedestrians?---Not exactly there. The was one further west at the Rock.

It would not be anything extraordinary for me to put out a hiker's fire?---No.

In the southern area, the Nonbulk area, which is divided off by Coles' ridge, would you speak of the Sherbrook area as being in more or less a virgin state?---Yes.

Except for that part which was burned out and became overgrown with bracken and was handed to the metropolitan schools?---Yes.

A plantation took the place of the bracken?---Yes.

What was the fate of that plantation? Was it burned out?---No, it is still there.

That represents the recovery of the western part by planting. Was the eastern part put under seeding operations with a view to establishing a new hardwood forest?---Yes.

With what result?---Before the last dry season there was quite a good regeneration, but since the summer, I have had no job to find any of the young trees.

What kind of trees were they?---Mountain ash, mainly.

The experiment proved a failure?---Yes, apparently so this season.

What are your nominal hours of employment?---8 to 5:30.

Saturday?---7:30 to 1.

Sunday?---Any time.

Actually your hours are as long as you are wanted, I suppose?---Just as you say, any day of the week.

(continued on page 1360)
MR. HARDY: I have asked these questions, Your Honour, because many questions have been asked as to when and why our forest officers have left the scene of fires, and it seemed nowhere to be suggested that the officers might have been in a state of exhaustion. It is possible that the officers who lost their lives might have saved them had they not been on the verge of exhaustion when they had got themselves into positions of danger and not been able to extricate themselves from them. The contention is that if there were more officers employed ordinarily instead of waiting for fires there would be more leisure for forest officers for recuperation. Of course, it is realized that those things would necessitate more funds being supplied.

THE COMMISSIONER: I understand you.

MR. SWINDON: (To witness): Have you ever called upon the bush fire brigades for assistance in connection with bush fires?—Yes. Have they responded willingly?—Yes. Have they given good service?—They have.

What is your opinion of the calibre of the captains and lieutenants of the bush fire brigades with whom you came into contact in this area?—I think it is particularly high.

It has been suggested that the burning of breaks and that sort of measure for the prevention of bush fires before seasons should be permitted; do you think that these men from what you have seen of them would be men capable of being given powers to burn breaks before the fire season?—I do definitely. And do you think that they would carry out their work satisfactorily?—I do.

MR. GOWARD: That is all the evidence I have to tender, Your Honour.

THE WITNESS WITHDREW.

1880,

GRIGGS,
 Movements of Commission.

The Commissioners: 

As to the future movements of this Commission, tomorrow there will be an informal visit to the State Forests near Ballarat. On the way certain people who wish to meet us and express their views will be met by the Commission for an informal talk. Then on Wednesday if our presence is required there, the Commission will proceed to Bell's Gap in the Grampians, when anybody who wishes to meet the Commission will do so at 2 p.m. Of course, if our advice is that nobody is anxious to see us, it is quite likely that we will not make that journey. The general hearing of evidence will be resumed next Monday. I am leaving a certain gap now, because we have, I hope, come to the end of our country tour, or will have done so this week. In that connection I want to make it quite clear that we cannot hope to visit every centre which has been affected by fires. What we have tried to do is to visit those places which are typical of the much larger areas. We cannot particularise. We want generalise. Therefore it is impossible for us to go to many more places, because if we do, if we carry out the plan of going to each place that has been in any way affected by bush fires, I think we should be on the road for some years, like Barmah's Circus, and be about as ridiculous.

Next Monday we hope to resume the hearing of evidence in Melbourne, and we are having a break of a day or two to enable interested parties who have heard a lot of evidence, perhaps, as they think, directed against their interests, to have the opportunity of marshalling their own evidence in rebuttal if they wish to do so, and to put their case and advance their arguments.
I do not know who will be first putting a case of that sort; that can be arranged between Mr. Gowans and the various advocates and counsel and Mr. Carbines can be informed. I would very much like to think that the evidence will be short, concentrated and representative. There had been a great deal of repetition of evidence in this enquiry, and unavoidably so. I am not criticising anybody for that; but now that we know, or it does appear fairly clear to us, what the real issues in the matter are or are likely to be, it seems to me that the matter can be very much shortened if you put representative evidence evidence instead of calling a cloud of detail in the form of many witnesses.

I would invite counsel — I will not beg of them, but I will invite them — to put their cases as shortly as possible in this matter without curtailing them so much as to allow themselves to feel that they are not doing their duty, of course; and it is my earnest wish that the whole matter will be concluded before this coming Easter. So, with your co-operation, gentlemen, that very desirable and may be achieved, and we might finish well before Easter.

This Commission will now stand adjourned for the next formal sitting till next Monday at 10 a.m., I presume at the Exhibition Building as heretofore. I wish you gentlemen now to go into conference at some convenient time, with Mr. Gowans, and Mr. Carbines, to see whose to put his case first, and what form the proceedings will now take.

Mr. Gowans: There will be some evidence which cannot be concentrated as suggested by Your Honour, because it will have to be taken in Melbourne, and will consist mainly of the evidence of people who have previously had experience in the country but who are now living in Melbourne and who wish to put their point of view, but I will endeavour to cut it down as much as possible.
THE COMMISSIONER: If they put points of view that have mentioned frequently already, the evidence may be concentrated. I will leave the matter now in the hands of counsel and the advocates to inform Mr. Corinnes, who will let me know what your arrangements will be.

THE COMMISSION, AT 3.45 P.M. ADJOURNED ITS FORMAL SITTINGS UNTIL MONDAY, 15TH MARCH, 1930, AT 10 A.M., AT THE EXHIBITION BUILDING, MELBOURNE.
Author/s: 
Victoria. Parliament

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