

Stretton Royal Commission

Quotes from the Report into the 1939 fires:

.....to expose and scotch the foolish enmities which mar the management of the forests by public departments who, being our servants, have become so much our masters that in some respects they loose sight of our interests in promotion of their mutual animosities. (page 7)

No person or department can be allowed to use the forest in such a way as to create a state of danger to others. (page 7)

***Committees of Management of Park Areas.*- As far as your Commissioner is informed, it is improbable that these committees have any satisfactory plan of fire prevention. (page 10)**

Thus the water supply authority (*Melbourne and Metropolitan Board of Works, now Melbourne Water*) has, in many instances, in the furtherance of its desire to give full supply of uncontaminated water, allowed its area to become a menace to the rest of the forest. Similarly the forester, in his desire to preserve every tree and to refrain from destroying even a negligible portion of his estate has ranked himself, in point of creating danger, with the water supply authority. Each curiously enough, is so narrow in his view, that he looks at the other as a creator of danger and an enemy. Each excuses the unsafe condition of his own territory by protesting that his own undertaking is of vast importance, and that he must aim at perfection of production or supply, as the case may be. Each is in the position of a trustee who, being charged with the management of a business, diverts to the purchase of a little more stock the money which might have been used to pay a fire insurance premium. Both have ignored the advice and supplications, however well informed, of the private landholder whose interests have for years past been placed in jeopardy by the refusal of these bodies to protect him against the danger which they have brought to his door. Both have, in turn been exposed to the danger which the landholder has caused by the illegal measures of self-help which have been forced upon him by the inflexibility of the law. (page 10)

It was this state of affairs which the Forests Commission and the Board of Works were facing in the summer of 1938-39. The law was inadequate, ineffective and flouted. The people were hostile to these authorities. The Forests Commission was hampered in its intended preventive and safeguarding operations by lack of money. Nevertheless, the lack of money cannot excuse some of its failures to protect life and private and public property. (page 14)

The Board of Works.- The Board has permitted a condition of great danger to exist in its areas.

The difference in substance between the methods of these two bodies is that the Board refuses to use burning as general preventative method. It is long established by foresters in other parts of the world that in conditions such as exist in many parts of the Board's areas - burning is the only effective safeguard. (Most of this has not been burnt since 1939).....

It (*the Board*) relies upon the growth of forest canopy to suppress inflammable scrub. It admits that in large tracts of its territory the canopy is impaired and cannot be restored until many years have passed and that, while the restoration is proceeding, we may expect at least two abnormal seasons which will bring with them abnormal bush fires. So it would appear, by the argument advanced by the Board, that having regard to the certain recurrence of major bush fires in the known cycle of abnormal seasons, the boards property must always remain dangerously inflammable. It appears that a large part of the Board's policy of prevention of outbreak and spread of fires is to be left to Nature. Nature, however in another department of its working, sends the abnormal season which encourages the major fire which consumes the forest. (*page 14*)

Compensation for Damage by Spread of Fire.- Where the spread of fire from any land, by whomsoever occupied, or if unoccupied, by whomsoever owned, is caused to adjoining or adjacent land or any property thereon, whether real or personal, by reason of the fact that such first-mentioned land was in a dangerous condition, the occupier or owner (as the case may be) of any such first-mentioned land shall be liable to compensate the occupier or owner (as the case may be) of such last-mentioned land. Provided that where such last-mentioned land was in a dangerous condition, no such liability to compensate should arise. (*page 24*)

Burning.- It has already been recommended that the Forests Commission must recognise the necessity of protective burning in its areas. It is not suggested that the practice be followed in mountain ash country, except to a small extent, where necessity demands that it should be done. In all other parts, where less valuable timber, less susceptible to fire, occurs, this method of prevention of outbreak and spread cannot, either in the public or private interest be ignored. (*page 31*)