

# Forest Fire Victoria\* News No 2

## THE TRAGEDY OF THE 2003 ALPINE BUSHFIRE MUST NEVER BE REPEATED. THIS WAS A "FERAL FIRE"

**The 2003 alpine fire caused massive, irreversible environmental damage to forest in the iconic 'Man from Snowy River' country.** More than half of the alpine forest area was burnt intensely enough to severely scorch the crowns of all the trees or burn their crowns right off.

While some of the pre-European fires were large, they burnt where previous fires had produced a mosaic of fuels. The 2003 fire damage was caused because natural fires had been deliberately extinguished and little or nothing had been done to reduce fuels by planned burning or any other means. **So these fires were "feral", behaving in ways alien to the natural processes that forests require for their health, diversity and sustainability.** And along the way, the fires impacted on private property with distressing effects.



April 2004 - Mitta River Alpine National Park, Angler's Rest

The enormous damage done to forest ecosystems, soils and water catchments was due to failed fire management programs on public land. This was compounded by the lack skilled resources with the equipment to tackle the fires before they became unmanageable

Fire suppression based on concentrating resources near the public land boundary may reduce losses on private land. However, it places a burden that rightly belongs with the forest manager on volunteers and local communities. And it pays scant attention to conservation values in forests.



April 04 - Black Cypress pine , Snowy River Valley

If this strategy becomes the norm for combating forest fires, there will be further loss of biodiversity, more soils will become hydrophobic or eroded, more water catchments and storages will be degraded and resources for sustaining vital timber industries destroyed.

Parliament must require public land managers to use fire to protect and sustain forest health and biodiversity, regenerate disturbed or degraded forests, and prevent and suppress bushfires in forests. Agencies must be adequately resourced and held accountable for this responsibility.

Two important initiatives are required. **Firstly, a permanent workforce with the skills, transport, tools and machinery for public land fire management is essential. Secondly, prescribed burning programs in forests must be restored.**

This will require more funds than timber royalties and visitor fees yield each year. But Victoria's forests are an asset beyond cashbook valuation. The intrinsic values of wilderness, water catchments, biodiversity, cultural sites and other natural values are fundamental values to our society. That society must insist that forests be protected, and be prepared to pay the cost.

The challenge facing the community is to assemble information about forest fire that is based on science, tested by experience and then carried out by fully resourced programs. Politicians are sensitive to environmental issues and governments will find money for causes supported by their communities.

*The alternative is more feral fires.*

## QC's verdict on bushfire report

By Steve Waldon, Melissa Marino "The Age" August 3, 2004



David Packham and Athol Hodgson consider the devastation to pines in the Alpine National Park caused by fires so intense that no seedlings will grow..Picture: *Paul Harris*

It was never going to be pretty, but when Athol Hodgson and David Packham stopped blinking at the desolation before them, they realised they were looking at a catastrophe. In the tombstoned rows of burnt cypress pine they figured they were seeing a landscape forever altered by a bushfire so intense that there are no seeds left from which saplings can spring.

With 90 years' experience in bushfire research and forest management between them, the men were still dismayed by the scene last week at Willis, near the Victorian border with NSW. They have visited this spot every six months since the bushfires in January 2003 that razed 1.3 million hectares of land, much of it in the state's north-east, and other than some native grasses and a few hardy white box, the scene remains bleak. "It's heartbreaking - like looking at death," Mr Hodgson said.

He and Mr Packham are among the many who believe the bushfires need not have burned so long and with such ferocity. So they joined the Stretton Group, a committee of affected farmers and experts in forestry and fire management formed late last year in response to the official Victorian Government inquiry into the devastating fires.

Their lobbying has now received the imprimatur of Melbourne Queen's Counsel Allan Myers, who has condemned the inquiry by Emergency Services commissioner Bruce Esplin. In an assessment for which he was not paid, Mr Myers concludes that a coronial inquiry or royal commission on the fires would have been appropriate, and would still be justified.

The Stretton Group intends to use Mr Myers' review to pressure Attorney-General Rob Hulls to order a coronial inquiry. Failing that, they regard Mr Myers' opinion as the basis for an application to the Supreme Court.

Mr Myers, the new president of the National Gallery of Victoria's trustees, has described the inquiry and subsequent report as seriously deficient, "amounting to an abdication of responsibility to fulfil properly its terms of reference". The prominent QC was engaged by the Stretton Group to offer a professional assessment of the report and executive summary of the Esplin inquiry.

The group is named after the royal commissioner who examined the 1939 and 1944 bushfires. It was brought together by Liberal MP Stewart McArthur. They are not satisfied with the State Government's response to the bushfires, which burned 1.12 million hectares in north-east Victoria and Gippsland, and 181,400 hectares in the Big Desert - the biggest fires since Black Friday 1939.

In his review, Mr Myers casts doubt on the independence of the Esplin inquiry, stating that Mr Esplin "was not, and did not appear to be, independent in relation to the matters inquired into". Another serious criticism is that the Esplin report could make recommendations on the future of fuel-reduction burning - "possibly the most sensitive area of the Esplin inquiry" - but failed to do so.

Mr Esplin last night rejected Mr Myers' conclusions, saying his report's recommendations had "totally changed the way the business of fire suppression is conducted in Victoria". Other critical conclusions drawn by Mr Myers include:

- The Esplin inquiry's terms of reference were deficient, too vague, generalised, unfocused, but also too narrow.
- The report of the inquiry was also vague and "failed to address important environmental and economic consequences of the fires, including the effects (on) water catchments".
- Doubts about the validity of evidence to the inquiry because it was not tested by cross-examination and was not protected from potential defamation action.
- His view that the report invites "grave misgivings about the manner in which it is written". It makes "few specific findings or recommendations upon the most crucial issues and contains a great deal of peripheral and irrelevant material".

In a section of his review devoted to evidence that opportunities to control or extinguish the fires were not taken, Mr Myers notes that the inquiry records such criticisms of the firefighting efforts, but no specific recommendations about improving firefighting strategy, or how "local knowledge should be used or indeed any other matter that touches on the widespread criticism of the way in which the 2003 fires were fought".

Reviewing the inquiry's treatment of criticism of the relationships between paid firefighters, volunteers and landowners, Mr Myers says the one recommendation "is so generalised as to be worthless. It completely ignores the evidence of serious deficiencies in the organisation of the permanent fire-fighting bodies." Mr Myers is overseas. A spokeswoman said he was unlikely to comment publicly. Mr Esplin defended the report, saying it made 148 recommendations after a six-month inquiry.

"The evidence I gathered while travelling throughout regional Victoria was given to me in a very free and frank manner," he said. "It was given directly to me from the local communities, landholders, CFA volunteers and staff, as well as employees of government departments."

A Government spokesman said Mr Esplin had produced a comprehensive report and it had allocated \$168 million in this year's state budget to boost fire-fighting capabilities and implement Esplin recommendations. That included substantially increasing fuel reduction-burning and measures. Last year, the community consultancy the Eureka Project released a report that criticised the performance of public sector agencies during the fires.

A director of the Eureka Project, Tony Cutcliffe, said *A Case of Burning Neglect* was written "out of concern that the Esplin inquiry as proposed by the Government would have neither the necessary power, nor the incentive, to get to the bottom of Victoria's biggest bushfire". Mr Cutcliffe, who is also a member of the Stretton Group, said Mr Myers' verdict vindicated those concerns.

He said the decision to approach Mr Myers was based on his reputation as a leading barrister and because he owned a property in the Western District and would be acquainted with Victoria's bushfire potential.

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