



MCAV SUBMISSION TO THE BUSHFIRE ROYAL COMMISSION 2020

This submission relates specifically in the terms of reference to:

- d. An incidental matter submitting that there is a need to improve the protocols for local people gaining permission to re-enter their properties to tend animals following a bushfire.**
- e. Identifying some significant findings of the Stretton report into the 1939 fires which have proved to be significantly incorrect but still have influence.**
- g. Comments on the authority's ignorance and obstruction of the Mountain Cattlemen's attempts over more than 100 years to mirror and continue our indigenous people's traditional land and fire management practices.**
- f. Comments and recommendations on land management and hazard reduction.**

Introduction:

The Mountain Cattlemen's Association of Victoria (MCAV) was formed in the late 1950s, and represents families who have done, or still do, engage in Alpine grazing in the Victorian High Country.

Alpine grazing is recorded as going back to 1834 when James McFarlane came in from the Monaro to East Gippsland.

Grazing in The Alpine National Park was banned in 2005, however some families still graze in State Forest.

The MCAV submitted a detailed submission to the 2009 Royal Commission to offer alternate suggestions for fuel reduction despite the fact that grazing was not considered in the terms of reference at that enquiry. That submission is available.

Since 1985, when the MCAV began to fight against the exclusion of grazing from the forthcoming Alpine National Park, the issue of Alpine grazing - including the contribution it makes towards reducing fuel loads - became political and polarized.

Overt scientific activism by a small group of academics fueled opposition and support to ban grazing grew from the Labor side of politics and of course the Green movement. Many other credible scientists who disagreed with some academics claims were ignored as furnishing inconvenient (but true) facts.



It is unfortunate that in that process, where much misleading information was circulated - some under the guise of "the science" - the value of grazing to reduce fuel has been lost. An independent three-year trial in Wonnangatta to prove or disprove the value of grazing on public land was stopped in 2014 after the first year of the trial, following a change of the Victorian Government.

The MCAV believes that in the best interests of the land and how the Australian bush is managed in the future, many issues including grazing and indigenous methods should be revisited.

MCAV response to sections of the terms of reference

(d) Incidental matter - access to properties after the fire has passed:

Several of our members were prevented from returning to their farms following a fire event near them resulting in the road being closed. In each case the reason given by the authorities was the potential danger, which in several cases our members knew was simply wrong and overly bureaucratic.

There appeared to be no proper assessment of individual situations and a blanket ban on entry seemed the easiest for the authorities.

Local knowledge and experience in these matters was dismissed and locals were threatened with being charged.

This situation and the obvious error of the reasons behind the entry ban caused several of our members to experience severe post-traumatic stress far worse than the fire itself, because they were unable to tend injured and suffering animals.

There must be a better way devised to handle locals wishing to return to their properties, especially those who obviously are experienced in dealing with potential issues.

(e) Analyzing the findings and recommendations of other reports:

The Stretton Royal Commission:

In the interests of brevity, this MCAV submission only deals with significant inaccuracies in the Stretton Royal Commission findings, which our members believe is at the core of many conventional wisdoms colouring the long running debate on the value of grazing as a management tool, grazing and fuel loads and the correct management of the land using fire.



Several findings of Stretton have now been proven to be wrong, but those findings set in place land management practices and misconceptions which still exist today even though they are based on errors of fact.

Our extensive records contain many submissions and personal observations from our members going back over the past 70 or so years that support our point of view and rebut Stretton's findings but which have been ignored by previous Governments and Inquiries.

Those records are available to the Commission at any time.

For more than 70 years cattle graziers on public land in the High Country have strongly challenged (without success or recognition) some of the findings of the Stretton Royal Commission. These findings, such as that lightning was responsible for lighting few (if any) bush fires and that burning by graziers was responsible for the scrubbing up of the previously open and 'park like' forest, are regarded as plainly wrong by people who had lived and worked all their life in the bush.

Over the years at least two findings of Stretton have proved to be incorrect-the facts are:

1. Lightning indeed starts most bushfires.
2. The scrubbing up of our forests only began after European settlement and followed disruption to Aboriginal "firestick" management.

The direction of land management by the authorities that was set by the Stretton Royal Commission resulted in entrenched policies, supported by well meaning "conservationists" decrying the value of grazing for fuel reduction and the need for regular fuel reduction burning. In fact, the Stretton findings unfairly affected the reputation of the families who knew more about the bush and fire than anyone else at the time.

These on-going Government policy settings, influenced by "Green type" agendas, have caused grave damage to the land from ever-increasing and extreme bushfires and the closing up of vast tracts of land in National Parks without ongoing management.

From the Stretton findings (our emphasis in bold):

Page 11: The causes of the fires under discussion are set out as follows:

(a) Dry Season and Dry Forces —Further elaboration is unnecessary.

(b) The Condition of the Forests—When the early settlers came to what is now this State, they found for the greater part a clean forest. Apparently, for many years before their arrival, the forest had not been scourged by fire. They were in their natural state. Their canopies had prevented the growth of scrub and bracken to any wide extent. They were



*open and traversable by men, beasts and wagons. Compared with their present condition, they were safe. **But the white men introduced fire to the forests.** They burned the floor to promote the growth of grass and to clear it of scrub which had grown where, for whatever reason, the balance of nature had broken down. The fire stimulated grass growth; but it encouraged scrub growth far more. Thus was begun the cycle of destruction which cannot be arrested in our day. The ti scrub grew and flourished, fire was used to clear it, the scrub grew faster and thicker, bush fires, caused by the careless or designing hand of man, ravaged the forests; the canopy was impaired, more scrub grew and prospered, and again the cleansing agent, fire, was used. And so today in places where our forefathers rode, driving their herds and flocks before them, the wombat and the wallaby are hard put to it to find passage through the bush.*

The point here is that Judge Stretton missed the important and accurate link between the thousands of years of indigenous burning practices and what the early settlers found on arrival, namely the good state of the land- which they attempted to copy.

Stretton also missed the negative impact the rabbit plagues had in eating out the grassy species allowing the woody species to dominate, aided by the lack of fire.

The early settlers were not the first to introduce fire to the forests as claimed by Stretton and the “clean forest” alluded to in his report was the result of indigenous forest management with fire and natural lightning over thousands of years.

This vital point may have been missed by Stretton for many reasons, including reluctance by witnesses to attribute any credit to the Aborigines or simply missed in the confusion and assessment of the terrible 1939 fires.

Stretton again:

*(f) Immediate Causes— **Almost all fires are caused by man.** The experience of the past shows that the persons who caused the 1939 fires are to be found among the following classes which are set forth in a descending scale of frequency of responsibility for fire; the manner in and reason for which they cause fire is shortly indicated:*

Settlers—Burning off for growth, clearing or protection.

Graziers—Burning to promote grass growth.

Miners and Prospectors - Clearing to facilitate operations.

(ii) Sportsmen—Neglect of camp-fires, billy fires.

Tourists —Lighted matches for smoking.



Campers—Burning to facilitate passage through the bush.

(iii) Forest Workers —Misuse of fire used for mill operations and for domestic purposes.

(iv) Persons using Roads—Neglect of billy fires; lighted matches and burning obstructing logs on roadway.

(v) Road and Railway Work Gang—Billy and camp fires; careless burning off on railway property.

(vi) Locomotives—Defective spark arresters.

*(vii) **Lightning—Infrequent, as generally followed by rain.***

Of these classes, settlers, miners and graziers are the most prolific fire causing agents. The percentage of fires caused by them far exceeds that of any other class. Their firing is generally deliberate. All other firing is, generally, due to carelessness.

The MCAV submits that Stretton was incorrect in his assessment of the part lightning plays in lighting bushfires (see (vii) above) and instead blamed “settlers and graziers” where he says “(vii) Lightning—Infrequent, as generally followed by rain”-Stretton.

The MCAV understands that around 98% of the 2020 Eastern Victorian bushfires were started by lightning.

Stretton again:

Control of Graziers—Not all graziers burn their areas. Classification of grazing lands by classes, determined by the fact of whether burning is practised by graziers or not, should be made in some areas where illegal burning is persistent and where the returns from grazing are not large, graziers should be excluded from the forest. In areas where illegal burning is practised and where the returns are profitable, either strict patrols should be maintained and prosecutions launched under the law in its suggested slightly altered form to facilitate proof, or the system of agistment with effective patrols and herdsmen should be substituted for that of letting specified areas for grazing.

Burning—It has already been recommended that the Forests Commission must recognize 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.



The MCAV submits that the above two paragraphs (control of graziers and burning) contradict each other. On one hand Stretton heavily criticises the principle of burning by graziers who knew the bush intimately yet encourages the principle of burning by the authorities. This is an early example of local knowledge being disregarded by the Commission and followed by the authorities. This bureaucratic culture still exists today where local bush knowledge is not utilized by authorities. This situation became worse when the Forest Commission was disbanded in the early 1980s and with it much corporate knowledge about fire and fuel reduction was lost.

(g) The confirmation of Aboriginal fire and land management of the forests:

Repeating quote from Stretton (b) *"The Condition of the Forests—When the early settlers came to what is now this State, they found for the greater part a clean forest. Apparently, for many years before their arrival, the forest had not been scourged by fire. They were in their natural state"*—Stretton.

It is now clear that this statement was plainly wrong.

It took until 2011 for an in-depth and well-researched book to be released confirming without doubt that Aborigines deliberately and regularly used fire to create open forests with little understory.

"The Biggest Estate on Earth, how the Aborigines made Australia" by Professor Bill Gammage has changed our understanding about what really happened before European Settlement.

"Fire is necessary to burn the grass and form these open forests, but for this simple process the Australian woods had probably contained as thick a jungle as those of New Zealand or America" (Gammage book introduction, quoting Thomas Mitchell 1847)

These were the 'park like' forests that the early explorers and graziers discovered and documented. The early graziers attempted to copy the indigenous burning practices however over time they were stopped by the authorities and then ironically blamed by Stretton for "introducing fire to the forest".

"With details of land management from around Australia, The Biggest Estate on Earth rewrites the history of this continent, with huge implications for us today. Once Aboriginal people were no longer able to tend their country it became overgrown and vulnerable to the hugely damaging bushfires we now experience. And what we think of as virgin bush in a national park is nothing of the kind." Introduction on the cover of the Biggest Estate on Earth.



'Firestick' Farming (cultural burning).

In recent years Aboriginal people have been resurrecting and researching how their forebears burnt the land. Among those who are leading this movement, called Firestick, is an indigenous fire practitioner Victor Steffenson from Queensland. Victor has visited the Victorian High Country several times and has described to the MCAV and the media, that the Victorian Forests are "sick".

It would be of benefit to this Royal Commission to ask Victor to explain how cool fire, lit at the correct time, manages and controls young undergrowth and allows the big trees to prosper and escape extreme fire by reducing the fuel and understory. He would explain this is sound ecological practice, which suits the Australian bush and goes back in the mists of time.

(f) Land management including hazard reduction measures:

Bill Gammage's book has confirmed to Mountain Cattlemen that their forebears were correct in their claims that their grazing leases should have been regularly burnt with mild and therefore cool Autumn fires. Traditionally those cattlemen and their families lit fires as they took their cattle home in the Autumn from the leases. Those fires trickled around causing a mosaic effect and kept the undergrowth and fuel under control. In turn this patch burning reduced the intensity of summer bushfires. The cattle then maintained the growth between burns keeping the grazing areas short and green. The cattlemen were eventually stopped from continuing this practice and in fact some were charged by the authorities for attempting to continue what they saw as a vital part of managing their cattle run and the health of the land.

Conclusion:

The MCAV submits that the Stretton findings set in place a culture of forest management that has resulted in a radical change to biodiversity in Victorian forests, including high fuel loads and in places impenetrable understory that was never there at European settlement as claimed by Stretton. In turn this has led to regular and intense bushfires which have destroyed forests that will take generations to recover, if at all.

We are not claiming that fuel reduction by burning, slashing and grazing stops all bushfires in their tracks, only that bushfire intensity is greatly reduced thus often becoming more manageable.



Recommendations to the Commission from the MCAV:

1. (d) That the process for allowing residents to return after a fire to tend to their property and especially their animals be reviewed, including perhaps a legal waiver to absolve the authorities from liability
2. (e) That some findings of the Stretton Royal Commission be reassessed. We ask this in the light of emerging evidence that some findings of that Commission were incorrect, leading to the formation of conventional wisdom that seriously damaged the reputation of graziers at that time with repercussions for the Mountain Cattlemen and current land management still existing today
3. (e) That the 2009 Royal Commission recommendation listing the number of hectares that were necessary to be burnt with planned burns each year be required to be implemented by Victoria
4. (e and g) That Prof. Bill Gammage be invited to present his findings to the hearings and the Commission reassess Stretton's view on the state of the forests at settlement.
5. (e and g) That Indigenous fire practitioner Victor Steffenson be invited to explain the positive effect cultural burning (Firestick) has on the health of the forests; and
6. (f) That grazing be considered as one positive management tool to reduce fuel, especially in areas not suitable for fuel reduction burning, at higher altitudes, and in conjunction with general planned burning and mechanical fuel reduction

The MCAV would be pleased to supply more information including our copious records which include anecdotal evidence dating back many years reflecting our member's claims about the value of grazing to reduce fuel and the value of grazing in the management of public land in suitable areas.

Representatives of the MCAV would be willing to give evidence at the hearings if necessary.

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On behalf of the President, Secretary and Board of the MCAV, April 6, 2020

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