



PARKES SHIRE COUNCIL

LATE AGENDA

TUESDAY 4 JULY 2006

Notice is hereby given that an Ordinary Meeting of Parkes Shire Council will be held at the Council Administration Centre, 2 Cecile Street, Parkes, commencing at 1:30 pm for the purpose of considering the items included on the Agenda.

GENERAL MANAGER: Alan McCormack

Ordinary Meeting Late Agenda

Order Of Business: Tuesday 4 July 2006

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12 DIRECTOR OF OPERATIONS' REPORT

12.3 (DO) 2004 Alectown Bushfire - Coronial Inquiry

Executive Summary

The Coronial Inquiry into the bushfire that started in the Alectown area on 30 November 2004 was held at Parkes Court House during the week of 26 to 30 June 2006. Magistrate Carl Milovanovich, NSW Deputy State Coroner, presided over the Inquiry.

Evidence was tendered by NSW Police, property owners, Country Energy, Rural Fire Service, and expert witnesses in the fields of Botany and Electrical Engineering.

On considering the evidence put forward the Coroner found "that the cause and origin of the fire was due to contact between the branches or arcing between the branches of a Kurrajong tree which was situated in close proximity to the 66,000 voltage power line which runs through the property known as Kurrajong Park."

A full copy of the Coroner's findings handed down are attached.

Background Information

See Coroner's findings attached.

Legislative, Policy & Management Planning Implications

Nil.

Budget & Financial Aspects

Nil.

Recommendation

1. That the information on the Coronial Inquiry into the bushfire that started in the Alectown area on 30 November 2004 be noted.

Attachments

1. Finding handed down by Magistrate Milovanovich, NSW Deputy State Coroner.

~~CORONIAL INQUIRY INTO THE FLOWMAN'S ROAD ALLECTOWN FIRE~~

WESTMEAD CORONIAL FILE NO.

Appearances. Sen Sgt Ross Lund & Sgt Rebecca Beecroft, Coronial Advocates assisting the Coroner.

Mr Peter Huckley, Solicitor for the Parkes Shire Council.

Mr Nicholas Newtown of Counsel instructed by Sean Keleher (GIO) for the Rural Fire Service.

Mr Steve Finnane of Counsel instructed by Heidi Robinson of Deacons Solicitors, for Country Energy.

Bishop Westcott (limited leave to appear) for the interests of Parkes Community and Landowners/Landholders.

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The fire that broke out at Karrajong Park and other properties near Allectown was reported to the Parkes Coroner and subsequently to the State Coroner's Office Glebe on the 25th May, 2005. Following discussions between the State Coroner and the Magistrate Coroner for the Parkes district a decision was made that any proposed inquiry would be conducted by a State Coroner. The matter was subsequently allocated to me in my capacity as the New South Wales Deputy State Coroner on the 22nd June, 2005, and I have had carriage of the matter since then. During the period June 2005 and up until approximately early May, 2006, Police at the direction of the Coroner conducted further enquiries with a view of putting together a complete brief of evidence. On the 26th May, 2006, I presided at Forbes Local Court when the inquiry was officially commenced by taking appearances and setting a timetable for the production of any further relevant material and also a timetable in relation to any other witnesses that interested parties felt should be called. The inquiry commenced at the beginning of this week with a view of the area believed to be the point of origin and the calling of Inspector Pincott, the Officer in Charge of the Investigation. The Brief of Evidence has been tendered as Exhibit 1 plus a further 19 exhibits as identified. A total of 20 witnesses have given oral evidence in addition to those statements contained in the brief of evidence.

The Role of the Coroner.

It is important, not so much for the benefit of learned Counsel, but for the general community to have an understanding and appreciation of the role and limitations of the Coroner. I did make some reference to this issue when the matter was mentioned at Forbes last month, however, there has been a considerable public and media interest in this inquiry and it would not be inappropriate to re-state my statutory obligations.

A Coroner is bound and limited by the statutory requirements of the Coroners Act, 1980 and Section 15 states "A Coroner has jurisdiction and a duty to hold an inquiry into the cause and origin of a fire or explosion where the Coroner is informed that the fire or explosion has destroyed or damaged any property within this State". Under that Section the Coroner's power is limited to determining the cause and origin of the fire and returning a formal finding. Such finding should indicate the date of the fire,

the place of the fire and the cause and origin of the fire, if it can be determined. If the cause and origin of the fire cannot be determined the Coroner would return an open finding. Under Section 19 of the Coroners Act a Coroner may terminate an Inquest if he/she is satisfied that there is evidence that a known person has committed an Indictable Offence. In the context of this fire, such evidence would need to be evidence of a deliberate act of arson and clearly there is no such evidence that would require me to turn my mind to Section 19. Under the provisions of Section 22 of the Coroners Act, 1980, a Coroner may make recommendations. Such recommendations are usually made on issues associated with public health and safety and I will touch on this issue further in my findings.

Invariably a fire the size of the Aleetown Fire will have impacted on many people and properties and it follows that individual landowners and landholders will have legal issues associated with insurance, compensation etc. not to mention the emotion and trauma such a devastating fire has caused. Sight should never be lost of the immense personal loss individuals have suffered and the loss of fauna and flora. Those issues were eloquently conveyed by Bishop Wescoat in final submissions and further outlined, on a more personal basis, by those members of the community who wrote personally to me. I thank you for that personal insight.

Background to the Fire.

On Tuesday the 30th November, 2004, a fire would appear to have started on the property known as "Kurrajong Park" situated off Plowman's Road, Aleetown. This fire started during a period which was a declared total fire ban day. The weather conditions on the 30th November, 2004, as recorded at the Parkes Airport Weather Station was a minimum temperature of 23.4 degrees and a maximum of 41 degrees, with humidity at 5 % and with West/North/West winds of 39 kph and gusting to 57 kmas per hour. It is believed that the fire started some time shortly after 4.00pm when wind speeds have been recorded at 28kph with gusts of up to 54 kmas. Sight should not be lost of the fact that actual temperatures at the area of origin and for that matter the actual wind and gust speeds could vary slightly according to the environment at that sight.

The fire was first detected by Mr Ward the owner of the property known as Kurrajong Park when he in the company of Mr Ross were driving down the access road from the homestead towards Plowman's Road. They have described the fire as being seen in a wheat stubble field and as being about the size of a car bonnet with flames of up to 2 to 3 feet. Mr Ward and Mr Ross immediately returned to the area of the homestead in order to obtain the fire truck and then immediately returned to the area, by which time the fire had spread considerably. They attempted to put the fire out, however, the temperature and wind gusts frustrated their efforts and the fire commenced to advance quickly in a generally east direction with lateral burning to both the north and south of the wheat stubble paddock. Attempts by local property owners to control the fire failed and the fire advanced in an easterly direction along a 2 klm front and crossed the Newell Highway. By 8.30pm the fire was contained and under control of the Rural Fire Services and by that stage the fire had travelled a distance of some 8 kmas. With temperatures and wind speed dropping in the late afternoon and evening black out operations continued overnight and into morning of the 1st December, 2004. In the afternoon of the 1st December the wind speeds increased to about 25 knots and

gusting to 31 knots at 3.00pm which caused the fire to break the northern containment line. This fire then continued in a northerly direction towards the township of Alectown and was contained at about 7.30pm. The residents of Alectown were evacuated as a precaution. Some 27 properties/landholdings were directly affected by the fire which destroyed approximately 8000 hectares of crops, fencing, farm sheds, farm machinery, trees, stock and 2 unoccupied farmhouses. The estimated loss runs into millions of dollars. A section 44 declaration was made at 6.00pm on the 1st December, 2004.

Known Facts Leading up to the time of ignition.

The evidence that has been presented at this Inquiry leaves little doubt that the area of ignition was at a point some 20 to 30 metres east of a Kurrajong Tree located in what has been described as Paddock 2 of the Kurrajong Park property. Evidence has been adduced that Mr Ward the owner of this property commenced to harvest wheat on Monday the 29th November. For the purposes of this Inquiry the area of origin has been described as being a large paddock which commences at the western boundary of Plowmans Road and runs in an easterly direction up to towards the homestead. This large paddock has a causeway dividing it and for simplicity sake that part of the paddock which is west of the causeway has been described as Paddock 1. The section of the paddock, east of the causeway has been described as Paddock 2, this being the paddock in which the Kurrajong tree is located and the paddock through which the 66KV Line runs through. Paddock 3, for the purposes of this Inquiry has been described as the paddock east of the homestead and on the 30th November, 2004, a fence divided Paddocks 2 and 3.

Mr Ward has given evidence that he commenced to harvest paddock 2 (the one with the Kurrajong tree and power lines in it) at 4.29pm on the 29th November, 2004 and that he finished harvesting in this paddock at 9.05pm. On the following day, he commenced to harvest paddock 2 (west of the causeway) and he commenced that work at 7.09am and completed it at 11.46am. It then took him some 12 minutes to drive from Paddock 2 to Paddock 3 where he commenced harvesting at 11.58am and stopped at 3.56pm. Mr Ward has given evidence that the reason he stopped harvesting paddock 3 shortly before 4.00pm was due to the extreme heat and the fact that his harvester, a vehicle weighing some 22 tons, was being buffeted by strong winds. It is evident that within a short time after harvesting had stopped in paddock 3 that Mr Ward and Mr Ross were driving down the access road to Plowmans Lane when they noticed the fire in paddock 2 as previously referred to.

The relevance of the sequence of harvesting in paddocks 1, 2 and 3 was of significance as it was being suggested by inference by employees of Country Energy that Mr Ward had not harvested his paddocks in the order in which he had stated. That significance arose directly from the evidence of Messrs Freeman, Murray and Wedderburn who were working adjacent to Paddocks 1 and 2 during the morning of the 30th November, 2004. Three Country Energy staff, who gave evidence and a further employee who has since resigned, were in the process of replacing Pole 837 which provides electricity from 11KV line to the Homestead. This pole is believed to be positioned some 150 metres from the Kurrajong tree, but adjacent to Paddocks 1 and 2. All three employees were adamant in their evidence that they saw a harvester working on the morning of the 30th November in paddock 1, viz the paddock closest

to Ploverman's Rd. This observation is ~~not inconsistent~~ with the evidence of Mr. Ward, however, the inconsistency stems from their further observations, that Paddock 2 had not been harvested. Of course one recalls that Mr Ward's evidence was that he had harvested that paddock the previous evening. The evidence of all three Country Energy employees was consistent and strong on this issue, even to the extent of one of the witnesses corroborating that it was blatantly obvious that paddock 2 had not been harvested as there is a distinct difference between a harvested and unharvested paddock. We of course now know, thanks to modern technology that the order in which the paddocks were harvested, was exactly as stated by Mr Ward. I do not propose to go into detail about the GPS system on the headers and how it works as the evidence given by Mr John Unger was clear, concise and unchallenged. The only area of concern for me as a tribunal of fact is how did three, purportedly independent witnesses all get it so wrong. I am not going to suggest conspiracies or collusion, as there is no evidence of that, however, it is somewhat remarkable that these purported observations, once adhered to very strongly, fitted neatly with the rumour that is recorded in the Country Energy document, that being the rumour that the fire started as a result of harvesting in paddock 2 on the day of the fire. I think it can be said, unequivocally that the evidence at this Inquiry has put to rest any suggestion that a harvester was anywhere within paddock 2 on the 30th November and certainly not anywhere near the area of origin.

The Investigation into the cause and origin of the fire.

There has been no dispute on the evidence that the area of origin of the fire was in area some 20 to 30 metres east of the Kurrajong tree in paddock 2 of the Kurrajong Park property. The Rural Fire Service conducted its own investigation as did the Police Forensic Services Group on behalf of the Coroner. Mr Lucas conducted the investigation on behalf of Rural Fire Service and Det Sgt Worboys on behalf of the Police. That investigation was conducted in the morning of the 2nd December, 2004, and should it be suggested (it has not) that when investigations of this nature are done simultaneously, there might be a lack of independence. The reality of course for those who are experienced in fire investigation necessitates that investigations are ideally conducted at the same time, so that indicators should they need to be photographed or moved can be seen in situ by all investigators present. It is not unusual from my experience as a Coroner to invariably have reports prepared by RFS, Police and Insurance Investigators that are produced following a simultaneous inspection of the area of origin. Invariably, while there may be discussion in relation to observations and indicators, the conclusions, unless otherwise stated are deemed to be independent. There was no evidence to suggest otherwise in this case.

Both Mr Lucas and Det Sgt Worboys came to the view that the area of origin was east of the Kurrajong tree and their evidence, which does not require further enhancement, suggests that indicators, such as rucks and earth mounds support their view that the fire started in this area and moved east, with lateral burning to the north and south as well as burning backwards against the wind for a short distance to and around the Kurrajong tree. Both Mr Lucas and Det Sgt Worboys observed a Kurrajong tree which was growing in paddock 2 and that a number of the western facing branches appeared to be withered, those branches being those closest to the eastern conductor of the 66KV line. They both took measurements and photographs which are more fully detailed in the brief and also observed what appeared to two darkish marks on

the eastern conductor closest to the tree branches. Later in the day employees of Country Energy (Mr Milne and Mr Wake) arrived at the property of Kurrajong Park and at that time Mr Lucas and Det Sgt Worboys were still present. A discussion took place in which both Mr Lucas and Det Sgt Worboys indicated their observations and in particular the branches near the 66KV line. Following further discussions and telephone calls arrangements were made to have the two branches nearest the power line removed and retained for Police and RFS examination. Country Energy arranged for Mr Morrison and Mr Hosie to attend, who with the aid of a Cherry picker cut the branches and lowered them to the ground where they were left for retrieval by the Police. In their final reports and oral evidence both Mr Lucas and Sgt Worboys expressed the opinion that the cause and origin of the fire was most likely arcing from the 66KV line onto the two branches that were removed for examination. This view was based on their observations of the distance between the branches and the power line, estimated to have been about 1.2 metres. The views expressed also took into account their observations of the branches when they had been removed in that they observed what appeared to be charring or sooting on the smaller branches with evidence of what appeared to be carbonisation. The branches were examined by Mr Gardner, a Bachelor of Science and Consulting Electrical Engineer, who examined the branches in June, 2005. He has expressed the view in his written and oral evidence that he has observed small branches that appear to have burn marks and clear evidence of carbonisation. Mr Gardner expressed the view that the touching of the branches with the 66KV line and the arcing of electricity would have resulted in sufficient heat to ignite the smaller branches which would then have fallen or been blown by the wind to the area of origin.

Country Energy commissioned a report from Professor Stokes and in essence Professor Stokes does not disagree with the proposition that the branches which are now an exhibit show evidence of contact with the power lines and ignition. At page 3 of Prof Stokes first report, dated 9th May, 2005, he states *"It is likely that the Kurrajong tree may have been involved in a fleeting touch, or close approach to the 66,000 volt power line. However such contacts would be both brief and odd"*. Professor Stokes goes on to say that he believes from his observations that the contacts with the branch are not indicative of being the source of the fire ignition on the 30th November and supports this proposition on the basis that the dead branches are of relatively fine material, are fully seasoned, have no leaves present and are joined to clearly healthy stems. Prof Stokes undertook a number tests, one being an attempt to simulate the transfer of voltage, at a similar level, from a generator to a branch. The effect of these tests by Prof Stokes, to put it simply, was that he formed the view following his observations that the test branch had dead leaves within days and the branch itself had completely died to the point where it fell from the tree. His observations in contrast to the branches removed from the tree, were that those two branches still had fairly healthy leaves and had not withered and died to the extent of the test branch. The conclusion he drew from this, was that if the 66kv line had touched the branches on the tree, those branches should have been in a similar condition to his test branch and clearly it was not. What Prof Stokes has not been able to explain, is if he concedes (as he did in page 3 of his first report) that the branches did touch the wires at some stage then why did those branches not react in the same way as his test branch. The irresistible conclusion must be that the actual event and the simulated test, can not with any confidence be considered as a true reconstruction of how the branches reacted to contact with a live wire. Mr Gardner expressed the

view that Prof Stokes test was flawed as it did not take into account the earthing capabilities of the tree roots and that the test was not a true reproduction of the actual events. I do not believe that I need to make findings in relation to who is right or wrong on this issue, as both Professor Stokes and Mr Gardner are not in dispute that the 66kv line touched the branches at some stage and the touching would have been sufficient to cause arcing to the extent that branches would have ignited. That evidence is irrefutable when one examines Exhibit 9 (the two branches) where it can be clearly seen that there is evidence of carbonisation and in regard to one particular small branch, evidence of coning which is consistent with ignition and burning. There is also evidence at the end of one small branch of coning and the most likely dislodgement of a section of that branch in the area immediately preceding the point of coning. One difficulty that I have with Professor Stokes' opinion rests on his concession that the branches (Exhibit 9) did in fact contact the 66kv line at some stage, but he does not believe that it was on the 30th November. The problem that arises is that if that concession is made, then why did the branches not behave in the same manner as his test branch, that is, die completely within a few days. I believe that the answer lies in the opinion expressed by Mr Gardner that the test result was not indicative of true re-enactment of the actual situation. The other difficulty I believe is that Exhibit 9 clearly shows evidence of contact with the 66kv line on a branch that were still relatively green and healthy when cut down and even days after. The proposition put forward by Mr Gardner and not challenged by Prof Stokes is that the touching most likely caused arcing from one branch to another and subsequent immediate ignition.

It is conceded on both the evidence of Mr Gardner and Prof Stokes that it is impossible to determine by examination of Exhibit 9 when the touching occurred and there is no definitive evidence, from an examination of the branches alone, that could determine if the touching took place on the 30th November or some time before. It was also indicated by Mr Gardner there are no tests that can be conducted to determine the age of the carbon deposits over a relatively short period.

The cause and origin of the fire.

I have taken into account the submissions made by Counsel Assisting and Counsel for the interested parties to whom leave was granted to appear. Ms Beecroft has submitted that I would find on the balance of probabilities that the cause and origin of the fire was as a result of the 66kv line coming into contact with the branches of the Kurrajong tree, igniting small branches which were then carried by the wind to the area of origin. Mr Buckley has supported that submission, Mr Newtown has not submitted on that point, other than to ask the court to adopt the views expressed by Mr Lucas. Mr Finnane has submitted that I would not be satisfied that the cause and origin of the fire originated from the 66kv line touching the branches on the day in question.

In reaching a conclusion, as pointed out by Ms Beecroft, the test that I need to apply is the civil standard, that being on the balance of probabilities. When one considers that both Mr Lucas and Det Sgt Worboys have eliminated any other possible cause, the focus of the cause and origin invariably returns to the branches and the 66kv line. It is clearly evident that no machinery was being used in paddock 2 at all on the 30th November and certainly there was no evidence of any mechanical device being in

~~paddock 2 at around 4:00pm shortly before the fire started. The CEM readings clearly put Mr Ward and Mr Ross some 800 metres east of the area of origin and clearly downwind of a very strong wind as described. Lightning strike was eliminated, as there was no evidence from the Lightning Strike Data that any electrical activity had taken place at the relevant time. Similarly there was no evidence of any incendiary device in the area of origin, no juvenile activity or evidence of arson. It is true, as suggested that it may have been possible for a person to enter the paddock and light the stubble with a cigarette lighter and leave, thereby leaving no evidence as to the cause of ignition. One, must however, look at this scenario with a degree of scepticism, particularly having regard to the isolation of the area and the fact that the area of ignition was almost in the middle of a large paddock. An arsonist, one would think may have been a little more discrete and could easily have ignited the stubble from Ploymans Road. It should also be remembered that when Mr Ward and Mr Ross saw the fire for the first time, it was described as being about the size of a car bonnet. One would think, that if this was lit by a person, they may have still been in the vicinity and have been seen. There was also no evidence to suggest that Mr Ward or his family had any grievance with any person that might have had a motive to set fire to his property.~~

When all those factors are eliminated we are left with the irrefutable evidence of an area of origin a very short distance from a Kurrajong tree, which it has been conceded by all the witnesses, including Professor Stokes, that that tree has at some time come into contact with the 66kv power lines. The evidence is also irrefutable that the burn marks are such that it would have ignited small branches that could have fallen to the ground and caused ignition. The two areas of uncertainty are whether I can be satisfied beyond reasonable doubt that the branches touched the 66kv line some time in the afternoon of the 30th November which caused burning embers to fall in the area of origin. On this point, it has also been submitted that the area of origin was directly in front of the Kurrajong tree and that any burning embers would not have been able to travel through the tree canopy and land in that area. Evidence on this issue was given by both Mr Lucas and Mr Gardner and they both expressed the view that wind changes and updrafts caused by the tree itself, could very well explain how the embers landed where they did. It is of course also feasible that embers may have fallen to the ground and then have been blown by the wind under the tree to the area of ignition. Prof Stokes also conceded that embers could travel some distance and his direct response to a question was *"it is possible for incandescent particulars to be thrown 10's of metres"*.

This Inquiry has heard considerable evidence touching on the issue of line tension and also whether the 66kv lines may have swayed. I do not believe this issue requires a great deal of examination, particularly as it is conceded by all, that the lines did in fact touch the branches at some stage. Having regard to the fact that the weather conditions have been described as being of the worst kind for some time and particularly having regard to the wind speed and gusts, it is more probable than not that the touching and evidence of that touching occurred on the 30th November. That is not to say that there may not have been touching on prior occasions; perhaps even ignition of embers, however, it did not result in a fire, possible due to a lack of fuel or the weather conditions. On this day, with temperatures reaching 41 degrees and a dry and accessible fuel load nearby, the evidence in my view is overwhelming that the branches touched the lines on the 30th November and caused an ignition in the area of

origin. ~~What other possible explanation can there be. There was no evidence of~~
firearm discharge on the day.

Before giving my formal findings I will return to the issue of formal recommendations. I do not believe from the evidence presented at this Inquiry that there is a need to make any formal recommendations. In regard to the involvement of the Rural Fire Service, I have only heard glowing reports of their efforts in fighting and controlling the fire. I do understand that some issues regarding de-briefing may have been raised as well as some issues in regard to the containment of the fire. The Section 44 Reviewing Report has identified a number of issues and made recommendations, most of which have been implemented. I would urge members of the community, particularly those who are involved in volunteer fire fighting duties to embrace the concept of dispute resolution through your local committee levels. It was for this reason that I requested that any outstanding issues be received and looked at by the RFS at the conclusion of this Inquiry. Certainly, there was no evidence presented at this Inquiry to suggest that the RFS or its volunteer members, did anything other than their very best to protect property and lives. As Bishop Wescott pointed out, we are fortunate that not one human life was lost.

In regard to a number of issues identified in regard to Country Energy, again I do not believe that there is any need for formal recommendations. It would appear to me that systems are in place for regular inspections of lines and training manuals do exist. If anything, this Inquiry has perhaps highlighted that good corporate management should include not only setting time frames and having education material available, but also having a system of ensuring compliance with those guidelines and periodical re-education. Certainly it was a little discerning that Mr Freeman, a line Inspector did not know that 66kv lines need to be 2.25metres from branches. It was also of concern that this fire broke out on the very last day within the time limits Country Energy itself had set, for a line inspection, that being the 4 and half years. It was also noted that the flying inspection, which I understand is done annually, did not detect in August, 2004, that the Kurrajong tree was encroaching the 2.25m. It is highly unlikely that it was outside the 2.25m in August and grew that much in some 3 months. Similarly the failure of Mr Wake to make an entry in the Parkes Sub Station Log was conceded by him to be a departure from organisational requirements.

My final comment in regard to Country Energy is that it would appear that within days of the fire, they were concerned that the 66kv line may have caused the fire and certainly from the 2nd December, 2004, when Messrs Wake and Milne attended the area of origin. That concern is further evidenced by the fact that Mr Wake entered the Parkes Sub Station to check if there had been any flag downs on that line. He did that on the 2nd December and also checked with the Dubbo Centre for confirmation as to what their records showed. His evidence was that there was no record of any flag down, however, he has conceded that he did not make an entry in his log as he should have. It is also clear that Country Energy was concerned to the extent that they commissioned Prof Stokes almost immediately as he attended the area of origin on the 12th December. It is therefore a little difficult to understand why the Milne report, prepared some time after the 2nd December makes no mention of the existence of the Kurrajong tree and its close proximity to the 66kv line, however, does mention rumours of the fire starting due to harvesting. Clearly this document, being a

purported report of a Country Energy asset, which may have been involved in the cause of a fire, was less than truthful and certainly was not unbiased or objective.

It must be said, that sadly this fire could have been avoided. It could have been avoided if the tree had been inspected before the 30th November and trimmed. It could also have been avoided if it had been detected on the fly past in August, 2004. Clearly the weather conditions, in particular the temperature and winds played a major part in escalating this fire. I accept fully Mr Finnane's submissions that Country Energy provides a vital service to a large part of NSW and has a considerable area of coverage. I also understand that like any large organisation it may from time to time fall behind in its line management strategy, due to resources and or climatic conditions. No doubt the subscribers to the services that Country Energy provides perhaps feel that the quarterly electricity bills that they pay will provide them with not only the service but some guarantee in relation to the protection of their property. I trust Mr Finnane will bring my comments to the attention of his client.

Formal Findings.

I find that the fire known as the Plowmans Road, Aleetown Fire commenced at about 4.00pm on 30th November, 2004, in Paddock 2 of the property known as Kurrajong Park. I further find that the cause and origin of the fire was due to contact between the branches or arcing between the branches of a Kurrajong tree which was situated in close proximity to the 66,000 voltage power line which runs through the property known as Kurrajong Park.

Magistrate Milovanovich,
NSW Deputy State Coroner.
Finding handed down at Parkes on the 30th June, 2006.