

Mr Scott Morrison  
Prime Minister  
Parliament House  
Canberra ACT, 2600

## Firestick Estate Inc.

4 Felicia Rise, Diamond Creek, 3089  
secretary@firestickestate.com

15 December 2019

Dear Prime Minister Morrison,

### Federal Royal Commission into Extreme Bushfires

The United States of America believes Extreme Bushfires are caused by "*gross mismanagement*"<sup>1</sup>. In Australia, evidence of "*gross mismanagement*" is apparent in your office, where there appears to be a revolving door for Ministers, escaping responsibility for this preventable matter.

You and your predecessors have failed to establish a responsible Minister for Extreme Bushfire. The mismanagement of the Australian Estate's forest ecology, seems to start in the Department of Prime Minister and Cabinet, resulting in untold damage, species loss and human deaths.

Your former colleagues, Prime Ministers Gillard, Abbott and Turnbull, responded to our letters of concern about Extreme Bushfires, by stating they were the Federal "...*portfolio responsibilities of the Attorney-General*"<sup>2</sup>. Then former Prime Minister Turnbull countered with "*The Commonwealth works closely with the states and territories...*"<sup>3</sup>. Following that, the Federal Attorney-General directed us to the Federal "...*Minister for Justice...*"<sup>4</sup>. Next, the Attorney-General indicated it was "...*a matter for the state of Victoria*"<sup>5</sup> and after that the Federal "...*Department of Home Affairs...*"<sup>6</sup>. Three weeks later it became "...*the Victorian Department of Justice...*"<sup>7</sup>, then the "...*Attorney-General for Victoria...*"<sup>8</sup> and finally Victoria's "...*Minister for Energy...*"<sup>9</sup>. This buck passing revolving door of Ministers delivered four separate "*portfolio responsibilities*" in five months.

Prime Minister, you are not above the law. We believe your fiduciary duty and acknowledgement that the State has been "*negligent*" with "*native vegetation laws*", places you at risk of going to jail for involuntary manslaughter through negligence<sup>10</sup>. Firestick Estate respectfully requests a Federal Royal Commission<sup>11</sup> into Australia's mismanagement of Extreme Bushfires, as a first step to saving lives, our precious forest ecology and the integrity of the Australian Prime Minister's office.

Yours faithfully,



Belinda Clarkson (Secretary) [www.firestickestate.com](http://www.firestickestate.com)

<sup>1</sup> Attachment 1

<sup>2</sup> [firestickestate.com](http://firestickestate.com) Letters No. 10, 65, 74, 104

<sup>3</sup> [firestickestate.com](http://firestickestate.com) Letters No. 129

<sup>4</sup> [firestickestate.com](http://firestickestate.com) Letters No. 223

<sup>5</sup> [firestickestate.com](http://firestickestate.com) Letters No. 249

<sup>6</sup> [firestickestate.com](http://firestickestate.com) Letters No. 400, 452

<sup>7</sup> [firestickestate.com](http://firestickestate.com) Letters No. 490

<sup>8</sup> [firestickestate.com](http://firestickestate.com) Letters No. 587

<sup>9</sup> [firestickestate.com](http://firestickestate.com) Letters No. 588

<sup>10</sup> Attachment 2

<sup>11</sup> Attachment 3

CC: Opposition Leader Anthony Albanese, Cabinet Ministers, US Ambassador A.B. Culvahouse Jr. & Others

State:	Leaders:	Opposition Leaders:	Emergency Management Commissioners:	State Police Commissioners:
Australian Capital Territory	Chief Minister Andrew Barr	Alistair Coe	Commissioner Shane Fitzsimmons	Commissioner Michael Fuller
New South Wales	Premier Cladys Berejiklian	Jodi McKay		
Northern Territory	Chief Minister Michael Gunner	Gary Higgins		
Queensland	Premier Annastacia Palaszczuk	Deb Frecklington	Commissioner Katarina Carroll	Commissioner Ian Stewart
South Australia	Premier Steven Marshall	Peter Mollnaukas	Chief Executive Officer Malcolm Jackman	Commissioner Grant Stevens
Tasmania	Premier Will Hodgman	Rebecca White	Director Simon Roberts	Commissioner Darren Hine
Victoria	Premier Daniel Andrews	Michael O'Brien	Commissioner Andrew Crisp	Chief Commissioner Graham Ashton
Western Australia	Premier Mark McGowan	Liza Harvey	Commissioner Darren Klemm	Commissioner Chris Dawson

"...trying to set fires, rather than prevent them" - Bill Gammage 2012

## DONALD TRUMP: 'GROSS MISMANAGEMENT OF THE FORESTS' RESPONSIBLE FOR CALIFORNIA FIRES



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TWEET



AP Photo/Noah Berger

by CHARLIE SPIERING | 10 Nov 2018 | 4:27



LISTEN TO STORY

0:58

President Donald Trump said on Saturday that government mismanagement of forests is responsible for the latest deadly fire in California.

"There is no reason for these massive, deadly and costly forest fires in California except that forest management is so poor," Trump wrote on Twitter.

Currently in France to commemorate the 100th anniversary of the end of World War I, the president reacted to the [three major forest fires](#) raging across the state, destroying thousands of houses and killing nine people.

Trump warned that he may defund forest management in response to its failure to clear the forests.

"Billions of dollars are given each year, with so many lives lost, **all because of gross mismanagement of the forests.**" Trump wrote. "Remedy now, or no more Fed payments!"



**Donald J. Trump**   
 @realDonaldTrump



There is no reason for these massive, deadly and costly forest fires in California except that forest management is so poor. Billions of dollars are given each year, with so many lives lost, all because of gross mismanagement of the forests. Remedy now, or no more Fed payments!

**RADIO INTERVIEW WITH ALAN JONES, 2GB****TRANSCRIPT***06 Dec 2018**Prime Minister**Border protection; encryption legislation;**ES&S*

Extract:

**JONES:** Can I just take another Labor point and I want to thank you on behalf of people in Queensland who are writing to me because you have announced a fire fighting package and just for the benefit of our Queenslanders who are listening right across Queensland, \$11 million to be spent leasing large planes to be used as water bombers in Queensland they will come from interstate and this will help save Queensland from repeat devastation like they have faced in the last weeks, six million spent on developing a new national fire danger rating system which will help log fires. Now can I tell you what is happening in Queensland this morning, they are up there saying farmers and they have taken to social media and they are saying it is the Labor government's laws which makes it almost impossible to remove growth which creates more fuel for bushfires now I know James McGrath yesterday moved a motion in the Parliament to recognise that state government laws prevented land holders from safe guarding their property and the motion was beaten. Now isn't this a manifestation of stupid Labor policy again? What can you do about it? Farmers want to remove stuff that makes bushfires less likely and Labor are saying no you can't touch it. I know it is your land but you can't touch it.

**PRIME MINISTER:** It's outrageous and the native veg laws in Queensland are exactly that and I remember I was up in Rockhampton last year and these same issues were being raised. **The Queensland State Government is negligent when it comes to how they are handling these native vegetation laws** and I know that Matt Canavan has also called for an enquiry into fires so these issues could be addressed and they should be.

**JONES:** And the other side of the coin as you would be aware the same farmers who are facing drought want to feed their cattle on mulga and the government is prosecuting them for using mulga to keep animals alive.

**PRIME MINISTER:** I saw that when I was out in Quilpie that time Alan and they took me all through the mulga issue there, and yes these laws are basically undermining the livelihoods of people living in rural Australia and they are doing

## Federal Royal Commission into Extreme Bushfires

(Suggested Terms of Reference)

15 December 2019

### Background. It is given:

**A.** Extreme Bushfires are caused by the ignition of large levels of aerated forest fine fuels, in hot, dry and windy conditions often following drought. Forest fine fuels consists of litter; dead leaves, grass, bark and twigs less than 6mm diameter.

**B.** The Australian Estate's ecology is "... a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit" (International Convention on Biological Diversity, ratified by Australia June 1993). For about 60,000 years the Australian Estate was carefully managed by the First Australians, who used fire to make safe, fertilise and enhance the world's most flammable forest ecology. This process is now called "*Traditional Burning*".

**C.** The occupation of New South Wales in 1788 and Western Australia (WA) in 1829, led to the cessation of Traditional Burning. This soon resulted in many of the worst uncontrollable bushfires in the world, called "*Extreme Bushfires*". Some of the more recent occurred in February 2009, December to February 2006-07, January to March 2003, January 2003, February 1983, February 1967, January 1961 and January 1939.

**D.** In 1939 the Stretton Royal Commission, was the first of a succession of Government Inquiries to recommend a reduction of forest fine fuels. Prescribed Burning is "...ridiculously inadequate" and Extreme Bushfire "...consumes the...humus of the earth...erosion, disastrous siltation occurs...result(ing) in the rapid siltation of man-made water reservoirs".

**E.** In 1961 the Dwellingup Extreme Bushfires prompted the WA Government to develop a forest land management program of periodic low intensity burns, to reduce forest fine fuels. This became the first example of the New Australians adoption of Traditional Burning principles, on large areas of State forest. Australian foresters, like Allan MacArthur in Canberra and George Peet in WA, led the world in scientifically designing an efficient technology for a landscape level, forest fine fuel management approach, employing a mosaic of low intensity fires. This process is called "*Prescribed Burning*".

**F.** In 1967, the Hobart fires provide a clear demonstration that Extreme Bushfires can burn into cities. Since then, increased forest fine fuels have exponentially increased this risk.

**G.** In 1983, Prime Minister Bob Hawke stopped a renewable energy project, making Labor's environment policies appeal to the media. The Liberals agreed, leading to sustained mismanagement of energy, water catchment and forest ecology, which included the downgrading of Prescribed Burning. Federal, State and Local Governments began to make laws to enforce the rural/urban planting of hundreds of millions of locally indigenous flammable flora, ignoring Stretton's advice in 1939 and Hobart's rural/urban inferno in 1967.

**H.** In 2000, Australia enacted the *Environmental Protection and Biodiversity Conservation Act 1999*, partly based on a range of International Treaties.

**I.** From 2003 to 2009, about 3.5 million hectares of Australia's South East Alpine forest ecology was burnt by Extreme Bushfires, causing untold and uncounted damage.

**J.** In February 2009, an Extreme Bushfire killed 173 people, only kilometres away from Australia's second largest city Melbourne, which was only saved from losing thousands of lives, by a wind change arriving three hours earlier than predicted.

K. The 2009 Victorian Bushfires Royal Commission found Australian Governments had "failed" to implement 70 years of official Prescribed Burning recommendations and that there was "...a general lack of will to do the level of burning necessary...". The Royal Commission found one bushfire jumped 27 kilometres in an hour, causing Government warnings paralysis, chaos and public panic. The Government ordered the Royal Commission not to interfere with the Police and Coroner, both of whom failed to investigate their fellow government employees about their requisite duty of care, prior to the massed deaths and injuries to people (firestickestate.com Letters No. 455, 535, 549 & 553).

L. In 2012, Australia's most awarded author, Bill Gammage, wrote *"It is as though you are trying to set fires rather than prevent them"*.

M. Extreme bushfires cause over 90 percent of all bushfire loss, while Australia's annual \$2 Billion firefighting services can only save themselves from the intensity of these fires.

N. The Australian Government's Disaster Grants seem to encourage the propagation of Extreme Bushfires because there is no fiduciary, due diligence and penalty applied to the State Government's failure to mitigate and "...using the best science...", as required by Australia's "Constitutional responsibility...". As a former Australian Minister responsible for this issue wrote "...it pays the States to ensure the fire...reaches disaster levels as they spend nothing on prevention..." (firestickestate.com Letters No. 105 & 191).

**You are appointed to enquire and report on:**

1. The appointment of a Federal Ministry responsible for Australian Estate Management, to establish professional management procedures.
2. The financial cost of the forest soil and water degradation, by Extreme Bushfires, on 3.5 million hectares of Australia's South East Alpine forest ecology since 2000.
3. The relative health of WA's fuel mitigated forest ecology, compared with Australia's apparently mismanaged South East Alpine forest ecology.
4. The relative hectare cost, since 2000, of WA's bushfire mitigation and damage, compared with the same calculation for Australia's South East Alpine forests.
5. The Australian, State and Local Government laws and practices that:
  - a) Allow Australia's forest ecology to have no counted financial value.
  - b) Allow Australian Disaster Grants to States in breach of fiduciary, due diligence and Constitutional responsibility.
  - c) Mandate the massed planting of the world's most flammable flora in and surrounding residential areas.
  - d) Ignore the public's duty of care and prosecute people who attempt to make the Australian Estate and themselves, safe from Extreme Bushfires.
  - e) Failed to investigate duty of care by Government Officers, after hundreds of human deaths and untold ecological loss.
  - f) Breach our International Treaty obligations on environmental protection and biodiversity conservation.