



THE MURRINDINDI FIRE

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18.1 MARYSVILLE

NICOLE JEFFERSON AND JAMES BOWKER

Nicole Jefferson and James 'Jamie' Bowker were less than a month away from becoming parents for the first time when they died on 7 February 2009. Jamie died sheltering in their home at 51 Kings Road. Nicole died in Falls Road, about half a kilometre from their home; it appears she was making her way on foot to the nearby Gallipoli Park oval. Jamie was 36 at the time of his death and is survived by his extended family. Nicole was 29 when she died; an only child, she is survived by her parents Bruce and Elaine.

Nicole and Jamie met in 1999 and moved to Marysville in 2001 or 2002. They had been living at 51 Kings Road since mid-2004. The three-bedroom timber-framed house was about 30 years old. The external walls were of a fibro cement-type material and the roof was corrugated tin. Nicole's father recalled:

The house was on a third of an acre and the garden had a mixture of native trees and also roses, rhododendrons and other flowering plants. Jamie also had over a thousand day lilies in pots scattered around the block. The trees were close to the house and the block was only across the road from the state forest.

The house, along with all the neighbouring houses, was destroyed in the fire. The Victoria Police forensic scientist who examined the property shortly afterwards noted, 'The damage was extensive and comparatively consistent across the entire structure, reflective of the slope of the terrain and the building's proximity to the vegetation and trees'.

It is not clear whether Jamie and Nicole had a fire plan. Nicole's father was aware that the couple had a plan, but he had never been told precisely what it was. A close friend of the couple, Amanda Brewer, knew nothing of their fire plan—or even if they had one. The house was reliant on town water for its water supply. There was no roof sprinkler, and Nicole's father was unaware of any other fire protection. Victoria Police investigators who attended the property were not able to find evidence of any particular fire preparations or firefighting equipment.

Jamie and Nicole might have become aware of a fire threat in the late afternoon of 7 February, when a CFA truck drove up Kings Road. Nicole called her father at about 5.40 pm and told him the CFA had gone up Kings Road to attend to what she assumed was a spot fire. Not sounding too concerned, she told her father she and Jamie were inside the house with the cat and were weighing up their options. The CFA members had driven up Kings Road at about 5.00 pm, some of the residents, including Nicole and Jamie, had asked them what they should do; the residents were advised to evacuate immediately to the oval at Gallipoli Park.

At about 6.00 pm the CFA members retreated down Kings Road after the wind change:

... the winds were at about 40 kilometres after that and the fire basically jumped over the top of us. This was like a wall of flame, the trucks caught on fire [the Yarck tanker]. The DC&E people had backpacks which caught on fire, the trees fell over the road and we evacuated at this stage. I saw that about four or five of the people we told to evacuate were still at their houses.

Some time between 6.15 and 6.30 pm Amanda Brewer reached Nicole on the landline, speaking to her for less than a minute. She recalled that Nicole was panicked, and Amanda asked her if everything was okay. Nicole said words to the effect of 'I have to go. I have to go. I have to go and save my house'. This was the last known contact with either Jamie or Nicole. From 7.00 pm onwards numerous phone calls to their landline and mobile numbers went unanswered.

Just after sunrise on Sunday 8 February 2009 a local CFA volunteer found Nicole by a tree on the nature strip in Falls Road, about 200 metres from Gallipoli Park. It appears she had been overcome by smoke and embers. On 12 February 2009 Jamie was found in the remains of their house, where he had been sheltering in the bath.

The post-mortem reports record the cause of the deaths of Nicole Jefferson and Jamie Bowker as the effects of fire.¹

KEVIN BRADWELL

Kevin Bradwell was 52 years old when he died at his home at 14–16 Allison Crescent, Marysville, on Saturday 7 February 2009. He was alone when he died and is survived by his wife and daughter.

The Bradwells' brick house was on a double, sloping block and was surrounded by shrubs close to the house. Another Marysville resident described the property as being 'up on the hill and very bushy'. The Bradwells' fire plan was to leave if they needed to.

Just before his death Mr Bradwell had been a volunteer community ambulance officer and had a part-time job at the Marysville hardware store.

On 7 February Mr Bradwell finished work at the service station connected to the hardware store at about 4.00 pm. He went next door to the supermarket to clock off and spoke to two of the staff there. They had been listening to the radio for an update on the fires and were anxious about what was happening. Kevin said the fire was 'going in the other direction', gave the impression that he wasn't concerned about a threat to Marysville, and appeared to disregard their concerns. As he was leaving, staff said, 'Go home and get ready. Listen to the radio, make sure you have the radio on'.

At about 6.00 pm Mr Bradwell called his wife in Melbourne. He told her he was trying to make the house safe and was intending to stay. His firefighting preparations included plugging holes, making sure the bath was full of water, filling metal buckets and having mops prepared for embers. Mrs Bradwell told police she believed her husband had decided to stay because he was 'unaware of the ferocity of the fire'.

After 6.00 pm Mr Bradwell called Kay and Denis Brown. Mr Brown is a community ambulance officer, and Mr Bradwell was calling to say he was available for call-out if needed. Mr Brown was already out attending an incident in Marysville involving a tree that had fallen on a car, so Mr Bradwell spoke with Mrs Brown. They talked about whether or not they would be going to the barbecue planned for that evening at Gallipoli Park; Mrs Brown did not recall talking about the fires or the fire threat.

This was the last conversation Mr Bradwell is known to have had with anyone. Telephone records show that a call was made from his mobile phone to the emergency number 112 at 6.56 pm. It is not known whether this call was answered. Mr Bradwell died sheltering in a front room at 14–16 Allison Crescent. The house and neighbouring houses were destroyed.

The autopsy found that Kevin Bradwell's death was caused by the effects of fire.²

MELISSA BUNNING

Melissa Bunning lived on her own at 56 Falls Road, Marysville. She was 37 years old when she died inside her home, which was destroyed by fire, on 7 February 2009. She is survived by her parents, Lyn and Kenneth, her brother, David, and her daughter, Andrea.

Ms Bunning had lived in her weatherboard cottage in Marysville since January 2006, when she had moved there from Ashburton.

There is no indication that Ms Bunning spoke to any friends or family members on or just before 7 February, so it is not possible to determine what she knew about the forecast weather conditions and the consequent fire risk, nor what her plans were.

One of her neighbours, Justin Lloyd, knocked on her door sometime after 3.30 pm on 7 February to let her know that a fire was coming. He knocked a couple of times and called out her name but received no answer. He assumed that Ms Bunning was out.

Later, at about 6.50 pm, records show that Ms Bunning called 000 twice. In a recorded copy of the first call, only the operator's voice and a smoke detector alarm could be heard. No record of the second call, which lasted 11 minutes, has been located.

It is not known whether Ms Bunning had a fire plan. Forensic Officer Karen Ireland noted that the block at 56 Falls Road was not overgrown and there were few trees on the property. She found that the fire behaviour in this part of Marysville was not as severe as in some other parts of the township, but it is worth noting that most of the other houses near Ms Bunning's were also destroyed.

Ms Bunning did not have a car. There is no sign that she made any attempt to evacuate on foot. Ms Ireland noted, 'The lack of a vehicle meant that escape by foot was initially the only means of evacuation. If [people] were elderly or incapacitated in any way, travel by foot was probably not a viable option'.

Ms Bunning appears to have had some health problems that may have affected her capacity to evacuate. Her friend Gayle Walters, a massage therapist, said Ms Bunning suffered from fibromyalgia, a condition that caused her constant pain. Her general practitioner, Dr Lachlan Fraser, noted Ms Bunning suffered from an anxiety disorder that 'would have been heightened significantly and may have affected her normal thought processes'. In Dr Fraser's professional opinion, 'it may have been a contributing factor in her unfortunate death'.

On 17 February Ms Bunning was found in what remained of the house's bathroom; the house had been destroyed. It appears that she sought shelter in the bath, using blankets and water for protection.

The autopsy report concluded that Melissa Bunning's death was consistent with the effects of fire.³

GLENIS DELMENICO AND LESLEIGH WEBB

Glenis Delmenico and Lesleigh Webb died in Lesleigh's car on Lady Talbot Drive, near Marysville, on 7 February 2009. They had been on a camping trip with Lesleigh's dog, Harley. Glenis and Lesleigh, who both lived in Melbourne, had been together as a couple since about 2002. They were both 51 years old when they died. They are survived by Glenis's daughter, Amber Cunningham; Lesleigh's daughters, Jacqueline and Michelle Webb; and extended families.

Lady Talbot Drive is a long, winding road that stretches from Marysville deep into Marysville State Forest. The section of the road where Glenis and Lesleigh died is roughly 2 kilometres east of the Marysville – Woods Point Road turn-off. The road is unsealed and is surrounded by the State Forest. Before the fire the main feature of the area was its thick and mature native forest.

Glenis's and Lesleigh's children knew their parents had gone to Marysville on 6 February for a camping trip and that they planned to return to Melbourne on 8 February. Glenis's mother, Pat Delmenico, was also aware of their trip and saw Glenis shortly before she left Melbourne. The families knew that neither Glenis nor Lesleigh had spent much time in Marysville before but that Lesleigh was an experienced, well-equipped camper.

It is not clear whether Glenis and Lesleigh had a plan for what they would do in the event of a bushfire while they camped. Before leaving Melbourne, a work associate had questioned Lesleigh about his decision to go camping in the bush in what was predicted to be more than 40-degree heat: Lesleigh's response was that he would 'be right'.

It is not clear where Glenis and Lesleigh stayed overnight on 6 February, but Glenis spoke to her mother at about 4.30 pm on 7 February and said she had slept somewhere near a river.

At about 11.00 am on 7 February Lesleigh left a voicemail message for his daughter Jacqueline in which he said it was 'hot in town but cooler in the bush'. At around 6.30 pm, Glenis spoke to Amber, telling her she and Lesleigh were near a river and about to eat dinner and that there were a number of helicopters flying overhead.

It is unclear what happened to Glenis and Lesleigh between the time of Glenis's telephone conversation with Amber and the time they died. They were found on 8 February in the front seats of Lesleigh's car in Lady Talbot Drive. The dog Harley was found on the car's back seat. The car was severely damaged and on the side of the road facing north (away from Marysville). Although there was a large tree limb underneath the car, there was no evidence that the car had been involved in a collision.

The post-mortem reports record the cause of Lesleigh Webb's death as undetermined (but consistent with the effects of fire) and the cause of Glenis Delmenico's death as the effects of fire.⁴

ELIZABETH AND DALTON FISKE

Elizabeth 'Liz' and Glen Fiske moved into their house at 32 Lyell Street, Marysville, in 1992–93. They lived there until February 2009 with their three children—son Kellan, 20; daughter Bronte, 16; and son Dalton, 15. Elizabeth and Dalton died trying to protect the family home on 7 February while Glen and Kellan were on active duty with the Marysville CFA. Elizabeth, who was 44 when she died, and Dalton are survived by Glen, Kellan, Bronte and a large extended family.

As a family, the Fiskes were very involved in the local community, especially the Marysville CFA. Glen had been an operational member for 25 years and had been captain for the past four years. Kellan was also a member of the CFA; Liz was a CFA support member, assisting with administration, communications and catering; and Dalton often helped out. Liz was also involved in the local Lions Club and the Alexandra District League, where she coached and umpired basketball and netball.

The home at 32 Lyell Street was built of brick and had a corrugated tin roof. There was a circular gravel driveway across the front of the house to the carport. As part of the family's fire preparations, a sprinkler system made of PVC piping had been fitted across the top of the house, just below the gutters. Being active CFA members, the family often discussed their fire preparations. Kellan recalled:

We had a fire plan that if there was a structure fire ... we would all evacuate to the letterbox and meet up there. In the event of a bushfire we had to make sure that all the sinks and baths were full of water and that the 44-gallon drum in the carport was full. Part of the fire plan was that once the firefront had passed to get up into the roof space and check. We had planned to draw the curtains to stop radiant heat ... we were to wear shoes and long trousers and sleeves.

The Fiske family had begun to prepare early. On the evening of 5 February they moved timber, made sure access to the property was clear, and filled the 44-gallon drums around the property with water. On the Friday night Glen and Liz discussed whether she would be comfortable staying, considering how serious the weather predictions were for the following day. An intrinsic part of the family's fire plan was that they were to stay only if they felt comfortable. Glen recalled:

She [Liz] basically said that she was happy to stay and that she knew she would have to be prepared. Overall the discussion amongst us all was that if Kellan and I had to go out to fight a fire, Liz and Dalton would stay at home to protect the [house]. Dalton did not intimate anything that he was reluctant to stay.

At about 4.00 pm on 7 February Liz and Dalton were at home, having returned from the local swimming pool. Bronte was at a friend's house in Alexandra for the weekend; Kellan and Glen were on duty at the CFA station. Aware that Marysville was under threat, Glen called in at the house to check on Liz and Dalton and make sure they were prepared for fire. By 5.00 pm the bath and washing machine had been filled with water, hoses had been connected to the taps, flammable items had been cleared from around the outside of the house, and the sprinkler system had been turned on.

Liz was resolute in her determination to stay and protect the house. Between 5.30 and about 6.30 pm she told concerned family and friends who telephoned or dropped in that she was staying to protect the house. Friend Bruce Ackerman dropped by just after 5.30 pm and found Liz on the front lawn with the hose. In response to his suggestion that she and Dalton leave, 'She told me outright that she was staying. She was not the sort to argue with, so I didn't argue the point'. When Liz's sister, Catherine, telephoned just before 6.30 pm Liz told her 'she and Dalton had just patrolled the outside of the house for ember attack' and 'they were going to save the house'. Liz remarked that they looked glamorous dressed in their fire gear. She also told her brother-in-law, Kingsley, that she and Dalton were going to fight the fire and protect the home. Dalton was dressed in his father's fire overalls and, according to Liz, 'looked like a dag'.

At about 6.30 pm Glen called in again to check on his family. Pulling into the driveway, he noticed a fire in the front yard. He met Dalton on the verandah and, after speaking briefly to him, left to return to his firefighting duties, assuring Dalton he would be alright and urging them to stay safe and make sure that 'you and mum make good decisions'.

Between 8.30 and 9.00 pm Glen returned to Lyell Street with the local police officer. They found the house at number 32 alight; the roof had collapsed but some walls were still standing. They were unable to leave the car because of the intensity of the heat. Glen and Kellan went back to the house some time later but could not find Liz or Dalton.

At sunrise the next morning Glen and another CFA member again went to the house: Glen found Liz and Dalton in the remains of what had been the bathroom. The house had been destroyed along with most of the houses nearby.

The post-mortem reports record that Elizabeth Fiske and her son Dalton Fiske died as a result of the effects of fire.⁵

JAMES GORMLEY AND JULIE WALLACE-MITCHELL

James Gormley and Julie Wallace-Mitchell were 40 years old when they died in the Rubicon State Forest, just north of Marysville, on 7 February 2009, having been spending a weekend away together. They are survived by their close families and friends.

James and Julie had been seeing each other for about a month before 7 February. They lived in Melbourne and had been planning the weekend away in Marysville for some time. According to family and friends, James was a 'Greeny' who 'loved the bush' and was an avid campaigner on environmental matters. He had planned the trip to Marysville with Julie as 'a good place to escape the heat' and intended to go swimming. James was aware of the weather forecast, and a number of people, including a workmate, questioned his decision to go to Marysville that weekend.

At about 2.00 pm on 7 February James and Julie checked into their Marysville accommodation. They mentioned to the owner of the hotel, Gregory Cherry, that they wanted to go somewhere quiet to cool off. Mr Cherry thought he might have suggested the Beeches, a popular place on the Taggerty River, along Lady Talbot Drive.

It is not known precisely what James and Julie's movements were after that. It is evident they drove some distance along Lady Talbot Drive and into the mountain ranges to the north and east of Marysville. Their vehicle was found 27 kilometres to the north of the township, in steep, mountainous country on Ghost Point Track, a four-wheel drive track in the Rubicon State Forest.

At 7.53 pm James or Julie used Julie's mobile phone to call the mobile emergency access number 112. A second call to 112 was made at 8.28 pm, which led to James speaking to 000 fire emergency. A recording of this call finds James explaining to the operator their location in the State Forest on Lady Talbot Drive, that they could see the firefront behind them and needed advice on which direction to head. He sounded calm. The operator referred him to the Victorian Bushfire Information Line. Phone records show that he made a call to the Information Line within minutes and that a further call to 112 was made from Julie's mobile shortly afterwards. Both calls were brief.

At 8.42 pm Julie called her parents. Speaking first to her mother, Elizabeth, and then her father, Hugh, she told them she was with James in the Marysville area and they were surrounded by fire. Shortly afterwards the line cut out, and Hugh was not able to reach her again, his calls diverting to message bank. Hugh called 000 to report their concerns about the pair's safety.

On Monday 9 February 2009 James and Julie were listed with the Red Cross as missing. They were found on Ghost Point Track on 17 February. Julie was about 30 metres north of her car and James about 120 metres further north. A fallen tree was blocking the track immediately in front of the car, the doors of which were wide open.

It appears that James and Julie had driven onto Ghost Point Track from the intersecting Mount Margaret Road and were trying to retrace their path when the car was blocked by falling trees. Mount Margaret Road runs off Lady Talbot Drive. The Victoria Police forensic scientist who investigated the site after the fire thought James and Julie might have fled their vehicle in an attempt to find refuge in a nearby logged area.

The post-mortem reports record that the cause of death for both James Gormley and Julie Wallace-Mitchell was the effects of fire.⁶

PATRICK JENNINGS AND GEOFFREY GRADY

Patrick Jennings and Geoffrey 'Geoff' Grady died on 7 February 2009 at their home at 30–32 Aubrey-Cuzens Drive, Marysville. Patrick was 49 years old and Geoff was 35 when they died. They lived in the weatherboard manager's residence at Fruit Salad Farm, a bed and breakfast business with an attached restaurant called Gilberts, which they ran with Patrick's parents. Patrick and Geoff are survived by their large extended families.

Patrick's elderly parents—Jeffrey, 85, and Patricia, 78—also lived at Fruit Salad Farm but had evacuated to another part of Marysville at about 6.00 pm on 7 February; they survived. There were no bed and breakfast guests present in the late afternoon when fire swept through Marysville, although during the early afternoon a small party had checked in for the night.

Aubrey-Cuzens Drive is a 'no through road' to the west of Marysville, and Fruit Salad Farm was close to the road's end. The property itself was heavily timbered, and it was surrounded by the thick, mature native vegetation of Marysville State Forest.

The fire plan for Fruit Salad Farm entailed the elderly Jennings couple leaving. Patrick and Geoff would try to save the restaurant and the manager's residence. Sprinklers had been fitted to the roof. Patricia had told Patrick and Geoff in the past that if there was a fire she wanted them to leave the property after putting the sprinklers on.

At about 4.00 pm on 7 February Geoff made a telephone call to Ken Adams, another Marysville resident and a bed and breakfast operator, and they briefly discussed a puff of smoke in the sky, coming from the direction of Murrindindi. Between about 4.30 and 5.00 pm Geoff was at the Buxton Trout Farm, where he bought fish to be cooked at Gilberts restaurant that night. During this time Geoff told the proprietor of the Trout Farm that Gilberts was staying open that night because everyone else was going to be closed. He seemed blasé about the possibility of a fire.

Shortly after 5.30 pm Geoff returned to Fruit Salad Farm. Patricia Jennings recalled, 'Geoff came back in his car like a bat out of hell. He screamed in with his hand on the horn. Normally we drive slowly. Geoff jumped out of the car and yelled "You're gone—the fire is coming"'.

After packing a few items and pets into a car, Jeffrey and Patricia left, expecting that Patrick and Geoff would not be far behind them. At about this time local police officer Acting Sergeant Ian Thompson visited Fruit Salad Farm and spoke to a male (Patrick), who told him he would be staying at the property if there was a fire.

Between about 5.50 and 6.00 pm Geoff spoke on the telephone with two colleagues, Graham Jeffrey and Meredith McDonald, who were not in Marysville. During both conversations Geoff spoke quickly and sounded panicked. He asked to speak with 'Debbie' (Graham's wife), who, he said, 'would know what to do'. Geoff also told Meredith McDonald that parts of Narbethong had been burnt and that he was putting some live chickens in his coolroom.

At about 6.30 pm Geoff arrived at Ken and Christine Adams' property in Darwin Street, Marysville. He was alone, and he shouted at Ken and Christine, 'What are you still doing here? Get out!'. He then said he was going to call on some other people, so that he could get them out of town.

On 8 February Jeffrey and Patricia Jennings returned to Fruit Salad Farm. They saw trees had fallen onto the still smouldering but destroyed house and that Patrick's and Geoff's cars were burnt out. They did not try to find Patrick and Geoff.

On 9 February Patrick Jennings and Geoff Grady were found in the rubble of what had been the coolroom. The post-mortem reports record that the cause of both their deaths was the effects of fire.⁷

DEAN LESMANA AND RUDI THE

Dean Lesmana and Rudi The were friends who died together on 7 February 2009 in a car on Paradise Plains Road, about 5 kilometres south of Marysville. Born in Indonesia, Rudi and Dean had met as students in Melbourne. Rudi was 28 years old and Dean 26 at the time of their deaths. They are survived by family in Melbourne and Indonesia.

Rudi and Dean became friends in 2007. Rudi had arrived in Melbourne in early 2007 to start a Diploma of Hospitality Management, which he completed in December 2008. After a trip back to Indonesia to visit family and friends at the end of 2008, he returned to Melbourne on 1 February 2009, ready to start work as an assistant chef on 10 February 2009. He was hoping to become a permanent resident, having submitted his application on 5 February 2009.

Dean arrived in Melbourne in October 2006 in preparation for beginning an Advanced Diploma of Hospitality Management in January 2007. He was due to complete the course in June 2009. He had spent his holidays with his family and girlfriend in Indonesia and had arrived back in Melbourne on 5 February 2009. Rudi and Dean had recently developed an interest in photography and had gone to Marysville on 7 February to take photographs.

They travelled to Marysville in a late-model hatchback they had borrowed from Rudi's sister, Juliana. They did not know the area, and Rudi had 'printed directions on how to get there ... to take with him'. It would appear that both men had limited fire awareness. Juliana recalled, 'Rudi would not have had any knowledge or experience with bushfires. I don't think there was anything in the car like blankets you could protect yourself with in a fire'. Dean's father stated, 'Dean had never had any exposure in Indonesia to bushfires. There is no volunteer fire brigade in our area of Indonesia'.

Both Rudi's sister and Dean's father also noted that Rudi and Dean were likely to either listen to music on their iPods or listen to a commercial music radio station; neither of them was likely to listen to an AM radio station such as 774 ABC radio, the emergency broadcaster.

At about 4.15 pm Rudi and Dean were seen swimming at the Marysville swimming pool. At 5.37 pm a call was made from Rudi's mobile to the mobile emergency access number 112. It is not known whether this call was answered.

Juliana was unsuccessful in her attempts to contact Rudi and Dean by telephone on Sunday 8 February and reported them missing. Dean's parents, girlfriend and brother in Indonesia tried to call Dean on his mobile phone, but they too were unsuccessful.

On 11 February 2009 a DSE employee was clearing fallen trees from Paradise Plains Road, a dirt road leading out of Marysville into Yarra Ranges National Park, when he found a burnt-out car on the left-hand side of the road. Rudi and Dean were found in the back seat of the car, which had been extensively damaged by fire. The Victoria Police forensic scientist who examined the site noted that the fire would have been travelling up the hill at this location; the fire intensity was such that canopies of the trees in the vicinity were completely burnt away.

The post-mortem reports record that the deaths of Dean Lesmana and Rudi The were caused by the effects of fire.⁸

LAUREL LEWIS

Laurel Lewis died in her car on Woods Point Road near Marysville on 7 February 2009. She was 81 years old, and she had lived at 16 Lady Talbot Drive, close to where she died. She is survived by four children and her grandchildren.

Mrs Lewis regularly attended CFA meetings and had developed her own fire plan, which was to evacuate. During the fire season she always kept a box of heirlooms by the front door and had fire-safe clothing ready.

Lady Talbot Drive is a long, winding road that stretches from Marysville deep into Marysville State Forest. The section of the road where Mrs Lewis lived is on the outskirts of Marysville, to the east of the township. Mrs Lewis's house was a cedar weatherboard with timber-lined ceilings; the property backed directly onto the State Forest. It was a heavily timbered area, but there was a 15-metre firebreak at the rear of the property and Mrs Lewis kept her gutters and the area around the house clear.

At about midday on 7 February Mrs Lewis's daughter, Bronwyn Shiel, visited with her husband and son. Bronwyn and her family then went to the Marysville swimming pool. Bronwyn contacted Mrs Lewis at about 3.20 pm to tell her

of the fires. Bronwyn and her family then returned to Mrs Lewis's house, packed their belongings and left just after 4.00 pm. Mrs Lewis declined to go with them but said she would move her car so that it faced down the driveway. She placed personal possessions near the front door so they could be moved to the car quickly.

At about 4.30 pm Mrs Lewis called another of her daughters, Merrilyn Withington, and told her there were logs on fire at the Narbethong Mill, near Marysville. She also told Merrilyn she would pack her belongings but at that stage she was staying. During the same phone call she told Merrilyn's daughter she was 'not at all worried'.

At 4.36 pm Bronwyn called Mrs Lewis to tell her she and her family had just passed through the Black Spur and there was a great deal of smoke around. Bronwyn contacted Mrs Lewis again at 5.06 pm: Mrs Lewis told her everything was still fine.

Merrilyn had continued to call Mrs Lewis during the afternoon to check on her welfare. During one of their conversations Mrs Lewis told her she was just finishing packing a box to take. Merrilyn last spoke to her mother shortly after 6.00 pm. At that stage Mrs Lewis was not planning on leaving right then but was ready to go, with the car packed and facing out of the carport. The power had gone out, but Mrs Lewis had a battery-operated radio on and was listening to fire updates.

Bronwyn spoke to Mrs Lewis at 6.44 pm, Mrs Lewis said she was not leaving yet but had everything ready to go when it was time to leave. Bronwyn told her mother she had been looking at the CFA website and that a fire was directly in line with Marysville. Bronwyn tried to contact her mother again just after 7.00 pm but was unable to get through.

Mrs Lewis was found in her burnt-out car, which had hit a dirt embankment by the side of Woods Point Road, about 600 metres east of her home. The position of the car suggested that Mrs Lewis had been driving westward, towards the centre of Marysville. A large burnt tree was wedged underneath the engine bay, suggesting that the vehicle had hit a branch and veered off the road.

The post-mortem report records Laurel Lewis died as a result of the effects of fire.⁹

ELIZABETH, JAMES AND MATTHEW LIESFIELD

During the week leading up to 7 February 2009 the Liesfield family—father Rod, mother Elizabeth, and their two teenage sons, James and Matthew—moved from Buxton to their new home in Marysville. They had recently bought Nanda Binya Lodge, a bed and breakfast business, at 29 Woods Point Road. Settlement had been on 28 January 2009, and they started to move the following day. Elizabeth, 44, James, 14, and Matthew, 13, died in the outdoor spa at Nanda Binya Lodge on 7 February. Rod was injured but survived.

Nanda Binya Lodge was on a large piece of land surrounded by bush. Rod Liesfield described the property before its destruction in the fire: '... a bed and breakfast with five self-contained motel rooms with a common lounge and dining area that held 40 people'. The building was made of brick and had a steel deck roof.

In the week the Liesfields had lived at Nanda Binya they had been cleaning out the gutters and had begun pruning back the trees. There was some firefighting equipment at the property—a fire extinguisher and a fire hose reel. There was no evidence of any external firefighting equipment, and there was no water supply other than the town water. The Victoria Police forensic scientist who examined the property shortly after the fire found no firefighting equipment, such as pumps, hoses and sprinklers, near the building and no ordinary garden hoses. No water tanks or any other types of water receptacle were near the house.

Rod first became aware of the fire threat in the early afternoon. At about 2.30 pm he had returned to Nanda Binya to find that Elizabeth had asked the guests—a group of nine women and a baby—to leave because of the fire risk. Between 3.30 and 5.00 pm the family did some basic fire preparation. Rod and his two sons cleared the guttering and blocked the downpipes. At about 5.45 pm the family stopped for their evening meal, which was cooked on the gas stove because the power had gone out earlier.

The Liesfields did not have a specific fire plan. Over the years they had talked about getting wet blankets and then going to the car.

During dinner Rod and Elizabeth agreed that they would leave and go to Alexandra. After dinner Rod returned to the roof to finish clearing a section of the guttering, and James squirted water onto the roof in readiness for the firefront. While James and Rod were attending to the roof, Matthew and Elizabeth were in the spa area wetting blankets in readiness for the family's departure. Rod 'had wanted about half a dozen wet blankets just in case we needed them'.

Rod recalled that the situation changed rapidly when the wind changed. Within seconds the wind went from the north-west to the south, it became dark and spot fires appeared. He knew they were in trouble. At this point many things happened very quickly. There were spot fires everywhere around the house. James headed to the spa to join his mother and brother. Rod ran to check which of the cars could be used to evacuate and found the station wagon already alight. He went through the house to check if the ute was safe to use but was stopped by the sound of breaking glass:

All of the house windows along the front wall of the house were breaking continuously for a few seconds and there was an unusual sucking noise. It was like there was a real rush of wind that was coming past me towards the door in the lounge room. It was strong enough that I felt the pressure pulling me towards the room.

Rod unwound the fire hose in the lodge and tried to get close to the spa, where his wife and children were, but there was no water pressure. He then tried to get to the spa but was forced back by the heat of the fire coming towards him from the front of the building. Unable to reach his family and with the house on fire, Rod sought shelter in a ditch near some she-oaks, about 20 metres from the house. He stayed there for about an hour and a half before he made his way to the main street, where people looked after him until he was taken to the hospital in Alexandra the next day.

Rod knew his family had been killed when he left the shelter of the she-oaks. Nanda Binya Lodge and almost all the surrounding properties had been destroyed.

The bodies of Elizabeth, James and Matthew Liesfield were found in the remains of the outdoor spa. The post-mortem report for Elizabeth records the cause of her death as undetermined but consistent with the effects of fire. The post-mortem reports for James and Matthew record the cause of their deaths as the effects of fire.¹⁰

DAVID AND CORALIE LYNCH

David and Coralie Lynch lived at 121 The Eagles Nest Road, Marysville. The property was to the north of Marysville and south of Buxton. David was aged 62 and Coralie 60 when they died at their property on 7 February 2009. They are survived by their son and their extended families.

The Lynches' property was a bush block of about 5 hectares. The house was on top of a hill, with mature trees all around except to the north, where there was about half a hectare of cleared space. The house was built of rough-sawn mountain ash. Inside, the walls were of rough-sawn timber and plaster.

David and Coralie were known to be 'quite passionate' about the house and its contents, and their fire plan was to stay and defend. David's brother, Stuart, explained, 'From November to March, David and Coralie would not leave the Marysville area in the event they had to fight bushfires and protect their property'. They had a practice of burying a container with their valuables and personal papers at the start of every summer.

Their son, a firefighter with Parks Victoria, explained their firefighting equipment and practices, which included having wheelie bins filled with water on every corner of the house and also having flailing sticks to hand:

Dad had a sprinkler system that was connected to a firefighting pump (petrol driven). This pump was in turn connected to a large plastic tank. There was also one or two other water tanks that were connected to the house supply and they were located at the shed/garage that was on the cleared area above the house. Dad also had a firefighting hose that was connected to the fire pump along with the sprinkler system. I believe they had butterfly sprinklers along the ridge line of the roof and misting/finer sprays under the eaves of the front verandah. He kept the area around the house clear of undergrowth, but there was still a lot of garden around the house but this garden would be watered and kept green.

The Lynches knew about the forecast conditions for 7 February, in part because their son had telephoned them the previous day. At about lunchtime on 7 February David had a phone conversation with Stuart, in which he (David) said there was a fire over the Black Range but it seemed to be travelling away from him. At about 3.00 pm Susan Barrie-Gresham, owner of the Narbethong Hardwood Sawmill, where David worked casually, rang David to ask him to come and help at the mill. She was concerned about fire approaching the mill. David agreed to go.

At about 3.40 pm David answered a phone call from Coralie's sister, Denise, telling her, 'I can see smoke to the north-east two ridges away'. He did not seem concerned. On a number of occasions Coralie, who was monitoring the DSE website, spoke to neighbour Rosemary Flaherty about the fires. In a call to David at about 4.00 pm Rosemary asked how close the fires were. David told her they were in the Black Ranges, along the valley, and it would take a while for the fires to get to their area—if they were not controlled first. At about the same time David used his mobile phone to ring Stuart because the landline had stopped working. David told Stuart things were not looking good and he might not be able to talk for some hours.

At about 5.00 pm David rang Rosemary and asked if she was leaving. The last thing he said to her was 'Don't leave it too late, Rose'. She understood that David and Coralie were staying to defend their home. David also called Susan at the mill to tell her he could not help her because the roads were blocked. Just before 5.15 pm David called another friend in Marysville to apologise for not being able to put his bins out because he was preparing his home for the fire. A couple of friends made calls to the Lynches' between 5.30 and 6.00 pm; these calls went unanswered.

Just after 6.00 pm David called a friend in Melbourne to advise her to stay there rather than try to return to Narbethong the next day. David said he was putting the sprinklers on to protect his house from fire. At about 6.45 pm a close friend called Coralie on her mobile phone. Coralie, sounding stressed, said fire was coming up the hill and that David had the sprinklers on. It was at about this time that fire hit the area. The house was razed.

On 9 February David's remains were found, possibly just outside the rear of the house, and Coralie's remains were found inside the house, probably in a bedroom.

The post-mortem reports record that David and Coralie Lynch died as a result of the effects of fire.¹¹

ALLEN MAWSON

On 7 February 2009 Alen Mawson died sheltering in the bath in his holiday home at 18 Allison Crescent, Marysville. He was 64 years old when he died. He is survived by his partner, Christine Walker, and their two children, James and Stephanie.

Alen and Christine bought 18 Allison Crescent as a family holiday home in 1988–89. The property is on the outskirts of Marysville, near Kings Road, and is close to Marysville State Forest. When their children were younger the couple used to take them and their cousin to the property for weekends and school holidays. On a sloping block with mature eucalypts and shrubs around the property, the brick veneer house had a tiled roof and timber decking. Christine recalled:

There were large gum trees between our house and the house on the western side and a very big gum tree in our back yard. There were lots of mature shrubs on the property and new ones that Alen was still planting. There were a lot of trees on the west side ... We spoke to [the neighbours] about cutting back some of the trees on this west side a few years ago, but neither the neighbours nor Alen were interested and this didn't happen.

Over the years a local builder had been contracted to carry out a number of renovations at the property. More recently Alen and Christine had talked about changing their living arrangements so they could both spend more time there.

Alen spent weekends at the house at least twice a month in order to maintain the garden, also working there on his laptop. He usually left Melbourne on the Friday, and the weekend of 7 February was no different. Keen to be there to water the plants, which had already suffered through the hot summer, Alen left home at about midday on 6 February with the family dog, Jackie. Christine recalled that they hadn't talked about the 'possibility of bushfires in the area as I could never have imagined there was a bushfire threat in the Marysville area as it had been so lush and green'.

I always said my fire plan was to leave but Alen never understood what I meant as he said that was the worst thing you could do. I said I'd leave and go to the oval. Alen would look at me blankly as there were never any fires in Marysville. I don't think Alen had any fire plan on what to do if there was a fire at the property. I even spoke about cleaning out the gutters of leaves but there was no urgency to do this. There was no firefighting equipment at the property.

On Saturday 7 February Alen called Christine at about 6.40 pm, asking what he should do because 'there seems to be a bushfire close by as it is very dark and smoky'. Christine advised him to go to the oval if he had time and, if he did not, to fill the bath with water and get into it with the dog. Overhearing the conversation, their son James checked the CFA website but saw only a reference to a grass fire of minimal risk in Falls Road. He called his father back within a few minutes to tell him to go to the oval. Alen told James he was in the bath with the dog, that the garden and grass were already on fire, and he was concerned that the verandah and house might catch alight. The call dropped out.

Christine and James tried unsuccessfully to call Alen numerous times during the next few hours. They were comforted by a news report late in the evening that everyone in Marysville was safe and at Gallipoli Park. (In fact, the reference to everyone being safe was later found to have been a reference to CFA and DSE members, rather than the general community.) On Sunday 8 February family members registered Alen with the Red Cross as missing. In the next few days family members tried to find Alen by watching the news and calling the Red Cross and hospitals.

On 11 February 2009 Alen's body and that of Jackie, the dog, were found in the remains of the bath; his watch had stopped at 7.20 pm. The house had been destroyed. Alen's car was found largely undamaged where he had parked it, on the elevated car park at the front of the house.

The post-mortem report records the cause of Alen Mawson's death as consistent with the effects of fire.¹²

HARLEY AND ERROL MORGAN

Harley and Errol Morgan died together at their home at 9 Lady Talbot Drive, Marysville, on 7 February 2009. Harley was 57 years old and Errol was 70. The couple are survived by Errol's four children and grandchildren and Harley's sisters and their families.

Lady Talbot Drive is a long, winding road that stretches from Marysville deep into Marysville State Forest. The section of the road where the Morgans lived is on the outskirts of Marysville, to the east of the township. Before the fire the main feature of the area was the dense, mature native forest.

The Morgans built their weatherboard cottage on a large block in the mid to late 1990s. Built in a traditional style, the cottage had a steel roof, a bull-nosed verandah at the front, and a large timber deck at the rear. The garden, which contained trees, was neat and well maintained by Harley. The property was surrounded by Marysville State Forest and some other similar private properties.

The Morgans' plan was to leave their property in the event of a fire. Harley was an active CFA member but had not responded to the call-out on 7 February.

Two of Errol's children said they believe the Morgans' decision not to relocate on 7 February was influenced by Errol's restricted mobility. The day before Harley had taken Errol to the Healesville and District Hospital because she had ongoing leg problems and was having difficulty walking that day. Errol was not admitted to hospital and returned home that night.

Errol spoke to her son Andrew Burns three times between 1.18 and 4.40 pm on 7 February. During those conversations Errol told Andrew she was concerned about the fires in Kilmore and Murrindindi, which were being reported on the CFA website.

Throughout the afternoon the Morgans spoke to numerous other friends and neighbours, either in person or by telephone. Between 4.15 and 6.40 pm Harley went to his next-door neighbours, Russell Glenn and Vicki Moritz, three times. On each occasion they discussed whether it was safe to leave. On Harley's advice, Russell and Vicki eventually decided it was not safe to leave.

At 5.22 pm Harley spoke on the telephone to a neighbour, Barbara Harrison, telling her, 'We're in deep shit'.

At 5.43 pm Errol spoke on the telephone to another neighbour, Neil McKern, and Neil told her the wind had changed to a strong south-westerly and urged her to evacuate. Harley also answered a phone call from Errol's son Andrew Burns at 6.46 pm, but he said, 'The fires are here, I've got to go'. At 6.54 pm Errol spoke to Russell Glenn on the phone; Russell said, 'Good luck, darl' since it was obvious to him that the fires were approaching.

There are conflicting recollections about whether or not the Morgans were going to leave their house that day or stay. During their phone call at 5.43 pm Errol told Neil McKern that Harley would not leave the house. At about 6.40 pm Harley told Russell Glenn and Vicki Moritz that Errol would not leave the house and he would stay with her.

At 7.06 pm Russell Glenn looked across at Errol and Harley's house and saw that it, together with Harley's ute, was fully ablaze. At 7.08 pm a call was made from the Morgans' mobile phone to the mobile emergency access number 112, but the call lasted for only 19 seconds.

The bodies of Errol and Harley Morgan were found in the remains of the bathroom of their house, which was destroyed in the fire.

The post-mortem reports record that the cause of their deaths was consistent with the effects of fire.¹³

KIRSTIE AND ISAK NILSSON

Kirstie and Isak Nilsson lived at 5 Keppels Court, Marysville, with their three children, aged 10, 12 and 14. Kirstie was 39 and Isak 44 when they died at their property on 7 February 2009. They are survived by their children and their extended families.

The Nilssons' house, which Isak had built, was a single-storey five-bedroom weatherboard. It was set at the southern end of the block, towards the back, and abutted a particularly heavily forested area. To the north, at the front, were fenced paddocks. The Nilssons' fire plan was to stay and defend their property. Isak made a practice of filling an old bath and wheelie bins with water, but they had no other firefighting equipment and were reliant on town water.

At about 3.00 pm on 7 February Kirstie rang her mother, Penelope Sargent, who was also in Marysville, to discuss the colour of the sky and the fire at Kilmore. Kirstie and Isak had intended to leave the children with Ms Sargent while they went to Melbourne. Although they did not think they were in any danger in Marysville at that stage, they changed their plans in any case. Kirstie did not want to drive across the Black Spur or face the possibility of having trouble getting back. They arranged for her mother to come to the Nilsson home at 5.00 pm.

At some time after 3.00 pm Mark Peart stopped to speak to Kirstie and her daughter outside the Marysville swimming pool as he and his family were heading for the Gallipoli Park oval. He told her they were leaving and advised Kirstie and family to leave too.

At 5.00 pm Kirstie's mother arrived at the Nilsson home as arranged. Isak was outside getting water and buckets ready. It was very smoky, but the Nilssons had heard no warnings at this stage. Kirstie asked her mother to take the children to the golf club, a known assembly point, which her mother did at about 5.15 pm. She noted, 'Kirstie wasn't that enthusiastic about staying to fight the fire, but there was no way she would leave Isak there alone'.

It was about 5.30 pm when the local police officer, Senior Constable Ian Thompson, first saw flames in the treetops at Mt Gordon, about 3 kilometres from Marysville. He did a doorknock, advising a number of residents of the approaching fire and urging them to evacuate immediately. He spoke to Isak and Kirstie, who elected to stay. Kirstie appeared concerned; Isak was determined to stay.

At some time after 5.30 pm Kirstie's mother and the children were told the golf club was no longer safe and to head for Alexandra. While they were on their way Ms Sargent asked the children to call their parents to let them know what was happening. The phones went unanswered. Jan Peart, Mark's wife, returned a call from Kirstie at about 6.50 pm, leaving a message telling Kirstie to go to Alexandra. Fire had struck the township of Marysville at about 6.45 pm.

Isak's remains were found about 6 metres from their burnt-out house. Kirstie's remains were found inside what had been the bathroom.

The post-mortem reports record that Kirstie and Isak Nilsson died as a result of the effects of fire.¹⁴

COLIN PAUL

Colin Paul was almost 84 years old when he died on 7 February 2009 in the two-storey mud brick and timber home he had built at 17 Kerami Crescent, Marysville. He had lived there alone after his wife, Alice, died in 2002. He is survived by a large extended family, including his five children, Jenny, Andrew, Trevor, Robert and Gregory.

At close to half an acre Colin's property was an irregular shape, running between Kerami Crescent and the Marysville – Woods Point Road. The house was at the north-eastern end of the block; the western end was heavily wooded. There was also some bush at the extreme east of the block.

Colin was very active in his community: he volunteered at the local bowls club and 'used to drive other aged people from the community to doctors' appointments and the like'. He had been fit and mobile for his age until a couple of days before the fires, when he had fallen and injured his back. This restricted his mobility, and he was using two walking sticks on 7 February, although he had still been able to get to the bowls club that morning.

As his son Greg recounted, Colin was an experienced firefighter:

... my father was an experienced firefighter and had successfully defended other properties from bushfire. My father worked for the Soil Conservation Authority, a former incarnation of the Department of Sustainability and Environment for about 35 years, from 1950 to 1985. Prior to that he had been an infantry soldier in the 7th Battalion in World War 2 and had fought fires as part of his army service. My father had fought fires in the Sydney area before being deployed in the Pacific theatre in World War 2. My father was also a member of the Civil Defence, which later became the State Emergency Service ... He had an extensive knowledge of firefighting and preparation for fire events.

Colin's fire plan was to stay and defend. This was confirmed on 7 February in conversations with various family members. In a phone call to her grandfather just before 5.00 pm Rebecca Peters raised the prospect of evacuation, to which Colin replied, 'They will have to prise me out of here'. At about 6.15 pm Colin spoke to his daughter-in-law Sandra Paul and told her he was staying to fight the fires; he had drums of water and hoses prepared. A little before 6.30 pm Trevor called his father for the second time and urged him to collect his valuables and leave. He recalled that his father 'tried to lighten the situation by stating "I'm going down with the ship"'.

The plan to stay and defend appears to have been longstanding: according to a 2006 list of people who had attended a series of community fireguard meetings, Colin planned to stay and defend at that stage, too.

Colin had intended to buy a tank and pump but had not yet done this. He had access to town water, garden hoses set up to fight fires, and tools such as rakes and hoes.

The house at 17 Kerami Crescent was very special to Colin and his extended family. He had bought the property in 1988 and spent the next two years building the house with his wife. It became a family project, and their children helped out at various times. Colin's granddaughter Rebecca commented, 'Papa was a perfectionist and everything was built with love'. The mud for the bricks came from the site cleared for the slab, and most of the house's frame was made of hand-milled timber obtained from trees felled on the site. Son Greg recalled:

The house was more than a house, not only to my father but to our family. Many family Christmases and other special events were held at the house and it was like a base for us all. It was because of the fact that the house was like sacred ground to my family that my father chose to stay and defend the property.

On 7 February Colin spoke to a number of his family members earlier in the day, although the subject of fires did not come up until the call just before 5.00 pm from Rebecca. During that conversation it became evident that Colin was aware of some degree of fire activity: he mentioned he had seen smoke 'billowing over the hill', although he told Rebecca he had not been alerted to any fire at the time. At about 5.30 pm he told his son Trevor he would not leave, saying 'he had experienced fires before and this was just another one'.

318 On 8 February 2009 Colin Paul's remains were found by his son Gregory, a police officer, in what had been the house's main bedroom. The house and its surrounds had been destroyed.

The post-mortem reports record the cause of Colin Paul's death as effects of fire.¹⁵

LEONARD POSTLETHWAITE

Leonard 'Len' Postlethwaite died at his home at 86 Falls Road, Marysville, on 7 February 2009. He was 82 years old and a life-long resident of Marysville: he had lived there with his wife, Elaine, from the time they married in 1960. Formerly a fit and strong man, at the time Len died he had a number of health problems, among them a degenerative spine condition that limited his mobility. He is survived by Elaine and their children and grandchildren, who also lived in Marysville.

Len was a proud man who had lived his entire life in the bush. As a 12-year-old he had saved his family's home in Marysville from the 1939 fires. He was a champion axeman and spent most of his working life with the Forestry Commission, where one of his tasks was fighting bushfires.

The Postlethwaites' property was at the corner of Falls Road and Martin Road, about 1 kilometre east of Marysville township and 500 metres from Gallipoli Park. The section of the road where the Postlethwaites lived was residential, with houses on both sides, but Marysville State Forest adjoined the rear boundaries of most of the properties on both sides of the road. The Postlethwaites' property was originally about half a hectare, but it had been subdivided in recent years and there were two cleared 'quarter-acre' blocks between the Postlethwaite's house and the forest.

The Postlethwaites' house was made of Californian redwood and had verandas on two sides. The property had a large front yard, which was mostly clear, although there was a garden. Elaine recalled that the house was built in about 1980 but was not built with bushfire defence in mind; the Postlethwaites had no fire plan and no firefighting equipment. In the 50-odd years Elaine and Len had lived together in Marysville, they had never had any trouble with bushfires.

On 7 February the couple were together at home. At 4.10 pm Elaine called her daughter Kay Ronalds after noticing smoke in the sky. Kay was in Marysville, and she told Elaine she was going to Buxton because there was a fire nearby. Elaine then told Len what Kay was doing, but he made no comment.

Some time after that Elaine received a telephone call from her sister, Pat Lawson, in suburban Melbourne, who told her she had heard about fires in Narbethong. At about that time Elaine pointed out to Len that there were large red spots in the smoke in the sky, but Len said that the colour was caused by the sun, not fire.

At 4.44 pm Elaine called daughter Kay again and asked her why the CFA station siren had not been sounded. At 5.14 pm Elaine spoke to her other daughter, Ann Cuzens, who said people were congregating at the Cumberland guesthouse in central Marysville and suggested that Len and Elaine go there too. Elaine mentioned this to Len, but he refused to leave the house.

At 5.48 pm Ann called Elaine again and told her the fire was coming and she and Len needed to get in their car and leave the house immediately. After that phone call Elaine packed some things into the Postlethwaites' ute and chained their dog to the back. She then went back inside and the power went out; she pleaded with Len to leave but he refused again. Len said he wanted a sandwich and a cup of tea; he then went and sat on the veranda, with his back to the smoke.

Elaine continued trying to persuade Len to leave the house but she had no success. Len thought they would be safe at the house, and that the cleared blocks between the house and the forest would act as a firebreak. After about half an hour Elaine could see, hear and smell the fire and she decided she had to leave. She could not drive the ute, so she left on foot, hoping Len would follow. Not long after 6.55 pm, a neighbour drove past her on Falls Road, offered her a lift and drove her to safety. Len stayed behind.

Some time after Elaine had left two CFA volunteers drove past the Postlethwaites' house and saw Len sitting on the veranda. One of them called out to Len and told him to 'get the hell out of there'.

On Sunday 8 February 2009 Len's body was found in the front yard of the Postlethwaites' property, next to the burnt-out ute. The family dog was found nearby.

The post-mortem report records the cause of Len Postlethwaite's death as the effects of fire.¹⁶

DR KENNETH ROWE

Dr Kenneth 'Ken' Rowe died at his holiday house at 2 Hull Road, Marysville, on 7 February 2009. A Vietnam veteran, he was 63 years old when he died. He is survived by his wife, Katherine 'Kathy', and their three sons, David, Andrew and Iain.

Hull Road is an unsealed cul-de-sac a short distance south of Marysville township. It runs off Mount Kitchener Avenue and sits between Falls Road and Kings Road. It is also very close to the thick, mature native vegetation in Marysville State Forest, which borders Kings Road, and is a short distance from Gallipoli Park.

Ken and Kathy owned two adjoining properties in Hull Road: numbers 2 and 4. Number 2 was their holiday house and number 4 was rented to full-time tenants. Both properties had native vegetation, including mature gum trees along the border, but these had been pruned during the 12 months preceding 7 February. Two empty bush blocks were directly across the road from the Rowes' property at number 2.

The house at 2 Hull Road was 'a two-storey, three-bedroom house made of hardwood'; it had been built in the 1960s. According to Graeme Brown, their neighbour and tenant at number 4, Mr Rowe kept the property well maintained: 'He took pride in the house'.

Ken had received a telephone call from the CFA on 6 February, alerting him to the high fire danger conditions that were expected in Marysville the following day. Ken left his home in the Melbourne suburb of Surrey Hills at about 3.00 pm on 6 February and went to Marysville, intending to clean up around the house and make it fire ready. He took numerous fire-ready items with him, among them a torch, batteries, a battery-operated radio, boots, towels and an old blanket. It was his normal practice to take these items with him to Marysville.

At 8.06 am on 7 February Ken called his wife and told her he had cleared away leaves on their Marysville property. At about midday he spoke to Graeme Brown, telling him he had come to Marysville to look after the house and to keep it damp.

Ken spoke to his wife again at 5.18 pm. During their 10-minute conversation Ken was calm, reassuring Kathy he had done everything they had discussed. He also told her the sky was dark, sparks were flying everywhere, and he couldn't see very well from the back of the house:

He had mops and buckets, filled the baths and trough, he had wet towels by the doorways, he had closed the woollen curtains, he had a wet blanket. He told me the clothes that he was wearing—hat, long pants, woollen shirt—[and] that he had something for his face. He told me he had filled the gutters, hosed the house down, wet everything that he could.

At 5.40 pm Graeme Brown was preparing to leave when he saw Ken on the back verandah of number 2. He told Ken he and his son were leaving and heading to Gallipoli Park and that Ken should go too. Ken waved back to him.

Concerned about news reports he had heard late in the afternoon about bushfires in and around Marysville, David Rowe called his father at 6.20 pm. They spoke for about 10 minutes. Ken sounded calm and told David about the preparatory work he had done around the house. He also mentioned that he hadn't felt so tired since his time in Vietnam with the army.

David tried twice to call Ken again later in the evening, but there was no answer. At about midnight Graeme Brown returned to Hull Road; he saw that both houses had been destroyed and that Ken's car was burnt out in the driveway of number 2.

Ken Rowe's body was found near the remains of the kitchen at 2 Hull Road. The post-mortem report records the cause of his death as the effects of fire.¹⁷

DAVID AND MARLENE SEBALD

David and Marlene Sebald moved to Marysville in 2002. They died there with their much-loved whippets at their home at 3 Keppels Court on 7 February 2009. David was 62 years old and Marlene 69 when they died. They had no children and are survived by family and friends.

Keppels Court is an unsealed cul-de-sac on the western edge of Marysville township. Situated close to the Marysville State Forest, the Sebalds' brick house was positioned deep into the block, closer to Aubrey-Cuzens Drive than Keppels Court. The Sebalds were gardening enthusiasts and were diligent about maintenance of the vegetation on their property.

David and Marlene were committed to staying in Marysville in the event of a bushfire. They owned and operated a local real estate business and felt they had obligations in relation to various local businesses, which were usually heavily booked during summer. They also wanted to protect their dogs and cats.

The Sebalds had experienced the Ash Wednesday bushfires at a previous residence, in Tecoma, and were considered knowledgeable about bushfires. They had fire safety equipment installed at their property—including sprinklers, water tanks, pumps and gutter guards—and had had their property inspected by the CFA. In 2007 they organised a series of CFA information nights about fire safety for themselves and their neighbours.

On 7 February David Sebald spent most of the day working at the offices of the real estate business with Karen Morrison, an employee. At about 3.25 pm Karen received a telephone call from her husband, a CFA member at Buxton, alerting her to an approaching fire. Karen left straight away and advised David to do the same, but he said he would stay at work 'for a bit longer'. As Karen drove away she saw a large amount of smoke in the sky.

At about 3.30 pm Phillip White, a close friend of the Sebalds, visited their property and told Marlene he and his partner were leaving Marysville because of the fire threat. Marlene was gardening at the time and appeared to be calm. David arrived home while Phillip was there and, after hearing his evacuation plan, David questioned whether the decision to leave Marysville had been 'premature', saying the fire was in Kinglake.

At about 3.45 pm Karen Morrison called the Sebalds' home number to make sure Marlene knew about the oncoming fire. Shortly after 5.30 pm Acting Sergeant Ian Thompson visited the Sebalds; they told him they would be staying to defend their property.

At about 6.25 pm, shortly after escaping from her burning house in nearby Aubrey-Cuzens Drive, Sue Pertama, a neighbour, noticed that the Sebalds' house had burnt down.

On 9 February 2009 David and Marlene Sebald's bodies were found together in the ensuite to their master bedroom. The post-mortem reports record the cause of the couple's deaths as consistent with the effects of fire.¹⁸

SUAT BIAN TAN

Before her death in Marysville on 7 February 2009, Bian Tan had been making plans to retire in the coming May. She was looking forward to a family reunion in Western Australia and to spending time with friends in Brisbane and Sydney. Ms Tan died in Mountain Lodge Guest House, at 32 Kings Road, Marysville; she had worked at Mountain Lodge as a drug counsellor since October 2008 and was 63 years old when she died.

Mountain Lodge Guest House had been bought by Betel Australia in June 2008. Ms Tan worked for Betel Australia, a Christian charitable organisation founded in Spain in 1985. The organisation provides assistance to people with drug and alcohol addictions.

The 1-hectare property at 32 Kings Road was nestled in a heavily treed setting abutting Marysville State Forest. The main building on the property had 24 guest rooms with ensuites, a staff flat, conference facilities, a dining room, recreational facilities, and an industrial kitchen. The grounds contained a small cottage, a shed, a tennis court and a swimming pool. The property was described as 'totally surrounded by trees and bush areas, there were no fences around the property and residents could go for bush walks any time'.

Betel Australia planned to operate Mountain Lodge as a guesthouse for paying customers and also to provide accommodation, counselling and support services for people recovering from drug and alcohol addictions. The day-to-day running of the business was to be handled by two couples—Jason Budden and his wife and their four small children and Luis Blanco Rodriguez and his wife and their small child. At the time of purchase, Betel Australia was required to have a fire inspection carried out. Lindsay McKenzie, chairman of Betel Australia, noted:

A private contractor was hired ... He was a building compliance inspector; essentially he conducted the fire inspection and found that prior to settlement: all fire extinguishers were in place and most were brand new; smoke alarms were hard wired in every room and were functioning correctly; all exit signs were properly illuminating; all fire hoses were checked and found to be in good working order; and fail safe back up power systems tested and found to be operating correctly.

Mr McKenzie, who stayed at the Mountain Lodge Guest House from June to September 2008, also stated:

There were at least 3 fire hoses. One hose was inside and two were definitely outside. They were proper fire hoses, made from heavy duty plastic ... There were also standard taps, one at the front and one at the back. They both had Nylex style garden hoses attached. We also had at least two standard plug in garden sprinklers ... By the time I left there had not been any plans or discussion relating to fire plans. I cannot say if there was anything in place after I left but I certainly [have] not been made aware of anything.

People who were living at Mountain Lodge in February 2009 said the fire plan for the property was to evacuate and go to the local golf course.

On 7 February 12 staff and residents, including children, were living at Mountain Lodge. A party of 27 paying guests had checked out early in the day. Between 2.00 pm and about 5.15 pm staff and residents did a variety of things: some used the pool, others played billiards, some spent time on the verandah or in their rooms. By mid-afternoon they became aware of smoke blocking the sun, a red glow in the sky, and the wind becoming stronger. Ms Tan appeared not to have joined the others and seemed to have spent most of the day alone in her room.

At 5.00 pm Ms Tan received a call from her sister-in-law in Perth. They spoke for about 25 minutes. Ms Tan spoke of her recent religious experience and the feelings of joy this had given her. She blessed all her family members before speaking briefly with her brother. There was no specific reference to fires or the threat of fires during the phone call. Before speaking with her brother she sang a song she said had been playing over and over in her mind in the past week. The song was drawn from the book of Isaiah, as recounted by her brother Justin:

Fear not, for I have redeemed you, I have called you by name, you are mine. When you pass through the Waters, I will be with you, and through the rivers, they shall not overwhelm you. When you walk through fire you shall not be burned, and the flame shall not consume you. For I am the Lord your God, the Holy one of Israel, your saviour.

At about the same time as Ms Tan received the telephone call from her relatives in Perth the power was lost and a decision was made to have the evening meal earlier than usual. Ms Tan did not join the others for the meal. Luis Blanco Rodriguez went to Ms Tan's room and told her 'due to the smoke and bad weather that she should keep alert in case we needed to evacuate quickly'. She replied, 'It is OK Luis, don't worry'. Another resident also went to speak with Ms Tan. He took her outside to show her the smoke and advised her to prepare to evacuate. Ms Tan was taken aback by what she saw and commented on the fire being close and how big it was. She asked if the fire would come to the hotel and was told that it would not. She then went in the direction of her room.

After dinner was finished and the kitchen cleaned, seven of the community members sat on the verandah for about 20 minutes in a fairly jovial mood. By this time it would have been somewhere between 6.00 and 6.30 pm. Flames were seen popping up on the horizon about 400 metres away and heading towards Mountain Lodge. A resident, Daniel Orden, told everyone to evacuate to the 10-seat van. In the few minutes it took for them to collect some things from their rooms and return to the van, the smoke had become very thick, ash had begun to fall, and a huge wall of flame appeared 20 metres behind the van. Jason Budden and Luis Blanco Rodriguez evacuated to the golf course in separate cars with their families. As the van was en route to the golf course, Jason called to check that Ms Tan was with the other community members. She was not.

Luis tried to return to Mountain Lodge but was turned back at Pack Road, where a CFA truck was blocking the road. A CFA member waved his arms and told Luis to 'get out of here'.

Ms Tan's body was found on 18 February 2009 in the ruins of Mountain Lodge, near where her room had been. The building and surrounds had been destroyed by fire, as had most of the houses in Kings Road and the adjoining streets.

The post-mortem report records the cause of Bian Tan's death as consistent with the effects of fire.¹⁹

MARIETTA WALSH AND KATHRYN AND DAVID WHITTINGTON

Marietta 'Marie' Walsh, 73, and Kathryn 'Kate' Whittington, 66, and her husband David Whittington, 68, died at the Cumberland Marysville Villa Day Spa at 34 Murchison Street, Marysville, on 7 February 2009. They had sought shelter there from the fire that burned through Marysville at about 6.45 pm. Marie Walsh is survived by her husband, Daniel, and their two sons Michael and Paul, and their families. Kate and David Whittington are survived by their children John, Jane and Robert, their children's partners and their grandchildren.

The Cumberland Marysville Villa Day Spa—known locally as 'the Cumberland'—was one of the earliest and best known of the guest houses to be established in Marysville. In February 2009 it was a conference centre with resort facilities, including a restaurant. The two-storey brick building had 43 bedrooms. Behind the main building was the Villa Day Spa, which consisted of a heated indoor swimming pool and treatment rooms for beauty therapies and massage. The owners, Simon and Ann Cuzens, had had a family connection with the Cumberland since 1948, when Simon's father owned it.

Marie Walsh

Daniel and Marie Walsh moved to Marysville in 2005 after Daniel had retired from his dental practice in Portland. Their large 50-square house, at 20 Darwin Street, was white brick veneer with black terracotta roof tiles and was set on a large block with extensive gardens around the house. Marie, in particular, was passionate about the garden, which contained mostly exotic species such as camellias and rhododendrons. There were two water tanks, one 11,000 litres and the other 19,000 litres, both of which were full; they were for the gardens and for washing cars.

The Walshes did not have a fire plan. Dan kept the tanks full and had plugs for the gutters so he could fill them with water if necessary, but he never intended to stay and defend the house against a bushfire: he thought too many things could go wrong. Their son Michael 'was not aware of any fire plan to evacuate to a certain location'.

On 7 February Dan and Marie Walsh made their way to the Cumberland at about 5.30 pm. Before leaving home they had packed some possessions into their car, turned off the gas, closed all the windows and shut the blinds. Dan had been to the Cumberland a number of times and he knew the layout of the main building. He 'always thought' it was a logical spot to go if a fire happened. It was near the Walshes' house and in the centre of town: it could hold many people and, 'if it did catch on fire, wouldn't burn quickly'. Dan was surprised it appeared empty when they arrived.

David and Kate Whittington

David and Kate Whittington moved to Marysville in 1996. Their son Robert moved with them to their house at 20 Lyell Street and worked in the cafe they ran in Murchison Street. Having emigrated from the United Kingdom in the late 1960s, the Whittingtons had lived much of their life in rural and semi-rural locations, including in fire-prone areas such as Cockatoo Valley and Para Wirra National Park in South Australia. These areas were remote, surrounded by bush and had limited access. David and Kate were well aware of the dangers of fires and had well-considered fire plans. Sons John and Robert both believed their parents felt safer living in a town like Marysville. When they moved to Marysville they donated their petrol-driven fire pump to the Marysville CFA, thinking they would not need it any more.

Robert said his parents did not have a formal, organised fire plan. He recalled:

We were mindful of keeping the area around the house clear, especially the roof. Recently we never discussed specifically if they would stay and defend or leave. We did talk about it a few years ago and when they asked me I told them I would leave, which they said was fine, and I asked them and they said they would stay. I believe now that they meant they would stay in the town but not necessarily defend their house. I think their actions on Black Saturday were in keeping with this, doing as much as possible to their house and when the fire was close, go somewhere safe.

In the weeks and days before 7 February the Whittingtons had pruned trees and removed fallen leaves from the gutters; the lawns were kept quite short. Once they became aware of the fire threat in the early afternoon of 7 February, they started listening to 774 ABC radio, the emergency broadcaster. Kate phoned to check on their neighbour, who used a walking frame to move around. The neighbour told Kate she was being collected and evacuated to the Cumberland. A short time later Robert was making more fire preparations on the roof of the house when he saw his neighbour being collected from her back door; he didn't watch which way the car went.

Kate, David and Rob discussed the Cumberland as a place of refuge and agreed that it seemed a sensible place to go: 'It sounded like people in the know in town were going there and it sounded like the most sensible place'. While the senior Whittingtons planned to seek shelter at the Cumberland, Robert intended to go to Buxton and urged his parents to go with him:

My plan was to drive to Buxton, listen to the radio, wait until the fire front had passed and then go back and help put out any spot fires. I wanted mum and dad to do this as well. They just wanted to wait at the Cumberland until after the fire front passed and then go home, and not get stuck at a roadblock outside town. I had made my decision to go and dad had made his decision to stay and go to the Cumberland.

At some time before 6.30 pm Robert left Marysville and drove to Buxton. At about 6.45 pm, with flames visible at the end of their street, David and Kate went to the Cumberland.

The Cumberland

Dan Walsh did not know who the Whittingtons were when they met each other inside the Cumberland. Nonetheless, they all took shelter in the lower level at the rear of the building, making sure that all internal doors were closed behind them. Dan recalled:

At this time the sky became dark as midnight and the only light was from things that were burning ... The hedge in front of us on the driveway was burning and that was providing about the only light we could see ... After about 25 minutes or so I went outside ... There was still a fair bit of wind. It was very dark and the atmosphere was very hot. There didn't appear to be any danger to the Cumberland at that point.

Presuming the fire front had passed and that people would be safe at the Cumberland, Dan decided to return home alone and check on his house. He found it still standing but under ember attack. After spending some time putting out spot fires and saving his house, Dan returned to the Cumberland at about 10.00 pm to collect Marie but found no sign of her or the Whittingtons. He assumed they had been collected by someone else.

On Sunday 8 February 2009 Marie Walsh, Kate Whittington and David Whittington were found in the remains of the male toilet of the Cumberland. The main building had been destroyed; the swimming pool area was still standing. The Victoria Police forensic scientist who examined the site shortly after the fire concluded that the 'construction of the toilet block would have resulted in it becoming extremely hot with little or no air flow into the room. A lack of oxygen and subsequent increase in carbon monoxide levels may have been a contributing factor to the deaths in this case'.

The post-mortem reports record that Marietta Walsh, Kathryn Whittington and David Whittington all died as a result of the effects of fire.²⁰

18.2 NARBETHONG

GRACE MUNDOVNA

Grace Mundovna lived on her own at 16 Tarnpir Road, Narbethong. She was 66 years old when she died on 7 February 2009; she had been fleeing on foot from the fire that started at the Murrindindi Mill.

Ms Mundovna moved to the brick veneer house on Tarnpir Road, about 300 metres from the intersection with the Maroondah Highway, at some time in 2000 or 2001. The residential properties on Tarnpir Road (including Ms Mundovna's) were on the eastern side of the street, whereas the western side bordered a large, heavily timbered property. The Narbethong pine plantation was also a short distance away, further to the west.

Initially, Ms Mundovna had lived in Tarnpir Road with her daughter, but more recently she had lived there on her own. Her immediate neighbours knew her by sight, and she was said to keep to herself, not mixing much and having few visitors.

At about midday on 7 February Ms Mundovna was seen gardening and waved to a neighbour. At about 4.10 pm another neighbour, Jennifer Lovett, went to Ms Mundovna's house to warn her about the approaching fire and invite her to her own house, which was considered defensible. Ms Mundovna answered the door but declined Ms Lovett's offer of refuge, saying she would be OK. By this time it had become quite dark because of the smoke.

Another neighbour, Dean Sullivan, became aware at some time between 4.30 and 5.00 pm that his house was alight and he decided to evacuate with his young daughter, Ashleigh, and his dogs.

Mr Sullivan put his daughter, the dogs and a bag of things for Ashleigh in his ute. While he was sitting in the driver's seat Ms Mundovna approached him and asked what she should do. He advised her to go to the Lovett's house because 'it's defensible'. By this stage visibility was about 3 metres and the fire was 'leaping around everywhere'.

At about 5.25 pm David Nicholls was driving a Ford F100 ute, loaded with timber that had caught fire, south along Tarnpir Road towards the Maroondah Highway. He was fleeing after having tried to protect his home, which was also in Tarnpir Road. A few metres from the intersection with the Maroondah Highway he saw Ms Mundovna standing in the middle of the road; she was wearing a sleeveless light-coloured dress and brown leather shoes. Ms Mundovna approached the driver's side of the ute and asked for help. Mr Nicholls recalled what happened next:

I said, 'Get in if you want to, the truck's on fire but get in'. She then went to the passenger door but I could not get it open. The flames were pretty big in the back of the ute. She was fairly hysterical by this stage, understandably. I then got out of the ute to go and get her. The visibility was terrible. I looked for her for three to four minutes but could not find her. She must have walked away from the ute. The noise around me was still like standing at the rear of an aeroplane.

Having lost sight of Ms Mundovna, Mr Nicholls drove off as fast as he could, ultimately fleeing on foot when the car would go no further. He survived by sheltering from the flames, first in a culvert and then under a railing on the side of the road.

Ms Mundovna's body was found on Sunday 8 February on the side of the Maroondah Highway, about half a kilometre south of her home and opposite the entrance to Camp Narbethong. This section of the road was surrounded by forest.

It is not known whether Ms Mundovna had a fire plan or why she decided to flee on foot rather than take her car.

The autopsy report for Ms Mundovna, completed on 11 February 2009, stated that the cause of her death was undetermined but consistent with the effects of fire.²¹

ELSIE, WILLIAM AND GEOFFREY WALKER

The fire that started at the Murrindindi Mill in the mid-afternoon of 7 February 2009 took the lives of 80-year-old Elsie 'Fay' Walker, her 85-year-old husband, William 'Bill' Walker, and their 53-year-old son, Geoffrey, when it swept through their home in Narbethong at about 5.45 pm. It appears the Walkers were in the process of evacuating when they died. Fay, Bill and Geoff are survived by their large extended family of children, grandchildren and great-grandchildren.

The Walkers bought their 4-hectare property at 21 Nichols Road in 1972 and initially used it as a family holiday home. Over the years Bill relocated and extended the original cottage. Keen gardeners, Bill and Fay developed an English-style garden that became part of the Open Garden Scheme. Neighbour Elizabeth Robinson recalled:

They had lovely big iron gates and they had a winding drive. [It was] lined with azaleas. On the right-hand side it was called the woodlands area. It had the canopy of all the old original gums and wattles and then below that [were] planted Japanese maples, rhododendrons and as you came around the curve on the right there was a big dam. Opposite was a grassy lawn with a little lake garden leading to a summer house, a yellow flowered walk with a veggie patch to the left. Continuing down the drive past the dam there were camellias on the left and on the right there were big old birches and then the drive went on towards the new house.

The Walkers, particularly Bill, were conscious of fires. Their fire plan included keeping the property well maintained and cleared of debris such as fallen trees, leaves and bark. Every December their neighbour Trevor Winter slashed the 100-metre-wide area of grass between his and the Walkers' property. The Walkers had a trailer with a tank with a fire pump on it, although it is not clear whether it was for firefighting or for watering the trees, or both. Their daughter, Julie Lowry, noted that her father had always told her mother 'if there was a fire in the area and the power went out, that the fire would be close and they wouldn't hang around'.

Bill was a World War 2 veteran and his health had deteriorated in his later years, to the point where he became reliant on Fay for transport because he was no longer able to drive. Trevor Winter recalled that before his death Bill had not been well: 'He was normally a pretty fit sort of guy but when I saw him at Christmas he didn't look too well. He looked very frail compared to normal'. Bill was experiencing problems with his heart. Geoffrey Walker had been confined to a wheelchair since childhood. The senior Walkers' ages, Bill's poor health, and Geoffrey's physical limitations might have contributed to a delay in their evacuation once they had decided to leave.

The Walkers first became aware of the fire at about 3.45 pm, when their neighbour Elizabeth Robinson called to ask if the Walkers knew anything about a fire. Elizabeth referred to a 'terrible fire out to the west' and said she 'could see billowing smoke with a red glow at the bottom of the hill, which was kilometres away'. At that stage Fay looked out of her kitchen window, straight down the valley in a southerly direction; 'she could see smoke in the area but not any fires'. Between 5.00 and 5.45 pm Fay took calls from her daughters, Julie and Vivienne, and her granddaughter Brodie, all urging her to get in the car and leave. At 5.07 pm neighbour Trevor Winter called to alert the Walkers to the fire at Narbethong, which was coming their way. At about the same time Elizabeth Robinson called again to tell Fay the power was off and that she was packed and was leaving. This surprised Fay, said her daughter Vivienne, who spoke to her mother for the last time in a phone call at some time between 5.15 and 5.45 pm:

Mum was very shocked and she told me that Liz's car is packed and they were going. She told me there was lots of smoke around ... Mum told me 'I can see fire in the tops of the pine trees'. I don't know where the pine trees are that she was talking about. Within the next second she told me the power had gone off ... That's when mum's voice just turned to terror and mine did too. I was just pretty well telling her 'God's sake, mum, just get in the car and go'.

Another neighbour, Duncan Mathews, saw the firefront travel from north to south across his property. He recalled the trees on the southern boundary of his property (where the Walkers lived) going up in flames. Shortly after, he heard what sounded like an explosion coming from the Walkers' property. He looked at his watch, noting it was 5.45 pm. The sky was pitch black.

Early in the morning of Monday 9 February two family members walked onto the Walkers' property. They found the house destroyed. The car was parked outside the house; it had minimal fire damage. In the car they found the Walkers' two small dogs dead in their pet cage on the back seat, the keys in the ignition, a handbag in the centre console, a computer, and a wheelchair in the boot. Finding the remains of another wheelchair in the debris of the house, they notified police.

The Victoria Police forensic scientist who attended the scene on 10 February 2009 noted that the state of the Walkers' car suggested that evacuation was intended. He also made note of a large fallen tree blocking the Walkers' driveway. It is not known when the tree fell and, in particular, whether it had prevented the Walkers' exit from their property or whether their packing was interrupted by the fire itself. It appears the fire had taken the Walkers by surprise. Elizabeth Robinson noted, 'We didn't really know what was happening around us ... I don't think Fay could see what I could see ... We really thought everything was fine because the wind was going south of the property'.

The bodies of Bill and Fay Walker and their son Geoffrey were found close together in what appeared to have been the lounge room of their house. The post-mortem reports record their deaths as being caused by the effects of fire.²²

18.3 CAMBARVILLE AND EILDON

DAVID BALFOUR

David Balfour was the only on-duty firefighter killed by the 2009 Victorian bushfires. He died near Cambarville, about 20 kilometres south-east of Marysville, on 17 February 2009 when a large tree fell on a fire truck on which he was working. David was 46 years old when he died; he is survived by his wife, Celia, and their three children.

Living with his family in suburban Canberra, David was a professional firefighter with about 11 years' experience with the ACT Fire Brigade. According to a television news report after his death, David had wanted to come to Victoria to repay the generosity shown after Canberra's deadly blazes in 2003. After volunteering to help fight the fires that had devastated parts of Victoria on 7 February, David was sent to Alexandra with ACT Task Force No. 3, arriving there on 15 February.

On 17 February, the day before he was due to return home, David worked with other firefighters on 'mopping up', or 'blacking out', various forested areas that were still smouldering. He had been rostered on to a tanker code-named Charlie 72.

At about 6.00 pm the crew of Charlie 72 had been instructed to work with other crews on extinguishing a large mountain ash tree smouldering by the side of the road on the Warburton – Woods Point Road near Cambarville, in Yarra Ranges National Park.

By the time Charlie 72 arrived at the scene, other firefighters had considered the tree to be hazardous, with the potential to fall. The canopy had been completely burnt away and the trunk was smouldering on the inside. At its base the tree was about 2.5 metres in diameter, and it was about 20 metres high.

On arrival, the driver of Charlie 72 was advised to park the truck in a position where it would not become bogged, and the crew was then asked to smother the tree with foam. David was wearing a full kit of protective clothing, including a helmet. As he was getting out of the truck, he was told by a firefighter from one of the other vehicles that his (the other firefighter's) truck was out of water. David gave him the thumbs up as if to signal that he would help and was then seen jumping up on the back of Charlie 72 and onto the work area.

Moments after that happened, the tree fell, landing on Charlie 72. One of the firefighters who was there recalled, 'When the tree landed it was like a large explosion with dust and debris filling the area and it covered me'.

Once the firefighters realised what had happened, they immediately checked on their colleagues. They found David on the work area at the back of Charlie 72, where he had been pinned to the truck by the fallen tree. Paramedics were called and the firefighters tried frantically to help David, but he died at the scene.

The post-mortem report records the cause of David Balfour's death as head injuries.²³

AILEEN HOSKIN

Aileen and Cliff Hoskin married in 1952, the year they moved into a weatherboard cottage set on half a hectare of land at 75 Murchison Street, Marysville. They brought up five children and lived together in the cottage until it was destroyed on 7 February 2009.

Mrs Hoskin was frail and had not been in good health for some time. She had suffered from rheumatoid arthritis for a number of years, she had had surgery on her hips and knees, and she suffered from osteoporosis. She relied on crutches to walk short distances and used a wheelchair or scooter for longer distances. In 2004 she had suffered a heart attack, and she was taking medication for a heart condition. She received regular treatment from her GP and several visits each week from the Royal District Nursing Service to help manage her health and deliver her various medications.

After receiving a call from a local fire tower spotter at about 3.20 pm on 7 February, the Hoskins' eldest daughter, Pauline Harrow, went to her parents' house to alert them to the possibility of a fire threat for Marysville and to let them know they might need to be evacuated. Mr Hoskin went outside and saw smoke swirling over Mt Gordon. At some

time between 4.30 and 5.00 pm family members collected Mr and Mrs Hoskin and took them to the local bakery. The couple stayed at the bakery until about 6.30 pm, when they were evacuated to Alexandra. Mr Hoskin stated, 'As we were leaving, we got to just near the Golf Course when I looked back. I could see the flames coming over the hill from Mt Gordon Gap where the road goes over Mt Gordon and heading towards the township'.

Mrs Hoskin and several other elderly displaced women stayed at Alexandra District Hospital overnight rather than at the local hall. On Sunday 8 February Mrs Hoskin was transferred to the Darlingford Upper Goulburn Nursing Home in Eildon. Until about 10 February 2009 Mr and Mrs Hoskin did not know whether all members of their family had survived the fires, and this was very distressing for Mrs Hoskin. On 11 February she 'appeared reasonably bright in herself though still distressed regarding the recent loss' her treating GP, Dr Ross, related. It appears that later in the day Mrs Hoskin complained of severe indigestion to the nursing staff.

A nurse from the nursing home contacted Dr Ross on 12 February 2009 in relation to Mrs Hoskin; Dr Ross then received further advice that Mrs Hoskin had collapsed after having complained of severe pain in her left arm and elbow region. She attended the nursing home and found Mrs Hoskin lying on her bed, apparently deceased. She later pronounced her dead.

Dr Ross's view was as follows:

... the emotional and physical stress brought on by the February 7, 2009, bushfires, and the subsequent turmoil experienced by Mrs Hoskin as a result of the loss of her town, home and possessions, served to exacerbate her already frail condition and led to her premature death.

Aileen Hoskin died of a heart attack on 12 February 2009. She was aged 80 years.²⁴

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- 1 Exhibit 493 – Interactive Presentation – INTMEN 001811 and INTMEN 002013 (EXH.493.0001); Hollowood T10706:21–T10722:27
 - 2 Exhibit 570 – Interactive Presentation – INTMEN 001886 (EXH.570.0001); Hollowood T12455:29–T12464:17
 - 3 Exhibit 495 – Interactive Presentation – INTMEN 002022 (EXH.495.0001); Hollowood T10734:15–T10749:1
 - 4 Exhibit 564 – Interactive Presentation – INTMEN 001844 (EXH.564.0001); Hollowood T12347:23–T12368:19
 - 5 Exhibit 496 – Interactive Presentation – INTMEN 001829 (EXH.496.0001); Hollowood T10751:1–T10775:20
 - 6 Exhibit 491 – Interactive Presentation – INTMEN 002068 (EXH.491.0001); Hollowood T10666:25–T10683:16
 - 7 Exhibit 566 – Interactive Presentation – INTMEN 001872 (EXH.566.0001); Hollowood T12386:22–T12410:26
 - 8 Exhibit 490 – Interactive Presentation – INTMEN 001976 (EXH.490.0001); Hollowood T10657:1–T10666:24
 - 9 Exhibit 499 – Interactive Presentation – INTMEN 001879 (EXH.499.0001); Hollowood T10799:1–T10810:11
 - 10 Exhibit 497 – Interactive Presentation – INTMEN 001832 (EXH.497.0001); Exhibit 498 – Statement of Liesfield (WIT.7528.001.0001); Hollowood T10775:21–T10798:24
 - 11 Exhibit 489 – Interactive Presentation – INTMEN 001797 (EXH.489.0001); Hollowood T10641:22–T10656:6
 - 12 Exhibit 571 – Interactive Presentation – INTMEN 001975 (EXH.571.0001); Hollowood T12466:1–T12483:21
 - 13 Exhibit 563 – Interactive Presentation – INTMEN 001884 (EXH.563.0001); Hollowood T12326:1–T12347:16
 - 14 Exhibit 568 – Interactive Presentation – INTMEN 001885 (EXH.568.0001); Hollowood T12432:16–T12448:2
 - 15 Exhibit 492 – Interactive Presentation – INTMEN 001843 (EXH.492.0001); Hollowood T10685:1–T10706:18
 - 16 Exhibit 356 – Statement of Postlethwaite (WIT.097.001.0001_R); Exhibit 494 – Interactive Presentation – INTMEN 001833 (EXH.494.0001); Hollowood T10723:2–T10734:12
 - 17 Exhibit 369 – Statement of Brown (WIT.108.001.0001_R); Hollowood T12369:1–T12386:19
 - 18 Hollowood T12412:1–T12432:14
 - 19 Exhibit 574 – Interactive Presentation – INTMEN 002899 (EXH.574.0001); Hollowood T12522:1–T12543:10
 - 20 Exhibit 572 – Interactive Presentation – INTMEN 002057 (EXH.572.0001); Exhibit 341 – Statement of Walsh (WIT.093.001.0001_R); Hollowood T12483:22–T12521:13
 - 21 Exhibit 569 – Interactive Presentation – INTMEN 001883 (EXH.569.0001); Hollowood T12449:1–T12455:27
 - 22 Exhibit 488 – Interactive Presentation – INTMEN 001834 (EXH.488.0001); Hollowood T10618:25–T10641:20
 - 23 Exhibit 574 – Interactive Presentation – INTMEN 002899 (EXH.574.0001); Hollowood T12543:11–T12550:2
 - 24 Exhibit 575 – Interactive Presentation – INTMEN 002901 (EXH.575.0001); Hollowood T12550:3–T12554:18