



THE BENDIGO FIRE

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KEVIN KANE

Kevin Michael 'Mick' Kane had lived in the weatherboard miner's cottage at 18 Daniel Street, Long Gully, with his wife, Carolyn, since 1982. He died there on Saturday 7 February 2009, trying to flee the fire that was engulfing their home. Carolyn Kane had escaped moments before, managing to save six of their seven Birman cats.

The cottage sat on a corner block at the intersection of Daniel and Albert Streets; the block was roughly a quarter of an acre and roughly triangular. There were cypress trees along the Albert Street boundary and some cypress trees across the Daniel Street side. The driveway into the property was about 15 metres long, running from Daniel Street to the carport beside the house. The rear boundary overlooked vacant land where horses were kept. Situated in Long Gully, a suburb on the western side of Bendigo, the house was serviced by town water.

The Kanes did not appear to have a fire plan. When fire threatened them on 7 February they expected the fire brigade to arrive.

It was not long after they were married in 1985 that Mr Kane experienced the first of a series of health problems. Surgery limited his mobility and left him 'with weakness in the left side of his body, especially below the left knee ... which required him to wear a leg brace and use a walking stick'.

On 7 February the Kanes were at home sheltering from the heat. Mrs Kane noticed smoke in the afternoon but was not unduly concerned, expecting 'the fire trucks to come quickly, as they [had] done in the past'. Ten minutes later, noticing the smoke getting thicker, Mrs Kane decided to fetch the horse from the paddock at the rear of their property. She noticed the fire advancing quickly and saw two homes in Albert Street under threat: 'We thought we would be okay because it appeared that the wind was blowing the fire away or behind us'. Nonetheless, at that stage they decided to leave. Mr Kane began hosing down the property with a garden hose while Mrs Kane collected as many of her seven cats as she could and loaded them into their car.

In the short time it took Mrs Kane to load the cats into the car the flames were in the back paddock, about 270–370 metres from the rear of the house. While loading the cats into the car, she told Mr Kane three times—with increasing urgency—to get into the car: 'I could see the fire in the back paddock and I knew that there was no chance of us defending our home, the fire was just unbelievable, it looked like the air was carrying the flames as, really, there was no grass to burn'. Mr Kane threw down the hose and began making his way towards the car, but his leg gave way and he fell to the ground. '... That's when the pine trees that surround two sides of our house simply exploded and there [were] just flames everywhere.'

At about this time Mr Kane's sister, Jillian Kane, and her partner, Mick Ryan, arrived at the property to check on the Kanes. They found Mrs Kane under the carport trying to drag her husband to the car. Seeing that she was unable to help him and confronted by 'tall, massive flames at the rear of the carport', they urged her to leave. Dressed in shorts after having had a swim, Mr Ryan tried to drag Mr Kane down the driveway toward the front gate and away from the flames, but the heat became so intense he had to leave Mr Kane at the front of the carport. 'It was a matter of a split second from the time I felt the crippling pain of the heat on my back and legs ... The heat was unbearable.'

Mr Ryan ran to his nearby car to get a wet towel for protection. Holding the towel up to shield himself, he tried to reach Mr Kane but was beaten back by the intense heat. He then ran to the hose at the side of the house and turned on the tap, hoping to hose Mr Kane down, but there was no water. Held back by the flames, which were by now funnelling through the carport and down the driveway, and having no access to water, Mr Ryan was unable to reach Mr Kane, who was engulfed by flames.

Mr Kane was 48 years old when he died in the front yard of his home at some time between 5.30 and 6.00 pm.

The post-mortem report records that Mick Kane died as a result of the effects of fire.¹

¹ Exhibit 293 – Interactive Presentation – INTMEN 001784 (EXH.293.0001); Hollowood T7676:1–T7694:30