Burnie Port Authority v General Jones Pty Ltd (1994) 179 CLR 520


Facts

- BPA occupied a warehouse and allowed welding to happen near some cardboard which caused a fire which damaged the neighbours’ goods.

Issue

- Was the authority responsible even though the welders were contractors?

Held

- The authority took no steps to avoid the risk
- Owed a non delegable duty of care; long recognized in terms of personal injury
- As such they must have made all reasonable steps to protect others
- Because there was a dangerous substance they should have taken greater care, especially when it was obvious welding could cause this harm