

The Hon. D. J. HOPGOOD: The honourable member has fairly effectively drawn my attention to the matter, and I assume that he wishes me to draw my department's attention to the situation that exists at the school. I will take up the matter to see what information I can get for the honourable member. It would be fairer to say that my department, in conjunction with the Public Buildings Department, has taken a good deal of interest in fire safety. No-one would pretend that an ideal situation exists in relation to the evacuation of children from school buildings. South Australia has a variety of school building structures, which have been built over many years and, in some cases, need fairly extensive modification before the sorts of evacuation procedure that I would regard as ideal could be undertaken. I recall, for example, an evacuation procedure that was tried on a trial basis with Public Buildings Department officers present. As part of the test, a teacher had to break a pane of glass in order to evacuate the children from the classroom. The teacher was slightly built and could not break the glass. A spectator who was viewing the trial had to wield a chair and break the glass for her. There are many problems in relation to this matter. I would not wish to suggest that the situation is other than that. However, I will take up the matter raised by the honourable member. I assure the House that the department is looking carefully at the modification of existing buildings to determine what proper evacuation procedures should take place.

ROAD HAZARDS

Mr. WOTTON: Will the Minister of Transport take steps to warn the general public of the need to take appropriate precautions when driving in the Hills in hazardous conditions, especially when it is foggy? Much publicity has been given recently in local papers in the Adelaide Hills about concern expressed by people in relation to this matter. Several serious accidents have occurred recently on major roads in the Hills, and it is believed necessary that the Minister should warn people of the hazards of driving in such conditions. I know the Minister does not like the term "turning on the lights", but I suggest that a warning could be given by the Minister that would help to relieve this situation. In a recent report in a Hills paper, a police officer from the area referred to this matter and asked that something be done by the Minister.

The Hon. G. T. VIRGO: I appreciate the question asked by the honourable member, and I appreciate the difficult circumstances and dire results that often occur when people are in a fog and turn on their lights. The same occurred in Australia when there was a bit of a fog—

Mr. Wotton: Answer the question.

The Hon. G. T. VIRGO: —last December and the lights were turned on. As a result of that we are now in the greatest mess of all time. I hope the same sort of situation will not occur in the Adelaide Hills. I would expect that any responsible person driving a motor vehicle in a fog would so regulate his behaviour that he would not constitute a danger to himself or anyone else.

Mr. Wotton: But they are not doing that.

The Hon. G. T. VIRGO: If they are not (and I appreciate what the honourable member is saying), and they do not have sufficient sense to take the necessary precautions, I doubt very much whether words from me, the Commissioner of Police, the Road Traffic Board, or even the honourable member would penetrate too far.

I will discuss the matter with the Road Traffic Board to see whether the board can come up with a reasonable solution to what I accept as a real problem.

At 3.7 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

COUNTRY FIRES BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to provide for the prevention and suppression of bush fires and other fires; to repeal the Bush Fires Act, 1960-1972; and for all other purposes. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It implements the recommendations made by a working party appointed in 1971 by a former Minister of Agriculture (Hon. T. M. Casey, M.L.C.) to inquire into and report upon all aspects of a proposed reorganisation of country fire services in the State. These recommendations are to be found in Parliamentary Paper 106/72.

The Bill preserves many principles of the existing Act that have been proved valid by long experience. However, it also introduces a good deal that is new. The provisions for administration are more comprehensive and complete than in the old Act and there has been a good deal of rationalisation and simplification of substantive provisions previously contained in the old Act. The principle of a separate Act for bush fire, control, and country volunteer fire services, is in keeping with the policy in every other State, each of which has its respective "Country", "Rural" or "Bush" fires Act. The title "Country Fires Act" was adopted as the most appropriate name because, although much of the Bill is applicable throughout the State, its major provisions relate to the establishment and maintenance of country fire services and the fighting of fires outside fire brigade districts.

The change in title from "S.A. Emergency Fire Services" to "S.A. Country Fire Services" is designed to avoid confusion with other "emergency" bodies and to obviate inappropriate calls upon C.F.S. services. The Bill provides for a board of 10 members, a Director of Country Fire Services, and such other officers as may be necessary to enable the functions presently performed by E.F.S. headquarters and the various bush fire committees of the S.A. Police Department and the Agriculture and Fisheries Department to be consolidated under the management of the one statutory body.

Statutory fire control regions and regional and district committees are proposed by the Bill. A statutory fund is to be administered by the board. This fund will be applied both in defraying general administrative expenses and in subsidising the purchase of equipment by C.F.S. organisations. Contributions to the fund are to be made by Government, insurers, councils and C.F.S. organisations. An innovation of special interest is a provision for

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the formation of a joint "Fire-fighting Advisory Committee" to advise the Minister, the Fire Brigades Board and the Country Fire Services Board on any matter affecting the co-ordination or rationalisation of fire-fighting services in the State.

The Bill is significantly shorter than the present Act. The condensation of the old legislative provisions has not resulted in the omission of any major principle from the Act. However, many antiquated provisions have been dispensed with and a good deal of administrative and minor detail has been left to the regulations. Much time and effort has gone into the drafting of this important measure, which is designed to co-ordinate and rationalise the operations of country fire services and to simplify the law relating to wild fire suppression and control for the benefit of the general public. I commend the Bill to the earnest attention of members.

Clause 1 is formal. Clause 2 enables the operation of specified clauses to be suspended if necessary when the Act is brought into operation. Clause 3 sets out the arrangement of the Bill. Clause 4 repeals the Bush Fires Act, 1960, and its amendments, dissolves the Bush Fires Equipment Subsidies Fund, and transfers the moneys to the Country Fire Services Fund. Clause 5 sets out the definitions necessary for the purposes of the Bill. The definition of "burning off" seeks to overcome the problem that the distinction between "burning off" and "lighting a fire in the open air" is often unclear. A new definition of "fire danger season" is included. This term comprises the periods that were previously known as the prohibited and conditional burning periods.

Clause 6 directs attention to the State-wide application of certain provisions of the Bill. This provision is designed to avert confusion as to the territorial application of the Bill. Clauses 7 to 16 establish the Country Fire Services Board, and deal with various matters pertaining to its membership and proceedings. Clauses 17 and 18 provide for the board to appoint a Director and other officers, and to determine the terms and conditions of the appointments. The board is constituted a public authority for the purposes of the meaning of the Superannuation Act. Clause 19 provides for the proclamation of fire control regions, and the establishment of regional fire-fighting associations.

Clause 20 empowers the board to register district fire-fighting associations. Clauses 21 and 22 provide for the board to register C.F.S. fire brigades and to register "group committees" for brigades, which desire some formal interconnection for the purpose of training activities or major fire-fighting operations. Clause 23 enables the board to cancel the registration of a C.F.S. organisation at its request, or when the organisation has become defunct or is not properly carrying out its functions. Clauses 24 and 25 relate to the appointment, by the board or council, of fire control officers and fire party leaders. Provision is also made under which certain officers (e.g., foresters) become fire control officers *ex officio*.

Clause 26 provides for compensation for injury or death of a fire control officer, fire party leader, or member of a C.F.S. fire brigade. The Workmen's Compensation Act applies as if his employer were the board. Clause 27 establishes a joint committee, appointed by the Governor, comprising a Chairman and four members; two members being nominated by the Fire Brigades Board and two by the Country Fire Services Board. The committee is to advise the Minister and the boards on any matter affecting the co-ordination or rationalisation of fire-fighting services in the State and on certain other matters. Clauses 28 to 31 enable the board to establish and maintain the Country Fire

Services Fund which comprises any moneys appropriated by Parliament or recovered by the board, for the administration of the Act. The board may, with the approval of the Treasurer, invest or borrow moneys. The clauses also provide for contribution by insurers to the expenses of administering the Act. Clauses 32 to 35 maintain the obligation of a council to provide adequate equipment in its areas for fire-fighting and enable the council to expand its revenue for that purpose. Where, in the opinion of the board, a council has failed to provide adequate equipment, the board may require the council to acquire specified equipment to overcome the deficiency. An appeal lies to the Minister against such a requirement. The board may, with the approval of the Treasurer, make a grant out of the fund to any council or C.F.S. organisation for providing buildings, equipment or materials and for defraying working expenses incurred in fire-fighting. Equipment, purchased with the help of grants, may not be sold or disposed of without the consent of the board.

Clause 36 exempts the board from the payment of rates under the Local Government Act, the Waterworks Act, or the Sewerage Act, and land tax under the Land Tax Act. Clause 37 introduces the concept of a fire danger season which is to be the period from November 1 to April 30 or the period as altered under the terms of the Bill. The fire danger season replaces both the prohibited burning period and the conditional burning period under the Bush Fires Act. The board is empowered to alter the fire danger season in the whole or any part of the State, but it must consult with a council before making any alteration that may affect the area of a council. A council may, on the ground of seasonal conditions, request the board to alter the fire danger season, and the board must accede to such a request unless there is good and sufficient reason for not doing so.

Clause 38, another new concept, deals with all types of fires in the open air, whereas the Bush Fires Act has fragmented provisions dealing with various kinds of fires. Basic conditions for the lighting and maintaining of various kinds of fire are laid down in the clause, and provision is made for detailed rules to be prescribed in the regulations. This clause further provides for the 16th day of February to be the prescribed day. This was, in effect, the commencing day of the conditional burning period under the Bush Fires Act. During this period the burning off of bush and stubble may be generally undertaken for the purpose of farm management. The board may alter the prescribed day for the whole or a part of the State and is required to consult with the council of any area which may be affected by such an alteration. A person may burn off bush or standing grass within 14 days after the commencement of the fire danger season or within 14 days of the prescribed day, provided that he is authorised by an order of the board or by a resolution of a council. This provision thus preserves the power of councils, under a different form, to effect what is presently called the seasonal alteration of periods under the Bush Fires Act.

Clause 39 restricts burning off land on public holidays. Clause 40 empowers the board to prohibit the lighting of fires in the open air in any part of the State after consulting with the council of any area affected by the prohibition. The regulations may exempt certain fires from the terms of any such prohibition. Clause 41 retains the prohibition of the lighting and maintaining of fires in the open air on days of extreme fire danger. Clause 42 provides for regulations to be made for the prohibition or safe use of prescribed fires. Clause 43 enables regulations to be made to deal with the wide variety of machines and

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appliances which produce heat or sparks and thus constitute a fire danger. Clause 44 provides for the board and councils to issue permits for the lighting of fires in certain circumstances. Clause 45 provides for the carrying in caravans of an efficient chemical fire extinguisher during the fire danger season. Clauses 46 and 47 prohibit smoking near flammable bush or grass and the throwing of burning material (for example, lighted cigarette butts) from vehicles during the fire danger season. Clause 48 empowers the board or a council to require the owner of premises situated outside a fire brigade district to take such action as is considered necessary to prevent the outbreak or spread of fire from those premises. An appeal lies to the Minister against such a requirement.

Clause 49 provides for the clearing of flammable debris from roads during or on completion of roadworks, and in the event of default, empowers councils to dispose of the flammable material and recover the costs involved. Clause 50 empowers the board or a council to give written directions for the clearing of bush or grass from any land to prevent the outbreak or spread of fire, and provides a right of appeal to the Minister against any such direction. The authority of the board in this regard extends over a council in respect of land under that council's care; control or management. Clauses 51 to 57 describe the powers of fire control officers, fire party leaders, and police officers in the control and suppression of fires and provide penalties for hindering officers in the performance of their powers and functions. Clause 58 provides a reciprocal arrangement for co-ordination of fire-fighting operations at or near adjoining State boundaries by empowering a member of a recognised interstate fire-fighting organisation to take control of operations in the absence of a fire control officer. Clauses 59 to 61 relate to the installation and use of fire alarms and appliances and prescribe penalties for their misuse. Clauses 62 to 66 contain a miscellany of legal provisions. Clause 67 contains regulation-making powers, and clause 68 preserves powers conferred by the Fire Brigades Act, 1936-1976.

Mr. GUNN secured the adjournment of the debate.

INDUSTRIAL SAFETY, HEALTH AND WELFARE ACT AMENDMENT BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Safety, Health and Welfare Act, 1972. Read a first time.

The Hon. J. D. WRIGHT: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

The Bill, which amends the principal Act, the Industrial Safety, Health and Welfare Act, 1972, is introduced following a departmental examination of the workings of that measure since it came into operation. The amendments are somewhat disparate; they can perhaps be dealt with by an examination of the clauses of the measure. Clauses 1 and 2 are formal. Clause 3 amends section 7 of the principal Act by: (a) correcting a typographical error in the definition of "building work"; (b) somewhat clarifying the meaning of the term "employer" in the context of this measure; (c) extending the same clarification to the definition of "work injury"; and (d) re-casting the definition of

"worker" to ensure that "independent contractors" are, to an appropriate extent, included within the meaning of the expression "worker".

Clause 4 amends section 8 of the principal Act by enlarging the membership of the board from seven members to 10 members, the new members being the Chief Inspector of Industrial Safety, who is to be a member *ex officio*, a nominee of the Metal Industries Association, South Australia, and a further nominee of the United Trades and Labor Council. Clause 5 is consequential on the increase in membership. Clause 6 re-enacts section 12 of the principal Act and provides that in the absence of the Chairman or his deputy the Chief Inspector can preside at the meeting of the board. Clauses 7 and 8 increase from \$200 to \$500 the penalties under sections 16 and 19 of the principal Act. Clause 9 amends section 20 of the principal Act by increasing the penalty in this section from \$500 to \$1 000.

Clauses 10 and 11 make an appropriate increase in penalties under sections 21 and 23 respectively. Clause 12 amends section 24 of the principal Act by providing for the expiry of the registration upon an occupier ceasing to occupy registered premises. Clause 13 repeals section 25 of the principal Act which is now redundant in the light of the amendment effected by clause 12. Clause 14 appropriately increases the penalties under section 26 of the principal Act. Clause 15 amends section 27 of the principal Act which deals with reporting of work injuries by providing that this section may be applied to work injuries occurring in declared industries, as to which see new subsection (1a). Clause 16 amends section 28 of the principal Act, which deals with reporting of certain accidents where equipment critical to safety is involved, by somewhat extending the scope of this section both as to industries to which it can apply as well as to equipment.

Clause 17 amends section 29 of the principal Act which deals with duties of employers and is in aid of safety education. Clause 18 increases the penalty under section 30 of the principal Act. Clause 19 provides somewhat more flexibility in granting exemptions from the requirement for the appointment of workers' safety representatives in circumstances where the aim of the section is clearly achieved in a different manner. Clause 20 amends section 32 of the principal Act which relates to the sale of machinery. The most significant amendment made by this clause is the removal of subsection (2), which was of the nature of a transitional provision. Clause 21 amends section 35 of the principal Act and, in effect, extends by six months the time within which proceedings may be brought under the Act. Clause 22 increases the penalties under section 36 of the principal Act. Clause 23 makes certain amendments to the schedule to the principal Act which are self explanatory.

Mr. DEAN BROWN secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from August 10, Page 521.)

Dr. TONKIN (Leader of the Opposition): Once again we are to examine the Treasurer's statement on the Loan Estimates, and, on superficial examination, there seems to be very little to distinguish it from, say, last year's document. It is in the same format, and includes some sentences and paragraphs that occur from year to year.