**COUNTRY FIRES ACT AMENDMENT BILL 1980**

**Legislative Council, 25 November 1980, pages 2147-8**

 Second reading

**The Hon. J. C. BURDETT (Minister of Community Welfare): I** move: That this Bill be now read a second time.

The provisions of the Country Fires Act, 1976, have now been in effect for some 15 months and in general have met the requirements for effective prevention and control of fires outside declared South Australian Fire Brigade areas. The legislation embraces many of the principles of the repealed Bushfires Act, notably the vesting of authority in local fire control officers or fire party leaders; and, while this has proved workable in the case of small to medium bush fires, the large outbreaks which occurred last summer clearly demonstrated that confusion and lack of overall control arise when a fire assumes major proportions or otherwise demands the calling in of additional equipment and manpower.

This was particularly apparent on Ash Wednesday, 20 February 1980, when four council district supervisors were involved in fire-fighting operations. These officers and the forces under their management worked hard and, in instances, heroically, but it was not until a co-ordinated plan of attack was organised by the Director of Country Fire Services that overall control of the situation emerged.

The principal feature of the proposed amendments is the vesting in the Director of Country Fire Services, of the power to assume tactical command over large-scale or difficult fire-suppression operations. However, it is emphasised that these in no way will undermine the authority of district fire control officers, including those in charge of Government reserves, under circumstances where fires are contained within the gazetted areas of such personnel and can be handled effectively by local resources. The Bill has the support of the National Parks and Wildlife Service and the Woods and Forests Department.

The Bill contains a number of minor consequential amendments and other provisions including the supply of certain advisory services by the Country Fire Services Board and greater flexibility in the altering of the “prescribed day” for cessation of the fire danger period. Certain amendments to the Fire Brigades Act presently before the House will ensure there is a clear chain of command where a fire spreads beyond the boundaries of either the C.F.S. or the South Australian Fire Brigade or otherwise involves the two services.

In particular, these proposals stipulate that, with the exception of the Adelaide Fire Brigade District or other major centres of population, the Director of Country Fire Services is to retain ultimate control of fire fighting operations in such cases. Similarly, if a Fire Brigade unit attends a fire outside a fire brigade district, the commanding officer is to inform the Director of his actions and the disposition of the fire. I seek leave to have the detailed explanation of the clauses inserted in Hansard without my reading it. Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 replaces section 16 of the principal Act, which sets out the functions of the board. Subclauses (2) and (3) are the existing provisions of section 16: subclauses (1) and (4) are new. Subclause (1) enables the board to carry out the necessary functions of providing a centre for information relating to fire fighting and weather conditions, monitoring bush fires and coordinating and assisting in the organisation of fire fighting. Subclause (4) enables the board to provide local councils and others with information as to fire-fighting methods.

Clause 4 amends section 28 of the principal Act. It is intended by the Government that a proclamation bringing the section into force will be made soon. The amendment made by this clause will include the Minister administering the Fire Brigades Act, 1936-1976, amongst the authorities which the Fire-fighting Advisory Committee must advise. Clause 5 amends section 32 of the principal Act. The contribution required of insurers under the Fire Brigades Act, 1936-1976, to the South Australian Fire Brigades Board is based on the premium income for each year from 1 April to 31 March. This clause brings the calculation of contributions to be made by insurers under the principal Act onto the same basis and will mean that the same figures can be used for the calculation of contributions under both Acts.

Clause 6 amends section 39 of the principal Act. Subclause (a) makes minor drafting changes to paragraph (b) of subsection (2). Subclause (b) replaces subsection (5) with a provision that will enable the board to vary the prescribed day.

Clause 7 amends section 52 of the principal Act. Subclause (a) makes an amendment consequential on the provisions inserted by subclause (b). Subclause (b) adds subsections (7), (8), (9) and (10) to section 52. Subsections (7) and (8) will give the Director or his delegate power to take control of a fire. Subsection (9) ensures that a person to whom the Director delegates his power under subsection (7) is to be a responsible person where the fire is on a Government reserve.

The Hon. B. A. CHATTERTON secured the adjournment of the debate.