

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 49

WEDNESDAY, 5 MARCH 2003

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 **BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) BILL 2003**

Mr Stefaniak, pursuant to notice, presented a Bill for an Act to protect people making statements to the inquiry announced by the Chief Minister on 10 February 2003 into the operational response to the January 2003 bushfires in the ACT, headed by Mr Ron McLeod, AM, and for other purposes.

Paper: Mr Stefaniak presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Stefaniak moved –That this Bill be agreed to in principle.

Debate adjourned (Mr Stanhope – Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

3 **BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003**

Mrs Dunne, pursuant to notice, presented a Bill for an Act to establish a Bushfire Reconstruction Authority, and for other purposes.

Title read by Clerk.

Mrs Dunne moved –That this Bill be agreed to in principle.

Debate adjourned (Mr Stanhope – Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

4 BUSHFIRE INQUIRY – INQUIRY INTO PREPARATION FOR AN OPERATIONAL RESPONSE TO JANUARY 2003 BUSHFIRES – PROPOSED INCORPORATION UNDER *INQUIRIES ACT 1991*

Mr Smyth (Leader of the Opposition), pursuant to notice, moved – That the Assembly calls on the Chief Minister to incorporate the McLeod Inquiry into the Operational Response to the 18 January 2003 bushfire under the *Inquiries Act 1991*, with the following terms of reference, as issued previously by the Chief Minister:

Terms of reference

The disastrous ACT bushfires of January 2003 caused the deaths of four people and a heavy loss of private and public property. The Government proposes to undertake an Inquiry into the preparation for and operational response to those bushfires by the ACT's emergency services in order to identify improvements that might enhance the capacity to respond effectively to large scale events of that kind.

The Inquiry will examine and report on the adequacy of the response to the bushfires by the ACT Emergency Services Bureau and its components (ACT Bushfire Services, ACT Emergency Services, ACT Fire Brigade and ACT Ambulance Service) and other relevant agencies, including ACT Policing, Environment ACT and ACT Forests with particular reference to:

- (a) the preparation, planning and response to the bushfires and of strategies for the evaluation and management of bushfire threat and risk;
- (b) ESB's management structure, command and control arrangements, and public information strategy;
- (c) the coordination and cooperative arrangements with other ACT and interstate, Commonwealth and non-government agencies, including utility providers, for managing such emergencies; and
- (d) the adequacy of ESB's equipment, communications' systems, training and resources.

In undertaking its work, the Inquiry Team will consult closely with the Coroner conducting inquests into the deaths caused by the bushfires to avoid any interference with the process of inquiry being directed by her.

The Inquiry is also to advise the Government on the ACT's overall structure for dealing with emergency situations, given the Territory's unique context (geographic, population, financial and administrative), including the operation of the Emergency Management Act. In providing this advice, the Inquiry should make reference to arrangements that exist in other jurisdictions for dealing with emergencies.

The Inquiry Team will report to the Chief Minister by 30 June 2003, in order that relevant recommendations that may result from the Inquiry may be fully implemented prior to the onset of the 2003-04 bushfire season.

Debate ensued.

Mr Stefaniak, by leave, was granted an extension of time.

Paper: Mr Stefaniak, by leave, presented the following paper:

Bushfire inquiry – “ACT Government inquiry into January 2003 bushfires” – Copy of facsimile of letter from Michael Bartlett, Solicitor to Mr John Stanhope, Chief Minister, ACT Legislative Assembly, dated 4 March 2003.

Debate continued.

Mr Pratt, by leave, was granted an extension of time.

Debate continued.

Question – put.

The Assembly voted –

Ayes, 8		Noes, 9	
Mrs Burke	Mr Smyth	Mr Berry	Ms MacDonald
Mr Cornwell	Mr Stefaniak	Mr Corbell	Mr Quinlan
Ms Dundas	Ms Tucker	Mrs Cross	Mr Stanhope
Mrs Dunne		Ms Gallagher	Mr Wood
Mr Pratt		Mr Hargreaves	

And so it was negatived.

5 QUESTIONS

Questions without notice were asked.

6 PAPER

Mr Quinlan (Treasurer), during a personal explanation, presented the following paper:

Standing Committee on Public Accounts Report No 4, March 2003 “Appropriation Bill 2002-2003 (No 2)” – Copy of personal explanation, dated 5 March 2003.

7 GUNGAHLIN – TRANSPORT NEEDS OF RESIDENTS

Ms Tucker, pursuant to notice, moved – That this Assembly:

- (1) applauds the government’s proposed investigation of a light rail system for Canberra;
- (2) notes the recommendations of its first stage being a network linking Civic, Barton, Russell and the Parliamentary Triangle;
- (3) calls on the government to:
 - (a) make the public transport needs of Gungahlin residents the first priority for its sustainable transport plan;
 - (b) explore a range of innovative public transport options, including a trial of ADART services and bus-only lanes between Civic and Gungahlin;
 - (c) ensure that Gungahlin residents enjoy significantly improved public transport services before a light rail network is operational, and that extension of the network to Gungahlin is time tabled into later expansion.

Debate ensued.

Mr Corbell (Minister for Planning), by leave, moved the following amendments together:

No 1. Paragraph (2), omit “recommendations of its”, substitute “proposal of a”.

No 2. Paragraph (3), omit all of part (a), substitute

“(a) ensures that the integrated transport plan facilitates improved service delivery across the city including Gungahlin”.

Debate ensued.

Ordered – That the question be divided.

Debate continued.

Question – That Mr Corbell’s amendment No 1 be agreed to – put and passed.

Question – That Mr Corbell’s amendment No 2 be agreed to – put and negatived.

Question proposed – That the motion, as amended, viz:

That this Assembly:

- (1) applauds the government’s proposed investigation of a light rail system for Canberra;
- (2) notes the proposal of a first stage being a network linking Civic, Barton, Russell and the Parliamentary Triangle;
- (3) calls on the government to:
 - (a) make the public transport needs of Gungahlin residents the first priority for its sustainable transport plan;
 - (b) explore a range of innovative public transport options, including a trial of ADART services and bus-only lanes between Civic and Gungahlin;
 - (c) ensure that Gungahlin residents enjoy significantly improved public transport services before a light rail network is operational, and that extension of the network to Gungahlin is time tabled into later expansion –

be agreed to – put.

Debate ensued.

Question – put and passed.

8 ABC AND SBS FUNDING

Mr Hargreaves, pursuant to notice, moved – The Assembly requests the Chief Minister to advise the Federal Government that the Assembly supports the triennial funding submission 2003-2006 of the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS).

Mr Hargreaves addressing the Assembly –

Adjournment negatived: It being 5 p.m. – The question was proposed – That the Assembly do now adjourn.

Mr Wood (Manager of Government Business) requiring the question to be put forthwith without debate –

Question – put and negatived.

Debate ensued.

Question – put and passed.

9 BUSHFIRE PREVENTION INFORMATION AND EMERGENCY MANAGEMENT PROGRAMS

Mr Pratt, pursuant to notice, moved – That noting the Chief Minister’s call for more education on fire prevention, and noting that the ACT bushfire season remains current, that this Assembly calls on the Government to immediately implement the following:

- (1) Emergency Services Bureau bushfire prevention information and emergency management briefing programs in those bushland suburbs deemed vulnerable to bushfire; and
- (2) mandatory Emergency Services Bureau/Education Department bushfire prevention and safety measures programs in all schools.

Mr Pratt, by leave, was granted an extension of time.

Debate ensued.

On the motion of Ms Gallagher (Minister for Education, Youth and Family Services) the following amendment was made, after debate:

Omit “that this Assembly calls on the Government to immediately implement the following:”, substitute “that this Assembly calls on the Government to report on the potential to implement the following measures in its consideration of the reports of the Coroner and McLeod inquiries into the January 2003 Bushfires:”.

Question proposed – That the motion, as amended, viz:

That noting the Chief Minister’s call for more education on fire prevention, and noting that the ACT bushfire season remains current, that this Assembly calls on the Government to report on the potential to implement the following measures in its consideration of the reports of the Coroner and McLeod inquiries into the January 2003 Bushfires:

- (1) Emergency Services Bureau bushfire prevention information and emergency management briefing programs in those bushland suburbs deemed vulnerable to bushfire; and
- (2) mandatory Emergency Services Bureau/Education Department bushfire prevention and safety measures programs in all schools –

be agreed to – put.

Debate ensued.

Question – put and passed.

10 MENTAL HEALTH OUTREACH WORKERS – PROPOSED RECRUITMENT

Ms Dundas, pursuant to notice, moved – That this Assembly, recognising the need for more Mental Health Outreach Workers to provide support for people leaving emergency accommodation, calls on the ACT Government to make the recruitment of more Mental Health Outreach Workers a high priority for the 2003-2004 financial year.

Debate ensued.

Debate adjourned (Mr Hargreaves) and the resumption of the debate made an order of the day for the next sitting.

11 ADJOURNMENT

Mr Wood (Manager of Government Business) moved – That the Assembly do now adjourn.

Question – put and passed.

And then the Assembly, at 6.53 p.m., adjourned until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

M J McRAE
Clerk of the Legislative Assembly