

2009

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

EMERGENCIES (BUSHFIRE REPORTING) AMENDMENT BILL 2009

EXPLANATORY STATEMENT

Authorised by:

Mr Brendan Smyth MLA

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Overview of Bill

The purpose of this Bill is to set out a reporting regime that shall be followed in the lead up to each bushfire season. It is noted that all the elements of the reporting requirements that are set out should already be available to the Territory.

The objective of this Bill is to ensure that all this information is brought together in a timely fashion so that an assessment can be made of the state of preparedness of the Territory for the next bushfire season and whether there are any gaps or deficiencies that require attention.

Notes on key sections

Section 4

This section proposes the introduction of a new Part 5.3B. Within this Part, the key clauses are:

Clause 85G

This clause requires the Minister to table in the Assembly a bushfire preparedness report setting out the state of preparedness of the Territory for the forthcoming bushfire season. This report shall be tabled by the last sitting day before September each year.

Clause 85H

This clause set out the details of various matters relating to the immediately preceding bushfire season. The analysis of these matters will be valuable in preparing for the next bushfire season. This information is intended to provide a platform for evaluating how well the Territory dealt with any bushfire incidents in the previous bushfire season, including occasions on which people and equipment from the ACT assisted in responding to bushfires in other States.

Clause 85I

This clause set out the range of information that indicates the overall level of preparedness of the Territory for the upcoming bushfire season. This component of the report will deal with the availability of resources, such as personnel, funds and

equipment. This analysis also will provide an assessment of such matters as the status of vehicles and other equipment.

A significant component of this section of the report will be the long range weather forecast for the bushfire season.

Clause 85J

Reporting under this clause will provide details of the extent of reduction in the fuel load across relevant parts of the Territory. As part of this reporting, an assessment is required of the effectiveness of any controlled burns that have been conducted.

An important adjunct in the clause is the requirement for details of the aggregate of areas that were subject to controlled burns in each of the previous 10 years. This will enable a perspective to be gained on annual progress that is achieved in reducing the fuel load.

Clause 85K

This clause will require reports on activity that has been undertaken to prepare access to bushfire prone areas. All aspects of activity in relation to fire trails will be required to be reported on, including any trails that have been created and closed. It also will require details of plans to maintain and enhance access over the next 12 months.

The report also must provide an assessment of the state of infrastructure, such as bridges and other roads, within fire prone areas.

Clause 85L

This clause will require details of significant assets or areas, which need to be identified in the event of a bushfire emergency, to be provided. This will cover assets or areas that have particular heritage significant or which are integral to the provision of essential services to the ACT. The report will include details of plans to protect these assets and significant areas.

Clause 85M

Reporting under this clause will provide details of current legislation that has an effect on preparing for, responding to and recovering from a bushfire emergency.

Importantly, it also will require details of legislation that might have been proposed in, for example, a report from a Coroner, and the status of action to implement such recommendations. As part of this reporting, an assessment is required of what action has been taken to implement relevant legislation.

Clause 85N

This clause will require all recommendations that have been made concerning bushfires during the previous 20 years to be set out. The report will provide details on the status of each recommendation.

Clause 85O

The report, under this clause, will be required to provide information on recent advances that have been made in bushfire fighting technologies and techniques to the extent that these developments are relevant to the ACT.

Clause 85P

Information provided under this clause will show what public education programs have been implemented relating to such matters as enabling the community to prepare to respond to bushfires. As well, the report will show how the Territory is preparing for the upcoming bushfire season and details of any changes that may have been made to significant issues such as the nature of bushfire warnings.

Clause 85Q

This clause requires the relevant standing committee of the Legislative Assembly to prepare a report for the Assembly on the bushfire preparedness report that has been tabled by the Minister.

Clause 85R

Under this clause, the Minister is to respond to the report from the standing committee in a timely manner at the beginning of the bushfire season.