

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**MARGARET RIVER BUSHFIRES — PRESCRIBED BURNS**

*Standing Orders Suspension — Motion*

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [11.10 am] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith —

That this house expresses its grave concern at the severe fires occurring in the Margaret River area, and enables the Minister for Environment to explain his role in relation to these fires and especially to answer the following questions —

- (a) when was the minister first told that prescribed fire burns in this area were to be undertaken;
- (b) did the minister inform anyone that prescribed burns should not have been undertaken on, or in advance of, hot windy days;
- (c) when was the minister first told that the prescribed burns in Margaret River had broken containment lines;
- (d) did the Department of Environment and Conservation communicate with the Fire and Emergency Services Authority with regard to the prescribed burn;
- (e) when were the incident controller and deputy incident controller appointed;
- (f) at what point was Mr Gregson first informed by DEC that the fire had breached containment lines and was out of control; and
- (g) when did FESA take over control of the incident?

The fires in Margaret River are very, very serious. They follow a series of very serious fires and the state Parliament should have a debate on this issue. It is appropriate for this to be the forum in which the minister responsible for the agency that started the fire is held accountable. I hope I do not have to develop at length a case for the suspension of standing orders; if the government were to propose that we debate the motion on matter of public interest rules, the opposition would be very happy to proceed on that basis. I think the house would agree that having the debate under MPI rules would be much more convenient and would lead to a much more sensible debate, rather than me having to make a case at length for a suspension of standing orders. Such a debate would inevitably be punctuated by various points of order designed to try to keep me entirely to that issue and not mention anything to do with the substance of this serious issue, which has resulted in a significant loss of property.

I pause at this point to ask whether the Leader of the House might agree to a debate on this issue under MPI rules.

**Mr R.F. Johnson:** I can tell you that I think what you're doing is disgraceful at this particular time, when we're trying to save lives and property, but rather than prolong this and the time that Parliament will take, I will agree to it. Ideally, I would have said 15 minutes each side to get your message across.

**Mr E.S. RIPPER:** I think the Leader of the House will find that we will agree to MPI rules; that is, a standard debate of half an hour each side. We are all used to that, and this serious issue demands that sort of attention.

**Mr R.F. Johnson:** Well, you sit down and I'll address it.

**Mr M. McGowan:** Will you agree to it?

**Mr R.F. Johnson:** Yes, I'll agree to it; you sit down and I'll do it.

**Mr E.S. RIPPER:** Thank you.

*Standing Orders Suspension — Amendment to Motion*

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [11.14 am]: I have already explained that the government feels that this is a bit of a disgraceful move on behalf of the opposition—this stunt—when we have a serious fire down in the south west. It is disgraceful.

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Ms M.M. Quirk** interjected.

**The SPEAKER:** Thank you, members! Member for Girrawheen!

**Mr R.F. JOHNSON:** The government will agree to the request from the opposition along those lines, so I therefore move —

That the following words be inserted after “forthwith” —

, subject to the debate being conducted under the time limits applying to a matter of public interest

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

**The SPEAKER:** Members, as this is a motion without notice, it will need an absolute majority for it to succeed. The question is that the motion, as amended, be agreed to.

Question put and passed with an absolute majority.

*Motion*

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [11.15 am]: I move —

That this house expresses its grave concern at the severe fires occurring in the Margaret River area, and enables the Minister for Environment to explain his role in relation to these fires and especially to answer the following questions —

- (a) when was the minister first told that prescribed fire burns in this area were to be undertaken;
- (b) did the minister inform anyone that prescribed burns should not have been undertaken on, or in advance of, hot windy days;
- (c) when was the minister first told that the prescribed burns in Margaret River had broken containment lines;
- (d) did the Department of Environment and Conservation communicate with the Fire and Emergency Services Authority with regard to the prescribed burn;
- (e) when were the incident controller and deputy incident controller appointed;
- (f) at what point was Mr Gregson first informed by DEC that the fire had breached containment lines and was out of control; and
- (g) when did FESA take over control of the incident?

I absolutely reject the assertion by the Leader of the House that it is somehow inappropriate for the opposition to move this motion. Parliament is the centrepiece for accountability of government. If the government thinks, the day after 10 houses and nine cottages have been lost in a fire in Margaret River, that it does not have to be held accountable, it is dreaming. The government will be out there responding to questions from journalists, but its primary responsibility is to answer questions in this house. This is the first institution to which ministers are accountable, so it is entirely appropriate for us to move this motion to provide a vehicle for the minister responsible for the agency that started the fire to answer questions.

Let me repeat those questions: when was the minister first told that prescribed fire burns in this area were to be undertaken; did the minister inform anyone that prescribed burns should not have been undertaken on, or in advance of, hot windy days; when was the minister first told that the prescribed burns in Margaret River had broken containment lines; did the Department of Environment and Conservation communicate with the Fire and Emergency Services Authority with regard to the prescribed burn; when were the incident controller and deputy incident controller appointed; at what point was Mr Gregson first informed by DEC that the fire had breached containment lines and was out of control; and when did FESA take over control of the incident?

There is a context here that the house and the minister need to be reminded of. In December 2009, 37 houses were lost in the Toodyay fire. We have debated that fire on a number of occasions and it is clear from the report by the director of EnergySafety that the fire was started by Western Power equipment. The government has refused to accept proper liability for that, which means that residents of Toodyay who have lost their properties have had to undertake substantial legal action and negotiations. In January this year, 10 houses were lost at Lake Clifton, and in February this year, 71 houses were lost in the Perth hills fire. Within the last couple of years, we have had both the worst and the second worst fires for property damage in the state’s history; now we have a fire in Margaret River, in which at least 10 houses and nine cottages have been lost.

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr M.J. Cowper:** That's not right. The worst fire was in Dwellingup in 1961.

**Mr E.S. RIPPER:** I am talking about the worst fires for property damage.

Since those fires, we have had the Keelty report, which showed that FESA's management of those fires was an absolute debacle. The Keelty report made significant recommendations, and it would appear that the government is only one-third of the way through implementing those recommendations. All along, the government's approach has been characterised by complacency. If we go back to 21 October 2009, the Premier told the house —

In February this year I requested the Director General of the Department of the Premier and Cabinet to undertake a review of Western Australia's bushfire preparedness and to report to cabinet on the findings. I also committed that I would table the report, making it available for the public. The review found that Western Australia is well placed to respond to bushfires, with well-established plans and arrangements and strong relationships between the agencies and organisations involved.

That is what the Premier thought in October 2009. Then we had fires in Toodyay, Lake Clifton, the Perth hills and Margaret River, and in between we had the Keelty report showing that the Premier's assertions in October 2009 were completely without foundation and demonstrated dangerous and disturbing complacency within the government. We have to remember that, as further evidence of the complacency within the government, the government had to be dragged into establishing the Keelty report. When I first called for an inquiry into the Perth hills bushfire review I was attacked by the Premier for daring to call for an inquiry. When the inquiry was established, the terms of reference precluded an examination of the Fire and Emergency Services Authority's performance. It was only that Mr Keelty was so stubbornly independent that he went outside the terms of reference and looked at FESA's performance. Therefore, we would not have had the inquiry but for opposition pressure, and we would not have had the full inquiry that we got but for the independence of Mr Keelty. Now, so far, we have had the government only implementing one-third of the Keelty recommendations. We are heading into a very dangerous bushfire season and two-thirds of the recommendations are not yet implemented. In charge of the relevant government agencies we have the Minister for Emergency Services and the Minister for Environment. I do not want to be excessively partisan in this debate, because right now there are people fighting a very dangerous fire—right now there are people at risk—but I want to make what I hope is a sober observation: ministerial leadership or lack thereof really does count. The environment portfolio is not a junior portfolio; the emergency services portfolio is not a junior portfolio. Ministerial leadership of these very significant portfolios actually counts in terms of outcomes for the people of Western Australia. The minister is the person responsible. This is the prime accountability forum in the state of Western Australia. The Minister for Environment has a duty to answer the questions that the opposition has put and to give a full account of what his agency has done with regard to this fire. He is the person, this is the forum and this is the time to answer these questions.

**Mr R.F. Johnson:** So you think by springing all of these questions on him at literally a few minutes' notice is enough time for to him be able to answer all those questions adequately?

**Ms M.M. Quirk:** He has already been to the media.

**Mr R.F. Johnson:** He has not spoken to the media; he has not given those answers yet. He has not been asked those questions.

**Dr A.D. Buti:** He's a minister.

**Mr E.S. RIPPER:** I would have thought that a minister confronted with this sort of catastrophe in his portfolio would have spent the last evening and morning getting right across every single detail knowing that Parliament was sitting and knowing that he would be accountable. Any competent minister would have knuckled down and would have burnt the midnight oil to get across this issue, because that is exactly what a minister should do. He should be hands on. He should have been meeting with his departmental people. He should have got this information. He should have the answers to not only these questions, but also many others. I add to what I think the minister should be talking to us about, because he has boasted on a couple of occasions at question time about the prescribed burning program of the Department of Environment and Conservation. For example, on 8 November he said —

In terms of the south west overall, the Department of Environment and Conservation has managed to complete or begin 74 burns over a total area of 32 300 hectares since 1 July, and that will go through to 7 November. This government is very committed to prescribed burning, and supporting DEC's capital funding to make sure that we meet our target of 200 000 hectares a year.

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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Let us understand that what has happened is a result, it would appear, of a prescribed burn and the remainders of that prescribed burn flaring up and causing serious property damage and continuing serious risk to the people of Margaret River. I think the minister should explain to us whether there has been such political pressure on DEC to undertake and complete the prescribed burning program that it has been taking too many risks. That is a very serious issue that we need to understand. Was the department trying to meet political commitments on prescribed burning and therefore running up too close to the very dangerous weather that was forecast? The minister needs to explain now.

I conclude by saying that on behalf of the state Parliamentary Labor Party, and I am sure on behalf of all members of the house, I extend our deepest sympathy to those people in the Margaret River who have been affected. The other thing I want to say is that every member of this house appreciates the work of individual firefighters and the commitment and bravery that they show in doing their work. Finally, every member of this house will have deep concern about how this fire will proceed during this day. This is not a time for rabid partisanship; this is a time for the minister to be accountable to the principle of accountability forum that this state has. The minister's first duty in accountability is to this house and this is a very serious issue that demands his attention to that accountability.

**MR D.A. TEMPLEMAN (Mandurah)** [11.26 am]: This is a very appropriate issue to raise before Parliament. The motion, as it has been presented, asks very specific questions that the Minister for Environment should have the answers to if he has been doing his job properly and if he has indeed ensured that he has been updated and briefed appropriately over the last 24 hours or so since the fires, which we understand were part of a prescribed burn, went out of control. The questions listed and the required answers are important and serious. The Leader of the Opposition has highlighted some key issues that go to the core of the minister's role in overseeing the work of his department. It is astounding that the Leader of the House objected to this motion coming before the house for debate this morning. The government has had the opportunity in the last number of hours of Parliament sitting this morning, and even during last night's private members' debate, to update the house on what was occurring and indeed to highlight what the minister was doing. The Leader of the House, as Minister for Emergency Services, and the Minister for Environment, as overseer of the department that is at the core of this particular emergency, had the opportunity this morning during brief ministerial statements to come into this house and briefly update Parliament on the latest news on the emergency in Margaret River. Both ministers failed to do so. Therefore, given the fact that this is an emergency in the south west of our state and given that we are still unaware of the total damage that has occurred and is occurring, why would the government not take the opportunity to inform the house, as per the standing orders and the business of the house? That did not happen. I was astounded that last night during the debate, as news emerged of the developing tragedy of property loss and damage and the alarm of communities in the south west at the fire, the minister did not excuse himself from that debate. He had the opportunity to do that. He should have excused himself from last night's debate to ensure that he was well briefed in an ongoing capacity about the emergency as information became known. The fact is that the minister remained in the chamber last night and did not take the opportunity this morning to highlight to this house the updated information. As I said to the minister when he left Parliament last night and he asked me if we were continuing with the container deposit legislation, "If I were you, I would not be in this place; I would have left hours ago." We had already granted a pair for the member for Vasse, whose electorate encompasses the affected area in the south west. Had we been approached by any minister, of course we would have ensured that a pair was granted for the relevant minister to attend to this emergency, as we did this morning with the Premier.

In the interests of transparency, the minister should have the answer to these questions. If he is across this, he should have the answer to these questions. The questions that have been asked should be able to be answered by the minister today. As this emergency unfolds, as we find out more about what has occurred, and is occurring, in the south west, this house, along with the community of Western Australia, needs to be absolutely confident, as we now are in the bushfire season, that lessons have been learnt from the Keelty report and its recommendations are being delivered and also the lessons of the fires mentioned by the Leader of the Opposition have been learnt from. All of us understand that the communities of Western Australia now face severe bushfire risk. The Minister for Environment, as the minister responsible for the Department of Environment and Conservation, has to be well and truly across all the issues with his department. We are asking questions this morning directly related to the minister's role in regards to his department. They are important questions that should be answered and should be able to be answered by the minister today, if he has ensured that he has been appropriately briefed. I know the minister did not attend the state emergency meeting this morning, which I understand the Minister for Emergency Services and the Premier attended; I question why the Minister for Environment did not go to that meeting. We would have offered a pair to him for that.

**Mr R.F. Johnson:** Because he had to answer your grievances; that is why.

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr D.A. TEMPLEMAN:** We would suspend grievances. This is an emergency —

**Mr R.F. Johnson:** You cannot have it both ways.

**Mr D.A. TEMPLEMAN:** The minister could simply say, “I am unavailable to take these grievances simply because this is an important matter directly related to overseeing the department.” This is an important matter. The lessons must be learnt from the Keelty report and the fires we have experienced over the past two years. These questions must be answered. It is important these questions are answered. I think the minister should and can answer them in a direct and appropriate fashion. I would hope he is able to do so over the next hour while this debate is maintained.

**MS M.M. QUIRK (Girrawheen)** [11.32 am]: The opposition rises today, and at this time, because, as the previous two speakers have said, the government has had an opportunity to give this place information about what is happening and what is occurring. The government has not taken that opportunity. We also rise because people have lost their homes and their livelihoods. People are puzzled. In recent communication with someone in Margaret River, they said that it was chaos—they do not know what is going on. It is the Minister for Environment’s obligation to answer these questions. It is his obligation to answer questions, such as: once a fire was lit, did the department have the means at hand to control those fires and to put them out in the event they were unable to be controlled? We brought this matter to the house today because —

**Mr R.F. Johnson:** That is not one of the questions in the motion.

**Ms M.M. QUIRK:** You should listen! This is your problem, you never listen! You talk, talk, talk and never listen!

Several members interjected.

**Ms M.M. QUIRK:** This government has demonstrated over the past three and a half years its incapacity to learn lessons from the past. It has demonstrated a lack of candour. We all accept that the elements are beyond our control. We all accept that catastrophic days, when the winds are blowing in all directions and the weather is very hot, are not things within the government’s control. What is within the government’s control is being frank with the community and being frank with those who have lost their houses and their livelihoods. If we go back to the Boorabbin inquiry, if we go back to the Keelty report and if we go back to the major incident reviews at Toodyay, we see that the government was dragged screaming and shouting before it would give answers. It showed a complete lack of candour. I have about a three-foot pile in my in-tray of freedom of information requests I have made in relation to all those inquiries because the government would not be frank with the public and would not be frank with those who lost their houses. It seems to me that there are major questions that need answering immediately. We have listed those in the motion. We are giving the minister the opportunity now to answer those questions. This is a classic case in which we have had to provide that opportunity because the minister has not done so.

We were rudely interrupted in tabling our Community Development and Justice Standing Committee report by this motion. I commend the committee’s ninth report to all members of the house. The very issues that are raised in the committee’s report are live, and ones that the Minister for Emergency Services and the Minister for Environment need to respond to today. A lesson we have learnt on this side of the house is that one of the key features in all these emergency management situations is that there must be good information sharing, there must be inclusion of all stakeholders and there must be good communication. We had a situation last night in which the communication was disjointed; it was not happening. The much-vaunted state alert system was advising people after their houses had burned. What an awful way to re-victimise a victim. All these things need to be addressed. Fundamentally, why was this prescribed burning occurring at this time in any event? I suspect it was because, as our committee found, only one-third of the Keelty recommendations have been implemented and there was some political pressure put on, as the Leader of the Opposition said, to get the levels of prescribed burning up, so they did so in risky situations. These are all things that we need to hear from the minister.

**MR R.F. JOHNSON (Hillarys — Minister for Emergency Services)** [11.37 am]: I will say first of all, and reiterate, that I think this is a grubby, grubby thing that the opposition is doing today. We have a fire that is still not under control. Twenty-odd properties have been either burnt or badly damaged and 400-odd firefighters are at this moment fighting those fires in the south west, yet the opposition wants to use this forum for its own politically motivated end.

**Mr E.S. Ripper:** You can hold a media conference but you cannot talk to the Parliament!

**Mr R.F. JOHNSON:** Mr Speaker, I have not held a media conference; none of us has. The Premier —

**Mr E.S. Ripper:** Has the government held a media conference?

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr R.F. JOHNSON:** The Premier has simply explained to the media what happened —

**Mr E.S. Ripper:** So explain it to the Parliament! What is wrong with that?

**Mr R.F. JOHNSON:** We will do. I think he said very little more than what has basically been on the news so far. I have to say that the media have been very good, particularly the ABC, in reporting conditions in the south west and about where people need to take certain action. Let me say one thing: the Leader of the Opposition says one thing but does another. He says that we have to express our tremendous admiration to our firefighters and everybody else down in the south west fighting these fires, but that is not part of the motion. If we can take the questions in the motion to one side for the moment, certainly the minister will answer those questions. He will not be able to answer them right now, but the opposition does not ask him to answer them right now; not this minute. He will do that at a later stage today, I am sure, once he has perfect information on it because he does not want to mislead the house. The actual motion we are debating that the Leader of the Opposition moved, apart from asking the Minister for Environment to answer those questions, is —

That this house expresses its grave concern at the severe fires occurring in the Margaret River area. There is not a word about our firefighters.

*Amendment to Motion*

**Mr R.F. JOHNSON:** I move —

To delete all the words after “house” and substitute —

acknowledges the excellent work being done by firefighters and other emergency service workers in relation to the fires occurring in the Margaret River area.

**Mr E.S. Ripper:** So why aren't you going to express our grave concern? You are deleting that we express our grave concern? Aren't you concerned about it?

**Mr R.F. JOHNSON:** Don't you support the firefighters?

**Mr E.S. Ripper:** Of course I support the firefighters!

**Mr R.F. JOHNSON:** Why didn't you put it in your motion?

**Mr E.S. Ripper:** I put it in my speech. I concluded my speech with exactly that observation.

**Mr R.F. JOHNSON:** You weren't interested in that; you were just interested in some dirty little political grubby trick that we have seen time and again. I would have expected that from one or two members opposite, but I did not expect it from the Leader of the Opposition. I did not think he would sink that low to use this opportunity for grubby political purposes when at the moment we have over 20 properties that have been either completely burn out or severely damaged.

I can inform the house with great delight that the two people who were lost in that area when on a bushwalk and could not be found—they actually live in my electorate, I am told—have now been found and are safe and sound. They have been taken to Margaret River, where they will be transporting themselves back up to Perth.

**Mr M. McGowan:** Good news.

**Mr R.F. JOHNSON:** That is good news, so why do we not wait and see exactly what happens? The fires are still not under control. Either the fires are under control or they are not. It is no good saying that 80 per cent of the fires are under control and 20 per cent are not, because some of that 20 per cent could suddenly jump the road and we could get more spot fires and so forth. The general information I am telling members —

**Mr F.M. Logan** interjected.

**Mr R.F. JOHNSON:** What would the member know—living in Swanbourne! This is a very serious issue, but once again we have members of the opposition making puerile political interjections, which we normally get from the member for Girrawheen, who, I have to say, was the worst minister in the previous government. She would never ever front the media! I think that that member used her position on the standing committee, which had terms of reference that it went right outside of. I listened very carefully to the comments of the member for Ocean Reef —

*Point of Order*

**Mr J.N. HYDE:** Standing order 92 reads —

Imputations of improper motives and personal reflections on ...

Including members of the Assembly —

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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are disorderly other than by substantive motion.

Perhaps one of the reasons the tone of this place has been going down recently is that such comments, such aspersions, are made by the speaker on his feet that are clearly in breach of standing order 92.

**The SPEAKER:** Members, I am not going to make a ruling on that particular point of order at this stage. I am going to ask the Leader of the House, the Minister for Emergency Services, to return to the substance of this motion.

*Debate Resumed*

**Mr J.N. Hyde:** He has just implied a member has misused her position on a committee!

**The SPEAKER:** Member for Perth, I just indicated to you what I am going to do. I have asked the house to return to the motion. I have asked the Minister for Emergency Services to do so. Member for Perth, I am going to formally call you to order for the first time today.

**Mr R.F. JOHNSON:** I agreed on behalf of the government for the suspension of standing orders to go ahead on this basis; otherwise, we would have had a lot of puerile comments made in trying to convince the house why we should suspend standing orders. This is not the time to debate this issue in detail because we have 400-odd firefighters on the ground down there and people are losing their homes. We are more concerned about trying to preserve life and property.

**Mr E.S. Ripper:** You'll answer these in a press conference, but not in this place!

**Mr R.F. JOHNSON:** And we will answer these questions! Of course we will answer these questions!

**Ms M.M. Quirk:** When?

**Mr R.F. JOHNSON:** When it is appropriate to; when the minister has enough information. I would not suggest that the minister gets up in any way—he might even be accused of misleading the house by giving something that is slightly inaccurate.

**Mr E.S. Ripper:** So isn't he going to speak in this debate?

**Mr R.F. JOHNSON:** He will be. He will be speaking directly after me.

**Dr K.D. Hames** interjected.

**Mr R.F. JOHNSON:** He will be speaking after the Deputy Premier, but he certainly will be speaking on this issue.

**Mr E.S. Ripper:** How long are you going to give him?

**Mr R.F. JOHNSON:** I will not be speaking much longer. We may not even take our full half-hour. That is the contempt we have for this particular stunt that the Leader of the Opposition has pulled today. That is the contempt we hold you in. I think that the public will realise what you are doing here today, in playing on the misery of those poor people who have lost their properties and not even putting, in your substantive motion, any praise for our firefighters, our emergency services and our other agencies that are battling those fires and trying to deal with the heartache of those people who have lost properties and who have had to be evacuated and so on. Nothing in the Leader of the Opposition's motion said that! His only concern was about the fires! There is nothing about the people involved. There is nothing about the people who are affected by the fires, and nothing about the people trying to fight those fires. We have nothing but admiration on this side of house for our tremendous firefighters, both career and volunteer firefighters, and, indeed, all of our other agency people who are working very hard in the Margaret River area desperately trying to not only control those fires but also help the people who have been affected.

The amendment that we are talking to at the moment is in actual praise of those people, and perhaps the next person on the other side of the chamber who gets up might want to agree with the amendment that I put forward. I hope they will. It will be interesting to see whether they vote against it.

**Mr E.S. Ripper:** Of course we're not going to vote against it; of course we're going to support the amendment.

**Mr R.F. JOHNSON:** I think our volunteer firefighters would be very upset —

**Mr E.S. Ripper:** The important thing is that we have a debate and the questions are answered!

**Mr R.F. JOHNSON:** We have had no debate this morning.

**Mr E.S. Ripper:** Not from you!

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr R.F. JOHNSON:** Do you call that a debate?

**Mr E.S. Ripper:** No; we haven't had anything from you.

**Mr R.F. JOHNSON:** All you have done is make accusations! The Leader of the Opposition said he did not want to be party political about it, but that is exactly what he has done. He did so rather than wait, even until this afternoon when we would have more information to give members. The weather is changing; the winds are changing. We are updating as quickly as we can. I can tell members that everybody is working very, very hard on it in that way. I assume that every member in this house will agree with the amendment that I moved.

I just want to say one more thing before I sit down, and that is to commend the member for Ocean Reef for the comments he made this morning in relation to the Community Development and Justice Standing Committee report. I think it was very brave of him, but it was very honest of him. It really showed up that certain members on that committee maybe had their own agenda in mind, rather than the actual terms of reference they were given originally; and, indeed, I have serious concerns at why, within three weeks of the Keelty report, there had to be another inquiry. Being a bit of a cynic these days, I have to say it was done for political purposes.

**DR K.D. HAMES (Dawesville — Deputy Premier)** [11.47 am]: The original motion before the house is an absolute disgrace and is crass politics at its absolute worst. Here we have a major fire —

Several members interjected.

**Dr K.D. HAMES:** Absolute crass politics—and members opposite should all be embarrassed and ashamed of themselves, because I can tell members opposite that if I was on their side of the house, that is how I would be feeling.

Several members interjected.

**The SPEAKER:** Member for Swan Hills, I formally call you to order for the first time today. Member for Armadale, you should put the brakes on as well. I formally call you to order for the first time today.

Members, I would like to hear the Deputy Premier. At this point, I have been unable to hear anything he said. My comment is directed to members on both sides of the house.

**Dr K.D. HAMES:** At this very moment we have a fire burning out of control threatening a large number of houses and people's lives in the south west. We have 400 firefighters down there trying to get control. We have the Premier of the state, and the local member as the Minister for Transport, down in the south west trying to do their absolute best to be across the situation to support the local communities and our fabulous people down there who are risking their lives fighting a fire. And what are you lot doing? You come in with the blame game. This is not about finding out what is going on. This is not about supporting our firefighters. This is totally about the blame game: Whose fault was it? Who did the wrong thing? What did they do wrong? Members opposite are starting the witch-hunt already when they have no idea what has happened down in our south west. Sure, it is a prescribed burn that has got out of control. Sure, questions have to be answered. All those things will come when this event is over. The critical thing we have to do now is to look after the houses and the lives of people who are trying to prevent further damage and to prevent loss of life. For the other side to come into this house with questions relating to who was told first, when did it happen, who knew, tell us about the prescribed burns, is an absolute disgrace! At this stage we have our Premier down there trying to assist those communities who are fighting the fire and resolving the tragic loss of property that has occurred, and of course the bushland and the animals and flora and fauna with that bushland. The Premier is down there representing this house—not just representing the state government—in trying to provide support and looking after the interests of those people down there. The opposition is indulging in grubby politics by bringing stuff like this into this house. Those questions will be put before those people who were involved. Perhaps down the track someone will be found to have done something wrong. So what? That is not important now. What is important now is what we as a Parliament do to support those people who are risking their lives fighting fires.

Government members: Hear, hear!

**Dr K.D. HAMES:** That is why we should all strongly support the amendment to the motion moved by the minister.

**MR W.R. MARMION (Nedlands — Minister for Environment)** [11.50 am]: Firstly, I support the amendment; it is a good amendment to the motion. Secondly, I am disappointed that the opposition has brought this on so early while the fire is being fought. We are expecting 65-kilometre-an-hour gusts today. It is a dangerous situation, and I think the last thing the public of Western Australia needs is to be distracted by a blame-game debate.

**Mr R.F. Johnson:** Minister, can I just interject for one moment to give an update on the situation?

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr W.R. MARMION:** Certainly.

**Ms M.M. Quirk** interjected.

**Mr R.F. Johnson:** The member for Girrawheen may not be interested, but I am sure the house would be. I have just had information that some areas of the Department of Environment and Conservation fires that were under control have now become uncontrolled—they have flared up again—and whereas there was a partial evacuation of some suburbs on the periphery of Margaret River, it is essential that that evacuation is now compulsory. Things are very serious down there.

**Mr W.R. MARMION:** I thank the Leader of the House for that interjection.

**Ms M.M. Quirk:** That's why we've raised it.

**Dr K.D. Hames:** What you've raised is who is to blame!

**Mr W.R. MARMION:** Like the Leader of the Opposition, I extend my deepest sympathy to the people who have lost their houses. Everyone in this house expresses their sympathy, and I think we all acknowledge the deep concern we have for their wellbeing into the future. Indeed, the state government is putting in processes to look after them, and, as members know, a community centre has been set up in Margaret River. I extend my sympathy to all those people. I also want to say that I appreciate all the work that has been done by DEC staff, the Fire and Emergency Services Authority staff, the volunteer fire brigade, the local government fire brigades and all the volunteers who are fighting the fire and putting their lives at risk in a very difficult situation in dangerous conditions.

I have been kept regularly updated, and I will actually answer some of the questions, if the Leader of the Opposition likes; so I will be generous there.

**Mr E.S. Ripper:** Be accountable; that's all I ask.

**Mr W.R. MARMION:** I do not want to give exact times because they obviously need to be verified, but I can actually give some answers to those questions. Since the Leader of the Opposition has raised the issue, I can give the house a bit of an update on the current situation—I was going to during question time anyway.

As I said, I was regularly updated all day yesterday—yesterday morning, yesterday afternoon, yesterday evening—and very early this morning. Last night I spoke to the director general specifically about the fire. My immediate priority is to address the fire; all resources are addressing the fire, and I do not want them to be distracted. Tomorrow might be the right time to go through and look at the actual circumstances and resources around the incident. The emergency bushfire situation is current for the local communities around Ellen Brook Road, including people in the Kilcarnup, Prevelly and Wallcliffe subdivisions in the Shire of Augusta–Margaret River, and that started yesterday morning—Wednesday, 23 November. I am advised that about 1 800 hectares of bush has been burnt—that has been well publicised. Regrettably, initial information appears to indicate that up to 20 homes and businesses have been destroyed or damaged. I cannot give a better breakdown until the police and FESA are able to get into the affected area and make a more accurate assessment. I can confirm that the bushfire is a result of an escape from a prescribed burn in the Leeuwin–Naturaliste National Park that commenced on 6 September. I can advise the house that the state emergency coordinating group, headed by the Commissioner of Police, Karl O'Callaghan, was activated immediately to ensure that emergency services resources were rapidly and appropriately deployed, and that a high level of coordination between key government agencies occurred.

There is a question about why we were burning in this weather. This prescribed burn, as I mentioned, was commenced by the Department of Environment and Conservation on 6 September. Prescribed burns have continued intermittently in this area when conditions allowed. As people know, before a controlled burn the experts trained in this area have to address a lot of criteria.

**Mr E.S. Ripper:** Minister, are you actually saying that the fire has been burning since 6 September?

**Mr W.R. MARMION:** No; of course not.

**Mr E.S. Ripper:** No? So what are you saying?

**Mr W.R. MARMION:** The areas that were being burnt were started on 6 September. The Leader of the Opposition knows how a controlled burn works. It is set out over a time frame and if the weather is such that it is too wet, it may not get finished; so, when the conditions dry out, the department goes back to it and keeps going back to it until it is finished.

**Mr E.S. Ripper:** When was this prescribed burn that actually caused the fire lit?

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr W.R. MARMION:** My understanding is that the controlled burn—I am not going to get into it. I know what the Leader of the Opposition is trying to do. He is trying to get me to say something, and then when we further check the records I will be out by one hour or 30 seconds or two minutes and, like the opposition did with the Minister for Education, it will become a big issue.

Several members interjected.

**The SPEAKER:** Members! Minister for Agriculture and Food! Member for Cockburn! Leader of the Opposition, you have asked some questions of the Minister for Environment and he is attempting to answer them. But there are other members in this place who are having conversations between themselves or across the chamber who are not helping this particular process at this point. If the Minister for Environment wants to take interjections from the Leader of the Opposition, I will accept that, but I am not going to accept other people having ongoing conversations while this particular motion is in front of the house.

**Mr W.R. MARMION:** I can advise the Leader of the Opposition that the prescribed burn was completed—this is what I have been advised—on 21 November; however, it does appear that a remaining unburnt pocket of bush within the burnt area in the national park caught alight and embers, fanned by strong winds, escaped the containment lines causing the fire to spread rapidly. That is the issue around the fire. I will not go on to talk about prescribed burns.

In terms of the resources deployed, FESA has deployed 155 personnel, including additional resources to assist firefighting operations. There are a total of 27 metropolitan fire appliances and 20 career fire and rescue service firefighters. DEC has deployed 250 personnel, 25 trucks, eight machines, and an aerial fleet, including water bombers and helicopters from across the state. There are also 92 volunteers from the Fire and Rescue Service Western Australia, local government bush fire brigades, and the State Emergency Service. The bushfire is currently being managed by the Department of Environment and Conservation's incident controller, with the support of the Fire and Emergency Services Authority's deputy incident controller.

I wish to assure the house and the community that the state government is doing everything in its power to ensure its response to this emergency incident is maintained, and that we continue to support the impacted local communities during what is a very, very difficult time for the people down there. Our priority focus is to put out the bushfire, stabilise the impacted communities, and provide all the necessary assistance to ensure their safety and wellbeing. All assets of the state government have been directed to provide assistance to communities in the impacted area, in particular to those who have lost their homes and personal belongings. Again, I would like to take this opportunity to thank all the FESA and DEC staff, all the people fighting the fires and all the community service volunteers for their great efforts in fighting this fire. As I said, the fire is in a situation today of high temperatures and strong winds gusting to 65 kilometres an hour. We must concentrate on putting the fire out, and I am happy to keep the house updated as more information comes to hand.

**MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food)** [11.59 am]: I stand to respond to a couple of comments in a short time. In the first instance, like other members who have spoken, I express our deep concern for those who have lost houses and those who are still engaged in fighting the fires, both the volunteers and all those involved with government agencies. I know that a number of people have not yet had the chance to see whether they have lost their houses. Very deep concern still exists in the Margaret River shire. The Minister for Emergency Services might even have an update on that.

**Mr R.F. Johnson:** I inform the house that apart from the problems down in the south west, a bushfire emergency warning has been issued for people in the eastern part of Martin in the City of Gosnells. The fire is burning between Versteeg Grove and Feldts Road. There is a threat to people's lives and homes. Our firefighters are fighting fires on many different fronts.

**Mr D.T. REDMAN:** To pick up on the point that the Deputy Premier made, to move this motion now is absolutely inappropriate. This fire is still going on. It is a very, very serious matter. The point that the Leader of the Opposition made about not wanting to make this a partisan point is absolute rubbish. The Leader of the Opposition raised a range of questions and the Minister for Environment will respond to those in good time. I want to make a couple of points. No doubt some of the points the Minister for Environment made were a bit of a surprise to the opposition. The first point that the minister made was that this prescribed burn started on, I think, 6 September. I am sure that the member for Mandurah, a former Minister for Environment, knows the process that is gone through to conduct a prescribed burn. Before a prescribed burn takes place, an assessment is done and the areas that will be burned are determined. Rigorous processes are worked through before a burn takes place. In paragraph (b) of his motion, the Leader of the Opposition asked —

Did the minister inform anyone that prescribed burns should not have been undertaken on, or in advance of, hot windy days?

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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That really makes light of the comprehensive processes in place for managing these issues in government and government departments. That point is a standout to say that the Leader of the Opposition is in here to use —

**Ms M.M. Quirk:** There is one out of control at Denmark too.

**Mr D.T. REDMAN:** As I understand it, it is not out of control. Prescribed burns are presently happening in Denmark and about 30 kilometres south of Nannup. People work through a very, very clear process. I do not want to make excuses about what has happened here or downplay the seriousness of this issue. In good time judgements will be made about the decisions that were made. Quite rightly, the Minister for Environment and the Minister for Emergency Services will work through that process. I think we need to reserve judgement on the facts of this, rather than stepping up here and now to get answers at this early stage.

The other point to make is the value of prescribed burns. In Western Australia our prescribed burning program—although from time to time we have had concerns about it perhaps not going to the length it should—has protected us from some of those very, very serious issues that we have seen in the eastern states. Some comments in the Keelty report also highlight the fact that there is value in prescribed burns. Again, I do not make excuses for what is happening in Margaret River and the decisions that sit around that; those issues will come to light in time. This government quite rightly has a responsibility to look at those issues, and it will. We have a prescribed burning program. It is not an exact science but it puts a measure of protection in those south west communities, in particular, and other areas in the state where fuel loads pose a huge risk to not only property but also life. This government does not take lightly the importance of maintaining a prescribed burning program around the state. We acknowledge the importance of a prescribed burning program in the protection of life.

Again, I highlight that whilst I do not make excuses for what happened here, judgements will be made. It is important that we are very, very measured about how we respond with strategies in place to protect communities. I certainly feel for those people who have lost houses. It is also my intention to visit there tomorrow. Again, we will get a full understanding of some of the details around that. In my opinion, raising this issue in the way it has been raised is inappropriate. The very partisan way it was tackled is totally inappropriate. This government will respond appropriately and our minister has our full support in working through those processes in a very measured and considered way.

**DR M.D. NAHAN (Riverton)** [12.04 pm]: I would like to make a few comments on this motion. First, I, like the other speakers, wish good luck to the volunteers and the Fire and Emergency Services Authority and Department of Environment and Conservation people fighting the fires. I also give my condolences to the people affected in not only Margaret River but the wider area. I also note that leavers' week is coming up. Leavers in their thousands are planning to go down to that area. We have to concentrate on getting the fire under control and defeated before they go down. Indeed, in some perverse way it could have been a lot worse. I condemn the attempt by members opposite to politicise this issue at this time. We should have our Minister for Emergency Services and Minister for Environment addressing the issues out there where life and limb are under threat.

Several members interjected.

**Dr M.D. NAHAN:** Instead the opposition has them in here. The Minister for Environment answered a legitimate question and gave members an update—fully reasonable. The questions asked were basically trying to assess the nature of the burn and other activities, which cannot be done now because we do not have the facts. As the Minister for Agriculture and Food said, and as members opposite know because they put them in place, there is a rigorous, vetted process for controlling a prescribed burn. First, there is a plan by the Conservation Commission. Then a program for prescribed burning is ticked off by the Conservation Commission. Then there is a rigorous check process that is gone through. That is obviously what DEC did. It might have got out of hand, but we have to wait for the results to assess it. We will come to it. The priority for us now, if members opposite really care about the damage done at Margaret River, is to allow the people in charge, including the ministers, to address the issue at hand—that is, to address the fires and threat to life and livelihood—rather than for the opposition to make cheap political points. I might add, when I came to this house, my first speech was indeed about the need to address the build-up of fire —

**The SPEAKER:** Member for Collie–Preston and Minister for Agriculture and Food, I stood on my feet before and made this comment but I will make it again. I have given the call to the member for Riverton. I have not given the call to either of you to engage in conversation. I formally call both of you to order for the first time today.

**Dr M.D. NAHAN:** When I came to this house, my first speech, other than my maiden speech, was about WA's bushfire threat. That was the subject of my response to the Premier's Statement in March 2009. I asked members to imagine a huge bushfire, such as this one, in the Leeuwin–Naturaliste area in the south west at the height of the summer holidays. Thousands of holiday-makers and local residents would try to evacuate along narrow

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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roads, which we are seeing. I raise that because the data showed an extreme level of burnable material in that area. There is also a lack of access roads, a huge build-up of houses and a large number of people who are not familiar with forest fire conditions. That is what we have. When we came to government, we had this issue at hand. I raised it and the then Minister for Environment responded properly. She committed to reviewing, expanding and meeting the controlled burning targets. Clearly, something has gone amiss. We will get to that once we have put out the fire. I urge members opposite to remember that the high level build-up of burnable material from which we now suffer occurred on their watch. They will be held accountable for it.

Several members interjected.

**The SPEAKER:** I gave most of you an opportunity to pull up in your comments. Member for Albany, I formally call you to order for the first time today. I think that everybody in here recognises the sensitivity of the issue with which we are dealing. I hope that you do. I do not know whether you have completed your comments, member for Riverton.

**Dr A.D. Buti:** Sit down; you are a disgrace!

**The SPEAKER:** Order! Member for Armadale, I formally call you to order for the second time today.

**Dr M.D. NAHAN:** In the meantime, I suggest that we allow things to cool off and allow the ministers to get on and do their duty to address the emergency we face. Then we will come back to this house to address the results.

**MR M. MCGOWAN (Rockingham)** [12.10 pm]: The opposition will be supporting the amendment moved by the government and I want to put on record our support for those emergency services workers and firefighters who are out there around Western Australia fighting these fires. I also want to put on record that we have, as the original motion said, grave concerns about this particular fire and that I think it was a reasonable thing for this Parliament to move a motion. The second thing that I want to put on record is that it is entirely appropriate for the Parliament to seek answers from the government about a dramatic event such as this, particularly in light of what happened earlier this year in the Perth hills. Fire is a big issue in Western Australia and people want answers. If Western Australians want answers, it is entirely appropriate, in fact more than appropriate, for the minister responsible for the department involved to have come into the Parliament last night to make a statement about what was going on and to come into the Parliament first thing this morning to make a statement about what was going on and everything involved. In many ways the opposition has been forced to this position, to raise this issue in the way that it has, because of the failure of the government to come before the house and address these issues. For people to allege that somehow it is inappropriate for the Parliament to raise these issues denies the history of Westminster parliaments around the world in which issues of public moment out there, including in wartime, are debated immediately. Those members who do not understand that need to go and learn their history about Westminster parliaments because that is exactly what goes on, including in the most dire of circumstances of wartime. For the opposition to come here, to raise this issue and to seek answers from the minister who failed to provide a statement to the Parliament is more than sensible and more than appropriate and members opposite should have ensured that their minister came in here this morning to explain to the people of Western Australia what was going on.

The minister said that he would answer the questions, and government members have said it was outrageous that we put these questions into the motion. The first three questions were entirely within the minister's capacity to answer; they were entirely about his state of knowledge. The next set of questions is about issues that I think Western Australians would like an answer to. The opposition has asked the minister about three things in his capacity to answer, and he did not answer those three questions. It is about his state of knowledge at various times in the past day—in the past day! Surely, a person involved in an incident of this magnitude in the past day should be able to answer three questions about the events of that day. That is all we asked the minister to do. Surely he could answer the next set of questions if he had been briefed. The minister said that he had been on the phone to various people; surely he would be able to answer those very straightforward and simple questions. If the government did not want this motion to come before the house—which any government could have predicted would; any sensible government would know that this would come before the house—the minister should have stood this morning and provided a short ministerial statement thereby answering these questions.

**Mr C.C. Porter:** Do you think these are sensible questions?

**Mr M. McGOWAN:** I would say to the government —

**Mr C.C. Porter:** Do you really think these are sensible questions?

**The SPEAKER:** Order, Attorney General!

Several members interjected.

**Mr M. McGOWAN:** As some other members have said —

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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**Mr C.C. Porter:** Do you think them sensible?

**The SPEAKER:** Order! Attorney General, the member for Rockingham has the call. He is not interested in your interjections, it would seem. I am formally going to call you to order for the first time today.

**Mr M. McGOWAN:** When the minister in charge of the agency, the Minister for Environment, admits the agency has had some involvement in this, he needs to show some leadership. Showing leadership involves a range of things. First of all, if I were the minister, I would have gone down there. Secondly, as I have indicated before, the minister should have immediately made a statement to the house. Thirdly, if I were the Minister for Environment and in this minister's situation, I would not have remained in the house during a debate about container deposit legislation, about campsites at Lucky Bay and about pipes on Albany Highway. I would have given those issues to another minister to handle and gone out and made sure that I was entirely across the issue and shown leadership—leadership to those people out there fighting the fires, so they understood their minister was across the issues and was, hopefully, on the ground dealing with those issues. I would have done that rather than remain in the house to deal with Lucky Bay campsites, pipes on Albany Highway and container deposit legislation—as important as those matters are. All I am saying is that the minister has a responsibility to show leadership on this issue. I think the minister's performance in the past day shows that he has not. I think it more than appropriate that the opposition seek answers on behalf of the people of Western Australia.

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [12.15 pm]: The government's position on this matter would appear to be that it is not appropriate for the Parliament to debate the biggest news of the day in Western Australia; it is not appropriate for the opposition to ask the government questions about one of the most serious issues affecting the community of Western Australia on the day that is actually happening. The government's response has been very, very revealing of its character. Surely the government did not think that it would come to question time when 10 houses and nine cottages have been lost and not face some questions from the opposition. Surely the government's position was not to be that at question time it would say that every question from the opposition on this is an outrage because it is out there fighting a fire. Surely it is not the government's position, when it goes to a press conference and a journalist asks the question like this, to abuse the journalist for daring to ask a question about government accountability. Surely that cannot be the position of the government.

I invite government members to read the *Hansard* of my speech when it comes out and then reflect on whether it was right for the government to be so rabidly partisan in its response. The motion I moved simply had the house express its grave concern at the severe fires occurring. That was a vehicle for a proper, restrained debate and the government did not rise to the occasion. I am especially disappointed in the Deputy Premier, who in the absence of the Premier, should have shown some leadership and some statesmanship on this matter. I expected what we got from the Minister for Emergency Services and the Leader of the House—that is just his normal course of action. However, what should have happened is that the minister should have come in here and made a long ministerial statement and that would have given the opposition a chance, under the standing orders, to respond.

If members think about my speech, I made two points that might be described as “potentially political”—two only! I asked whether the government had taken unjustified risks with the prescribed burning program. That is a very important question that I am sure will be debated at some length in the aftermath of this. The second thing I said was that ministerial leadership counts. Ministerial leadership does count in emergency circumstances. Why do members opposite think there has been so much praise for what Anna Bligh did during the Queensland floods? Not only did her government deal with the operational issues confronting the state during those floods, she communicated par excellence; and we have not had that from the minister!

The government has gone on and on about the questions contained in the motion; namely —

- (b) did the minister inform anyone that prescribed burns should not have been undertaken on, or in advance of, hot windy days;

That question is about government policy and the minister told us that this particular fire was lit on Monday, 21 November, when the forecast was already out for hot and windy conditions later in the week. It is a very valid question to ask why that fire was lit on that day and what government policy was with regard to that matter.

The minister has answered one and a half of the questions that were asked. I will say that the minister's tone has been better than the tone of the rest of the government, but he has not actually answered the questions. The government's character has been revealed—contemptuous, arrogant and dismissive; that is what it has been.

Amendment put and passed.

*Motion, as Amended*

Question put and passed.

**Extract from *Hansard***

[ASSEMBLY — Thursday, 24 November 2011]

p9848a-9860a

Mr Eric Ripper; Mr Rob Johnson; Mr David Templeman; Ms Margaret Quirk; Dr Kim Hames; Mr Bill Marmion; Mr Terry Redman; Dr Mike Nahan; Mr Mark McGowan

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