



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

AUSTRALIAN CAPITAL TERRITORY LEGISLATION AMENDMENT BILL 2002

Second Reading

SPEECH

Thursday, 6 February 2003

BY AUTHORITY OF THE SENATE

SPEECH

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Questioner
Speaker Stott Despoja, Sen Natasha

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Senator STOTT DESPOJA (South Australia) (1.18 pm)—Today I rise in my capacity as the Democrats' spokesperson for the territories, including the Australian Capital Territory. We agree that the amendments to the Australian Capital Territory Legislation Amendment Bill 2002 before us are necessary to address technical issues in relation to the Australian Capital Territory (Self Government) Act 1988 and the Australian Capital Territory (Planning and Land Management) Act 1988.

I take this opportunity to briefly note two issues that have been of concern to the Australian Democrats with respect to both those acts. The first concern is the requirement that the ACT restrict the composition of its parliament and executive under sections 8(2), 8(3) and 41(2A) of the self-government act. The Australian Democrats have a policy—and obviously this is something we have discussed with our colleague Ros Dundas in the legislative assembly—that the ACT should be able to determine the size of its own parliament instead of being subjected to the Commonwealth structure of government. I note that a report from the ACT Standing Committee on Legal Affairs in June last year recommended that the ACT continue to lobby the federal government to devolve from the Commonwealth the power to determine the size of the assembly.

The second concern, which the Democrats have raised previously, is the role and powers of the National Capital Authority, established under the Planning and Land Management Act 1988, which have been a source of continuing debate between the federal and ACT governments. The most recent example of bureaucratic authority being able to override the wishes of a parliament—one that has been raised in the media on several occasions—is the Gungahlin Drive extension. As I said, it has received quite a great deal of attention, so I will not go into it in any further detail in this place.

Finally, on behalf of my party, and I am sure all senators in this place, I would like to once again take the opportunity to extend our sympathy and support to the residents of the Capital Territory, especially those who have lost loved ones, those who have been injured and those who have lost their homes. The Australian Democrats and I as the spokesperson have pledged our total support to the territory, both to the minister on a federal level and the ACT Chief Minister, as well as to the emergency services and, most importantly, Canberra's residents, to work with them in a constructive debate that examines the issues in relation to the recent bushfires. It is really important that we do that in a constructive manner, whether we are looking at measures that were taken recently or the resources required for future prevention of such attacks.