

Mr President...

At the outset I want to put it firmly on the record that I support the idea of a pulp mill in Tasmania, providing it has been assessed and approved through a rigorous and transparent planning process which thoroughly assessed and analysed the economic, environmental, social impacts which such a major development would inevitably have. The project of State Significance process through the RPDC would have achieved this.

On face value, the economics probably speak for themselves.

Speaking as someone who prior to being elected to this House, had almost 30 years of business experience, firstly in the real estate industry and then in owning and running a motel and as executive director of one of Tasmania's largest motel chains, which was part of the world's largest motel chain, as well as national and state board positions. Not to mention of course also being a Mayor of one of Tasmania's largest councils. Given this background of experience, I'm sure you will accept my genuine claim that I absolutely support business, including industries that further the downstream processing of our state's resources.

As I said, I support the concept of a Pulp Mill being built in Tasmania and, ideally, that it should be developed by a Tasmanian based company which I believe should then have a genuine commitment to Tasmanian communities and families.

Mr President I accept the strong economic arguments for this Pulp Mill development going ahead and that we need to do whatever we can to encourage more private investment in our State.

I know how much this development means to Tasmanian industry, in all parts of the State and especially in the northern region..

And I know that some people would argue that if this development does not proceed, it will be a major body blow to the Tasmanian business community and the Tasmanian economy generally.

Dark old days

But I can not and do not accept the argument that “Tasmania cannot survive economically without it.”

And that without fast tracking this we will go back to the dark old days of high unemployment, no investment and no economic growth. To me this argument is simply untrue.

Tasmania is doing well, better than ever before as the Premier Paul Lennon has said in his state of the state address. And I quote:

“We have become one of the best-performing economies in the nation. We have seen record jobs growth, record consumer confidence, record business confidence, record population growth, and record levels of private and public investment.”

And Mr President I totally agree with the Premier’s views in this regard. But it needs to be noted that all of these things have been achieved without the building of a Pulp mill. And yet what we see now in my opinion tragically is a return of the rhetoric of the cargo cult mentality which was prevalent and held this State back for decades.

In the seventies we were told that the skies would fall in if we didn't build a dam. In the eighties the sky was going to fall in if we didn't build a pulp mill at Wesley Vale. In the nineties the sky was going to fall in if we didn't sell the Hydro. Well none of these things happened and the sky did not fall in. The doomsayers were wrong!

Fortunately Jim Bacon changed this backward mentality and the results speak for themselves as I have heard the current Premier and the current Treasurer reiterate on many occasions.

But now we have doom sayers bringing back the old rhetoric once again. For example I note former Premier Robyn Gray, a director of Gunns, quoted in the Examiner on March 25th comparing today's situation to the Wesley Vale days, and I quote:

"I hope history doesn't repeat itself. This is our last chance. If this mill is stopped, investment will dry up, investors will simply decide it is too hard to do business in Tasmania."

Oh dear Mr President, the sky is going to fall in again!

But unfortunately we are starting to hear these same sentiments echoed by many proponents for the Mill including some members in another place during their debate last week.

In 2004 I said in my inaugural speech to this House, Tasmania is now a vastly different place that it was prior to 1998. I spoke glowingly of the state of the economy.

Indeed, Tasmania is still today experiencing the best set of economic circumstances that I can recall.

The reasons for this are not down to one project, or one development and I believe it is a terribly retrograde step to again start talking about Tasmania as if it needs just one big investment to maintain growth.

The reason we are where we are economically is because of a long-term strategic approach which was undertaken by the Bacon and Lennon Governments.

This included:

The Industry Development Plan which identified the areas where money needed to be spent on infrastructure.

The rejuvenation of the Tourism Industry by solving long-term air and sea access problems.

And the implementation of broader community policies such as Tasmania Together and Local Government Partnerships.

Indeed, one of the key objectives of Tasmania Together was to overcome divisions by getting a common view about what direction we need to head as a community.

It was the implementation of these policies that united the people of Tasmania.

It was this revival of optimism, vibrancy and enthusiasm in the community which was generated and driven by Jim Bacon and his government bringing Tasmania together and inspiring them to believe in themselves, that attracted me to first of all to join the ALP and later to stand for Elwick as a member of the Tasmanian Labor Party.

Unfortunately this is in stark contrast with the actions of the government in relation to this matter we are debating today which is resulting in tearing the Tasmanian community apart and tragically returns us to the division of the pre-Bacon days.

Yes the Pulp Mill would be a boost for the Tasmanian economy, but it is not the end of the world if it doesn't happen. The sky is not going to fall in Mr President.

#### Social Justice

Mr President let me reiterate again that no one needs to convince me about the importance of generating jobs. Simply because of my strong personal commitment to social justice which is best articulated in the words of Franklin D Roosevelt who once said:

“The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little”.

And I agree totally with the views of Premier Paul Lennon that the best way of doing this is creating jobs, as long as, at the same time we also provide safety nets for those who through no fault of their own, may not be in a position to work and benefit from a strong economy.

So Mr President, because of the economic arguments, yes I would love to see an industry such as this being added to our economy.

But this should not come at any cost. It is not worth selling our soul. We have to also take into account not only the economic arguments but also the social and environmental impacts as well.

#### Mill Needs Community Support and Confidence in Process

That is why my support for the pulp mill has always been based on it going through an integrated impact study which was of course part of the POSS process, through the RPDC.

As I said during the Ralph's Bay debate and I quote;

“Because of that I firmly believe that the project of State Significance process is in fact the most rigorous and the most demanding planning process imaginable. In fact I think it is probably one of the toughest processes in this country that any developer has to go through.

I have absolutely enormous faith in the independence and integrity of the RPDC and I have not heard anyone argue otherwise. It is a very tough process for any development proposal to survive. It is in fact a much tougher and more rigorous process than the conventional local government planning process.

Mr President, as I said last year, the strength of the POSS process is firstly it's indisputable independence, and secondly the fact that it is based upon an integrated impact assessment process which rigorously assesses the triple bottom line and not only the impacts on the environment but also the economic and social impact on the community as well.

Unfortunately the Bill before us today removes the integrated process and the economic and social impact studies which I believe are critically important.

I can remember during the early days of the Ralph's Bay controversy when I attended a dinner party with a group of people at a friend's house in Cremorne.

My friend was passionate in her concern about the future of Ralph's Bay and her belief that the intention to make it a POSS was to fast track the approval. I explained that the POSS was not a fast tracking process. I reassured her about the rigour and complexity of the process and the independence of the RPDC.

She then responded with "Yes Terry - but the Premier has the power to recommend something different." I replied that I could not imagine any premier, any Government going against the RPDC's recommendation.

Mr President, I have to admit that maybe I was wrong.

Because where are we today

For one or another reason Gunns have pulled out of the RPDC process. And the Government has therefore decided to create a special piece of legislation which sets out a new framework for fast tracking an approval process. In my opinion this seriously damages the Tasmanian planning system and creates an extraordinary precedent for any perspective developer in the state and I believe it is foolish and incredibly naïve to suggest otherwise.

So who is responsible for this?

Well in the last two weeks we've heard the Premier blame the RPDC, the RPDC blame Gunns and John Gay blame the Government and so on.

But, whatever the real story is, what we do know is that along the course of the past 12-months, it is clear the RPDC process was compromised by some body, to the point where it was unable to complete its rigorous assessment process which was promised to the people of Tasmania by the Government of Tasmania.

And what have we been left with?

A Bill before us for a planning assessment process for a \$1.4 billion development that will have enormous impact on the community, the environment and future planning.

I hear the Premier's, and my colleagues' arguments that the Gunns proposal deserves to be assessed, and that the Tasmanian community needs to know once and for all if a Pulp Mill can be built in Tasmania.

I agree with both these points. But I don't agree that this means Tasmanians should accept a second-rate planning assessment process for a project of this magnitude.

And let's remember that with a bit more patience from the proponent, the RPDC would have reached a conclusion.

Now I hear people saying – "Yes but it's taken too long."

Why has it taken so long?

Firstly the POSS process is a rigorous time consuming and expensive process. That's no surprise. Everyone knew that from day one. Government knew it and Gunns should have known it.

Were there unexpected, unnecessary delays. Probably but it seems to me that these have been caused either by the proponents themselves and some by the Governments handling of the matter.

Mr President this has led us to the Bill today and the bottom line is that I don't agree that just because of the size of a particular project, we should completely disregard the state planning system. And this should come as no surprise to anyone who knows my background of 20 years experience in Land Use Planning through my role at the Glenorchy City Council.

I first raised concerns with the Premier in a letter on the 7th of February following media speculation about the future of the proposed pulp mill and speculation about the Premiers intentions in relation to the future of the RPDC process.

In this letter I stated that "personally, as someone who has had 20 years experience of land use planning decision-making, an experience which in turn has generated a strong belief in the rigour, fairness and justice of decisions made under Tasmania's planning system, I would have some great difficulty in supporting a decision which was contrary to the RPDC recommendations on a project of this magnitude and importance to the Tasmanian community."

And accordingly I sought clarification as to what circumstances and for what reason the Government would ever consider not accepting the recommendations of the RPDC and use its legislative power to implement a different decision.

In a subsequent meeting I was more than satisfied with the Premier's assurances.

Unfortunately, 35 days later, Gunns withdrew from the RPDC process and the Premier appeared to have a change of heart.

Mr President, I don't accept that as legislators charged with the responsibility of determining our community's future, we should overturn a process to meet the requirements of a private company, regardless of its size and influence.

And above all this, I just do not accept that it is fair for us to betray the trust and good faith of the Tasmanian community who have been promised time and again a robust, comprehensive and open planning assessment process for this project.

I will talk later about why I believe this alternative is flawed.

Good Governance

But now I would like to talk about Governance and ethics and morality.

Good Governance is of the utmost and paramount importance.

People want and expect procedural fairness, equity, ethics and morality from their Government. It is what they deserve.

We have all received hundreds of emails and letters on this issue, not necessarily opposing the Mill, but relating specifically to the issue of good governance and ethics. I have never seen such a response. So many articulate and intelligent representations. But more significant, so much passion and disgust at what has taken place in this matter.

The issue of ethical behaviour and morality in Government has always been a concern of mine.

At the launch of a election campaign for a state candidate sixteen months ago I told a story of how on the previous night I was in a taxi traveling out to Melbourne airport, having engaged in an interesting discussion with the taxi driver, the inevitable question came.

“What do you do?”

Having previously been a real estate agent and then a tourism operator and a mayor, I must admit I shuddered as I had to admit I was a politician.

Mr President, this is a tragic reality that I am sure everyone in this Chamber faces from time to time. Why should we be embarrassed?

We are elected by the people to govern on their behalf, and this should be a great honor, not an embarrassment. But it is sometimes an embarrassment because we know how lowly we are rated as a profession by the public whenever surveys are done about the trustworthiness of certain professions.

Social attitudes researcher Hugh Mackay said and I quote:

“Esteem for politicians is so low at present-and still declining- that voters are dealing with the problem by insulating themselves. They repeatedly talk of the need for leadership, of the mongrels in Parliament, of polities with their snouts in the trough of the spinelessness of the Prime Minister....yet the heat seems to have gone out of many of these assertions.

Although there might be distinct policy differences between the Government and the opposition, the level of cynicism and mistrust in the community is now so high that such distinctions are relatively insignificant when weighed against the more emotional assessment that they're all the same.

Conversations about politics were characterized by a sense of bewilderment that things have got so bad; a deep sense of mistrust of politicians on both sides; a level of cynicism bordering on contempt”.

Furthermore, at a recent conference in Hobart national treasure and former national ALP president Barry Jones said he was dismayed by the way Australian politics had evolved.

He said that: “Now there is the immediate appeal to demagoguery and appeals to fear and appeals to greed. I have a strong sense of idealism and its hard to find much evidence of that”.

He went on to say that there should be more focus on idealism and the non-economic agenda of making a better society rather than the narrow economic agenda where people made voting choices based on how the outcomes affected their economic position. Because as he went on to say and I quote:

“Unless you have a secure world it’s not enough to say well things are pretty good in Sandy Bay”.

It’s feelings similar to those expressed by Mackay and Jones that have moved me so passionately in so many of the hundreds of emails and letters and phone calls that I like all of you in the Chamber have received over the past two weeks that to me must be the paramount consideration in this debate today.

Ordinary Tasmanians who are not necessarily conservationists nor for that matter necessarily pro development, are simply disgusted and appalled at what they see as this attack on democracy. This is what this Bill means to these people.

For many they believe there is a stench about this issue. And irrespective of what the truth is in the varying accounts of events leading up to this Bill, the reality is that there is an overwhelming perception that has been created for many good ordinary Tasmanians that something Shonky has taken place. I am not in a position to judge one way or another but I am ashamed as an elected representative that so many people now have this perception.

It is also a damning indictment that fourteen esteemed senior academics from the university of Tasmania found it necessary to issue a media statement expressing their concern about the decline in ethical standards demonstrated by the Tasmanian Government.

As they said: “The recent decision to take the Pulp Mill approval process away from the RPDC had caused increasing concern to university experts on law, public ethics, governance, public policy and planning.”

They went on to say that the decline in ethical standards in the Tasmanian Government:

“is linked to the increasing disregard for proper process – of which the recent decision to take the Bell Bay pulp mill assessment process away from the RPDC seems to be the latest and clearest example.

“Processes such as the RPDC assessment process are established not only to ensure that major developments are properly assessed and are economically and ecologically viable, but also to guarantee transparency in decision making. They are about justice and fairness for all.

“Without such processes, powerful developers are able to obtain special treatment from government and special deals that are unreasonably favorable to them.

“By taking the pulp mill assessment from the RPDC, the government appears to have given in to the demands of a single powerful corporation according it preferential treatment.

“The RPDC process, which has been noted for its rigour, has thereby been sidelined, and the State’s planning framework has been undermined.

“Ethics in government requires not only honesty, but also openness and transparency, and a concern for due process and established legal procedures. Waiving these procedures for the benefit of influential developers or powerful corporations creates the impression of a government that acts on behalf of the powerful few rather than the public at large.

“Such a situation is not in the interests of Tasmania as a whole, and, in the longer term, can only operate to the detriment of the government itself.” End of quote.

As I said it is a tragic indictment on us as politicians that people such as these fourteen senior academics together with so many ordinary Tasmanians are moved to write with such passion about the ethics of Government in this state.

Their feelings are perhaps best summed up by former U.S. President Franklin D. Rossevelt who once said:

“The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it comes stronger than their democratic state itself. That, in its essence, is fascism – ownership of government by an individual, by a group, or any controlling private power”.

Mr President, the principle of good governance is really what this debate should be all about.

This principle is more important than just the pure economics or even the purest science of this issue.

It's interesting to note that the greatest scientist of the 20th century Albert Einstein said once:

“The most important human endeavor is striving for morality in our actions. Our inner balance and even our very existence depend on it. Only morality in our actions can give beauty and dignity to our lives.”

Deficiencies in the Bill

What this Bill does is set a precedent for future developments to be fast tracked through parliament. It makes a mockery out of our planning laws.

I repeat again what I said in an earlier debate in this chamber about the POSS process.

“Because of that I firmly believe that the project of State Significance process is in fact the most rigorous and the most demanding planning process imaginable. In fact I think it is probably one of the toughest processes in this country that any developer has to go through.

I have absolutely enormous faith in the independence and integrity of the RPDC and I have not heard anyone argue otherwise. It is a very tough process for any development proposal to survive. It is in fact a much tougher and more rigorous process than the conventional local government planning process.”

A check of Hansard will show that many other Honorable members made similar comments

At that time we were right in what we said and nothing has changed.

If you compare this bill to the POSS process it falls short in a number of key regards:

Firstly, following the briefings we have received I have no doubt about the inadequacy of the sections relating to the guidelines. If this Bill makes it into committee I'll make further comment.

Secondly the deletion of public hearings – it leaves out the community and other interested bodies in being part of the process and having a say;

Transparency of the decision-making process, public accountability and community consultation have long been central concerns to me during my 20 years in public life.

Central to the community council model, which I championed as Mayor of Glenorchy, was the commitment to public consultation and public accountability. It is something that I feel very strongly about.

Thirdly the Bill is totally unacceptable in relation to the deprivation of appeals rights and legal action. Also

There is a lack of public confidence in the process which I spoke about earlier because of the lack of independence.

Also very importantly, this Bill also throws out the integrated impact system, that is - no social or economic impact study (TasCOSS media release)

Instead of an economic and social impact study, this Bill only proposes that a government department does an economic benefits statement. Sounds like something suitable for a glossy PR brochure

Speaking of PR I must make mention of the Government claim in the Premier's letter to all householders that said and I quote;

“Economic experts have told us that every household in Tasmania is likely to have \$870 extra every year to spend because of the pulp mill. I know how much that means. It will make life easier for many Tasmanian Families.”

Seriously Mr President, this is seriously bad spin. The \$870 may very well be the average economic benefit per number of households but to promise every household that they are likely to receive an extra \$870 each year to spend! Please! The pensioner out at Chigwell is waiting for his cheque!

I have also serious concerns about the time allowed for Parliamentary consideration of the approval.

I'm also concerned that we are being railroaded into accepting this new process.

To me it looks too contrived that Gunn's announces it will pull out because of delays and we have a new process within weeks.

I'm angry that even the ALP's own processes were discarded in the rush to get this legislation to Parliament.

I heard about Cabinet's decision on radio before PLP even had a chance to consider and debate it – so almost half the Government members in Parliament were in fact disenfranchised.

## Conclusion

I am not and never will be anti-pulp mill, or anti-development, or anti-government.

I am a member of the Labor Party and a member of this Government and am proud of its economic and social record of the past decade.

However, this is a matter of principle for me.

I fear that this bill – this process – will unravel much of the hard work that has been done to unite Tasmanians and give them confidence.

I'm concerned it is a return to the cargo cult days of the past when Tasmanians believed that one big project would deliver economic salvation.

Mr President before closing I must take this opportunity to digress for a moment and make mention of the personal attacks that tragically have become a feature of this debate which unfortunately is not surprising given the emotiveness and passion which is generated from all sides of the debate.

I read the Examiner article last weekend about the Premier's concerns and the impact on his family, and like all compassionate people I feel for the Premier and his family, as I do for the other leaders, Will Hodgeman and Peg Putt and their families. But I suppose as all of us politicians know unfortunately it is part of the job that we come to expect.

So I feel even more for people like John Gay and other pro development spokes-people for the personal abuse they cop.

And I am also appalled at the character assassinations that have been perpetrated both publicly and around the corridors on people employed by this Government to do a job.

I have witnessed very personal attacks on people like Julian Green, who is a good decent person who has given immense loyal and distinguished service to this state. I find the treatment he has received to be abhorrent. Likewise similar attacks have been launched on Dr Raverty and Justice Wright and anyone else that expresses a dissenting view from Government. I note with interest the attack on the UTAS academics merely for expressing their opinion.

All I can say is enough is enough. Let's all concentrate on the issues and keep the personal vilification out of it. However having said that Mr President I have a feeling I know who the next target will be.

This has not been an easy decision for me and I'm well aware of the possible ramifications. But as always I come back to my ultimate test.

The words of Martin Luther King who said;

“On some positions, cowardice asks the question, is it safe? Expediency asks the question, is it Politic and vanity asks the question, is it popular? But conscience asks the question, is it right?”

And there comes a time when one must take a position that is neither safe, nor politic, nor popular, but he must do it because conscience tells him it is right.”

I know this Bill is not good governance and I can't and won't vote for something that goes against my beliefs and commitment to proper planning and process.

I will therefore be voting against this Bill.