

Mr MEYER (Huon) - Mr President, firstly may I thank you and other honourable members for the warmth of their welcome upon my taking my seat in this Chamber. If I might be excused, I would also like to place on record my thanks to all who worked with me and for me and gave me their electoral support up to and on Saturday 12 April. To the honourable member for Newdegate I add my congratulations to those of other honourable members upon his success in the by-election.

One of the issues at the heart of this Development Control Bill was also one of the major issues in the election campaign I have just fought. I refer of course to the future of the Electrona plant. My stand then was, as it is now, that an Electrona silicon plant should and must go ahead if it meets formally established environmental guidelines. I do not think I need to go into detail as to why the industry should go ahead. That has been more than adequately outlined by the honourable member for Queenborough earlier in this debate.

Honourable members would be aware, particularly after meeting with various delegations last night, of the depth of feeling that there is in parts of the Huon electorate on both sides of the Electrona argument. Not only were there - as there are still - divisions among the community but even candidates in the Huon by-election held differing views. Honourable members would know also from last night that such differences are always political and never personal. However the issue of Electrona and the issue of a continuing forest industry in the Huon valley did lead to a certain labelling of candidates. We had a sort of colour code - blues, pinks, greens and even reds - and I might add that at various times in the campaign I was coded by each of those colours.

Mr President, I do not intend to be colour-coded as a politician unless there is a code for the genuine independent. Independent I am and independent I hope I will always be, and it is from that independent standpoint that I approach the debate on this bill.

In considering this bill I have reached these conclusions. Firstly, Tasmania does need some form of so-called 'fast-track development legislation'. Tasmania does need an environmentally safe plant at Electrona. Tasmania does need a more streamlined and efficient system of dealing with the issues of environment and planning, not just on the fast-track for the big boys but also on the standard gauge line for the little men and women. I am concerned about the little bloke, Mr President, because my experience as a member of the Huon Council, and particularly on that council's planning committee, has shown just how costly frustrating delays can be to someone who has some enthusiasm and some initiative and wants to have a go - someone who finds a piece of land which he wants to develop; who seeks a loan and who has to wait on planning approval before he can get that loan and whose plans for a new venture are then dashed because of statutory or bureaucratic delays and frustrations.

Under present legislation such delays can be duplicated because of the separation in this State of the environmental and planning considerations which may be required for a development proposal. And on this matter, I draw the attention of honourable members and the Government to what was labelled as solution 'D1', as proposed by the Municipal Association in a paper circulated to members last night - that is, the amalgamation of various appeal boards into a single land and environment court.

But, Mr President, I shall get off the standard gauge and onto the fast track again. I am opposed to this bill now before us. I stated that opposition at the declaration of the Huon by-election poll. I have not swayed from that view and I repeat it today. It is undemocratic in its removal of rights of individual appeal; it further concentrates power and authority in the hands of the Executive and it diminishes the responsibility and authority of this Parliament.

Mr President, let us put aside the hundred or more letters that I and other members have received from concerned individuals and look for a moment at the reaction of just three groups: the Bar Association, the Law Society of Tasmania and, just today, the Tasmanian law students body. They are the men and women who have to work with the laws which we make and who will work with those laws in the future. I must point out, as it is obvious, that they are all against the bill. I am heartened by the fact that the gut-feeling I had when I first heard about this bill has been vindicated by the reaction of our legal profession.

Since then, amendments have been foreshadowed by the Government. I join with those members who say that we in the Legislative Council should not be put in the position of tidying up such a hastily drafted and shoddy piece of legislation on behalf of the Government. Instead of ramming these bills through the House of Assembly, time should have been allowed for due and considered debate and time should have been allowed for the Government to respond to the public reaction by way of amendment in that House. What we should have been presented with is a clean-skin bill, as one member described it.

Apart from the mechanics of that, what do the proposed government amendments do? If the Premier was correctly reported on 'ABC News' this morning, they do not alter the substance of the bill. They are - and again I attribute this to the 'ABC News' which attributed it to the Premier - but minor changes. If the Premier says they are minor changes, I for one cannot be persuaded that they are changes which would warrant my changing my mind.

Mr President, the general fast-track provisions of this legislation - and I support the concept of fast-track legislation - need to be further thought out; to be further considered either by the Government alone or perhaps, with some assistance and input from this Council, by way of a select committee. So let us not proceed to consider general fast-track legislation further at the moment until we have something before us which warrants that consideration. Instead, let us take a look at the rather more urgent matter of Electrona. We must take a look at that and we cannot wait too much longer on it though, as I said, I think we can afford - and must have - longer consideration of the more generally applicable aspects of this bill.

So far as Electrona is concerned, we do not need this bill to get Electrona started. I repeat my support for the establishment of a safe manufacturing plant at Electrona and I am pleased that the Premier has said the same thing - that is, that he wants a 'safe' manufacturing plant at Electrona, one that gets the go-ahead from the Environment Protection Appeal Board, so that he would not be overriding any finding by that board which may give Electrona the thumbs down.

Mr President, if this bill does not pass its second reading and if I can contribute to its defeat at this stage I will not be branded, along with others of my colleagues, as one who stopped Electrona from going ahead because defeat of this bill does not stop Electrona. We do not need this bill. We need a separate piece of individual and specific legislative action which deals only with Electrona.

Mr President, the Environment Protection Appeal Board will bring down a finding. If it finds in favour of the Pechiney-Pioneer proposal and establishes formal environmental guidelines it will have satisfied what I think are the requirements of a huge majority of people in the Channel area who also want the plant to go ahead, provided it is safe. But once the appeal decision has been brought down and assuming it is in favour of the proposal, the big problem then is the future protracted delays which might occur because of the planning process. Should this Parliament legislate to say, in effect, 'Right, the Environment Protection Appeal Board says it is safe so let us go ahead - no more objections; it is a goer' or should we try to set up some machinery whereby legitimate objections may be independently considered, efficiently, effectively, fairly and speedily?

Mr President, I know from discussions with members of the Kingborough North West Bay Progress Association - the honourable member for Hobart referred to a letter from this pro-smelter group - that they do not want this Parliament to deny all rights of appeal on the planning aspects of this proposal. They do not want that. They are not suggesting that we shut it off altogether. However they are looking to us to come up with a mechanism which will prevent the future lengthy and frustrating delays they feel might prevent the plant's going ahead.

Last night Mr Len Armsby of the Municipal Association of Tasmania put his finger on it when he said, 'We need some special fast-track process for the planning stage.' I made a little note in the margin on that comment of his and it reads, 'This is the key to Electrona. We must find it.'

Mr President, what I am about to propose is a fast-track solution for Electrona - one which provides for consideration of any planning decision formally taken by the Kingborough Council; one which provides for independent consideration of any objections to that decision; one which provides for speedy assessment; and one which provides for a decision on Electrona to be made by this Parliament and not by the Executive. Given my very brief experience in this Council, I will be looking to others with far more experience and wisdom to say how in drafting terms it can be done, but this is what I think we should be looking at.

Subsequent to a favourable decision on the Electrona proposal by the Environment Protection Appeal Board, and with the planning approval the Kingborough Council has already foreshadowed it will give, that formal decision by the Kingborough Council should be advertised, thus allowing for the right of objection. The council's decision would, as is normal, be forwarded to the Town and Country Planning Commissioner. The commissioner, as he quite often does, would consult with the Kingborough Council - I do not mean he often consults with the Kingborough Council but he often consults with the Huon Council, I know that - to satisfy himself that the decision meets the requirements of the council's planning scheme and the requirements of State legislation so far as planning is concerned. The Town and Country Planning Commissioner would then report to the minister - and I assume in this case we are probably talking about the Premier - on the decision of the Kingborough Council and the commissioner would also make any observations he might have on that decision. While all that is going on, the decision would have been advertised as well as the time for objections to be lodged, so at about the same time objections would have been received and the time for that would have been over.

These objections would be made to an independent authority. My suggestion is that the chairman of the Planning Appeal Board sit as a legally constituted one-man tribunal. I say 'one man' because I would see that as going a long way towards removing the delays inherent in any system where more than one individual is involved and reference was made to that last night in respect of the present Environment Protection Appeal Board. If we have three people we have delay.

At the closing date for objections the tribunal - that is, the one man - will give those objections consideration and then forward the objections, along with his report and recommendations, to the minister. The minister then has reports from the Town and Country Planning Commissioner and the independent tribunal and he shall be required to present those to Parliament along with copies of any objections. If the Government decides, having considered those reports, that the Electrona scheme should go ahead it introduces a bill to provide for just that. If the Government decides for planning reasons that Electrona should not go ahead, the minister would make a statement to that effect and the decision would be questioned by members in both Houses in the light of the already tabled public documents.

Mr President, I am confident that the system I have outlined is simple and efficient. It provides protection for the developer and for the public, and provides for an independent decision by this Parliament. As someone said to me a few days ago on this, 'We pay you to make the decisions; you make them.' I will happily be part of that decision-making process and I will happily come back here in a month or two or three, if that is what is necessary, to consider legislation to get Electrona up and running.

I ask honourable members to look closely at that proposal. If it is a little rough around the edges, let us see if we can smooth out some of those edges. Do not let us attempt to amend this bill which I still say defies amendment. Let us reject it. Let us urge the Government to look again speedily at a fast-track system and let us pass something in respect of Electrona that is simple and will work.

Mr President, the phrase 'fast-track' has been coined for this legislation but I prefer to use the more common expression 'fast lane'. If we pass this bill - even with the Government's amendments - we will be moving out into that terribly hazardous fast lane and speeding towards the destruction of our democratic system.

Members - Hear, hear.