

ISSUE 2324

# "In Support of Progress" Newsletter

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## State of the State

- Incl.

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### **Retail**

A comment on shopping trends.

1 Halloween occurs on the 31<sup>st</sup> October, and signifies the end of summer in the northern hemisphere. It has become something of a "thing" here as well, although without relevance.

2 the Thanksgiving holiday in America occurs on the fourth Thursday of November, and celebrates the gathering of the harvest. Retailers have encouraged shoppers into their stores following the holiday by offering huge discounts. The day is known in the US as "Black Friday"

3 Cyber Monday is a retail phenomenon that occurs on the Monday after Black Friday, and is the day that on-line retailers offer special deals. The two have recently morphed into the one extended "shopping frenzy."

None of these festivals have any relevance to us in Australia, but we are being dragged kicking and screaming into this foreign culture. Some retailers bucked the trend and refused to participate. All power to them. Celebrating Australian events is a far more relevant thing to do.

### **Salmon**

Calls by activists for salmon to become an onshore facility are as ludicrous as arguing that dairy farms should be placed in sea cages. Efforts around the world to accommodate such a situation have not proven to be successful, including the farms in Nova Scotia, Canada. Sustainable Blue lost 100,000 fish recently due to an "equipment failure" while Atlantic Sapphire is bleeding cash.

It is not as easy as it sounds, or as cheap as it sounds, to work in a different medium, no matter what people might say.

A similar situation arises in Macquarie Harbour, where operating conditions are now under review by federal authorities. It might be comfortable to pick on a particular villain, easy prey so to speak, but context is important. Salmon farming is not only the only game in town there, and it has taken action over the years to reduce its footprint. And still doing so.

### **Forestry**

I await with interest any report on the outcomes of the Mona get-together. With much fanfare, it was Announced that all parties were invited to a gathering in order to work through what a permanent resolution might look like. Things have gone quiet since. I suspect not much was resolved. In the meantime, the value of forest activity and management in curtailing and managing bushfires should be front and centre at this time.

### **Political Games.**

The maneuvering has begun.

There will be two Legislative Council seats up for election next year, and both will be hotly contested.

Hobart – Rob Valentine is retiring, and three persons so far have announced their intention to stand.

Cassy O'Connor was the leader of the Greens and a member for Clark, in which the seat of Hobart lies. She announced her retirement from parliament earlier this year, but is now seeking a comeback to the comfortable surrounds of the Leg.Co.

However, she faces a few stumbling blocks.

She will need to gain endorsement from her party, and quite frankly the party may well say she has had her turn and now it is time for someone else to have a go. It would not be an unreasonable view to take.

Winning a seat with 50.1% of the vote (a must do for a LegCo seat) is a different proposition to winning a seat with 16.67% of the vote and soon to be 12.5% (a House of Assembly seat). The Greens are really popular with 15% of the people, but less so with 85% of the people. The seat of Hobart would have the highest concentration of Green voters in the state. However, a quick analysis of the results of the 2021 election shows the polling booths that fall within the seat of the seat of Hobart boundary returned a 30% vote for the Greens. Enough to comfortably win a HofA seat, or even two seats, but still 20% shy of winning a LegCo seat.

The other two who have announced their candidacy (John Clark and Charles Burton) are Independent of any party political allegiance and are well known in the electorate. So, it will be no cakewalk. Hobart is an open book.

Prosser lies in the south east of the state. Jane Howlett is the sitting member and is in the Liberal Party. Former Labor leader Bryan Green has announced his candidacy – he is well liked and has maintained a reasonably high profile. There will no doubt be other contenders as well, so Prosser is another open book.

The State election is not due until 2025. A majority Liberal Government has been weakened by the loss of five Cabinet Ministers during this term (being Brooks, Courtney, Gutwein, Petrusma and Archer), and the defection of two others to the cross-bench have caused the government to now be in minority. These renegades have stated they will continue to support the government, and thus the government still commands the confidence of the House. As parlous as that may be, it is still the legitimate government, and there will be no need to go to the people before 2025, scandals notwithstanding.

Come the next election, the parliament will be increased in number to 35 members, returning 7 members from each of 5 electorates.

(As a side note, I have always supported a return to 35 members, but with a lineup of 5 members in 7 electorates – there is no need to follow Commonwealth boundaries, and the quota would remain as is). Anyway...

How will the cards fall?

Candidates are already lining up. Labor has recently announced its lineup – well almost all - with the two notable exceptions being O'Byrne (in Franklin) and Posselt (in Clark). Both of these gentlemen announced publicly their intention to seek Labor pre-selection, knowing full well an internal process was underway. Neither have been pre-selected. Whatever their reasons for breaking ranks, endeavouring to force a decision in their favour has not worked. And whatever the reasons for their rejection, those reasons will become public knowledge, so they have both basically shot themselves in the foot. Labor has strengthened its team in Clark (it needed to) with Willie (presently the Leg Co member for Elwick) and Stuart Benson (ALP Secretary) being preselected.

The Liberals are yet to announce any candidates other than sitting members. They also have the two mavericks (Alexander in Bass and Tucker in Lyons), who left the Liberal Party over "transparency" issues and now sit on the crossbench. How will the Liberal Party treat them at the next election, and if they are spurned by the Party, which I suspect they will be, will they then run as independents?

The O'Byrne issue in Franklin is intriguing. A popular figure in the electorate, and a person with Labor running in his veins, he has been spurned by the Labor Party for past behaviours. What will he do? He could gain late endorsement from the Party – cannot see it. He could walk away – highly unlikely. Or he could stand as an Independent, but would be expelled by the Party if he did so. So, basically he is between a rock and a hard place.

So, here is a "what if"?, based on no evidence whatsoever. Noting that there is a union or two who are not affiliated with the State Labor Party, what if he gained their backing to stand as a "Labor in exile" candidate, as part of a team of "Labor in exile" candidates sponsored by those unions. Now that would set the cat amongst the pigeons!

And the Jackie Lambe Network has also now entered the ring, announcing candidates. So, there is an amount of "fluidity" wherever you look.

I am often asked for my view on when the State election will be held, and what do I predict the result to be. So, here is the long answer.

To the first question, the government will endeavour to go full-term. Why shouldn't it? The two renegades will also want the parliament to go for as long as possible, in their own interests it would be a big move indeed to bring the government down. So even though many pundits are calling it, I cannot see an election being held in the first half of 2024.

To the second question, it is just too soon to tell. It depends on so many factors, especially given the timeline. But let us first consider this:

Recent polling shows the Liberals have maintained a healthy lead, measured state-wide. It is good, but not good enough to win a majority. So, let's start with some basic analysis. Each of the major parties will gain at least 2 seats in each electorate. So, four down and three to go. At least one of those three in each electorate will go to one of the two major parties, with the Liberals strong in the north but weak in the south. Two more to go!

The Greens will most likely get one in each of Clark and Franklin, with a third being a possible but not probable. And I say this because there is a rise in interest in Independents (see Johnston in Clark) and the Greens (once seen as an independent voice but now just another party) will be battling them as well as the two majors.

Will the renegades have any electoral support, how effective will the Lambie group be and what will O'Byrne do?

Given the above, if an election was held today the result could well be a hung parliament (with a possible line-up of - say 14 Liberal, 12 Labor, 2 Green, 7 pro-independent. The three swinging seats (in each electorate) hold the key, and they are volatile. So we should be watching the trends in the middle ground as the election edges closer.

### **Stadium**

This is fast becoming surreal.

The government has spent over \$50m on a site that it did not know what to do with, until it did a deal with the AFL to build a stadium to accommodate a new AFL team. And as has been stated before, the desire to have a team in the AFL has led the government to enter into an extraordinary Agreement with the AFL, called the Club Funding and Development Agreement. Committing to build a new stadium at Macquarie Point is a part of that Agreement, including it seems an open-ended construction cost.

There are also a number of ongoing commitments in that Agreement. For example, Clause 5.9 (b) of the states in part:

*if the actual match revenue is less than the expected match revenue (Matchday Revenue Shortfall) then the Tasmanian Government agrees to pay the AFL an amount equal to the Matchday Revenue Shortfall...*

At the time of the release of this document earlier this year, the Minister for Sport said: "*The Agreement was a massive win for Tasmania*".

It would seem the two now-independent members of parliament did not share the Minister's enthusiasm. In fact, they left their party over it. In order to retain

their support, the government has now committed to hold an Inquiry into the deal, and to f.

A political decision was made to hold an inquiry into the stadium, allow a more onerous process to gain approval. The appropriate legislation was recently passed to enable this to occur. Labor, which is opposed to the development, voted in support of the project going to an inquiry, and has been criticised for doing so. Frankly, I see them as having endorsed a process, and not the project.

Notices have now appeared in the weekend papers, The Tasmanian Planning commission has begun its tortuous process, and has now called for any submissions to consider a set of draft guidelines to be followed – by 8 January. This is but the first step in a very long process. So a very merry Christmas to all submission writers.

So far:

- hotel and tourism operators operating near the precinct have made the point that there has been no consultation with them regarding the development, and what presentations that were made to them were equivalent to a drawing of a circle in a square
- the Tasmanian Symphony orchestra has made the point that noise from the stadium, being so close, would have a negative impact on performances and recording sessions
- a well-known Events Manager has stated the crowd figures used to justify the business case are but a figment of someone's wild imagination.

And now, out of the blue, the Tasmanian Heritage Council has recommended the Goods Shed, a construction which lies in the middle of the proposed stadium, be considered for heritage listing.

A second proposal (Stadium 2.0) has also been proposed with much more detail than that of the government proposal. And it has received a modicum of support from the community. However, the government is doubling down on ITS proposal, saying it needs more detail before giving consideration to 2.0. Which is a bit rich considering the detail absent from its own proposal.

The local paper, which is campaigning for and has been providing SO MUCH free publicity for the development and the code, seems to be vacillating in its support for the government proposal and is now hedging its bets.

So, where to now? Quite frankly, Minister, and to use your words, I would suggest getting OUT of the deal with the AFL would be a massive win.

### **The case of a judge accused**

Serious accusations have been made against a judge of the Supreme Court. What to do?

First of all, one should acknowledge the fundamental point that a person is innocent until proven guilty. That includes judges. And secondly, under the concept of separation of powers, the matter should at this stage be a matter for the Court, and not the parliament.

It is obvious that in such a circumstance a judge cannot continue to hear cases, and so should take leave until the case is determined in a court of law. How this is managed is a matter for the court itself and in particular the chief justice.

It has been reported that the chief justice sent a text message to the judge suggesting that one option available to him would be to stand down. If true, this is extraordinary stuff. It would appear on the surface to go against the presumption of innocence and it is also somewhat bizarre that the matter would be the subject of a text message. A previous Attorney General was brought down by writing text messages. A lesson not learnt, it seems.

Parliament does have an existing power to remove a judge, on an address to both houses sitting together and with 75% agreeing. But such action is totally unnecessary at this stage, with charges unproven.

In the current circumstance the Attorney General recalled parliament to push through legislation to provide an authority to sit in judgement on the judge, only to withdraw it and move for a power to suspend the judge, also now withdrawn. Egg on face, Minister. Both actions were totally premature and go against the principles of a presumption of innocence and separation of powers.

This is extraordinary behaviour on the part of the Attorney-General, and begs the question – Why did he get involved in the first place? And, did Cabinet approve this approach?

Meanwhile the judge has taken leave.

### **The Attorney General part 2**

While on the topic of the AG, he is presently being brought before the House of Assembly Privileges and Conduct Committee, on the accusation of telling an untruth to parliament. It would appear on the surface that the case has merit and should be heard. As it is with the judiciary, so it is with parliament, where such matters are dealt with by their own internal process.

The Committee is made up of 7 persons, being the Speaker, the Chair of Committees, the Deputy Premier, the Leader of the House, 2 Labor and one Green. Normally the government would have the numbers, but not so here.

If found guilty of such an offence the penalty, as I am advised, is determined by YES, the Attorney General. As the Greens leader said, in relation to another matter, a real cluster...

Wheels within wheels, and that is for sure.

### **And so much else...**

The Committee of Inquiry into Child Sexual Abuse has now become an Inquiry into an Inquiry into the Inquiry. A list of names has been called but not yet released, with obfuscation being the order of the day.

This is hugely upsetting for those who came forward to give evidence, that it has descended to this level. We can do better than this, surely.

### **Religion**

As we approach Christmas....

An extraordinary event was reported recently in the national papers, but not locally, of an Anglican parishioner in Tasmania who has been banned from entering any Anglican church upon pain of police action because of a view she holds which goes against a church "orthodoxy".

She had the temerity to question an interpretation of scripture, and has been told she would need to publicly repent for expressing her views before being allowed to return to the fold. Gagged and blindfolded, no doubt.....

Wow – Middle Ages, here we come!

We talk often of political parties being a "broad church". Apparently not so for churches.