

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

COMMITTEE OF PRIVILEGES

PERSON REFERRED TO IN THE SENATE

ALDERMAN DR JOHN FREEMAN

98TH REPORT

AUGUST 2001

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REPORT

1. On 6 August 2001 the President of the Senate, Senator the Honourable Margaret Reid, received a submission from Alderman Dr John Freeman, seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5).

2. The submission referred to remarks made by Senator Brown during committee of the whole debate in the Senate on 20 June 2001. On 7 August 2001, the President, having accepted Alderman Freeman's submission for the purposes of the resolution, referred the submission to the Committee of Privileges.

3. The committee met in private session on 9 August 2001 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. It did so at a subsequent meeting, on 23 August 2001, and now recommends for incorporation in *Hansard* a response agreed to by Alderman Freeman and the committee in accordance with Resolution 5(7)(b)

4. The committee draws attention to paragraph 5(6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or of the submission.

5. The committee **recommends:**

That a response by Alderman Dr John Freeman, in the terms specified at Appendix One, and agreed to by Alderman Freeman and the committee, be incorporated in *Hansard*.

Robert Ray
Chair

APPENDIX ONE

RESPONSE BY ALDERMAN DR JOHN FREEMAN AGREED TO BY ALDERMAN FREEMAN AND THE COMMITTEE OF PRIVILEGES PURSUANT TO RESOLUTION 5(7)(B) OF THE SENATE OF 25 FEBRUARY 1988

I wish to refer to statements made by Senator Brown in the Senate on 20 June 2001 (*Official Hansard*, p. 24678) on a supposed statement of mine. Senator Brown attributes to me, "Well what's a couple of hectares? There's another twenty hectares behind this block". At no stage have I ever made a statement remotely resembling the words attributed to me, which he then describes as "frivolous and offhanded", and goes on to suggest that I will not be concerned until "the last developer has put their hand up to get more land".

The quote that he made is totally untrue. I have never made any statements which in any way resemble the supposed quotations and challenge him to produce such quotes. This quotation from *Hansard* has been widely circulated in Hobart and obviously reflects on me.

The history of this matter is that the six hectares of land on Mount Nelson was purchased by the Hobart City Council in 1967 for "community purposes". This means it could be used as anything from a shopping centre to a sports ground. In 1995 council decided to advertise a part of this land for use as an old peoples home and three applications, but no objections, were received to this use of the land. At the same time a new planning scheme for the area was being prepared and again no objections were received to this proposed use.

The area is six hectares of which two hectares are proposed for the aged peoples home and the remaining area will become a nature reserve at my suggestion. The money received from the sale will go to the council's bushland fund for the purchase of bushland in the city, and again this was in the motion that I proposed to council. Thus it should be clear that council has been aware of the conservation values and has wished to strike a balance between the needs of people and conservation. I should add that the area in question contains between twelve and twenty Eucalyptus Ovata trees and that these are not the primary but a secondary feeding source for the Swift parrot; thus the risk to the parrot's feeding is infinitesimal.

In fact the process has proceeded for over five years in full public view, without protest until recently. I and the council have striven to obtain a balance and to have false statements attributed to me and use these false statements to ascribe motives to me that I have never espoused I find deeply offensive. This is particularly so when as I have explained the whole process has been open and transparent.

To circulate these untrue statements widely in Hobart is, in my view, an abuse of parliamentary privilege and I would be grateful for your consideration of this matter.

John Freeman
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