

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

NUCLEAR FACILITIES PROHIBITION BILL 2007

Second Reading

Resumed from an earlier stage of the sitting.

DR S.C. THOMAS (Capel) [8.47 pm]: The Nuclear Facilities Prohibition Bill 2007: my goodness, we had better rush this through before a nuclear power plant gets built in Western Australia! We had better rush this through, because there is an enormous risk to the state of Western Australia that somebody might sneak in a nuclear power plant while we are not watching!

Mr C.J. Barnett: In Swanbourne!

Dr S.C. THOMAS: In Swanbourne!

Mr D.A. Templeman: Would you accept one in Capel?

Dr S.C. THOMAS: A nuclear facility would not be built in Capel, minister.

Mr D.A. Templeman: Would you campaign for one in Capel?

Dr S.C. THOMAS: No, I would not campaign for one in Capel.

Mr D.A. Templeman: I tell you what, I'd be absolutely opposing one in the Peel region!

Dr S.C. THOMAS: One would not be built in Capel, nor would one be built in Mandurah.

Mr D.A. Templeman: Absolutely! I am talking about in the Peel region.

Dr S.C. THOMAS: The minister might feel safe to know that one would not be built there.

We had better rush this bill through just in case in the next two months a nuclear facility might accidentally be built in the state of Western Australia because, heaven forbid, I suspect one might be on the cards in the next 45 or 50 years, perhaps. I recognise that the government is a little slow in developing its legislative framework, but I am glad that it wants to get in early just in case a nuclear facility might happen to be built between now and Christmas.

The thought that a nuclear power station might be built somewhere in Western Australia in the intervening period is weighing heavily on the minds of all members of Parliament! This is, without a doubt, a complete political stunt, as the member for Darling Range has said. This is a political piece of work that is designed to produce some influence leading up to the federal election. Of course, no nuclear power station is pending for the state of Western Australia. A nuclear power station is not about to be built in the next couple of months or in the next couple of years. We talked a little about fourth generation nuclear power plants. The next nuclear power plant that will be built in Australia will probably be a fourth generation nuclear power station. Not only has such a station not yet been built, but also they are not actually fully designed as yet. They are not actually fully on the drawing board. This is a theoretical piece of work that may one day be developed.

Mr C.J. Barnett: It just shows you how much this government is ahead of the play! It is fantastic.

Dr S.C. THOMAS: Absolutely! The Minister for Industry and Enterprise is ahead of the game just in case a fourth generation nuclear power station will be built in 2050. The minister raced in the legislation in November 2007 on the off-chance that somebody might come up with the wherewithal to build one in 2050. This is absolute nonsense. We need to look at exactly how much of a nonsense is this piece of legislation.

We have to come back to the climate change debate. Several members have spoken about alternative energy sources. We are interested in alternative energy. Members should picture Holland. It is a bit low and a bit wet but it is a lovely country. Holland is full of wind farms. There are wind farms everywhere - hundreds and hundreds of them. It is a lovely spot. In Holland on a good day, the wind farms produce the majority of energy that is consumed in that country. That is very true.

Dr G.G. Jacobs: What if the wind doesn't blow?

Dr S.C. THOMAS: That is the problem, member for Roe. On a bad day, Holland's wonderful wind farms do not produce much energy; they produce something like 10 per cent of that country's energy needs. Where does the energy come from when the wind does not blow? Would members believe that the majority of it comes from over the border? Much of that energy comes from France. France is a lovely spot. Do members know what the greatest export from France is in economic terms?

Several members interjected.

Dr S.C. THOMAS: It is not wine, the Tour de France or snails, despite what members would like to believe.

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

Mr D.T. Redman interjected.

Dr S.C. THOMAS: The member for Stirling is a bit biased. Some of the wine is not bad. The greatest export from France is nuclear energy. Nuclear energy is France's greatest money earner. Where does that nuclear energy go? It goes over the border. Every day that the wind does not blow in Holland, that country is powered by France's nuclear energy program. We love seeing the wind farms in Holland. It is a great place. The windmills turn into wind turbines. It is a wonderful spot. Nuclear energy drives that process. It underpins the renewable energy systems of most of Europe.

Mr C.J. Barnett: Italy boasts that it is nuclear free. It is exactly the same.

Dr S.C. THOMAS: It is the same process. The nuclear energy just comes across the border. The argument is that Europe is leading the way in renewable energy resources. Europe is investing heavily in renewable energy, but it underpins that program with the nuclear energy process. The Western Australian government has raced out the Nuclear Facilities Prohibition Bill 2007 just in case somebody should build a nuclear power station in Western Australia in 50 years' time.

Mr G. Snook: Maybe the French are coming.

Dr G.G. Jacobs interjected.

Dr S.C. THOMAS: Let us not go there. We would like to raise some issues with the bill. Renewable energy is an important part of this debate. I note with interest that the Carpenter Labor government has been strenuously opposing the Electricity Industry (Western Australian Renewable Energy Targets) Amendment Bill 2005, which the Liberal Party, in its foresight, is supporting. The member for Cottesloe talked about the bill as being a good aspirational goal. We have heard a lot about the state Labor Party supporting the aspirations of its federal colleagues. The Nuclear Facilities Prohibition Bill is designed to support federal Labor's aspirations. However, federal Labor's aspirations also involve a mandatory renewable energy target of 20 per cent by 2020, which would also be the outcome of the Electricity Industry (Western Australian Renewable Energy Targets) Amendment Bill. That bill is supported by the Liberal Party, the National Party and the Independents of this Parliament. I think that bill is supported by everybody on this side of the house, yet it is opposed by the Carpenter Labor government. The Carpenter Labor government is opposed to not only the renewable energy target set for the state of Western Australia by the Electricity Industry (Western Australian Renewable Energy Targets) Amendment Bill but also, by all indications, the mandatory renewable energy target set by its federal leader, Kevin Rudd.

Dr G.G. Jacobs: And he was the man who turned down Mr Llewellyn's bill.

Dr S.C. THOMAS: It is an astounding backflip. It is a very sad outcome. I make the point that federal Labor is apparently in complete conflict with the state Labor government on renewable energy targets. That is interesting. We have not yet heard about that in question time. I am waiting for a dorothy dixer from the Labor Party on this issue so that we can hear what it thinks about the mandatory renewable energy target of 20 per cent by 2020. That would be a wonderful question.

This bill has been thrown together to fulfil a political obligation of the state Labor Party to try to get its federal counterparts elected. There are a few concerns that we need to look at. When a bill is cobbled together to try to achieve a political outcome rather than a properly designed outcome - I do know that I have to finish speaking in four minutes - there will obviously be some problems with it. This is an interesting dichotomy. Clause 6 of the bill is headed "Prohibition against constructing or operating a nuclear facility" and states -

- (1) A person must not construct or operate a nuclear facility in the State.
- ...
- (2) Subsection (1) does not apply to -
 - (a) the operation of a nuclear powered vessel;

That is reasonable. The United States Navy fleet often visits our port. Those vessels are nuclear powered, so the government does not want to exclude the United States Navy.

Mr G. Snook: Whose backyard is that in?

Dr S.C. THOMAS: The minister does not live in Rockingham or Garden Island but those areas are in his electorate. We do not want to exclude those things.

Mr G. Snook: Do those ships carry nuclear arms?

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

Dr S.C. THOMAS: We do not ask that question, just in case. Let us compare clause 6 with clause 8, which is headed "Prohibition against connecting generating works to electricity transmission or distribution system." Clause 8 does not contain a subclause (2) that states that subclause (1) does not apply to the operation of a nuclear-powered vessel. One would assume that clause 8 would therefore apply to a nuclear-powered vessel. Clause 8(2) states -

An operator of a transmission system or a distribution system must not permit the system to be connected to generating works in the State if the generating works are, or are powered by, a nuclear facility.

As nuclear-powered submarines come into port, they can choose to leave their reactors running. When they are in port, is there any stage at which they might connect to the state distribution system? Do those submarines leave their reactors running at full tilt or do they, on occasion, need to connect to the state system to keep their basic supplies running? In such an event, would there be any transfer of power? If a transfer of power occurred between a docked nuclear ship and the state grid, the nuclear ship would be in breach of clause 8 of this bill, which prohibits the connecting of generating works, because it has a nuclear-generating capacity. As such, the nuclear submarine or ship would be subject to a penalty of a fine of \$500 000. A requirement could be included in the bill that every nuclear ship that visits the state of Western Australia be denied any access to power generated by the state of Western Australia.

There must be no confluence between the two, because under the wording of this wonderfully put together Nuclear Facilities Prohibition Bill -

Mr G.M. Castrilli interjected.

Dr S.C. THOMAS: Well, it is a nuclear-generating facility. Even though the facility may be foreign owned, it is still in the state of Western Australia. I want to make sure that everyone is clear about this particular piece of legislation. As I have said, clause 8(2) states -

An operator of a transmission system or a distribution system must not permit the system to be connected to generating works in the State . . .

What are generating works? Clause 3 of the bill states -

"generating works" has the meaning given in the *Electricity Industry Act 2004* section 3;

Section 3 of the Electricity Industry Act states -

"generating works" means any apparatus, equipment, plant or buildings used, or to be used, for, or in connection with, the generation of electricity;

A nuclear-powered submarine generates the electricity by which the entire submarine survives, even if that electricity is generated only for the purpose of generating oxygen. That being the case, that nuclear-powered submarine is, according to the definition in this bill, a generating works. Under clause 8(2) of the bill, if the operator of a transmission system or a distribution system permits that system to be connected to a visiting nuclear-powered ship, that operator will commit a breach and will subject the United States Navy to a fine of \$500 000. The United States Navy may be a bit upset about that. That is the sort of problem that occurs when a government delivers a bill that is designed to achieve a political outcome to support its political allies at the federal level. It amazes me that members opposite have not realised yet how difficult their lives will become if Kevin Rudd wins the federal election. They have not realised the damage they are about to incur. For some reason, they are putting their heads on the chopping block and saying this bill is a wonderful thing. Members opposite will have problems if Kevin Rudd wins the federal election, because this bill has been cobbled together in a way that does not make any sense.

Before I finish, Mr Acting Speaker (Mr P.B. Watson) - because I am dying to relieve you in the chair as Acting Speaker - I need to say one more thing. I am sure all members are very interested in knowing why this bill will create problems. Clause 11 of the bill refers to the holding of a referendum. This is a fall-back position to prevent the federal government from overriding the state under the Corporations Act. The great stick that the government will be waving is found in subclause (2), which states -

If the Minister is satisfied that the Commonwealth Government has taken steps to provide for the construction of a prohibited nuclear facility in Western Australia, . . .

Of course, that will not happen for at least 50 years. However, just in case the federal government does allow that to happen in the next 10 days or so before the federal election is held, or, if the Howard government is re-elected and it does allow that to happen early next year, when this government is not really aware of what is going on, which is pretty common actually, it continues -

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

the Minister must use his or her best endeavours to ensure that a Bill is introduced into the Parliament authorising or requiring a question or questions relating to the construction of such a facility to be submitted under the *Referendums Act 1983* to the electors . . .

The Referendums Act 1983 is a very good act. Referendums have occasionally been held in this state. We are going to be stuck with a referendum on daylight saving, damn it all. The Referendums Act 1983 provides that referendums are not binding. That means they have no legislative effect. Therefore, the great defence of the government of Western Australia to this process is to instigate a referendum that is not binding and will have no legislative effect! That is the reason that this legislation is a complete nonsense. These are the problems that arise when a government throws together a piece of legislation that is designed purely to achieve a certain political outcome. How many extensions can I seek to cause you to sit in the chair for longer, Mr Acting Speaker? That will be interesting! This bill is a complete nonsense. I will not spend any more time describing why this bill is a complete nonsense, because I think I have done that sufficiently. We should move on, and, if we have any sense, throw this bill out.

MR T.K. WALDRON (Wagin - Deputy Leader of the National Party) [9.04 pm]: I want to make a few comments on the Nuclear Facilities Prohibition Bill 2007. This bill is a political stunt. I have no doubt about that. Everything that has been done in this Parliament since the federal election was announced - every question, and every answer from the other side - has been about the federal election. The actions of this government have been so blatant that I wonder why we are even spending our time debating matters such as this bill. I would have thought that all members of this Parliament would be concerned about matters that concern Western Australia. I understand that we can always weave other matters into a debate. However, the government has gone over the top with this bill and has lost its credibility. This is not a credible bill. It seems silly to me to try to prevent something that is not planned to be done and probably will not be done for another 50 years. I am no expert, but from my limited knowledge, there is no real need to go down the nuclear path at this stage. That may change in the future. I think it will be a fair way into the future. During that time, technologies will change, and environmental needs will change. The climate change situation that is occurring and that everyone is debating will also change. That may affect the way that the people who will be here in 50 years - it will not be us - will deal with this matter, and how they may address a similar bill that may then actually be required. I think they will deal with this matter in a very different way, because with technological developments, things will change. I believe this bill is irrelevant. No matter how people vote on this bill, I do not think it will mean much as time goes by -

Mr R.C. Kucera: It will mean something for our kids and our grandkids.

Mr T.K. WALDRON: This bill is not going to affect them. Later on down the track it probably will. I have listened to the debates. I have read about this. This is not a reality. In the future, it may well be a reality, and that is when we should debate it. Look at how technology has changed over the past 50 to 100 years. Technology will keep changing. I have said in this place before that for 100 years, no blood transfusions took place, because everyone believed they were too dangerous, and they were banned. Now, blood transfusions save thousands of lives a year. Things will change. I am no expert. It may well be that with renewable energy and new technologies, there will be no need for nuclear energy for many years to come. At the moment, we need to find a balance. I have listened to the arguments. This bill is just a political exercise. It is just not credible. The member for Cottesloe was right when he said that we would work with the government and would agree to have only two hours of private members' business so that the government could get its legislation through the house. That is important. However, we have spent most of the day talking about this bill, which I believe is irrelevant at this time.

MR R.C. KUCERA (Yokine) [9.07 pm]: I support the Nuclear Facilities Prohibition Bill. From the point of view of politics, if we think back to December 2006, it was not the Labor Party that chose to put this matter on the political agenda; it was the Prime Minister himself who chose to put this matter on the political agenda. It is quite surprising that this matter has gone off the political agenda quite markedly since the election was announced. That is all the more reason that this bill is important and should be introduced at this time. If, God forbid, the Howard government is re-elected on 24 November, and even if that Howard-led government lasts for only six months - which is what Howard is predicting anyway - it will be imperative that this bill is in place. I say that because I have no doubt that this matter, which was brought about by the Switkowski report, would then get back onto the agenda so quickly that we would not know what had hit us. People are talking about this as though it is far away in the distance. I for one, by being in Parliament, would like to leave a legacy for my kids, and for their kids and their kids' kids. The great difficulty with nuclear power is: what will happen once it is agreed to? I do not care what anyone says. The current federal government is hell-bent on introducing a nuclear industry in this country, whether we like it or not. Despite what the member for Cottesloe has said, I am not a member of the loopy left, but I really am concerned about the future.

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

I am also deeply concerned about the cost of nuclear power generally, particularly the cost of researching and introducing it. I have no doubt that the cost of one nuclear power station and the research that would be required to introduce nuclear power into this country would be sufficient funds for research into alternate energy supplies. I listen to the members of the National Party and all their talk about biofuel. The money that could be put into research to produce clean, green fuel -

Mr C.J. Barnett: Do you believe in clean coal?

Mr R.C. KUCERA: Coal has a place at the moment. I do not necessarily believe that coal is the answer for the future. I agree with the member for Cottesloe; I believe there are enormous challenges facing the production of clean coal. When I was Minister for South West, I spent a lot of time talking to coal companies there about the issues of so-called clean coal. I said to them, and I would say the same to the nuclear industry, "Prove your science." I do not disagree with the member for Cottesloe on that issue. However, we did not choose to put this matter on the agenda and introduce it back in December last year.

Mr D.T. Redman: Whose bill is it?

Mr R.C. KUCERA: Of course it is our bill. In the hopefully unlikely possibility that Howard is re-elected on 24 November, this bill would become an imperative. I have no doubt at all, in the same way that he did with WorkChoices and all the other agenda he has implemented, it will be trotted out the day after the election. That has been his form for the past 11 years, and I do not see why he would change now. It is all very well to say that it will take 10 years to build another nuclear power station. So what? My grandchildren will be around in 10 years. I do not want to leave them a legacy that I know my father's family have lived through in eastern Europe since Chernobyl. Contrary to what the member for Nedlands said about the findings of the research on Chernobyl, to which she very tritely referred earlier on, the fallout from Chernobyl affected the entire European continent and travelled as far as parts of northern Scandinavia and the northern parts of North America. We are fooling ourselves if we think that this is not on the agenda of the federal government and that we will not be faced with the same kinds of possibilities that have occurred elsewhere in the world. There is ample opportunity to start researching the use of renewable energy. It was stated just this week on the ABC's science report that during the next decade California, which is one of the greatest users of energy in the world, will be obtaining 30 per cent of its power from renewable energy. Even with all the talk about nuclear power, only eight per cent of the total power requirements of America is currently provided by nuclear power.

I was looking at some of the reports about that only today. The Nuclear Energy Information Service report stated that Illinois has more nuclear power plants than any other state in the nation. Until now the vast majority of nuclear power stations throughout the world have been owned by government utilities and so have had a degree of government control imposed on them. However, in America it is a very different situation because America has privatised power. Commonwealth Edison, for example, owns 13 nuclear reactors in Illinois, 10 of which are in operation. One was closed down 20 years prematurely because of excessive radioactive contamination. Illinois Power Company owns one reactor. One hundred and eight reactors operate nationwide. The report states -

- In a 1996 study done by Public Citizen covering 11 safety- and performance-related categories, Illinois' reactors placed in the bottom third in the country in 44% of the rankings. In January, 1997, the Nuclear Regulatory Commission put ComEd's Dresden-2 & 3, Zion-1 & 2, and LaSalle-2 & 3 reactors -- 6 of the 12 it operates -- on its "close watch list" for poor safety and performance.

If we were to go down the track of nuclear power, those are exactly the kinds of things we would start to worry about. The report also states -

- In testimony before Congress on April 17, 1985, the Nuclear Regulatory Commission testified that the crude probability of a severe nuclear accident in this country over the next 20 years involving large releases of radioactive materials was roughly 45% . . .

There is a very high probability that the Americans will experience a major accident in the next decade. When I start to read that kind of stuff, it makes me wonder what kind of legacy we would be leaving behind.

I think it was 1992 when the previous government introduced the nuclear repository act.

Mr F.M. Logan: It was 1999.

Mr R.C. KUCERA: In 1999 the act was passed that stopped Pangea Resources Australia from doing what it intended to do. The history of that proposal is interesting. The proposal was not about establishing a nuclear industry in this state, but about establishing a repository for nuclear waste in a stable country with stable geology. Admittedly, this is not covered in this bill but in a previous piece of legislation, yet during this debate nobody has talked about the issue of nuclear waste generally. The scary part about the Pangea proposal is that it

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

is still alive and well. Many of its proponents in this state are still about. If I recall rightly, and the member for Cottesloe may correct me on this, the person who headed up that proposal was a previous adviser to Premier Richard Court and then went on to become the head of a council or chief executive officer in Kalgoorlie. I forget his name. I understand that same person is now working for BHP Billiton. Those people are very keen to start looking at the proposals for developing nuclear fuel in this country. The Pangea issue has not gone away. It has renamed itself and rebirthed as an organisation called Association for Regional and International Underground Storage, which has a website if anybody is interested. Its latest newsletter of April 2007, which I am happy to table, refers to nuclear power and how keen ARIUS is to make sure that it goes ahead. The editorial begins -

International tension over the nuclear fuel cycle continues to grow. There are widespread concerns over the security of fuel manufacture. As we often and perhaps painfully continue to remark, finding international solutions for the back-end is equally important in both the long and the short term . . .

What is the back-end? Even the half-life of nuclear waste is something like 1 000 years. We will be leaving a great legacy for our kids! As he headed into the election period, John Howard very quietly shifted out of the way the agenda that he proposed in December. I have no doubt at all that if a Liberal government is re-elected, that agenda will resurface so quickly it will be almost like a blinding flash of a nuclear bomb and we will again be faced with the proposals that we saw back in the 1990s and that even the opposition opposed.

The newsletter also refers to a nuclear power survey that was conducted recently in Europe. The member for Capel has mentioned Holland. In those European countries that were surveyed, including Holland, France and Germany, over 60 per cent of citizens do not believe that radioactive waste can be managed safely, despite the existence of government decisions on the disposal of radioactive waste and its high share of electricity production in those countries. Some European countries have enormous stockpiles of nuclear waste. I can recall a *Four Corners* program of not so long ago that showed people dumping 44-gallon drums of nuclear waste into the North Sea. It was certainly in my lifetime, so it was in the past 60 years.

Mr T.K. Waldron: Are you sure it's not 70?

Mr R.C. KUCERA: The member for Wagin was there too! It was not quite 70. The final management of radioactive waste has been a matter for debate ever since nuclear fuel became an issue for the production of power. Let me go a little further and see what is said about the current situation in Australia if members opposite do not believe that these issues will resurface. At page 8 of newsletter 14 of April 2007 it states -

The intensive Australian debate on nuclear issues continued to heat up at the end of 2006 with the publication of a special report by the Standing Committee on Industry and Resources of the House . . . The lengthy title of the 300 plus page report is "*Australia's uranium - Greenhouse friendly fuel for an energy hungry world: A case . . .*

It goes on. It essentially refers to Switkowski and the issues related to that inquiry. It continues -

Of specific interest to Arius are the many comments made on the waste disposal issue. Many of the persons and organisations that gave evidence to the committee emphasised that suitability of Australia for siting a safe, remote geological repository.

It is back on the agenda. Whether or not we like it, it is there and it is lurking. All it is waiting for is the nod from little Johnny, a nod from Mr Howard, to say, "We're off and running, fellas. We want to ship our uranium out and in return for that you can bring your waste back." There is no doubt at all that that is the underlying agenda. We have seen the federal government in operation for the past 11 years. There is absolutely no doubt that if those are the kinds of things that are being said, this issue is back on the agenda. The newsletter continues -

Based on what it heard, the Committee concludes that, by virtue of its highly suitable geology and political stability, . . .

Where have I heard that before and when did I hear it? I can recall it. A bill was brought in to stop it. It continues -

They recognized that a waste management industry could be of immense economic value to . . . Australia and that its implementation could also involve the development of sophisticated technologies and skills.

I do not doubt that. We are a very resourceful nation. I have no doubt that we could do the kinds of things that are being talked about. However, I do not want a nuclear power plant in this state. I do not want to be allied to an industry whereby we simply talk about the front end and the establishment of nuclear plants in 10 or 15 years. It certainly will not take 10 or 15 years to establish in this state what Pangea Resources Australia was talking about back in the 1990s. It is interesting that the two heads of Pangea are the same two people who head up the

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

Association for Regional and International Underground Storage. The same two professors are there. Maybe I am a conspiracy theorist. Maybe as an ex-copper I tend to look at it that way. However, it is all there.

Mr F.M. Logan: It is a rich company.

Mr R.C. KUCERA: Of course it is. The whole of Europe, not just Britain, is awash with nuclear waste and where does it propose to put it? Russia has suggested that it would like to take it into Kazakhstan, of all places. I am sure that our little friend in his bathing suit would be suitably impressed with that! I can just imagine him running around in an iridescent green bathing suit, glowing in the dark. He would look wonderful, would he not?

Mr F.M. Logan: Borat.

Mr R.C. KUCERA: I am sure that he would not be Borat; he would be borax if he came into contact with that!

Recommendation 12 in the newsletter states -

Value adding - fuel cycle services industries, nuclear power, skills and training in Australia

The Committee recommends that the Australian and state governments, through the Council of Australian Governments:

- examine how Australia might seek greater beneficiation of its uranium resources prior to export . . .

That is an interesting term. All the treaties that have been signed state that if a country generates nuclear waste, it must take it back. In that one little paragraph, it has been quietly glossed over by our friends in Canberra. This bill will make sure that the gloss can be peeled back. I do not care whether it takes 15 or 20 years to have a nuclear site based in this state; if we can stop it now and stop the agenda that was made as clear as crystal back in December, I will have done my duty for the future generations of Western Australia. That is what this bill is about. It is not about issues of political expedience. If we wanted to talk about political expedience, can the member for Moore tell me why the whole issue that the Prime Minister raised back in December has gone off the political agenda? Is this the legacy that he wants to leave? He knows darn well what it is about. This is not something for which there is no proposal as has been said by half a dozen people on the other side of the house. There were very firm proposals. Eighteen or 20-odd nuclear sites were identified. As I have said, it is not the construction of a nuclear power station that concerns me; it is the re-emergence of this view that Western Australia can become the nuclear waste dump of the world. I am not the one saying these things. I am happy to table this newsletter. Members should look it up themselves and see what it says. God forbid a Howard government should be yet again inflicted on us in two weeks. Mark my words, if that happens, within a month this issue will be back on the agenda. Within a month we will see these things happen. Within a month Western Australia will be lined up as the one place where this can happen, because we have uranium, we have space and we are far enough away from Canberra and the eastern states for them not to be worried by the issue that they want to create.

Last weekend, I had the great fortune of taking a couple of relatives from Wales down to that wonderful resort at Bunker Bay for a couple of days. They are visiting Western Australia and they had dinner with me tonight. They grew up with the old coalmining industry of Wales. Last year I visited the coalmining industry in Wales and it is now dead; it no longer exists. When we were at Bunker Bay, they saw the most amazing sight. Five hundred metres off the coast was a pod of whales. I think they must have realised we were there and so they put on an amazing show. They were breaching out of the water. A little 78-year-old Welshman with his peaked cap on was standing on the beach watching this incredible display of nature that the far-sighted people in this state decided to protect many years ago at Albany and other places on this coast, and they were howled down for it. That is why this bill is so important. That is why this bill is not about being politically expedient. It is about making sure that my grandkids can go down to Bunker Bay in a few years and say that the old man did not do a bad job and he left them a legacy. Sure, there might be a couple more windmills up on the hill behind Bunker Bay, but who cares? There will not be a dirty big nuclear power station sitting there, and our country will not be poisoned in the way that the people of Chernobyl and Three Mile Island were poisoned. I am proud to speak on this bill. I am proud to be part of a government that has introduced it at this time to make sure that the Howard agenda never sees the light of day again in this country.

MR F.M. LOGAN (Cockburn - Minister for Energy) [9.27 pm]: I will wind up the second reading debate on the Nuclear Facilities Prohibition Bill 2007 on behalf of the government. I thank members for their contributions. The contribution that was just made by the member for Yokine summed it all up. As the member has described, the bill in effect seeks to take pre-emptive action on behalf of the Western Australian government against the possibility that the federal government may override state law and build a nuclear power station, possibly on its own property, in Western Australia. As a Western Australian, I cannot see anything wrong with

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

that. That is the sort of thing that we, as Western Australian parliamentarians, should be doing. We should be protecting the state's interests, and that is what this bill will do; it will protect the state's interests.

I will respond to the members who have spoken on the bill. I will make a few comments on the points that were made in response to my second reading speech. First, the member for Darling Range referred primarily to the fact that this is a diversionary tactic and said that it is basically a stunt. He argued the case around that point and went off on a tangent and spoke about the price of electricity and renewables in Western Australia. The member for Darling Range argued the point that a nuclear plant is unlikely to go ahead in Western Australia due to the size of the energy demand and the network capacity. That argument was also followed up by the member for Cottesloe. We hear the member for Cottesloe's arrogant, know-it-all nonsense in this place on a regular basis. However, I do recall the member for Cottesloe's response in a pro-nuclear speech that he gave earlier on when the issue of the network capacity to take the size of a 1 000-megawatt power plant was raised by me. He said that the Japanese have smaller nuclear power stations than that, that the technology they are working on now is much smaller and that they could install those power stations onto the grid.

Mr C.J. Barnett: I didn't say that. Who said that?

Mr F.M. LOGAN: The member for Cottesloe did.

Mr C.J. Barnett: Really?

Mr F.M. LOGAN: In response to me.

Mr C.J. Barnett: I can't remember saying that. Have you got the *Hansard* record?

Mr F.M. LOGAN: On one hand the member for Cottesloe is arguing that the system will not take it, but earlier on he had been arguing that there was technology available from the Japanese, that they were building plants that were smaller than 1 000-megawatts that could quite easily fit onto the grid and that we could put a 500-megawatt power station onto the grid in Western Australia with no problem at all.

Mr C.J. Barnett interjected.

Mr F.M. LOGAN: The possibility, therefore, that the members for Cottesloe and Darling Range raised of a nuclear power station coming onto the grid in WA is not as far fetched as they think it is. There is technology around that can reduce the size of nuclear power plants and bring them onto the grid. That therefore makes the issue that we are raising of the possibility of the commonwealth government overriding the state's interests and encouraging a private sector company to go onto commonwealth land and build a nuclear power station very real. Under the current rules we would have to connect it.

Mr C.J. Barnett: Why?

Mr F.M. LOGAN: Under the rules that have been set up for competition and access to the grid, we would have to connect it.

Mr C.J. Barnett: You are the weakest government this state has ever had.

Mr F.M. LOGAN: We hear again the member for Cottesloe, the arrogant, know-it-all former Minister for Energy, who thinks he knows it all. The good thing about my experience as the Minister for Energy for the past couple of years is that I have found out that the member for Cottesloe, as Minister for Energy, knew nothing about his portfolio and that he has been conning his friends and colleagues about how much he does know.

Mr C.J. Barnett: Really?

Mr F.M. LOGAN: Yes, and I will tell members this: the member for Cottesloe, as the Minister for Energy, was conned continuously. Under his leadership as Minister for Energy, the entire fleet of generation was run down, the distribution system was run down, and the entire network system was run down. The problems for regional WA and the state of the network that the member for Cottesloe continues to complain about was run down because the government wanted Western Power to deliver big dividends to the government to make it look like it was making a huge amount of money so that it could be lined up for privatisation. That is what it was all about. The problem that the member for Stirling is facing in regional Western Australia starts right there with the member for Cottesloe, the former Minister for Energy.

Mr C.J. Barnett: You are such a moron! You can't even tell us what electricity prices are going to go up by. Answer the question: 40 per cent or more?

Withdrawal of Remark

Mr M. McGOWAN: There are certain standards in this place and I heard the member for Cottesloe use a term that was very unparliamentary.

Mr C.J. Barnett: Moron?

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

The ACTING SPEAKER (Dr S.C. Thomas): If that was the word, I direct the member for Cottesloe to withdraw.

Mr C.J. BARNETT: I withdraw. The member is not a moron. I do not know what he is, but he is not a moron.

Debate Resumed

Mr F.M. LOGAN: So the member for Cottesloe should withdraw; he should withdraw permanently! The member for Cottesloe was led by the nose during his period as Minister for Energy.

Mr C.J. Barnett: Was he? Gee whiz!

Mr F.M. LOGAN: The member for Cottesloe said he could not even see it. He thought that by working with the executive of Western Power he knew it all. What we ended up with was a generation fleet on which we are now spending huge amounts of money to bring it back to a state that Verve can compete with in an open market. We are trying to rebuild the distribution system, which goes out to all electorates, with \$6.3 billion worth of investment. That is what we are doing. We are doing that because it was run down under the member for Cottesloe's leadership. It was run down deliberately.

Mr C.J. Barnett: No.

Mr F.M. LOGAN: It was vandalism of state assets.

Mr C.J. Barnett: Mr Speaker, that is outrageous, absolutely outrageous. What was I doing; running around with a pick and shovel on the power station whacking turbines? You're a dope, a complete dope.

Withdrawal of Remark

The ACTING SPEAKER: I ask the member for Cottesloe to withdraw that statement.

Mr C.J. BARNETT: I withdraw. He is not a dope.

Mr T. Buswell interjected.

The ACTING SPEAKER: Members, a lot of members on my left are sitting on three strikes and I would ask them to maintain a certain degree of decorum.

Debate Resumed

Mr F.M. LOGAN: Thanks, Mr Acting Speaker, for your protection from this terrible man!

It is interesting to note that when the member for Cottesloe is standing in this place, again showing his massive knowledge in the area of energy, he raises the issue of clean coal by saying that clean coal is not going to work; and asking who would support clean coal.

Mr C.J. Barnett: It won't; not for the next 20 years.

Mr F.M. LOGAN: Who thinks that geosequestration does not work? Obviously Chevron thinks it does not work; it has the biggest proposal for geosequestration in the globe today which underpins the whole Barrow Island liquefied natural gas program. Who else thinks it does not work? Oh yes; BP. BP thinks it does not work. Rio Tinto zinc thinks it does not work. The member for Cottesloe knows far more than they do about energy. He knows far more than they do about clean coal. He knows far more than they do about hydrogen and geosequestration. What is the member for Cottesloe doing in this place? He should be a consultant advising all these multinationals about how they are wrong and he is right; he would make a fortune.

Mr C.J. Barnett: Funny you should say that!

Mr F.M. LOGAN: We know where the member for Cottesloe is going after life in this place! However, he will not make a fortune. It is unfortunate that he raises this issue in this way. As the Minister for Energy, I am a very strong supporter of clean coal. The work that is being done by Statoil in Norway with geosequestration on the Snøhvit project and in the northern part of the North Sea is working very well. I believe that the geological evidence and proposals that have been put forward by Chevron for geosequestration will work. The stripping of CO₂ from a stream of gasified coal is not modern technology; it is pre-war technology. There is nothing new about that technology.

Mr C.J. Barnett: It has been known for 40 years.

Mr F.M. LOGAN: That is correct. It has been used for more than 40 years in enhanced oil recovery when old oilfields and old oilwells are pumped up. There is nothing new about stripping CO₂ out of a gas stream. It does not matter whether that gas stream is natural gas or gasified coal. There is nothing complex in the liquefaction of that CO₂ for injection in a geosequestration deposit; it is compression. It is the same way that LNG is made; it is compressed until it turns into a liquid. The components of clean coal therefore are not new. The actual combining of all those components into the one project has not been done before; that is all. The engineers and

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

geologists are arguing that it is very possible to do it. The member for Cottesloe argues that it will not be for 15 or 20 years. I would be more than willing to take a bet with the member for Cottesloe that it certainly will be before that; we will see it before 15 or 20 years. There are massive coal deposits around the world. In fact, the United Kingdom has just opened up another coalmine. It gave up coalmining, by the way, member for Yokine, but it has gone back into it again. The UK is opening up a new open-cut coalmine, which will probably be Europe's biggest coalmine, because of its firm belief in the ability to set up a clean coal power station and geosequester the CO₂. Therefore, that argument put forward by the member for Cottesloe is a complete misleading of the house. It was nice to hear the member for Nedlands admit that she has done a lot of research in the area of nuclear power, and I congratulate her on that.

Ms S.E. Walker: Thank you.

Mr F.M. LOGAN: Well done! I am not too sure what point the member for Alfred Cove was making. It was beyond me. It had something to do with the north west interconnected system, but I got lost at the point at which she mentioned the south west interconnected system, so I am not too sure what point she was making. The member for Stirling made a number of points about the timing of the bill. I can understand the point that the member for Stirling put forward; that is, if we are not faced with the imminent possibility of the building of a nuclear power station in Western Australia, why bring in this bill? As I pointed out, it is a pre-emptive bill. We are acting in the state's interests. We are acting in the interests of all our constituents to ensure that that likelihood does not come about. I understand the point the member for Stirling made, and I thank him for his support for the bill. The member for Capel made some comments about clause 8 of the bill and nuclear-powered vessels. I am not sure where he was going with that. If we think about it, a nuclear-powered vessel generates electricity for its own propulsion systems. It does not generate electricity for land-based consumption.

Mr G. Snook: It generates steam for propulsion.

Mr F.M. LOGAN: That is correct. It generates steam for propulsion, and it does not have the capacity to then be able to transmit that energy, as would be the case with a normal nuclear power station. The member for Capel asked: when those vessels go into Garden Island - he pointed out where they go in - do they connect into the grid and, therefore, take on electricity from the grid or put electricity back? They certainly do not transmit electricity into the grid, and they have no need to connect to the grid because they do not switch off the nuclear power plants; they run continuously.

Mr C.J. Barnett: Are you confirming that American nuclear subs come into Garden Island?

Mr F.M. LOGAN: I am aware that that is where they go.

Mr C.J. Barnett: Are you confirming that? Will you also confirm whether they have nuclear weapons on board?

Mr F.M. LOGAN: Do not be ridiculous!

Mr C.J. Barnett: I just want to know.

Mr F.M. LOGAN: The member should ask the United States.

Mr C.J. Barnett: Don't you know? You're the Minister for Energy. Don't you know whether nuclear subs with nuclear armaments go into Garden Island?

Mr F.M. LOGAN: The member for Cottesloe should not be pathetic. Firstly, it is not in my electorate, and, secondly, the member should not be pathetic.

Mr C.J. Barnett: You're the Minister for Energy.

Mr F.M. LOGAN: "You're the Minister for Energy." Do they carry nuclear-powered weapons, because, after all, nuclear weapons come within my portfolio, Mr Acting Speaker? For God's sake!

Several members interjected.

The ACTING SPEAKER: Order, members!

Mr F.M. LOGAN: The member for Capel referred to nuclear-powered submarines taking on board electricity. The plants on the submarines are not switched off, so they continue to generate their own electricity.

I will deal with the member for Capel's criticism of clause 11, "Referendum", not being binding. He is quite right. I would not disagree with that. However, we must go back to why we introduced the bill. It is basically a staged approach to stop a federal government attempting to build a nuclear power station in Western Australia. I remind members of the way in which the bill is structured. While the member for Capel was on his feet, he actually referred to the bill itself - he was the only one who did - in his criticism of the bill. However, I will take members back through the bill and the way it is structured to ensure that it has a whole series of barriers to try to

Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

stop a federal government overriding state law. First of all, clause 6 is headed “Prohibition against constructing or operating a nuclear facility”. Clause 7 is headed “Prohibition against transporting certain material to a nuclear facility site”. Clause 8 is headed “Prohibition against connecting generating works to electricity transmission or distribution system”. None of those clauses is covered by any commonwealth legislation. Therefore, we are introducing this law containing provisions that currently are not covered by the commonwealth. However, if the commonwealth were to introduce legislation that deliberately overrode all those provisions, we have clause 9, “Injunctions”, which gives the minister the ability to go to the court to seek an injunction to stop a federal government trying to do that. Finally, as the member for Capel pointed out, we have clause 11, which is the final step. It provides an ability, no matter how small that ability may be, for an independent state government to try to stop a commonwealth government overriding the wishes of the state, the wishes of the people and the wishes of this Parliament, which is effectively a referendum. If the referendum is supported and passed by the people of Western Australia, it becomes a political problem for the commonwealth, and that is the way in which the bill is structured. It has been structured very deliberately to put in place a whole series of barriers to attempt to stop a commonwealth government overriding the wishes of the state government and overriding the wishes of the Western Australian people about their opposition to building a nuclear power station in Western Australia.

If members opposite think I am wrong, and if they think that there are people out there who want a nuclear power station to go ahead, they should put it in their policy and run it through all their constituencies. They should go out and run that hard and see what happens to their vote. The member for Cottesloe will just carry on, mouthing off in here, because he has nothing to worry about as he is not standing for another election. A number of members opposite do, though. If they think I am wrong, they should go into their constituencies and run the member for Cottesloe’s line of wanting to build a nuclear power station and see what happens to their vote. The only person in this place who is mouthing off is the member for Cottesloe. The rest of the opposition members are all quiet because they know I am right. If they think I am wrong and if they think that there is a populist view out there supporting a nuclear power station being constructed in Western Australia, they should run that line and see what happens to them at the ballot box. I can assure them that they will pay heavily. The people of Western Australia support what we are doing. I understand why members opposite are arguing about this being a stunt. I understand why they are putting up that argument.

Mr T. Buswell: It is a stunt.

Mr F.M. LOGAN: It is not a stunt. The people of Western Australia clearly support our government’s view on uranium mining, on the storage of processed nuclear material in this state and on opposing nuclear facilities in Western Australia, and that is the reason for the introduction of this bill. I commend the bill to the house.

Question put and a division taken with the following result -

Ayes (29)

Dr J.M. Edwards	Mr J.A. McGinty	Ms M.M. Quirk	Mr P.B. Watson
Mrs D.J. Guise	Mr M. McGowan	Ms J.A. Radisich	Mr M.P. Whitely
Mrs J. Hughes	Ms S.M. McHale	Mr D.T. Redman	Mr G.A. Woodhams
Mr J.N. Hyde	Mr A.D. McRae	Mr E.S. Ripper	Mr B.S. Wyatt
Mr J.C. Kobelke	Mr M.P. Murray	Mrs M.H. Roberts	Mr S.R. Hill (<i>Teller</i>)
Mr R.C. Kucera	Mr A.P. O’Gorman	Mr T.G. Stephens	
Mr F.M. Logan	Mr P. Papalia	Mr D.A. Templeman	
Ms A.J.G. MacTiernan	Mr J.R. Quigley	Mr T.K. Waldron	

Noes (15)

Mr C.J. Barnett	Dr E. Constable	Ms K. Hodson-Thomas	Mr G. Snook
Mr M.J. Birney	Mr M.J. Cowper	Dr G.G. Jacobs	Ms S.E. Walker
Mr T.R. Buswell	Mr J.H.D. Day	Mr J.E. McGrath	Mr T.R. Sprigg (<i>Teller</i>)
Mr G.M. Castrilli	Dr K.D. Hames	Mr A.J. Simpson	

Pairs

Mr P.W. Andrews	Mr R.F. Johnson
Mrs C.A. Martin	Mr P.D. Omodei
Mr A.J. Carpenter	Mr B.J. Grylls

Independent Pair

Dr J.M. Woollard

Question thus passed.

Extract from *Hansard*

[ASSEMBLY - Tuesday, 13 November 2007]

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Dr Steve Thomas; Mr Terry Waldron; Mr Bob Kucera; Mr Fran Logan; Mr Mark McGowan; Acting Speaker;
Mr Colin Barnett

Bill read a second time.