

Hon Norman Moore; Hon Wendy Duncan; Hon Dr Sally Talbot; President; Hon Jon Ford; Hon Robin Chapple;  
Hon Giz Watson; Hon Ken Travers; Deputy President; Hon Philip Gardiner; Hon Alison Xamon

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## URANIUM MINING — ENVIRONMENTAL MANAGEMENT

### *Amendment to Motion*

Resumed from 16 May on the following motion moved by Hon Alison Xamon —

That this house recommends, should the government proceed with its intention to license uranium mining in Western Australia, the government adopt the same minimum environmental management regulatory requirements for any future uranium mine in Western Australia as exists under commonwealth and Northern Territory legislation for the operation of the Ranger uranium mine in the Northern Territory with regard to the disposal of radioactive tailings, including the requirements that —

- (a) the tailings are physically isolated from the environment for at least 10 000 years; and
- (b) any contaminants arising from the tailings do not result in any detrimental environmental impacts for at least 10 000 years.

to which the following amendment was moved by Hon Jon Ford —

- (1) To delete “, should” in the first line.
- (2) To insert after “government” in the first line —  
should not
- (3) To delete all words of the motion after “Western” in the second line and insert —  
Australia

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [2.07 pm]: I have four minutes left, which I will use to comment on events of recent days; that is, the Environmental Protection Authority giving its preliminary approval for the Toro Energy project at Wiluna to go ahead. Clearly, it is subject to appeal to the minister and also subject to the commonwealth’s Environmental Protection and Biodiversity Conservation Act and all the other approvals it needs to obtain in order to operate. It is a step in the right direction.

The only thing that irritates me about the sort of comments that have been made recently is that some people think that when the EPA makes a decision that they agree with, the EPA is wonderful but when it makes a decision they do not agree with, the EPA has something wrong with it. They cannot have it both ways. Either they support the EPA decisions or they do not support them and give them the credibility they deserve. The Labor Party’s spokesperson, Bill Johnston, told us that the Labor Party was not sure whether it would be for uranium mining or against it because it was not sure where it would be in the approvals process—maybe it will stop it and maybe it will not stop it, depending on where the mine is built. That is another position of the Labor Party. When it comes to uranium mining, the ALP has more positions than the *Kama Sutra*!

**Hon Sue Ellery:** That’s a bit risqué for you.

**Hon NORMAN MOORE:** I do not know about those things but I do know that there are many positions in the *Kama Sutra* and about as many positions in the Labor Party’s policy on uranium mining; we have had the third one in two or three years. Either the Labor Party supports uranium mining because it thinks it is a good source of energy or it does not support uranium mining because it thinks it is dangerous and adverse to the environment, but it cannot be both. It cannot say that it will support uranium mining if it has approvals, but it does not support anybody else seeking approvals, because it does not think we should be allowed to mine uranium. The Labor Party has got itself into an extraordinary position and I do not quite understand how it is going to get out of it. As I said the other day, it is reminiscent of the three-mines policy of the Hawke government, which is absolutely ridiculous. It sends all the wrong messages to the investing community and it sends all the wrong messages to the community about what the Labor Party thinks about uranium. It says there is good uranium and bad uranium. There is no such thing as good or bad uranium. Either uranium is good because Labor thinks it is okay or it is bad because Labor thinks it is no good. It cannot have it both ways.

We will be opposing the amendment moved by Hon Jon Ford. In the event that that is dealt with within the time that we have left to deal with this motion, I will be asking one of my colleagues to move an amendment to delete the words “the same minimum” in line two and insert the words “equivalent or better”, which would then give us a chance to support the motion as amended if the house agrees to those amendments. That would tell the house that the government wants a better standard of regulation than the Northern Territory and the commonwealth, which are mentioned in the motion. It would be helpful to vote on that now and then we can move to the second amendment. If that does not happen, someone else will move that amendment in due course once we have dealt with Hon Jon Ford’s proposal.

Amendment put and a division taken with the following result —

**Extract from *Hansard***  
[COUNCIL — Wednesday, 23 May 2012]  
p2995d-3013a

Hon Norman Moore; Hon Wendy Duncan; Hon Dr Sally Talbot; President; Hon Jon Ford; Hon Robin Chapple;  
Hon Giz Watson; Hon Ken Travers; Deputy President; Hon Philip Gardiner; Hon Alison Xamon

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Ayes (14)

Hon Matt Benson-Lidholm  
Hon Helen Bullock  
Hon Robin Chapple  
Hon Sue Ellery

Hon Adele Farina  
Hon Jon Ford  
Hon Lynn MacLaren  
Hon Ljiljana Ravlich

Hon Linda Savage  
Hon Sally Talbot  
Hon Ken Travers  
Hon Giz Watson

Hon Alison Xamon  
Hon Ed Dermer (*Teller*)

Noes (19)

Hon Liz Behjat  
Hon Jim Chown  
Hon Peter Collier  
Hon Mia Davies  
Hon Wendy Duncan

Hon Phil Edman  
Hon Donna Faragher  
Hon Philip Gardiner  
Hon Nick Goiran  
Hon Nigel Hallett

Hon Alyssa Hayden  
Hon Col Holt  
Hon Robyn McSweeney  
Hon Michael Mischin  
Hon Norman Moore

Hon Helen Morton  
Hon Simon O'Brien  
Hon Max Trenorden  
Hon Ken Baston (*Teller*)

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Pair

Hon Kate Doust

Hon Brian Ellis

Amendment thus negatived.

*Amendment to Motion*

**HON WENDY DUNCAN (Mining and Pastoral — Parliamentary Secretary)** [2.15 pm] — without notice: I move —

To delete “the same minimum” and substitute —  
equivalent or better

The National Party agrees that tailings should be isolated from the environment in the long term. The current regulations go a long way to ensuring that tailings and storage facilities for uranium mining are dealt with in that manner. As the Leader of the House; Minister for Mines and Petroleum assured the house in his speech last week, he takes note of the independent review of uranium mining in which certain improvements were identified. The minister gave his undertaking that those improvements will be taken note of and that this government will endeavour to achieve world's best practice in the management of uranium tailings. One observation from the report is that world's best practice really needs to move away from prescriptive regulation, which provides mine operators with a fixed set of mining practices and standards to uphold, to favour an outcomes-based approach that focuses on the types of environmental and social objectives that need to be achieved. I believe that is the way to go in the future.

Through the commonwealth Environment Protection and Biodiversity Conservation Act 1999, the Western Australian government has the same environmental approvals processes as all other states and territories. As an example, in the case of the Ranger uranium mine in the Northern Territory, the commonwealth required that the tailings storage facility isolate all tailings for more than 10 000 years. For BHP Billiton's expansion of Olympic Dam, BHP will be required to include in its plans assurances and risk-management assessments to ensure the long-term risk—10 000 years—to the public and environment will be minimal. The 10 000-year time frame has been specified to ensure that appropriate modelling can be done by project proponents to demonstrate that their mine is able to manage waste, not just in the short term but for the long term. Radioactive tailings have long lives and can remain harmful for lengthy periods. It is essential that plans are put in place to manage waste prior to the mine becoming operational.

There has been recent media in the *Kalgoorlie Miner* detailing a statement made by my leader in the other place in 2005 about me back in the 1970s. It states —

“She grew up in the Seventies and spent a lot of time carrying a peace sign and wearing a tie-dyed dress.

I still have that peace sign. That sign is actually about banning the bomb. This is an original 1970s ban-the-bomb necklace. I still believe that the bomb should be banned, but that does not mean that we should ban uranium mining. We need nuclear energy and we need nuclear medicine—we need uranium mining to achieve those. In fact if we really took this philosophy to the nth degree, would we ban fertiliser because it can be used to make TNT? The logic is not there.

Several members interjected.

**The PRESIDENT:** Order, members. There is quite a bit of noise and audible conversations around the chamber. It is very distracting not only for members but also for Hansard.

**Hon WENDY DUNCAN:** Thank you, Mr President. I apologise for speaking over you then.

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I have actually moved on from my tie-dyed skirt days, although it still hangs proudly in my wardrobe and gets hauled out for 1970s parties! In 2011, I had the honour of spending some time studying at the Shanghai University of Finance and Economics. In the time that I was there, even though the locals were raving about what wonderful, fine weather we had, I did not see the sun once. That is the issue we need to be dealing with in the twenty-first century: we need nuclear energy to assist with trying to clear up our environment in places such as India and China. The issue of course as well, given my previous thoughts on this, is that when I was studying international relations in the 1970s, foreign defence policy was based on something called mutually assured destruction—MAD. I think that explains why we had such strong feelings back then.

The Western Australian government is party to a bilateral act, which assesses all uranium mining proposals. Essentially the management of tailings is now site specific, and the solutions are decided upon after extensive assessment of ground and surface water movement and soil and rock types. The Ranger mine in the Northern Territory, for example, returns the tailings to the mined-out pit.

I turn now to the need for uranium mining as an energy source. While countries continue to rely mainly on coal, oil and natural gas for energy production, uranium to power nuclear reactors is often a convenient alternative source for developing countries such as India and China, and in particular the cheapest baseload, low-emission energy source.

I note that in *The Australian Financial Review* on 29 March 2012, Warren Mundine wrote an article about how we need to step into the nuclear age and made the following comment about India —

... millions live without electricity for basic household and business needs, the export of uranium is not just a smart diplomatic move. It has the potential to provide the power to shift swathes of the population out of poverty.

In my studies on politics and international relations, poverty was one of the key indicators for political unrest. It is essential that these highly populated countries such as India and China have access to energy at reasonable cost so that they can develop at a rate that will keep their people in a peaceful state of mind.

With increasing global concern regarding climate change, and countries such as Australia, Denmark, Finland, Germany, Ireland, Italy, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom introducing fiscal measures to moderate carbon emissions, uranium mining becomes more important as a source of energy that does not emit carbon. China has proposed to introduce a carbon tax in 2012 or 2013. We all would like to see the day when we are able to exist using 100 per cent renewable energy sources. Unfortunately, although we have come a long way in the use of solar, wind and geothermal energy, the technology is not yet at a point at which countries such as India and China in particular can afford to purchase that technology and produce enough energy to sustain their huge populations. Renewable energy sources such as wind, solar and geothermal are not technologically at the stage at which they can produce reliable baseload power; they are too expensive, intermittent and unpredictable. We therefore continue our reliance on fossil fuels for baseload power.

**Hon Giz Watson:** Talk about coming into this century!

**Hon WENDY DUNCAN:** Talking about coming into the present century, sometimes I wonder whether members of the Greens (WA) should go back to a previous century and join the Amish community, where there is no power!

*Point of Order*

**Hon SALLY TALBOT:** Could the honourable member identify the document that she is quoting from?

**The PRESIDENT:** A request has been made to identify the document the member is quoting from.

**Hon WENDY DUNCAN:** Thank you, Mr President. I actually do not think I was quoting from a document. I was referring to my speech notes. I do not recall actually reading out a quote to Hon Sally Talbot.

**Hon SALLY TALBOT:** Okay; it was not clear.

**Hon WENDY DUNCAN:** However, I can talk to the member after if she requires clarification.

*Debate Resumed*

**Hon WENDY DUNCAN:** In recent years China has relied heavily on fossil fuels to generate its fiscal growth. It is now taking steps to diversify into nuclear energy by setting a target of 50 gigawatts of electricity produced through nuclear means by 2020, and is set to become a key export market for uranium.

As was mentioned by Hon Norman Moore—this must get up the nose of Greenpeace and the green movement—I must also point to the founder of Greenpeace, Patrick Moore, who asked on the ABC's AM program in 2006 how much sense it makes for a country that has 40 per cent of the world's uranium reserves to not be adding

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some value to that resource. He also wrote in a column for [www.theenergyreport.com](http://www.theenergyreport.com) that he does not understand some opposition to nuclear energy, even though it is a safe and clean alternative to fossil fuels. He also noted that a seven-gram pellet of uranium fuel produces the same amount of energy as 17 000 cubic feet of natural gas or one tonne of coal, saying that nuclear power is the most efficient form of energy available, and that it is completely unrealistic to be opposed to both fossil fuels and nuclear energy, as there is currently no alternative for baseload power. The World Wildlife Fund CEO, Greg Bourne, told *The Australian* on 3 May 2006 that Australia was destined under all governments to be mining uranium and exporting it to a growing world market.

Any export of uranium to international markets generally will be done under the guidelines stipulated in the Treaty on the Non-Proliferation of Nuclear Weapons, which was implemented in 1970 and which aims to stop the development and spread of nuclear weapons. Nuclear weapons states are those that exploded a nuclear device prior to January 1967. They are the United States, the United Kingdom, France, the Russian Federation and China. These countries are able to retain their nuclear arsenal but cannot transfer the weapons to anyone; cannot assist any non-nuclear weapons state to acquire, manufacture or control nuclear weapons; and must commit to negotiate in good faith towards ending the nuclear arms race and achieving nuclear disarmament. That agreement in 1970 was the beginning of the end of the Cold War; a time when all residents of the world lived in fear. That agreement has allowed the world to move forward into more peaceful times and to use uranium for the benefit of mankind in generating power and nuclear medicine.

Article IV of the treaty preserves the right of all signatories to develop, research and use nuclear energy for peaceful purposes. Thus exploration for and development of WA's uranium resources is consistent with the terms of the treaty. Under article III(2) of the treaty, Australia has agreed not to provide fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material—that is, material that can sustain a fast fission chain reaction or explosion.

In 2011 at the Australian Labor Party national conference, it was agreed that the federal government would lift the ban on exporting uranium to India, which has not signed the non-proliferation treaty. In lifting this ban, the ALP committed to various measures to ensure that uranium will be used for the best purpose. The point of controversy here is that it is widely known that China proliferates despite having signed the treaty, and that India does not proliferate despite not having signed the treaty. Therefore, claiming that that will be the key to making a difference to how uranium is used is a furphy. India has 400 million people in poverty and the only alternative energy source available to them is coal. Uranium to power peaceful nuclear plants is the only other affordable option to them.

I note this week that the Environmental Protection Authority has given the go-ahead for Toro Energy's proposed uranium mine near Wiluna. I have great faith in this government and in the legislation and regulations we have in place, and that the mine will proceed without endangering the health and safety of the people of Wiluna. In fact, the commitment given by the honourable Minister for Mines and Petroleum about implementing equivalent or better regulations gives me great comfort.

I think we need to understand that the mine that will open near Wiluna will provide jobs. I have spoken with both the managing director of Toro Energy and the Shire of Wiluna about ensuring that some benefit is left in the community as far as accommodation and other amenities and services are concerned. Wiluna is a town that is quite remote and in need of more economic activity. I really look forward to seeing the development of that project there. But I reiterate that I will always remain proud of the fact that I wore my "ban the bomb" necklace in the 1970s and I am more than happy to continue wearing it. I believe that the house should support the amendment to the motion that I have moved.

**HON JON FORD (Mining and Pastoral)** [2.31 pm]: The opposition does not support the amendment. I had the great honour of standing at that conference at which the Australian Labor Party, to its shame, allowed the export of uranium to India. I had the great honour of standing, along with a number of Labor luminaries, and speaking directly against the Prime Minister. She was wrong then and she is wrong now.

**Hon Norman Moore:** She's wrong on lots of things.

**Hon JON FORD:** That is right. So members cannot quote her to support one argument and then oppose her on others. In excess of \$30 billion has been used in Germany so far to clean up the mess that is uranium mining. Tell the Germans of the economic benefits of uranium mining. Tell the people of Japan of the economic benefits of uranium mining. That is another state that will soon get rid of uranium. Tell Italy. Italy has got rid of uranium.

**Hon Norman Moore:** You'd better tell Mr McGowan too because he said this could go ahead if it got approval.

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**Hon JON FORD:** Our policy is unambiguous, unlike what the Leader of the House would like people to believe. Our policy, I know—because I argued for it and it was passed at the conference—says that we do not support uranium mining.

I go now to the amendment. It is an absolute nonsense to say that some competent authority in this world can put its hand on its heart and say that in 10 000 years these tailings will be safe. What a nonsense! We can go to Wittenoom now and see that we have not even cleaned up the mess there, and that is just asbestos. We can go to Rum Jungle in the Northern Territory. Make any Australian aware that the taxes that Australians pay to the tune of \$80 million-plus have been spent cleaning up that mine, and between another \$80 million and \$100 million is needed to get it to an acceptable level. Tell anybody and they will say that that is not acceptable. I can tell members opposite—they used that as a great example—that Toro will have heaps of economic activity in Wiluna because it will spend tens of years and hundreds of years maintaining that rubbish. So it will be a great employment opportunity, because the record in Australia and around the world is that that is what has happened. There is not one successful nuclear device in the world that has not been heavily funded by the taxpayer.

Do we need uranium? There are over 70 000 tonnes of uranium in spent fuel rods in America alone. At the moment the Americans spend \$100 million a year on self-imposed fines because the American government has not been able to find a solution for storing that rubbish. That costs them \$100 million, and the amount is growing at between 2 000 and 3 000 tonnes a year. If they processed it, 94 per cent of it would be able to be reprocessed, so there is no need for uranium in the world. They should just use the stuff that is currently out there. They do not need Western Australian uranium; they do not need to transfer all the environmental risk and all the fiscal risk to Western Australians or, indeed, Australians. That is the legacy issue. We do not support the amendment for the same reason that we tried to amend the Greens motion—we do not support their motion. It is an absolute nonsense that anybody can stand in this house and say, “I’ve got a regulation or I’ve got a bloody”—sorry—“I’ve got a system of regulatory governance in this state that can protect the interests of Western Australians and protect the interests of the environment for 1 000 years, 2 000 years, 5 000 years or 10 000 years”, because if we could do that, we could just get rid of the Parliament. But we cannot. Members should think of every single law that comes into this place over and over again and is re-formed. Can members think of some regulation which we design now and which this house agrees to and tell me that it will be in place in 5 000 years to protect those water sources? It is a nonsense. If anybody here actually studied it, they would have to come to that same conclusion. Therefore, the opposition opposes the amendment.

**HON ROBIN CHAPPLE (Mining and Pastoral) [2.37 pm]:** I rise to speak on the motion. I think it is important to touch on the motion. When it was moved by my colleague, it was basically on the proviso “should uranium mining occur”. Quite clearly, we do not see the need for uranium mining, and I will expand on that shortly. However, should it occur, it needs to be, as far as possible, best practice, and that is, in essence, what my colleague Hon Alison Xamon was moving towards.

I want to talk about one aspect of the uranium industry. Quite often we talk about the results of Fukushima or the results of the Superphénix trials of the French. We talk about what happened at the Russian nuclear waste facility in the Ural Mountains. These are all places where there have been amazing accidents. The Superphénix ran for 27 days. It cost around \$10 billion to build, and a further \$10 billion has been spent trying to decommission it, and it has not been done yet. This is a reactor that failed. Of the 72 fast breeder reactors that were built in the world, only one survives, and that is in Russia, and it survives on the basis that it is providing hot water for the town. It does not even produce power. So members should understand how much money has been spent on subsidising the nuclear industry. If we go back to the American Price–Anderson act, America’s superannuation was basically confiscated to subsidise the nuclear industry. It has been a failed economic experiment, let alone a failed experiment in nuclear power.

Let us look at some of the methods of mining, which is why, if we are to have uranium mining in this state, we want world’s best practice. In situ leach mining is being proposed to a large extent by the 100-plus uranium miners that are exploring in Western Australia to date. I repeat that: 100-plus corporations have identified that they are exploring for uranium in Western Australia. In situ leach mining is when we inject sulfuric acid or alkaline material, which is nitric acid quite often, or carbonate such as sodium bicarbonate or ammonium carbonate, into the aquifer. Dissolving oxygen is sometimes added to the water to mobilise the uranium. ISL of uranium ores started in the United States sometime in the early 1960s. The first uranium ISL mining in the US was in the Shirley Basin in the state of Wyoming, which operated from 1961 to 1970, using sulfuric acid in the water column. Guess what? They cannot get the sulfuric acid out of the water column. I will shortly tell members what has been released into those areas. At the end of 2008, there were four in situ leach uranium mines in the United States, operated by Cameco, Mestena and Uranium Resources, all using sodium bicarbonate. Significant ISL mines have been operating in Kazakhstan and Australia. The Beverley uranium mine in Australia is an operating ISL mine. The Honeymoon uranium mine is also an ISL uranium mine.

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We talk about self-regulation as opposed to regulation. I will just touch on some of the issues dealt with by the radiation health committee of the Australian Radiation Protection and Nuclear Safety Agency, which I served on for three years. One of the major problems in this nation is the lack of regulation. We establish regulatory impact statements, which are merely guidelines to the states; they have no legislative power. ARPANSA and the radiation health committee have for years been trying to formalise those regulations so that they would apply to all states. Currently, they do not. They are very good regulatory impact statements, but they do not imply compunction and therein is the need for really high-level regulatory guidelines.

I will just quickly touch on the fact that ISL is banned in most of America now. Because ISL contaminated so much of the groundwater and so many regional aquifers, it has been banned. ISL, as I said, will be one of the most significant mining types used in the calcrete regions of Western Australia, so we need to know at some level the sorts of impacts there can be. I turn to Königstein in Germany, which was an ISL mine. A total of 100 000 tonnes of sulfuric acid was injected with leaching liquid into the ore deposit. At present, 1.9 million cubic metres of leaching liquid is still locked in the pores of the rock underground. That has led to the water column—I am reading through some data—drinking water standards having 400 times the permissible level of cadmium, 280 times the level of arsenic, 130 times the level of nickel and 83 times the permissible level of uranium. This liquid presents a hazard to not only the aquifer that is important for the drinking water, but also the broader agricultural community.

ISL operations have consistently contaminated water all around the world wherever they have operated. In Western Australia, we have our own example. There is a little-known five-spot test mine at a place called Manyingee near Onslow on what is referred to as the Twitchen road. It took us many years to find out what went on at Manyingee. It produced about five tonnes of uranium as a test mine and used a single-spot in situ leach mine. Proper in situ leach mining might be up to 100 spots. The company guaranteed that it would be able to clean up the water column adjacent to the river—sorry, I have forgotten the name of it—that runs down to Onslow. The company guaranteed that it could clean it up, but after nine years of trying, the Environmental Protection Authority eventually agreed that it could not be done and the water column still remains completely polluted. Therefore, it is a system that does not work.

I will turn quickly to South Australia's uranium mine, the Beverley in situ leach mine, and quote some reported accidents that have occurred in relation to the injection of in situ leach. On 1 May 2002, there was a spill of almost 7 000 litres of brine solution containing uranium. On 5 May 2002, there was a spill of 14 900 litres of water containing uranium. On 7 June 2002, there was a spill of 1 500 litres of injection fluid that contained sulfuric acid. On 13 June 2002, there was a spill of 17 000 litres of brine solution. On 8 December 2004, there was a spill of approximately 2 300 litres of mining solution containing uranium. The list goes on, but the most recent accident was on 19 February 2011. It was a spill of 15 000 litres of injection solution containing uranium. Therefore, we can see that even using modern standards, things do not work.

**Hon Max Trenorden:** I've been to the Beverley mine; that's what it is about.

**Hon ROBIN CHAPPLE:** It is about environmental spills.

**Hon Max Trenorden:** The uranium's in the saline solution. If you pull it out of the water and spill it, what's the difference?

**Hon ROBIN CHAPPLE:** Yes, but the company will never clean it up.

**Hon Max Trenorden:** But it's there! It's already there.

**Hon ROBIN CHAPPLE:** The member has not listened to what I have been saying. Let me just continue.

**Hon Max Trenorden:** I've been there. Have you ever been there?

**Hon ROBIN CHAPPLE:** Yes, I have—many times. I have also been to Rum Jungle and I have been to most of the uranium mines —

**Hon Max Trenorden:** I've been to Beverley.

**Hon ROBIN CHAPPLE:** I've been to Lake Way and helped clean up the uranium there. The minister knows about that.

**Hon Max Trenorden:** Uranium is suspended in saline water.

**Hon ROBIN CHAPPLE:** Absolutely.

**Hon Giz Watson:** It's under the ground, isn't it?

**Hon Max Trenorden:** It's under the ground—that's right.

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**Hon ROBIN CHAPPLE:** Giz got it! That's really good.

**The PRESIDENT:** Order!

**Hon ROBIN CHAPPLE:** Anyway, moving on. After the last election, the National Party signed an agreement with the government about royalties for regions. I will read from the letter from Hon Colin Barnett to Mr Brendon Grylls in relation to royalties for regions. There is a fundamental reason I do this that will become apparent in a minute. The letter states —

In order to ensure that programs such as the above —

There is a list of programs that could be for royalties for regions —

and more can be delivered, the Liberal Party is pleased to join the National Party in committing to a policy of returning to regional Western Australia an amount equivalent to 25 per cent of mining and petroleum royalties received by the State in each year.

As discussed, the Liberal Party agrees that this policy be underpinned by the following broad principles:

- An amount equivalent to 25 per cent of mining and petroleum royalties received by the State will be invested in the regions (Liberal Party policy to lift the ban on uranium mining will add to WA's royalty revenues);

Therefore, the royalties for regions deal is quite clearly attached to uranium mining.

I will go back to the issue of in situ leach mining. I am following what various corporations are doing around the state. I have a view that Brendon Grylls' move to the Pilbara might be fortuitous when we come to look at the proposed uranium mining in the central wheatbelt. Mindax and Quasar Resources, which are wholly owned by General Atomics out of America—a US company that manufactures weapons and owns the Beverley uranium mine in South Australia—have been exploring for uranium in the central wheatbelt.

**Hon Max Trenorden:** “Wholly owned”—are you absolutely sure of that?

**Hon ROBIN CHAPPLE:** Yes, absolutely. They have found a number of deposits that will be suited for in situ recovery, which is the very process that I have just been talking about. It is a mining method banned in most parts of the world. The uranium project is called the Mukinbudin project and comprises two leases—namely, E70/2920 and E77/1405. As I have already explained, in situ leach mining uses the following processes: water with either sulfuric acid or alkaline fluid being injected into the uranium deposit. These deposits sit in the heart of Mr Grylls' electorate and, I am sure, would cause him a serious backlash, especially in respect of the deal struck between the two parties that I have just read out.

**Hon Max Trenorden** interjected.

**Hon ROBIN CHAPPLE:** One has to remember what the in situ leach mining does to the water column. The farmers and the people in that area who wish to use that water column in the future —

**Hon Max Trenorden:** It's saline.

**The PRESIDENT:** Order! I cannot see that Hon Max Trenorden has made a contribution to the debate at this stage. The opportunity awaits.

**Hon ROBIN CHAPPLE:** It is in a saline solution—agreed. But as I have already identified, it has freed up mercury, uranium and all those toxic heavy metals that make the water column unusable for the known future. The National Party must understand that that is the legacy that it is giving to the people in that region by supporting uranium mining. Does it understand? It has been read into *Hansard*, the National Party has the figures, and it knows what is contained in those water columns. That is the legacy that the National Party is giving to the people in its heartland—the wheatbelt.

**HON GIZ WATSON (North Metropolitan)** [2.50 pm]: I want to contribute to this debate by indicating that issues surrounding uranium mining, particularly about a company that has recently been in the news in Western Australia by way of the Environmental Protection Authority's approval process, are of concern not just to the Greens (WA), but also to a number of other respected members of the community, including members of the Medical Association for Prevention of War. I listened with interest to Hon Wendy Duncan's contribution to the debate. I think it is deeply unfortunate that she does not understand the connection between providing any additional uranium into the world's current oversupply of uranium and providing potential fuel for nuclear weapons. There is no way of separating the nuclear energy production cycle from the production of fissile material. That is why organisations such as the Medical Association for Prevention of War produce media statements such as the one that I will now quote. This is a media release of 1 May this year entitled “Doctors slam uranium miner over junk science on radiation safety”. It states —

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The Medical Association for Prevention of War has released a statement signed by 45 medical doctors calling on uranium mining company Toro Energy to stop promoting the view that low-level radiation is beneficial to human health.

Toro Energy plans to mine uranium at Wiluna in WA and has interests in uranium exploration ventures in the NT and SA. The company has sponsored at least three speaking tours by controversial Canadian scientist Doug Boreham, most recently to the Paydirt uranium conference in Adelaide where he promoted radiation as “anti carcinogenic”.

**Hon Norman Moore:** Why is he controversial but the person you’re quoting from isn’t?

**Hon GIZ WATSON:** I am not quoting from a person. This is a statement —

**Hon Norman Moore:** By a controversial organisation perhaps?

**Hon GIZ WATSON:** The Leader of the Opposition can call it controversial if he likes.

**Hon Norman Moore:** The person you’re talking about is a well-respected scientist.

**Hon GIZ WATSON:** Excellent; good. I continue with the media statement —

Dr Peter Karamoskos, a nuclear radiologist and a public representative on the radiation health committee of the Australian Radiation Protection and Nuclear Safety Agency, said: “Toro has facilitated several visits to Australia by the Canadian scientist Dr Doug Boreham to present the fringe scientific view that radiation is beneficial to human health.

“To promote such marginal views without any counter-balance is self-serving and irresponsible and it may be time for governments to step in to provide that balance. Recent research has heightened rather than reduced concern about the adverse health impacts of low-level radiation.”

Dr Harry Cohen, former President of CCWA and the Medical Association for Prevention of War and former Director of Gynaecology at the King Edward Memorial Hospital said: “Toro Energy has sponsored “employee radiation training” by Dr Boreham. This is a dangerous and unacceptable situation.”

“The promotion that radiation is safe threatens to undermine the safety culture that underpins workplace safety in a potentially hazardous environment thus could threaten the health and welfare of mine workers.” Dr Cohen concluded.

In addition to that statement, the association provided some further material that I will also read into *Hansard*. It states —

Toro Energy is an Australian company involved in uranium exploration in Western Australia, the Northern Territory, South Australia and in Namibia, Africa. The company’s most advanced project is the proposed Wiluna uranium mine in the WA Goldfields.

Toro Energy has consistently promoted the fringe scientific view that exposure to low-level radiation is harmless. Toro Energy has sponsored at least three speaking visits —

And that was mentioned in its press statement. It continues —

Those views are at odds with mainstream scientific evidence and expert assessment. For example:

- A 2010 report by the United Nations Scientific Committee on the Effects of Atomic Radiation states that “the current balance of available evidence tends to favour a non-threshold response for the mutational component of radiation-associated cancer induction at low doses and low dose rates.”
- The 2006 report of the Committee on the Biological Effects of Ionising Radiation ... of the US National Academy of Sciences states that “the risk of cancer proceeds in a linear fashion at lower doses without a threshold and ... the smallest dose has the potential to cause a small increase in risk to humans.” ...
- A review published in the Proceedings of the National Academy of Sciences ... in 2003 concluded that: “Given that it is supported by experimentally grounded, quantifiable, biophysical arguments, a linear extrapolation of cancer risks from intermediate to very low doses currently appears to be the most appropriate methodology.”

I think it is of concern that the Minister for Mines and Petroleum is at pains to suggest that this so-called Canadian expert is an appropriate person to provide training on radiation health.

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**Hon Norman Moore:** Dr Cohen is well known for his left-wing views. Are you going to suggest that somehow he is more believable than the other guy?

**Hon GIZ WATSON:** No; I am suggesting that we might like to note the *Proceedings of the National Academy of Sciences of the United States of America* and perhaps the —

**Hon Norman Moore:** Just pick whichever scientist you want to quote and quote what you want to hear.

**Hon GIZ WATSON:** There is not “a” scientist; there are credible scientific organisations.

**Hon Ken Travers:** This is how Norman justifies all his positions.

**Hon GIZ WATSON:** I think any person or any organisation that seeks to put a view that there is anything other than a linear relationship with exposure to radiation is not a credible source. That is the point that I wish to make in this debate. That is the sort of person—this Canadian scientist—whom Toro Energy would like people to hear from to promote the notion that not only are there levels at which radiation is safe, but also at low levels it is actually good for people’s health. I think it is an outrage, and it is another reason we do not want these companies or their so-called experts in Western Australia.

**HON KEN TRAVERS (North Metropolitan)** [2.58 pm]: I rise briefly to make some comments on the motion and also to respond to some of the comments of Hon Wendy Duncan. Like Hon Wendy Duncan, I have opposed uranium mining, nuclear energy and nuclear bombs for as long as I can remember. I remember attending many Palm Sunday rallies. I remember attending a rally in a city in Germany, which is where I got my “Atomkraft? Nein Danke” badge, which I still proudly have at home. I am happy to bring it in for show and tell tomorrow. The reason I have done that is that I see a linkage between those three things. We cannot say that uranium mining is not linked to nuclear proliferation and to the damage that is done by nuclear power around the world. I have been following this debate for some 25 years. I think I was even invited to a meeting of the Nuclear Disarmament Party before it was even formed. I now know why I am in the Labor Party and never joined that party! I did go along to listen. I am sure members opposite would have had me as a member, but I did not want to be there; I preferred the Labor Party.

The bottom line is that in all that time, no-one has been able to answer what happens to the waste.

**Hon Norman Moore:** So the Prime Minister has it all wrong has she?

**Hon KEN TRAVERS:** I believe so.

**Hon Norman Moore:** And your federal cabinet?

**Hon KEN TRAVERS:** Everything that Tony Abbott —

**Hon Norman Moore:** I am just saying that you’re saying that this is a terrible thing to do; so you agree that your Prime Minister and your federal government have got it wrong?

**Hon KEN TRAVERS:** Does the Leader of the House agree with everything Tony Abbott says?

**Hon Norman Moore:** Of course, I don’t.

**Hon KEN TRAVERS:** There you go, so I have something to disagree with my Prime Minister on. You disagree with your federal leader. What do you want us to do?

Several members interjected.

**The PRESIDENT:** Order, members; order!

**Hon Norman Moore:** It is important that people know that the Labor Party is split right down the middle on this.

**Hon KEN TRAVERS:** What a pathetic argument.

**Hon Norman Moore:** There is probably a third position somewhere else, but I haven’t been able to find it yet.

**Hon KEN TRAVERS:** What a pathetic argument.

**The PRESIDENT:** Order, members! Let us hear the debate on the motion in an orderly fashion.

**Hon KEN TRAVERS:** It is extraordinary. We come into this place to try to have a rational debate and we get a childish political tactic moved by the Leader of the House to say, “You’re in disagreement with your Prime Minister.” Give me a break! This is supposed to be a rational debate about the merits of uranium mining. I think I am entitled to have a view. The Western Australian Labor Party has been opposed to uranium mining for a very long time. I accept that the people who live in the eastern states have a different view. I do not agree with the way in which commonwealth–state financial relationships are dealt with in this country. But you did, Mr Moore,

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when you were a member of a cabinet that signed up to the agreement with your buddies in Canberra, John Howard and Peter Costello. I disagree with that; he agrees with it. We will have differences of opinion but I do not think the Leader of the House agrees with everything Tony Abbott says and does today, and I do not agree with everything the Prime Minister does because I come from a Western Australian perspective and I put Western Australia first.

My concern about uranium mining is for all the same reasons I opposed it 25 years ago and no-one has ever been able to provide me with the answer to what we do with the nuclear waste, the end product of uranium mining. I note the silence in the house. Members opposite usually want to interject on me but they do not have an answer to that question. The only answer I have been given is “Oh, there’s a solution coming.” Was it Synroc that was going to be the solution? Then there was going to be, not Buka Mountain —

**Hon Robin Chapple:** Yucca Mountain.

**Hon KEN TRAVERS:** Yes, Yucca Mountain in the United States was going to be the solution.

Several members interjected.

**Hon KEN TRAVERS:** There was always going to be a solution. We still did not hear how Yucca Mountain was going to work, but eventually the environmental authorities of America worked out that Yucca Mountain was not going to provide the solution to nuclear waste. How do they morally justify producing a product when members opposite know there is no solution to the disposal of its waste. For me, that is the moral question to debate on this matter. What is the solution, Mr Moore?

**Hon Norman Moore:** What’s the Prime Minister’s answer to that moral question, Mr Travers?

**Hon KEN TRAVERS:** We are debating in the Western Australian Parliament.

**Hon Norman Moore** interjected.

**The PRESIDENT:** Order! Let us cut the interjections and have the comments directed through the Chair and then there will not be any need for interjections.

**Hon KEN TRAVERS:** Mr President, I am talking to you this afternoon. People who can stand in this chamber and participate in this debate are the members of the Legislative Council of Western Australia. It is for those members who want to support or oppose in this case the motion moved by the Greens to provide the solutions. The Prime Minister of Australia does not sit in this Council. She is from a lower house. We would only ever let her in here if the Governor were around. Today it is about the Leader of this house, if he wants when I have finished, to stand and provide that solution. Stop playing a childish political game and somehow trying to make this into a WA versus the Prime Minister issue. Let us have a rational debate when members on the other side come into this chamber and, if they can, tell us the solution to nuclear waste. Otherwise they are participants in the production of a product for which there is no solution and for which there are thousands of years of difficulty for the communities in the countries that use nuclear power.

Hon Wendy Duncan talked about uranium mining getting developing countries out of poverty. How do they get out of poverty when we potentially leave them with waste that lasts thousands of years? What if they have a nuclear power plant that ends up like Fukushima? What about the costs involved in that? That will not get developing nations out of poverty. When they are left with the residue of the nuclear power plants, that will not get them out of poverty because they will have to pick up the cost. I can tell members now that there is no nuclear power plant in the world that is making provision within its cost structure for safe disposal of its waste until it is no longer a problem for the community. There is not a power plant in that position. It is a problem that is pushed towards a mythical solution. If members opposite do not care about the end result of the products they produce, why do they not build a massive heroin plantation in Western Australia and not allow it to be sold in Western Australia, but send it to the rest of the world because we do not care about the end products. That is the equivalent of what members opposite are proposing today.

There is a linkage between the banning of the bomb, nuclear waste and uranium mining. We cannot pull them apart. Hon Wendy Duncan said that we have moved beyond the days of banning the nuclear bomb. She mentioned treaties that have been in place over many years—the same treaties in place when we were protesting against the nuclear bomb. Some of them had been updated, but many are still there today. She said that the original states that exploded nuclear bombs were supposed to be the only ones that had nuclear bombs. Does Hon Wendy Duncan honestly believe they are the only countries that have nuclear bombs? Does she honestly believe that? I suspect that people believe in the tooth fairy if they believe that those original nuclear powers are still the only nuclear powers in this world, despite all the regulations people say are in place today to protect us from that. We are seeing that occurring and I do not want to be part of the continuation of that.

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Even when it comes to the mine-site regulation, we are told that the most rigorous standards in the world will apply to our mines. The government brought in experts from South Australia and other parts of Australia to ensure this. I continue to have an open mind, and look at whether my position on this matter is wrong. I am always open to hearing other people's views that say that I am wrong and there is a different path. As part of that, with a number of my colleagues I visited Olympic Dam in South Australia, which has the regulations and which members opposite tell us are very powerful and very good for protecting the nation.

**Hon Norman Moore:** When did I say that? The amendment is that we do it better. That is the whole point and you are voting against it.

**Hon KEN TRAVERS:** Let me get to the point. When we visited Olympic Dam, the first thing I found amazing, which I found out after the event, was that there are change rooms there, to which there are two sides, the clean side and the dirty side. There was no induction for me and my colleagues about what that all meant. I have to say that when we had finished we crossed over because we had not realised what was supposed to happen in this whole area. Members might say that it is a minor thing but it makes me ask: all the regulations might be in place but are they applied? Some of my colleagues could not participate in the full talk because they could not wear a face mask. Were they taken to areas of the mine that required a face mask? Yes, they were. This was a company that knew four members of Parliament who did not support uranium mining were coming to visit. We then went to see the containers being loaded to leave the mine site. When we got there, a container was all fixed and ready to go and the people said, "Yes, it's all loaded; you can see how we stacked it in there. Everything is ready to go, every 44 gallon drum is double numbered on the top and on the side. Everything is done perfectly at this mine site." I sat there and I looked at one of the drums and asked, "What is the number on that drum?" Remember that part of the numbering system is to ensure that no yellowcake goes missing as it travels around the world —

**Hon Sally Talbot:** On the lid and on the side.

**Hon KEN TRAVERS:** Yes—on the lid and on the side. The drum was not numbered, yet we were told that the container was ready to go; they just had to close the doors and the truck would pick it up the next day. They are the sorts of things, in terms of the regulations, that people here tell us we can be confident will not happen. If that drum had left the site—I am not suggesting that the company was involved in any conspiracy—and was beyond the shores of Australia, who knows what might have happened if someone had seen an unnumbered drum sitting in a container. They might have just said, "You bewdy; let's take that" and diverted the drum. Hon Norman Moore laughs, but that is the situation.

**Hon Norman Moore:** What? They will build a hydrogen bomb or something?

**Hon KEN TRAVERS:** They are the circumstances —

**Hon Norman Moore:** With one drum of yellowcake—is that what you are saying?

**Hon KEN TRAVERS:** My point is that the government cannot give the guarantee about the regulations that it thinks that it can give and wants to argue for.

It is a shame that Hon Wendy Duncan is away on parliamentary business, because we heard how she wants lasting benefits for Wiluna, which is great, but I asked by way of interjection—I did not get an answer but am still intrigued to know—what her position will be on transporting yellowcake through the City of Kalgoorlie if Toro Energy gets its mine up. Or is this another case of the National Party wanting to sit on both sides of the fence? It wants to have a bit two ways. It wants the mine, but it does not want —

**Hon Robin Chapple** interjected.

**Hon KEN TRAVERS:** I think I saw a quote the other day from the Leader of the House in which he said that he would prefer for it not to be transported by road through Kalgoorlie.

**Hon Jon Ford:** That is because the council does not have jurisdiction because it is a main road—it is a federal road.

**Hon Norman Moore:** It also happens to go around Kalgoorlie, just in case you are interested. Maybe you should find out a bit more.

**Hon KEN TRAVERS:** I know where the roads go in Kalgoorlie. Is the Leader of the House happy for that to happen?

**Hon Norman Moore:** I have made my position on that very clear.

**Hon KEN TRAVERS:** The Leader of the House does not want to interject now, but he wanted to interject to try to force me to answer what my view about the Prime Minister is!

**Hon Norman Moore:** I just did. I am happy to get up and tell you what I think.

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**Hon KEN TRAVERS:** This is where the government is duplicitous. I will finish by making one thing very clear: the Labor Party opposes uranium mining. Mark McGowan opposes uranium mining and supports the Labor Party policy. The question is what happens if, when we get to the next election, a mine has already been approved for construction in Western Australia? That is the only thing that Mark McGowan has made comments on. He has continued to express the view that we are strongly opposed to uranium mining. It is wrong to try to suggest anything else or to try to argue that the Labor Party position is not clear. That is what Mark McGowan has said. I note, in saying that, that Toro Energy's proposal, which I think is the only mine that will even vaguely fit that possibility, will be only a short-term mine. What do we do? That is a very difficult question, and it has been a very difficult question for the Labor Party. But we have that same problem on a range of other issues that we will need to deal with at the next election. We do not agree with the waterfront proposal put forward by this government. We agree with a waterfront proposal but we do not agree with one that will create congestion and chaos. However, if a contract has been signed —

**Hon Norman Moore:** But "Dubai-on-Swan" was okay? Come off it! You really do take the cake, Mr Travers.

**Hon KEN TRAVERS:** Can I say, Mr Moore, we learnt from the last election that the people of Western Australia —

**Hon Norman Moore:** You haven't learnt a thing. You haven't learnt anything.

**Hon KEN TRAVERS:** You can say that, but we learnt that the people of Western Australia do not want "Dubai-on-Swan". In my view, they also do not want mini "Dubai-on-Swan", and they certainly do not want the massive congestion and chaos that will be caused by this government's waterfront development. The Labor Party will be faced with the dilemma of what to do if the contracts for that development are signed before we get to the next election.

**Hon Jon Ford:** We don't agree with it.

**Hon KEN TRAVERS:** We do not agree with it, but we will have to deal with it. We do not agree that we should be spending, in my estimation, at least \$500 million extra on a stadium by putting it at Burswood rather than at Subiaco. That money could be spent on the suburbs, the towns and the regions of Western Australia. However, if the contracts are signed, we will have to deal with that issue. Those are the unfortunate hard facts of life for a political party locked into future actions by a now government. The Barnett government—this Liberal-National government—is on a path of massive privatisation. We will look at where we can wind back that privatisation, but I have no doubt that when Labor gets into government, there will be a range of areas in which there has been privatisation across the government. We do not like it. We do not want it. But we have to deal with it when we get to that position, and those are the issues that Mark McGowan has made his comments about. That is the issue, and to suggest it in any other way is wrong. Mark McGowan has purely talked about what an incoming Labor government will do if, before the election, the current government puts in place a set of circumstances that are unable to be turned back.

**Hon Norman Moore:** Like what?

**Hon KEN TRAVERS:** In that sense —

**Hon Norman Moore:** Can I ask you a simple question? At what —

**Hon KEN TRAVERS:** You have never answered one of my questions when I have thrown them back at you, and, also —

**Hon Norman Moore:** You do not have to answer if you do not want to, but I am asking anyway. You can please yourself whether you answer or not. At what point in the actual approvals process —

**Hon KEN TRAVERS:** No; I am not taking an interjection because if you want to —

**Hon Norman Moore:** —does it go ahead?

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Members!

**Hon KEN TRAVERS:** I am happy for the Leader of the House to interject on me if he is prepared to answer the questions I throw back at him. But I am not going to stand in this chamber and have the Leader of the House interject when it suits him but when I throw a question back and go silent to hear a response, he does not give one. That is the way I am going to play it from now on.

**Hon Norman Moore:** Good for you, Mr Travers! Good for you!

**Hon KEN TRAVERS:** If the Leader of the House wants to be able to interject on me with a running commentary, he has to expect it back.

**Hon Norman Moore:** I just wanted you to answer a question.

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**Hon KEN TRAVERS:** Did you support the GST detail? Did you support —

Several members interjected.

**The DEPUTY PRESIDENT:** Order, members! I think the member on his feet has made his point known and I would very much appreciate, if that point is to be made, that, rather than engaging in heated argument across the chamber, the rest of his comments are made through the Chair, in which case all will be well.

**Hon KEN TRAVERS:** Thank you, Mr Deputy President.

I am normally quite willing to take interjections and to engage in banter across the chamber, but it is a two-way street and when members do not want to respond to my questions I ask: why would I bother taking their interjections or questions across the chamber?

**Hon Norman Moore:** You can't answer the question—that's your problem.

**Hon KEN TRAVERS:** No; I can answer. I am sure. I have no doubt. I have never been unable to answer a question thrown at me by you, Mr Moore, in my time in the chamber, which I note is 15 years as of yesterday.

With those comments, I want to conclude my remarks. I hope that we hear an explanation from the National Party about its exact position on the transportation of yellowcake through the City of Kalgoorlie–Boulder. I think that it is impossible to separate these issues and I want to make very clear that I, personally, and the Labor Party in Western Australia oppose uranium mining. We have been opposed to it for as long as I have been a member of the Labor Party and we continue to oppose it. But we do need to deal with it, and Mark McGowan has clearly outlined what our position will be if we are confronted with an operating mine at the next election. That is no different, in my view, to the many other areas in which this government is making bad decisions for Western Australia that Labor will have to deal with post the next election. We will have to work through all those issues. It is unfortunate. I wish that we had the capacity to turn back the clock to put us back to before this government made the bad decisions that it makes. That does not give me any joy or any pleasure, because I have continued to oppose the nuclear industry—from the mine, to power generation, to the bombs—for as long as I can remember, and that is why I will be supporting the motion moved by the Greens. I would like to be supporting the motion, as amended by Hon Jon Ford, but that option is not available to me. However, I will still support the motion, and I conclude my remarks.

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [3.20 pm]: I have spoken on the motion. I now wish to speak on the amendment moved by Hon Wendy Duncan, which seeks to delete the words “same minimum” and insert the words “equivalent or better”. I have just listened to the Labor Party tell us that it is going to oppose this amendment. The amendment says that we are not accepting the same minimum environmental standards; we want something that is equivalent or better than what is in place, and the Labor Party cannot bring itself to support that. I have spent a fair bit of time trying to explain the Labor Party's position on uranium mining to the people of Western Australia, and I still do not know what it is. I was going to ask Hon Ken Travers—he took exception to my interjection—at what stage in the approvals process for a uranium mine will it be stopped if the Labor Party becomes the government?

**Hon Ken Travers:** If it's approved for construction. Go and look at what Mark McGowan said.

**Hon NORMAN MOORE:** Does that mean that the building has to be built or does it mean that the hole has to be dug, or does it mean that the government has ticked off on the approvals and no holes have been dug and no activity has been undertaken on the mine site? What does it mean?

**Hon Ken Travers:** Get a dictionary. If Toro Energy or anyone else wants to engage with the Labor Party to get a clear impression about that, we're happy to talk to them.

**Hon NORMAN MOORE:** I want to know what the Labor Party's position is because people ask me.

**Hon Ken Travers:** I've just told you.

**Hon NORMAN MOORE:** It does not make any sense to me. Hon Ken Travers said “at the end of the approvals process”. When is that? Will any work be done on the ground or not? Will a mine be built or not?

**Hon Jon Ford:** The public liability, as you know, starts from the time that the production licence is issued. All the liability is of that approach at the moment to that point.

**Hon NORMAN MOORE:** Hon Jon Ford is telling me that if an operator has a production licence at that time, it will be allowed to go ahead.

**Hon Jon Ford:** That's where the public liability starts.

**Hon NORMAN MOORE:** Is that the Labor Party's position?

**Hon Jon Ford:** That is our position.

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**Hon NORMAN MOORE:** What is the difference between that uranium and the uranium that somebody who does not have a production licence might want to mine?

**Hon Ken Travers:** What's the difference between a waterfront project with a contract signed and one without?

**Hon NORMAN MOORE:** Hon Ken Travers and other members have just told us that this industry is toxic to the world. The waterfront project is not toxic, nor is the stadium toxic. How ridiculous can they get! There is no comparison in Hon Ken Travers' assessment of mining uranium and the nuclear power industry. The Labor Party is raising the bar, saying that we definitely cannot have this sort of industry because it is toxic, it will kill people, it will hang around for thousands of years and it will be a total detriment to the environment. Hon Ken Travers is saying that that is somehow similar to the waterfront development. How absolutely pathetic can he get?

Several members interjected.

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Order! Members, I can handle a modicum of interjections but when three and four people are talking simultaneously, it makes it very difficult for me, and I daresay Hansard as well, to follow the debate. Noting that we still have well in excess of 45 minutes remaining, perhaps members could hold back from an all-in brawl. I would very much appreciate that.

**Hon NORMAN MOORE:** So would I, Mr Deputy President.

Hon Ken Travers told us it was a moral issue. He said it is not about money, it is not about compensation and it is not about the law; it is about morality. That is why I asked him whether he thought the Prime Minister has no morality because she and her government support uranium mining. Indeed, Martin Ferguson, the federal minister, has supported the Toro proposal and said he welcomed the decision of the EPA. The Labor Party supports the EPA when it feels the need to and criticises it when it comes up with a finding it does not like. That applies to the Greens (WA) probably more so than the Labor Party. The amendment that has been moved is designed to give the house some more comfort with respect to the government's proposed regulatory system for uranium mining.

I thank Hon Robin Chapple very much for the glass of water. I had better just check that there is nothing in it that I do not need.

**Hon Alison Xamon:** It's uranium tailings. Drink it; it's fine!

**Hon NORMAN MOORE:** I have been out to Yeelirrie; I have seen uranium tailings by the bucketful. Now I have lost my train of thought. I was completely thrown by Hon Robin Chapple's generosity in bringing me a glass of water. I will be eternally grateful to him for that.

We have heard today that, in effect, we cannot fix this industry because it is unfixable. We think it is. It can be regulated in a way that gives us what the scientists tell me is world best practice. I have already spoken about the report we have had done by scientists, independent of government, who have made recommendations as to the improvements we need to make to our regulatory system, and we are doing that. I have no doubt that in due course they will give us a tick and say that we have reached what they consider to be world best practice. We have also seen, as I said a minute ago, the EPA give the environmental tick-off as the first part of the approvals process to Toro at Wiluna. I do not know what more we need to do to say that we are doing our absolute utmost to ensure that we have the best regulatory environment possible. That is what this amendment is all about. I am surprised that the Labor Party is not supporting the amendment. I would have thought that it was a given, and that it would say, "If you are going to have uranium mining", which we are going to have if I have any say in it, "we have equivalent to or better environment, management and regulatory requirements than exist under Northern Territory and commonwealth law." I would have thought that was a given and that the Labor Party would accept that.

I turn to a couple of other things. I found it extraordinary that Hon Ken Travers wanted to raise the issue of yellowcake going around Kalgoorlie. This is the government that gave us lead in Esperance. Is that the same lot?

**Hon Jon Ford:** That was absolute regulatory failure.

**Hon NORMAN MOORE:** The Labor Party's problem was that it did not care; it did not take any notice of it. It just sent all this lead down the railway line with hardly any cover on top of the wagons and put it into big sheds and said that it will not escape. To cart lead now—this was put into place when Hon Donna Faragher was the Minister for Environment—it has to go into two double-lined bags, which then go into a container. The container cannot be opened and it gets sent off by rail and then shipped overseas. That is not acceptable to the Labor Party either. The Labor Party is complaining about yellowcake going past Kalgoorlie. That is the same mob that sent train loads of lead down to Esperance. The hypocrisy of the Labor Party is astounding. We are going through every possible regulatory system we can find to ensure that there is no issue with the transport of yellowcake.

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The EPA has signed off on what Toro would like to do in the interim—that is, truck it from Wiluna to Adelaide. It is interesting that South Australia, which has a Labor government, is quite happy to ship it out through Port Adelaide. It wants to take it by road because there will be 1 200 tonnes a year. That could be done on the back of a ute. Hardly any trucks would be needed at all. We could start comparing that to the iron ore railway lines. I remember when we were debating the iron ore railway line in the midwest. Hon Ken Travers brought us a map showing all these uranium mines that had been moved about 300 kilometres west, suggesting a railway line should be built to cart uranium. We do not need railway lines to cart uranium. Twelve hundred tonnes is about one truckload of iron ore. One railcar load of iron ore is about 1 200 tonnes. That is the annual production. It might amount to a couple of trucks a week at the most. There will probably be one going down the highway around Kalgoorlie—there is a bypass road there now—through to Adelaide. However, I have put the proposition to all the companies that want to mine uranium and export yellowcake in the north eastern goldfields that we would like to develop a hub at Parkeston, which is about five kilometres to the east of Kalgoorlie. The road would be diverted from the Leonora–Kalgoorlie road to Parkeston. There would be a loading facility at Parkeston for yellowcake to go on the transline and it would be taken across to Port Adelaide, just as it is currently being taken from Olympic Dam to Adelaide by rail. That is what the government would seek to achieve. It will take some money. Money is being used to finalise plans for the goldfields hub. I would expect that facility to be built in the foreseeable future, not just for this purpose, but also to enable freight coming from the eastern states to not have to come all the way to Perth on the train and then go up Great Northern Highway or North West Coastal Highway to the Pilbara. It could go north from Kalgoorlie to the Pilbara and therefore avoid a lot of traffic congestion we find on our roads going north at present. That is forward thinking from a transport point of view. I am sure the Labor Party would have done it had it thought of it some time ago, but clearly it did not.

The amendment moved to the motion today by Hon Wendy Duncan makes a lot of sense. It says we want to do something better than already exists in Australia. I would have thought that was a very simple amendment for the opposition to agree to. We already know it does not support uranium unless uranium mining is taking place! I still cannot understand that. As I conclude my remarks, how is it, if one is opposed to uranium mining, that it would be allowed to take place under some circumstances? If uranium is as bad as the Labor Party says it is, how come it is not prepared to spend taxpayers' money to compensate those property holders to get them out of the business?

**Hon Jon Ford:** It is a blank cheque!

**Hon NORMAN MOORE:** Did the former Labor government actually find out?

**Hon Jon Ford:** You're actually asking us to draw a blank cheque on behalf of Western Australians.

**Hon NORMAN MOORE:** Did the Labor government find out how much it would cost to buy out the mining leases? Remember when Hon Jon Ford was in government, he said, "We've got a policy position on uranium mining: there will be no uranium mining and we'll do it by policy." The Greens (WA) brought a bill to this house and the Labor Party either did not support it or did not debate it; I cannot remember which —

**Hon Alison Xamon:** They did not support it.

**Hon Giz Watson:** They voted it down.

**Hon NORMAN MOORE:** The Labor Party, when in government, was not prepared to legislate to ban uranium mining. It went to the election saying it would legislate. I wonder whether the previous Labor government was told it had to pay compensation; and, if so, how much. Can Hon Jon Ford tell me that? I do not know what advice the former government received.

**Hon Jon Ford:** You know the reason. The reason was if we banned uranium mining—at least the advice from the Department of Mines and Petroleum, if we banned uranium mining—we stopped other mining. There is so much of it out there, in conjunction with copper, silver, lead and vanadium, that the ability to mine is inhibited.

**Hon NORMAN MOORE:** Mr Ford, you banned the mining of uranium. It was done by policy. The former minister for mines put a line through uranium whenever there was a mining application lodged.

Let me say this: what else is in the ground alongside uranium at Yeelirrie? Nothing. It is not like Roxby Downs or Olympic Dam—that mine has a number of minerals in it. It is understandable. That mine would have a problem operating if somehow or other uranium had to be banned. It could not be mined without getting uranium at the same time. No government, certainly that I could imagine, would stop that mine going ahead because of uranium. But Yeelirrie, Lake Way, Lake Maitland—the ones in Western Australia likely to be mined—are not sitting on a copper–gold ore body at all, they are palaeo-channels in which the uranium has congregated on the edge of granite rocks. That is all there is in the ground. There is a slot in the ground at Yeelirrie and one can see

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where they will mine it. There is a shallow deposit; there are no other minerals. My understanding is that the Labor Party was told, when in government, that if it were to ban uranium mining by legislation, the only way to avoid paying compensation was to include in the legislation the provision that no compensation is to be paid. That is the advice I believe it received.

**Hon Ken Travers:** Where did you get that advice from?

**Hon NORMAN MOORE:** I talked to the Department of Mines and Petroleum. I asked why the former government did not do it. I was told, “Because they were told it couldn’t be done without paying compensation.” The bottom line is this: the Labor government, fortunately, was not prepared to take the sovereign risk associated with legislation of that sort. Any government that comes to this Parliament and says, “We’re going to take away somebody’s property rights with no compensation, and you’ve got to deliberately specify no compensation” is going to cause itself significant political risk and cause the state significant sovereign risk. But then, thinking it could get some political advantage, the former government went to the election saying it was going to do it by way of legislation.

**Hon Jon Ford:** Because, subsequent to that, we were advised that it can be banned through legislation—that is, through legislation to ban it being transported. They can mine it all they want, but they will not be able to transport it.

**Hon NORMAN MOORE:** Does Hon Jon Ford reckon that will have no effect on compensation? Come on, Mr Ford! As I said earlier, the Labor Party has had a lot of positions on uranium. I may write to Mr McGowan and say, “Would you please specify, and make it very clear to me, what your position is on uranium mining so I can tell everybody who asks me what it is?” Seriously, without being political right now, people ask me what the Labor Party’s position is. The reason I am concerned about that is not because I need to spread its story—it is good enough at doing that itself! I would like to know if this is in fact a disincentive to investment and what it means for those companies that already are some way down the path of getting their regulatory approvals that may not reach the threshold the Labor Party proposes before they are closed down. How much money will they lose by way of exploration and the work they do associated with that before it is taken off them, with no compensation? They are entitled to know that because they are spending money at present, with the expectation that they can mine uranium, yet the Labor Party has left them with a big question mark hanging over their investment. That is not good for Western Australia. It is not just my opinion; the editor of *The West Australian* said the same thing this morning; that is, companies cannot be left up in the air with this uncertainty when they are spending millions of dollars. Millions of dollars are being spent in Western Australia, and Western Australians are being employed to do it. The Labor Party is quite happy to wipe all that out. There we have it. At least in the Labor Party —

**Hon Jon Ford:** The Premier is the biggest sovereign risk in this state. The last thing you want in this state is the Premier putting his hand up to support you! Ask Woodside; ask the coal industry.

**Hon NORMAN MOORE:** I am looking forward very much to the next election because it will be —  
Several members interjected.

**Hon NORMAN MOORE:** The puerility of some members opposite is amazing, Mr Deputy President.

As a matter of passing interest, the Western Australian economy has probably never been stronger in its history. The resources sector is currently worth \$107 billion a year, which is about 60 per cent more than it was before we formed government. There is \$160 billion worth of investment committed or under construction in Western Australia. There is another \$160 billion in the “possible” category for future investment. Potentially, there is \$300 billion of committed or potential investment in the resource sector in Western Australia. I think that is a reflection of very positive, strong leadership. I suspect the public of Western Australia believes that to be the case as well.

Let me say this by way of conclusion: when the leader of the Labor Party cannot make up his mind as to what is good uranium and what is bad, can he make up his mind on anything? This amendment should be supported because it says that this government will do it better than anybody else in Australia.

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Members, before I give the call to the next person, I will give you the correct information. Just under 20 minutes are left on this motion, given that there was only one hour and 50 minutes from the very start.

**HON PHILIP GARDINER (Agricultural) [3.40 pm]:** I will speak very briefly on this. The position that I have on uranium and nuclear energy in our country is that we have a moral obligation to mine and release our uranium to the rest of the world because I have a view that the carbon dioxide component of the atmosphere is contributing to global warming. That is supported by all the science that I can read, anyway. We are fortunate in

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this country to have such a wealth of renewable resources that we do not need uranium to fuel nuclear power plants. However, many other countries do not have the resources that we have. They do not have the intensity of the sunlight; they do not have the coastline; they may not have the wind; and they may not have the hot rocks underneath. We have all of that. We may not yet be exploiting it in the way that we should. I think that it will take time for the government policies to slowly come into place in dealing with the very difficult thing that we are dealing with—that is, getting the public, parliamentarians and politicians around the country to accept that we have an issue with carbon dioxide in the atmosphere. In the absence of that, it is my view that the uranium that we have as a resource in our land is needed by other countries of the world as they may be ahead of us in their efforts to utilise whatever resources they have to reduce their carbon dioxide emissions into the atmosphere. That is just a personal position. So I am in favour of exporting uranium.

The real issue—it is an issue to which the minister just alluded—is the risks. As I have heard and as we know, government is about managing the risks—that is, identifying them first, understanding the limits that we should be placing on those risks and then managing those risks in a way that delivers the outcome that we need. When it comes to mining uranium and then transporting it, for example, are we simply being trapped into an ideological position rather than one that tries to analyse the risk issues one by one? We all know how emotive the issue of uranium mining is. It may be that there are good reasons for that. The issue which Hon Robin Chapple spoke about and which I had not appreciated was the use of sulfuric acid. Will that contaminate the water anywhere? If it does, or even if it does not, we know that there is a risk that it can contaminate the water; therefore, a risk framework needs to be built around whether the mine is near water reserves or whether it is near aquifers, so that we can identify whether there is any risk of that contamination affecting other industries.

Uranium is not the only risky material that might be transported on its way to port. In fact, it may be that materials such as arsenic, which is used in the extraction of gold from ore, go through Kalgoorlie. I suggest that they have been doing so for years, and in large quantities. What happens if there is a massive collision of some kind that releases arsenic all over the place as it is going through Kalgoorlie?

**Hon Jim Chown:** I think it's cyanide.

**Hon PHILIP GARDINER:** It is cyanide; I beg your pardon. Thank you. It is cyanide that goes through Kalgoorlie. Are we placing the same limits on that risk that we are placing on uranium? If not, why are we not? Is it just the emotion that is carrying us away rather than an objective analysis of the issue piece by piece so that we can understand the risks and then manage them?

My position really is that the ideology of things can capture us at times, but I think that places us in an almost immoral position, and it is not about just uranium; the ideology captures us in one way or another in many different areas, but we have to get out of the shackles of the ideology to understand the range of risks associated with an issue and then how we manage it. We come to the same thing that we will come to perhaps tomorrow with Hon Alison Xamon about unconventional gas. We need to understand the risks. But we need to understand the risks in every part of our mining. Then we have the regulation of it, which is another issue. What I do know is that we are yet to understand the strengths being provided by the Department of Mines and Petroleum in terms of regulation. We know that there are gaps because the Auditor General's report explains some of the gaps, but we also know that it is a huge area to regulate. I am one for self-regulation, but I know that people will be very sceptical of self-regulation because there are too many holes in it. However, I believe that self-regulation can work as long as the stick is big enough. The stick does not need to be only in fines; it can be used in a number of different ways. Licences can be cancelled or there can be delays. If those companies that have projects abuse the rights they have in getting the project going, having their project delayed is much more effective than a fine.

I just want to make sure that when we go through this issue, we analyse the risks in an equal way so that we reach the best solution for the outcomes that we wish to have for our state.

**HON ALISON XAMON (East Metropolitan)** [3.49 pm] — in reply: I rise to thank members for their contributions and to indicate that the Greens will support the amendment, because basically we will do anything at this point to improve what we think is an absolutely appalling situation. I note, however, that the Greens supported the amendment moved by Hon Jon Ford to ban uranium mining altogether, which is a long-held Greens' position. I also note that Hon Jon Ford essentially reiterated the position that had been agreed by the state Australian Labor Party conference last year, which was to oppose all uranium mining in Western Australia. It also made it clear that any new mines would not be able to operate. However, I am concerned that it appears that only five days after that contribution to this debate we have had the absolutely disgraceful announcement by the Environmental Protection Authority that it has given the green light for the Toro Energy mine in Wiluna to proceed. Just to be very clear, those of us who are in the environment movement and who have been involved with this area for a long time are aware that the EPA is effectively irresponsible, but I have to say that this decision has taken the cake—or the yellowcake. It has absolutely topped it in terms of bad decisions.

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I was really concerned to hear on Monday night that the response from the ALP was to say that of course it does not support uranium mining but that it would not be able to shut down any mines. That seemed to me to be at odds with what the ALP had been telling the environment movement ever since the ALP state conference. The ALP absolutely assured us that the issue of sovereign risk had been well and truly debated and was considered to have effectively been resolved. It is good to have heard further contributions in the chamber today that finally gave some clarification of exactly what the ALP's position is, because the reality is that despite the ALP state conference position and the contribution from Hon Jon Ford on this issue, Minister Moore is absolutely right; I think the ALP's history on this has been hopelessly conflicted. Of course, it was pointed out that the ALP federally supports uranium mining. We have had the three mines policy, which I agree was utterly hypocritical, and there is the example of instances such as that at Rudall River, which really highlights how, effectively, it appears that the ALP simply wanted it both ways. I just want to be really clear that this is not fooling anybody. It does not fool industry, the community or the antinuclear movement. I also want to remind people that when the ALP was in government and my colleague Hon Giz Watson brought forward her private member's bill to ban uranium mining in this state, which, for the record, dealt with the issues of transport and the percentage of incidental uranium that may be mined, the ALP voted it down—I want to be very clear on that—and that was ostensibly when the ALP had a no uranium mines policy.

Going further, it is good to finally hear the National Party put its position on the line once and for all. I want to be very clear that there was no mandate from the electorate to proceed with uranium mining. When the National Party went to the 2008 state election, it was absolutely silent on this issue. On one hand, Brendon Grylls came out and said that he supported uranium mining during the build-up to the election campaign but, on the other hand, during the election campaign itself when the environment and antinuclear movements were running public meetings on this issue, I noted that the Nationals always trotted out their candidate for South Metropolitan Region, who turned up to those events. When this National candidate was asked about the Nationals' position on uranium mining, she said over and over again, "Over my dead body will the Nationals ever support uranium mining!" I remember that because I was there and everyone was clapping and saying, "Yay!" I thought, "How is this the case, because there's nothing on the website and nothing has been put out there publicly?" Brendon Grylls said one thing, but when it came to engaging with the environment movement, the National Party sent along candidates who said something completely different. Therefore, if the National Party was so convinced that its pro-nuke policy was right all along, why did it not take that policy to the voters in the 2008 election?

That of course leads me to the Liberal Party. Once again, I find myself in agreement with one of the comments by Hon Norman Moore; that is, at least the Greens are consistent on this issue, which we are, and, yes, so is the Liberal Party. I will give members opposite that. The Liberal Party went to the last election making it clear that it supported uranium mining, as it always has, just as the Greens went to the election opposing uranium mining, as we always have. The minister jumps to the conclusion that that therefore means that this government has a mandate to mine uranium, but I have to say that I completely disagree. I want to remind this government of something. Much song and dance is made about the federal government apparently being illegitimate because it consists of the ALP with a Green and a bunch of Independents. However, what do members opposite think that this state government is? It is a Liberal Party that did not win government in its own right and had to cobble together a government with the National Party, which tried to play voters during the election campaign by having a bet both ways on uranium mining policy, and a smattering of Independents. I will point out some numbers because I love this issue of the mandate. A mandate is something that the Greens never claim to have; we claim to represent our voters and that is what we do. We do not claim to have a mandate for the entire electorate, but neither does the government. The Liberal Party primary vote was 38.39 per cent and the Nationals had 4.87 per cent. Combined, their vote is 43.26 per cent. Yes, their members sit on the other side of the chamber, but let us not talk about mandates; let us talk about deals. The Greens had 11.92 per cent of the vote and the ALP sat on 35.84 per cent. At least the ALP went to the election with a no uranium mining policy, along with the Greens, which means that the ALP and the Greens, with their long-held consistent opposition to uranium mining, had a combined vote of 47.76 per cent. Members opposite are on the other side of the chamber—fine—but they should not pretend to have a mandate because they absolutely do not!

Several members interjected.

**Hon ALISON XAMON:** Going to the Minister for Mines and Petroleum, I have to say that anyone who tries to dismiss the Fukushima disaster as an exaggeration has to be skating on really thin ice because that has been devastating for Japan. It displaced up to 160 000 people, potentially 65 000 people have been permanently displaced, and it contaminated three per cent of Japan's landmass. That is no small thing, and it occurred using Australia's uranium.

I want to deal with the issue of Patrick Moore once and for all because the Greens think that he is a joke. He is a clueless apologist for the nuclear industry who comes out to Australia spruiking nuclear power. I must say that

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we think it is pretty funny that he has become a bit of a conservative poster child. Members opposite can keep bringing up Patrick Moore as much as they like, but it is just a distraction.

I will get to the core of this debate. The problem with this debate, and what this motion seeks to highlight, is that it is simply not possible to contain these tailings safely for 10 000 years. It is a worthy goal and it is something that we certainly want to work towards because if we are going to have uranium mining, we want to have the best practice that we possibly can, but it simply is not possible. No regulatory framework exists anywhere around the world that has been able to do this. Nowhere in the world has been able to contain tailings safely to date, so how on earth the government thinks that it will be able to do so for 10 000 years is absolutely beyond me.

I continue to be dismayed at the actions of the Environmental Protection Authority. I cannot for the life of me figure out how it managed to justify proceeding with the approval. We have a report that is full of holes, with a mining plan that is yet to propose how we will close and maintain the mine, let alone how that is intended to be rehabilitated and safely managed for 10 000 years. We know that Toro Energy is a very small company that has very little experience in mining and no experience in the uranium industry. I was absolutely amazed that the EPA came out with this approval only days after the Uranium Advisory Group came out and said that the regulatory regime needs to be improved. I do not know how Paul Vogel gets away with it, given that an independent body of people has made it quite clear that we are not there, yet the EPA says at the moment that it is okay to proceed with one of the most toxic industries known on the planet.

We know that we need to improve the regulatory regime. Even the minister acknowledged that, and that has come from the Uranium Advisory Group as well. I have to say that I think the minister believes what he is saying when he says, “I’m going to do world best practice. I’m going to do the best that we can in the world. I’m going to show people how to lead on this.” I think that the minister believes that is possible. However, the problem is that it is impossible; there is no technology that can manage this waste. That is the intractable problem with this whole debate. There has never been a solution to manage nuclear waste appropriately. One of the key reasons that the Greens remain so completely opposed to this industry can be put in two words—namely, “nuclear waste”. I have heard nuclear apologists time and again trot out the old chestnut about nuclear power being the solution to climate change. It is something that industry proponents like to say. I always find it particularly bemusing that this comes from the same people who will also often question whether climate change is even real or is caused by human conduct. But, having said that, I want to be very clear: the carbon intensity of the removal of uranium pretty much offsets any advantage we might get from the nuclear industry. That is something that we cannot escape. Yes, money will be made from the uranium industry in the short term, but that will be offset by the massive clean-up that comes with it afterwards, and we have seen that around Australia time and again. It does not make sense from a carbon perspective, it does not make sense from an economic perspective, and it sure as hell does not make sense in terms of the legacy that we will be leaving for generations to come.

Amendment put and passed.

*Motion, as Amended*

Question put and passed.