

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) BILL 1999

Second Reading

DR GALLOP (Victoria Park - Leader of the Opposition) [4.01 pm]: I move -

That the Bill be now read a second time.

One of the most controversial issues in Western Australia today is the proposal by Pangea Resources Australia Pty Ltd to establish an international nuclear waste dump here. The public outcry was immediate and unequivocal. Western Australians do not want their State treated as an international nuclear waste dump.

Before I go through the provisions of the Nuclear Waste Storage Facility (Prohibition) Bill, I will give some background to the proposal. In December 1998, the Friends of the Earth released Pangea Resources' promotional video which outlined what the company calls the "Pangea Concept". This video sent shockwaves around the country. Pangea identified Australia - specifically outback Western Australia - as a potential waste dump for high level nuclear waste. Significantly, it proposed that the nuclear waste would be imported from overseas.

I refer briefly to two main elements of the Pangea proposal. Firstly, it wants to establish a disposal facility in a stable democratic country that has the appropriate geology and biosphere conditions. Secondly, it wants to provide countries that want to use Pangea's services with an alternative to disposing of high level nuclear waste in their own countries. Put simply, using Pangea's services means Western Australia's accepting the world's nuclear waste for a period of 40 years. After that time, the site would be permanently sealed off.

The concept, as described, involves a dedicated port and rail link to the inland site, covering approximately five square kilometres on the surface and 20 square kilometres underground, 500 metres down. It is planned that over the 40-year life of the project, 75 000 tonnes of imported spent fuel and high level waste will be deposited. This is estimated to be about 20 per cent of the spent fuel generated each year by commercial reactors worldwide. It is unclear where the world's high level nuclear waste will be dumped after the 40-year lifespan of the Pangea repository has passed. One might well ask whether agreeing to the Pangea proposal would open the floodgates to new, additional sites throughout Western Australia. It is proposed that once the repository is sealed, the nuclear waste will become the property of the Australian Government forever. This means that all the risks of storage will be transferred to the Australian people in perpetuity. Not surprisingly, Pangea and its supporters claim there will be substantial economic benefits for Australia and this State.

Access Economics has undertaken an analysis for Pangea of the purported economic benefits flowing from the proposal. It estimates that over the life of the project, export revenues of \$200b would be generated, with payments of approximately \$90b to Australian Governments through royalties and payroll and company taxes. Western Australia's share of royalties is estimated at \$300m per annum, as well as payroll and other taxes. Access Economics also claims that an additional \$36.2b would be added to the gross state product over the period 2000-2049. Undoubtedly, these represent significant economic benefits. However, there is an important qualification to the Access Economics analysis. It specifically does not provide any comment on the technological, social and environmental issues.

It is the technological, social and, most importantly, the environmental issues that go to the heart of the public's concerns. The public is aware that nuclear waste is highly radioactive and that it contains Pu-239, which can be used to make nuclear weapons. Also, several previous attempts at waste disposal have failed and led to the contamination of the environment.

Western Australians are telling their elected representatives that their progress, wellbeing and quality of life are not solely dependent upon, nor measured by, the gross state product. It is fair to say that the Western Australian public has a much broader and, indeed, better balanced view of its wellbeing than Governments and decision makers have recognised. In any event, as the Access Economics study points out, the long term care of the facility after its closure must be factored into any purported financial benefits.

The site would be operational for a 40-year period. After that time, all the responsibility - legal, financial, security and environmental - would be Australia's. We would be talking of another 10 000 to 20 000 years, which is hardly an insignificant time in human history and all the mistakes that can be made.

As to safety, Pangea claims that its operations will be undertaken to the highest safety standards, with the risk minimised. To quote Pangea's own promotional material, the risk will be "in line with ALARP (as low as reasonably practicable) principles". Pangea's standards for the facility's long term safety are based on not exposing future generations to any risks that are higher than those judged acceptable by today's population. Firstly, this standard excludes the possibility that future research may show that higher levels of safety standards and practices than we know of today are needed. Secondly, the public knows that nothing is risk-free. There are no guarantees that even a well-resourced and planned strategy would be effective to ensure the site's safety and security; for example, in cases of natural disasters or even terrorist attacks.

The environmental impact and the risks during transportation are other reasons for public concern. Among Western Australia's greatest attractions are its natural beauty and its clean, green image. This means that Western Australians are able to enjoy a wonderful quality of life that is hard to beat. It is also the major drawcard for tourists to this State. An international nuclear waste dump, wherever it is located, would have a devastating impact on the tourism industry. I know this is of grave concern to many people in the industry. It would make a mockery of our image as a clean and green State.

The environmental concerns are not restricted to the site itself, but involve all sectors of the transportation chain, from the country where the waste is generated - the United States, Britain or Europe - to its eventual disposal in Western Australia. This will involve transporting the waste by sea to Western Australia and then overland by rail or road to the site itself. It is worthwhile remembering that in other countries, such as Germany, there has frequently been a public outcry and controversy about the transportation of radioactive wastes and other nuclear materials within and across national borders. For example, in 1997 in Germany, 30 000 police in full riot gear were needed to protect the first shipment of nuclear waste in that country, at a cost of more than \$57m. That was coupled with extensive public disruption and sabotage of the railway lines. A subsequent shipment also resulted in serious protests and violence. Later, all shipments were halted because of the discovery of contamination from the casks used to ship the waste. Despite the public outcry over the Pangea proposal, the responses at both federal and state levels are best described as ambivalent.

I acknowledge that government ministers have given assurances that it is currently not government policy to import high-level nuclear waste. Last month a motion was moved in the federal Senate opposing the Pangea proposal and it was unanimously supported by all parties. However, the public remains concerned. The public is not convinced that either coalition Government is genuinely committed to opposing the proposal. For example, we know that a Pangea representative has already met with Wilson Tuckey, the federal Forestry and Conservation Minister. Senator Ross Lightfoot has also predicted that more than half of the coalition members of Parliament would support the project. Only last week, the federal member for Kalgoorlie said that the proposal may well have to be considered in the future.

Of course, more significant for the debate in this Parliament is the response of the State Government and its members. The Deputy Premier has confirmed that he and the Premier's former chief of staff met with representatives of Pangea Resources in November 1997. Since those meetings, the Premier's office has received updates from Pangea about its progress and approaches to industry.

In many respects, however, what is more disturbing are the attempts by some senior coalition members to draw a link between mining uranium and a so-called obligation that we have to accept imported nuclear waste as a result of this mining activity. This is contrary to the present international understanding that each country is ethically and legally responsible for the disposal of any nuclear wastes it has generated. The state Labor Party supports this approach, and I was pleased to see in the *Sunday Times* on 29 August that the Premier also accepts that Western Australia should not be expected to import other countries' nuclear waste.

The member for Cottesloe has publicly stated his support for the establishment of a uranium industry in Western Australia. In respect of the nuclear waste dump proposal, in answer to a question on notice dated 1 July he stated -

I think that any country is a significant uranium producer has some moral and international responsibility to be part of the debate on the disposal of nuclear waste.

Trying to draw this link between uranium mining and the disposal of nuclear waste gives rise to many questions about the Government's future intentions in respect of the Pangea and similar proposals.

Labor recognises that there is a high degree of public scepticism about official claims that it is not government policy to allow an international nuclear waste dump in this State. Unfortunately, there is a basis for this public scepticism, when people remember that the Premier said "no" to a gold royalty before the 1996 state election, and then promptly introduced one after winning a second term. The Prime Minister promised that he would "never ever" introduce a goods and services

tax! Let us look at the very words that the Premier and his senior ministers used when questioned about a gold royalty in 1996. On 17 September the Premier told *The West Australian* -

The Government has not got the issue of the gold royalty on the agenda.

And, earlier in this story he said of the gold royalty -

I have not considered it as a source of revenue and it has not been built into our forward estimates for the next three years.

The next day - 18 September - the Resources Minister told the Parliament in what seemed to be the most simple and straightforward language -

There is no proposal for a gold royalty.

For his part, the Deputy Premier took the betrayal of voters' confidence to new lows. On the election campaign trail in Kalgoorlie, he did not mince words. He promised not to be part of any Government that broke its promise not to introduce a royalty. On 7 December, the Deputy Premier was reported in the *Kalgoorlie Miner* as saying -

. . . if on the one hand there is going to be a clear statement as there has been that a gold royalty is not on the agenda, then very clearly I am not going to be part of any government (which) having said that then breaks that commitment.

When asked to justify this backdown after the election, he rubbed salt into the wounds by saying -

. . . unless it is over an issue that was far more serious than a gold royalty.

So brazen was the coalition Government in its efforts to deceive that coalition candidates even made a feature out of their deception. In their election campaign, members will remember National Party candidates produced advertisements and posters claiming that a gold royalty was not on the agenda. I remind members of what the ads said -

There will be NO gold tax!! This is NOT an issue!

How many times do Labor need to be told?

I think I heard those words in the Parliament yesterday: How many times must members of the Opposition be told that there will not be a nuclear waste dump? We were told exactly the same thing before the last state election in respect of the gold royalty. Immediately after the election it came onto the agenda and it was passed by this Parliament. It is now obvious that it does not matter how many times the coalition Government promises the public something, because it does not mean a thing.

I now turn to the Nuclear Waste Storage Facility (Prohibition) Bill. The purpose of the Bill is to ensure that the Government's stated policy of opposing the establishment of an international waste dump is enshrined in state law. Given the Government's official opposition to the Pangea proposal, I can see no reason that it should not be prepared to adopt a genuinely bipartisan approach and show its support for this Bill.

I will now turn to the provisions of the Bill. The Bill is intended to prohibit the construction and operation of a Pangea-style nuclear waste storage facility in Western Australia. The objective of the legislation is to protect the health, welfare and safety of Western Australians and the environment in which we live by prohibiting a waste facility for any radioactive material derived from the operations of a nuclear reactor, nuclear weapons facility, nuclear reprocessing plant or isotope enrichment plant. It implicitly recognises that any potential economic benefits must be balanced against the social and environmental implications. In so doing, it also recognises that there are more ways for Western Australia to progress and develop than as the world's nuclear waste dump.

Clause 7 provides that the penalty for contravening this law will be a fine of \$500 000. This penalty can also be levied on directors of a corporation. Clause 9 provides that no government or public money can be made available for the purpose of encouraging or financing any activity associated with the development, construction or operation of a nuclear waste storage facility. This law will also bind the State. Finally, clause 10 makes a consequential amendment to the Nuclear Activities Regulation Act 1978 so as to provide that this Bill prevails over it.

It is important to note that the definition of "nuclear waste" in clause 3 excludes nuclear waste that has been generated in Australia or material that has been used under licence for scientific, industrial or medical purposes in accordance with the provisions of the Radiation Safety Act 1975. The Bill is not intended to prevent the use and consequent disposal of radioactive material for very worthwhile scientific, industrial and medical purposes that is already occurring in this State. The Radiation Safety Act already provides a regulatory regime for this material.

Labor recognises that countries that generate their own nuclear waste should be responsible for the disposal of that waste. I reiterate that this reflects the general international principle. It would be highly hypocritical if Australia wanted to avoid its own international responsibilities and tried to dispose of its own nuclear waste by exporting it to another country. This is exactly the situation Australia finds itself in with the Pangea proposal. We need to be consistent and principled in the way we respond to our international obligations.

Finally, Labor recognises that a future Government, if it wanted to, could simply repeal this Bill and allow the establishment of an international nuclear waste dump within the State. However, the state Labor Party believes that the Pangea and like proposals are fundamental issues of importance to the State.

The other important point to make about our legislation is that it constrains the Executive in what it can do. I refer members to clause 9, which provides that no consolidated fund and other moneys can be granted or advanced to any person for the purpose of encouraging or financing the development of a nuclear waste storage facility. It should be up to State Parliament, and not only the Government of the day, to decide. Any future attempt to reverse this proposed legislation would require the passage of a repeal Bill in both Houses of Parliament, which would provide more accountability and the opportunity for full debate on the issue.

I urge the Government to put its official opposition to the establishment of an international nuclear waste dump in this State into practical effect, and to support this legislation. I commend the Bill to the House.

Debate adjourned, on motion by Mr Barnett (Minister for Resources Development).

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) BILL 1999

Second Reading

Resumed from 8 September.

MR COURT (Nedlands - Premier) [4.00 pm]: I intend to make some initial comments on the Opposition's legislation and then the Minister for the Environment will make some more specific comments on what the processes would be for any company that wanted to import nuclear waste into the country and the different licensing requirements for such material.

A month or so ago this House passed a motion on bipartisan lines which made it very clear that we did not support the importation and storage of nuclear waste in this State. That sent a strong message about the position of the Government and the Opposition. With this Bill, the Leader of the Opposition is proposing to put on the statute books legislation that prohibits the importation and storage of nuclear waste. The Government cannot support the Bill as it stands because it will not achieve the goal that has been set: To stop the importation and storage of nuclear waste. It is the Government's intention to amend the legislation to close the loopholes. The Government has prepared a series of amendments, and it may be better that the amendments be provided to the Opposition before there is further debate, so the Opposition has time to read them. The

matter can be debated again next week. Although it may look as though there are a lot of amendments, many are consequential on the changes taking place.

Mr Kobelke: Could we have them now?

Mr COURT: I have only a draft at the moment.

Mr Kobelke: Will it be possible to have them made available as an early draft?

Mr COURT: I have not been able to leave the Chamber today, but when I complete my speech I will check to see whether they are the final draft. The Government does not have a difficulty with making the legislation as watertight as possible, but as I have said previously in the House a future Government could establish a nuclear waste dump in 20 years' time if it can get the legislation through the Parliament. The major loophole is that the Radiation Safety Act 1975 will override the proposed legislation. The Radiation Safety Act is designed to try to control nuclear applications in medicine and the like. The advice received by the Government is that by allowing the Radiation Safety Act to override the proposed Act, and provided all federal and state approvals and licences had been obtained, it would be possible to import nuclear waste and store it and for the approvals process to never go near Parliament. It could all be done under the Radiation Safety Act. One of the proposed amendments is to cover the possibility of an applicant passing through all stages of the licensing process. We want to include a provision that it require the approval of both Houses of Parliament. It would provide a further obstacle in the way of that process.

Dr Gallop: The Opposition would be happy with that. Our advice was that if any Government tried to do that it would be going beyond the powers of the Radiation Safety Act.

Mr COURT: The other problem is that the Bill seeks to prohibit the establishment of a nuclear waste storage facility in Western Australia. Our advice is that there might be no need initially to establish one. A disused minesite may be judged suitable for the purpose. The Government will move to amend the long title of the Bill to close this loophole. Currently the long title reads -

A Bill for An Act to prohibit the establishment of a nuclear waste storage facility in Western Australia . . .

We would prefer it to read, "to prohibit the storage and disposal in Western Australia of radioactive materials". The Bill seeks to prohibit the construction of a waste facility, but if the requirements of the Radiation Safety Act are met there may be no need to actually construct a facility. The Bill does not address the licences that may be sought under the Radiation Safety Act by a person wanting to store foreign nuclear waste in Western Australia. The problem is created by the existence of that specific provision, which could be overridden.

Under the Radiation Safety Act the Radiological Council is responsible for authorising the use, storage, disposal or other dealing with radioactive substances, including high level waste. Any such authorisation is generally subject to the council being satisfied that the proposal has a net positive benefit and is justified. Health concerns are required to be considered, although practically it is very unlikely that a high level nuclear waste storage facility would be licensed or registered by the council under the Act. However the loophole is there, and that is why it is important for it to be closed. The Bill deals with the establishment or construction of an installation when there may already be an existing facility that is considered suitable. The amendments should satisfactorily cover the problem.

We also propose to amend the Bill's definition of nuclear waste because as it currently stands it would create difficulties when dealing with different nuclear applications, whether in medicine or otherwise. The Government has been advised to look at the definition of nuclear waste.

Dr Gallop: What is wrong with the definition?

Mr COURT: My advice is that the Bill's definition of nuclear waste would capture matter that is useful and is not nuclear waste as the term is understood by the industry. What the industry calls useful is a matter for our legal advisers to address.

In broad terms, the legislation contains loopholes and the Government's amendments will address them.

A few weeks ago while I was in the United Kingdom with the Minister for Mines, Hon Norman Moore, we had the opportunity to meet the senior executives of British Nuclear Fuels Ltd. We had a meeting at their head office near Manchester. I received a letter in reply which does not progress matters very far. It reads as follows -

Dear Mr Court

I thank you for your letter advising BNFL of the motion passed in the Western Australian Parliament about Pangea.

We are naturally disappointed that your government found it necessary to pass such a motion. We take serious note of the views expressed and respect the feeling behind them.

BNFL have supported the Pangea studies as part of a wider feasibility study into ways of solving pressing world problems; the safe disposal of used fuel and waste from the generation of electricity in nuclear power stations and the reduction of proliferation risks by facilitating the use of surplus weapons material in nuclear generation. These are problems that have profound implications for environmental protection, global security and the satisfying of future world energy demands. As such we felt, and still feel, that the solution of these problems merits study and a wide informed debate.

A solution will be found and it will have many components with existing electricity suppliers, national nuclear

programmes and states with excess weapons material all playing their part. The UK government, for example, is strongly committed to finding a UK solution for UK waste and we are supporting them in this aim. There is increasing recognition however that, globally, there will need to be regional or international co-operation as well.

We recognise that no community can be forced against its will to play a part in providing a solution, and we respect the position of your Western Australian government. Those views will weigh heavily in our wider studies. At the same time we trust that you will respect our position in continuing to study and to increase understanding of the wider issues. The challenge is so great it demands a fully informed international debate.

We were in no way ready to make any proposals to you for a repository in WA. In response to your letter, I can say that we will not seek to make any proposals to your government. We will, however, continue to honour commitments to provide information to those requesting it and to support legitimate academic research.

I table the letter.

[See paper No 213.]

Mr COURT: We have freedom of speech in this country and in a democracy the company can continue to put forward its views. However, because the letter said that the company will not seek to make any proposals to our Government, perhaps we did not get across the message strongly enough as it implied that it may have more success with a future Government.

Dr Gallop: What do you think it is being advised of by your consultants in Western Australia, one of whom is your former chief adviser?

Mr COURT: I cannot not tell the Leader of the Opposition that.

Dr Gallop: Did you ask them?

Mr COURT: I dealt directly with the senior executives.

Dr Gallop: I understand that but did you ask them what Mr Fletcher and others are telling them?

Mr COURT: No, I did not. However, the Minister for Mines will confirm that we gave them a pretty blunt message.

Dr Edwards: You weren't very persuasive though, given the nature of the letter.

Mr COURT: We told them bluntly that they were wasting their money and their time. The point I make - and the Minister for the Environment will spell out all the different licensing requirements - is that this Government will not support a proposal. We made that clear in the motion we put to the Parliament. If legislation is seen as an added hurdle, it must be effective legislation. This legislation is ineffective and we will do what we can to make it effective. I will attempt to give those amendments to the Leader of the Opposition as soon as I can.

Dr Gallop: So you are supporting the second reading of the Bill?

Mr COURT: Yes, we will definitely support the second reading of the Bill. As I said, if the amendments were finished we could go into the consideration in detail stage today. However, I want an assurance from the Leader of the Opposition that he will bring on the matter again next week.

MRS EDWARDES (Kingsley - Minister for the Environment) [4.14 pm]: I will reaffirm the Government's very strong position. We will continue to oppose the bringing into and dumping of any international nuclear waste in Western Australia. By moving the motion a month ago, this Government has already clearly placed on the public record its very strong opposition to any proposal for the bringing into Western Australia of international nuclear waste in any form. The Government has not only endorsed this position but the Premier has also stated that fact on numerous occasions publicly and in this place time and again, even to the point of taking the time to visit the British Nuclear Fuels Ltd personnel while he was overseas recently. He very firmly put onto the record that the proposal would not be supported by this Government and referred to the motion that this Government passed unanimously. The motion stated that we did not support international nuclear waste being dumped in Western Australia. There is no way this Government will accept such a proposal. I said in the debate on the motion on that occasion that successive Australian Governments, including the present Federal Government, had also agreed that Australia would not accept radioactive waste from other countries. It has been clearly spelt out by the Western Australian community that no-one is prepared to support it and we strongly support the community stance that has been taken.

The community believes that the legislation will send a simple message that the dumping of international nuclear waste in Western Australia will be illegal and therefore will never happen. In order for it to be made legal, the proposal would have to be brought back into both Houses of Parliament. The Premier highlighted a few of the flaws in the legislation proposed by members opposite and I will highlight a few more. I will also highlight the federal and state processes through which any such proposal would have to go. It is particularly difficult dealing with both federal and state legislation when established councils and ministers can make decisions without reference to the Parliament. That is the reason for strengthening the legislation in parts of its definitional clauses so that this Parliament makes it clear that any such proposal cannot occur on behalf of any Government, minister or independent council without coming back to both Houses of Parliament. It will therefore be a transparent process. I believe this Government is not only committed to the legislation but also no future Government would undertake or even contemplate such a proposal. However, there is concern in the public arena being generated by the publicity campaign by Pangea that such a proposal is possible. Again that is one of the flaws.

Clause 7(2) of the Bill refers to a person who contravenes subclause (1) which refers to a person not constructing or operating a nuclear waste storage facility otherwise that person will be guilty of an offence and punishable by a fine not exceeding \$500 000. A penalty for an offence becomes irrelevant when we consider the amount of money that a company such as Pangea is outlaying for the public education campaign that it is involved in currently. It is absolutely irrelevant. Therefore, an offence provision or monetary penalty is not needed.

Dr Gallop: You're not going to take it out of the Bill, are you?

Mrs EDWARDES: Not at all, but it will not stop anyone.

Dr Gallop: Why nitpick? You support the Bill.

Mrs EDWARDES: Absolutely. The Government supports any measure to bring any such proposal back to Parliament. That is essential. However, the Opposition's Bill does not provide the necessary safeguards the public would require, and that is why the Government will strengthen the Opposition's Bill.

I now outline some of the relevant existing commonwealth and Western Australian law. I refer to the Customs Act 1901 and the Customs (Prohibition Imports) Regulations, regulation 4R of which prohibits the importation of radioactive waste into Western Australia unless permission in writing to import the substance has been granted by the Minister for Health and Aged Care or by an authorised officer, and unless that permission is produced to a collector. If an authorised officer has granted permission, the commonwealth minister may revoke the permission. The commonwealth Nuclear Non-Proliferation (Safeguards) Act 1987 authorises the commonwealth minister to grant a permit to possess nuclear material or associated items. The Australian Radiation Protection and Nuclear Safety Act 1988, and associated regulations, establishes a system for regulating and controlling the storage of nuclear waste generated or used by commonwealth entities, contractors and persons in a prescribed commonwealth place; that is, such persons need to obtain a licence to prepare, construct or control a nuclear waste facility.

Western Australia's Environmental Protection Act, Radiation Safety Act and Mining Act all have the capacity to prohibit the development of proposals for the storage of international nuclear waste. However, no absolute prohibition as such applies. The legislation enables permits and approvals to be obtained when the relevant conditions and/or criteria are satisfied. The Western Australian Nuclear Activities Regulation Act 1978 enables the Governor to promulgate regulations to prohibit absolutely the storage of nuclear waste; however, a couple of problems have been identified in that area. For example, the making of those regulations depends upon specified criteria being established, and the scope of the regulations must be within the scope of the enabling statutory provisions which may not be wide enough to cover the storage and disposal of nuclear waste. Such regulations can be disallowed by either House of Parliament, or be revoked or repealed by the Governor upon the advice of the Government.

When the Government looked at the legislation available, both commonwealth and state, it considered that any legislation that had potential loopholes or weaknesses could be exploited by lawyers acting for companies wanting to develop such storage facilities in Western Australia. As such, the Government believes that its motion is a very straightforward and clear statement supported by both political parties. If the Government can amend the Opposition's legislation and not only strengthen the definition provision, but also, importantly, ensure that nothing can be approved without the support of both Houses of Parliament, a strong, open and transparent process will be implemented. Despite all the other legislation I outlined, this process could then not be avoided. The community would support this intent: The legislation will make such storage of such waste illegal, meaning that it will never happen. It will never happen as one would need the support of both Houses of Parliament for such a proposal to proceed.

The other reason for legislating is that the existing Western Australian-commonwealth legislation does not definitely prohibit or preclude the development of plans for the construction of a nuclear waste storage facility. The absence of such a prohibition invites or encourages international companies to continue to develop such plans and promulgate proposals for the storage in Western Australia of nuclear waste, and Western Australia would be left exposed. Therefore, the Government wants to strengthen the legislation.

The possibility nearly always exists that the Commonwealth could legislate to override Western Australian law. I reiterate that the previous and current Federal Governments have made it clear on the public record that they do not support the importation of nuclear waste into Australia.

Another flaw in the Bill before the Chamber, as the Premier identified, is the definition in clause 3 of "installation". That does not preclude the storage of nuclear waste in Western Australia. In the legislative context, installation may not cover all possibilities. The Premier referred to underground mines in which canisters of nuclear waste could be placed. Other examples could easily get around the definition. Also, the phrase "construct or operate a nuclear waste storage facility" may not include, for example, the assessment of sites, feasibility studies or the development of plans. Accordingly, the assessment and development of plans could proceed. Clause 9 prevents the use of only government or public funds, not private moneys, to develop such plans. The Bill could allow proposals to proceed and be assessed. The strengthened legislation as proposed will carry expressed and total opposition to any such proposal.

The difficulty is always drafting legislation which does not provide a loophole which could be exploited. The Government found it difficult when looking at the federal and state legislation to encompass all the "what ifs". Therefore the Government's amendments are simple and clear. Any proposition must be approved by both Houses of Parliament. Although we have made our positions clear, it will be up to any future Parliament to determine matters in a very open and transparent process.

The Government will support the second reading of this Bill, but will move amendments in the consideration in detail stage. The Premier has been involved in debate until private members' time, and has not had the opportunity to go through the final draft of the amendments. We will make the amendments available as soon as the Premier has had the opportunity to clarify the proposals.

Dr Gallop: Did that go through the Cabinet?

Mrs EDWARDES: We have discussed it in Cabinet.

Dr Gallop: Did the amendments go to Cabinet?

Mrs EDWARDES: Not the amendments, but the intent and extent of what we wanted to achieve was discussed not only in Cabinet but also in the party room.

Dr Gallop: We applaud your change of mind, but what are the reasons for moving from not accepting the legislation to accepting it?

Mrs EDWARDES: Obviously the issue was whether the Government could produce legislation, bearing in mind the complexity of federal and state legislation, which would do more than could be done by amending the Opposition's legislation and putting it to the public very quickly. The Government is not prepared to muck around on this issue and it does not want to hold up the legislation. The Government is absolutely and firmly opposed to the dumping of international nuclear waste in Western Australia, and that message needs to be given to the community. That is the reason the Government thinks that the best way to do this is to strengthen the Opposition's legislation and get it through both Houses of Parliament as quickly as possible. I am sure the Opposition will support that approach.

Again, I reiterate and place on the public record that this Government is totally opposed to any dumping of international nuclear waste in Western Australia. The Government firmly believes that by making sure that any future Parliament has a say in matters of this type, we shall protect the rights of all Western Australians and ensure nothing will be imposed upon them that they do not want with regard to the dumping of international nuclear waste.

DR EDWARDS (Maylands) [4.32 pm]: It is always the aspiration and dream of Oppositions that their legislation will not only be accepted by the Government but, in the minister's words, also strengthened. I thank the Premier and the Minister for the Environment for the comments made this afternoon supporting the Bill introduced by the Leader of the Opposition.

It is clear that most Western Australians support this Bill. The Western Australian community has said loudly and strongly that it does not want Pangea Resources Australia Pty Ltd and its proposal in its backyard. It does not want, for short-term gain, to have nuclear waste in the outback for tens of thousands, and perhaps hundreds of thousands, of years. It says something about the Western Australian community, that people are not fooled by the short-term economic gains proposed, but are thinking about the future they want, how that future can be sustained, and how the proposal fits in with a sustainable future. The response to the proposal is a resounding no. A short time ago I had the opportunity to see the video that Pangea made a year or so ago which outlines its proposal. A number of things struck me about that video, and I will quickly go through them.

The first one, which appealed to my sense of humour, was the comment in the video that 100 000 years is a short time in the life span of a rock. That is probably true, but that is not what we are dealing with. We are dealing with our future and the future we want for our children, their children's children, and generations thereafter. Although 100 000 years may be a short time in the life span of a rock, many generations will flow through this State during that period. It is no comfort to me to read on the Pangea web site that the nuclear waste becomes harmless after 200 000 years. I certainly will not be around then!

Mrs Edwardes: Very reassuring!

Dr EDWARDS: Yes, it is. I will tell my children's children's children to write that down somewhere and pass it on. This illustrates the type of issue with which we are dealing.

I now comment on the economic benefits that have been put forward. I preface my comments by saying it petrifies me that some Government at some stage in the future, starved of funds and wanting to build large capital projects, may think the economic benefits are worthwhile. It is stated at Pangea's web site that the benefit to Australia from 2004 to 2015 would be \$9b, with a further \$4.5b replacement investment over the 40 year life span of the facility. The community is being asked to consider a 40-year project, starting in five or so years' time, that would bring a big economic benefit to the State but also leave a legacy, conservatively for 10 000 years, but, in Pangea's own words, it would not be harmless until 200 000 years had passed. That is obviously unacceptable.

In addition, the detail of the proposal refers to a dedicated shipyard and foundry, the waste vessels, the transport, shipping terminal, railway lines and the facility itself. People have in their minds, particularly after 30 September when the nuclear accident occurred in Tokaimura, that things can go wrong at any stage of the process. Those considerations are very real. We all have in our minds the dreadful television footage showing children in Japan having Geiger counters run over them to measure their levels of radiation. It was ominous that the Geiger counters were placed at the children's thyroids for a long time, because acute exposure to radioactive substances can lead to damage to the thyroid and, ultimately, thyroid cancer. People have real concern about nuclear accidents. This accident on 30 September involved a uranium reconversion facility, and it is easy to understand that a similar thing could happen in Western Australia were we to accept this nuclear waste. Who would have thought such an accident would happen in Japan? It is a very regulated country, industry sticks to the regulations and things run well.

Mrs Edwardes: It is the whole issue of human error. You can put checks and balances in place to prevent human error and say these things should never happen, but they do. The train accident in the United Kingdom should never have happened but it did, and this is where those concerns are very real.

Dr EDWARDS: Part of the issue goes further; certainly the initial reports from Japan - I have not seen any advances on this information on the Internet today - were that it was not so much human error that caused the accident, but humans being careless and not abiding by the regulations and the restrictions under which they are supposed to work. As a result of the Tokaimura accident, three people are seriously ill with acute radiation poisoning, and one is still in intensive care. The web sites do not give much information about the outcome for those people, but 50 houses were evacuated. Also, the response to the accident was not adequate and that raises grave concerns in people's minds. I remember lying in bed early that morning and listening to the radio reports from the six o'clock news onwards. I heard that the Japanese company involved did not have the right equipment to deal with the accident. It was not controlling the situation because it could not safely enter the plant. The company called on the US Army which has a base nearby but it was not prepared for that sort of contingency. Why would it be? It assumed, as would we, that a company running a uranium reconversion plant would have all its safety rules and regulations and contingencies sorted out and backed up. These fears are in people's minds. Not only are they valid fears, but also, bearing in mind what happened in Japan, it is valid to perceive them as risks. The risks may be small, but that is no consolation to the victims of any such accidents.

Much has been made in the Pangea proposal about the need to use Australia because it has the right geology and isolation and it has a stable democracy. Why then did the Swiss utility, which is part of the Pangea proposal, try to send its waste to Russia? The whole argument about stable democracies falls flat on that basis.

In England in 1966 the United Kingdom environment minister prevented an underground repository being built at Sellafield because the Government was not convinced about its safety and that it was the right place to put it. Similarly, a Canadian Shield proposal to deposit nuclear waste in the mountains in Canada was rejected by that Government. The best that can be said about the Yucca mountains proposal is that it continues to be over budget and a long way behind schedule. Whether that will ever get up remains to be seen. There are problems everywhere, not just in Western Australia. The problem is broader than just being in our backyard.

I turn to the Bill. The purpose of putting forward the Bill is to build on the motion that was put through Parliament some weeks ago. We all oppose the Pangea Resources Australia Pty Ltd proposal. The motion was a good first step; however, we believe it should be enshrined in law so that, at least, both Houses of Parliament have had their say - and they have said a very strong no to this proposal. A future Parliament could change its mind, but if this proposal is enshrined in legislation, it makes it difficult for it to do that. We obtained a lot of advice about what the Premier calls loopholes. We thought we had those covered. We are aware of the Radiation Safety Act and the operations in Mt Walton. We support the use of medical isotopes and other things nuclear. If the Government is saying that its legal advice - obviously it will be better than ours - is that the Bill can be amended to be better, we will welcome those amendments and look forward to seeing the detail of them.

In conclusion, the Pangea proposal is not wanted in Western Australia. As I said, the motion was a start and it was very satisfactory that the Parliament agreed on that. The letter which the Premier has tabled from British Nuclear Fuels Ltd shows that we must maintain our vigilance. As the letter says, this organisation may be back with an approach to a different Government. This Bill provides another measure of greater security, and I urge the House to support it.

MR PENDAL (South Perth) [4.41 pm]: I also support the Bill in the strongest way I can. First, I think the Government's decision to support the Bill as amended will in one fell swoop remove a very dangerous monkey from its back. There is no doubt whatsoever that of all the issues confronting Australia and probably the world today, none would be more important than the misuse of nuclear products. I am on the record as saying that I have no difficulty with uranium mining because in this State and in hospitals a mere stone's throw from us refined technology for diagnostic and treatment purposes is used. The difficulty, of course, is to know how to limit the use of nuclear products for non-peaceful purposes.

Secondly, Western Australia already has its own nuclear dump, as it were. Currently we have a facility to deal with our own waste in the eastern goldfields. That is not the issue before the Parliament, nor the issue Pangea Resources Australia Pty Ltd has been pursuing. It has sought to take the argument a quantum leap by inviting the world to see Western Australia as a dump for other people's nuclear waste. Thus this Bill sponsored by the Leader of the Opposition is very timely.

There is another reason we must act in the way we are: I agree with the member for Maylands that we in Western Australia will need to be extraordinarily vigilant for no better reasons than those set out in the contents of the letter tabled by the Premier from British Nuclear Fuels. In two parts it gives no reassurances at all. The bottom paragraph on the first page states -

At the same time we trust that you will respect our position in continuing to study and to increase understanding of the wider issues.

That is a very ominous remark. It means that it does not care what is the attitude of the Premier or this Parliament, and that it will keep nibbling away in the hope that one day, it can achieve its end. On page 2, the writer, D.R. Bonser, expresses similar ominous remarks; therefore, we must stiffen the resolve of the Parliament several weeks ago by formalising our opposition to this proposal, institutionalising it and putting it into the form of legislation.

There is an additional reason for passing this Bill. The economic advantages of this project are mind-boggling. People who have read the draft report of Access Economics dated November 1998, as I have - although I admit I have not seen a final report, if there is one - will gather from it immediately that Western Australia could pick up \$310m annually from increased

payroll tax and royalties. That is a massive injection into the Western Australian economy. The Access Economics report states that there would be an additional \$36b in gross state product in Western Australia from now to 2049. It gilds the lily further by saying that the employment boost to Western Australia would run to about 12 700 jobs a year for the life of the project. The benefits - the economic temptation - are massive.

If passed, the Bill as amended will remove the possibility for a future Government to be tempted, even mildly, to change the present view of this proposal in five, 10 or 15 years. Who knows? A Government in five or 10 years may be cash poor, or cash stricken sufficient to induce that Government to decide that the economic benefits would outweigh the political negatives and, therefore, to invite this company to build the facility. Any Government seeking to repeal this legislation would run a huge risk. That disincentive alone, as it will be in five or 10 years or in perpetuity if this Bill is passed, would be very worthy. It is a way of sending to Pangea Resources Australia, British Nuclear Fuels and other people a clear, unambiguous, non-political, bipartisan message that Western Australia is civic minded enough to look after its own disposal safety at Mt Walton and that British Fuels will have to find its own nuclear waste facility.

A Bill passed, presumably with the assistance of 91 members of the entire Parliament, would be a resounding message that would go back to Pangea Resources Australia Pty Ltd. It would be a resounding message in the wake of that somewhat contemptuous response we heard from Mr Bonser that in effect says, "Okay, you, Mr Premier and Western Australia are entitled to do what you want to do, but we will continue to niggle away." Pangea's history of the past 12 months has been to move into local authorities, that incidentally have no control over the issue, knocking them off one by one. Pangea is waging a war of attrition against local authorities to build up a veil of respectability for its case.

For once in its life the Parliament can say in an unambiguous, bipartisan way that the Bill has the support of everyone. It will send a message to not only Britain but also other places in the world that see us as a receptacle for the waste that has fouled their nests, but which Western Australia and its people will not stand for. I therefore strongly and enthusiastically support the Bill.

MR BAKER (Joondalup) [4.51 pm]: This Bill has been generally described as the so-called anti-Pangea Bill. As I have said before in this Chamber, I support the gist and thrust of the Bill. However, this is not the Bill to achieve what we want to achieve. The Premier has provided several reasons for that, as has the Minister for the Environment. In due course we will debate amendments that will give it fundamental legal integrity.

In any event, I am sure all members in this Chamber agree that any informed debate must start at the beginning with a proper analysis of the legal entity driving the Pangea proposal. I speak here of the company incorporated in Australia under corporations law, known as Pangea Resources Australia Pty Ltd. It is fair to say this analysis is important because it will enable every member of this Chamber and, I hope with the aid of the media, every member of the community to understand the precise nature of the beast with which we are dealing and to be better informed about who is driving this proposal.

As with many proposals it is not simply a matter of looking at the person we appear to be dealing with on a face to face basis. We must look behind the person. In that regard it is interesting to take the time - there is a bit of work involved - to conduct a thorough company search of Pangea Resources to determine which companies have shares in it and to investigate further and further back.

We know that Pangea Resources is a company incorporated in Australia under corporations law. We also know that, at least on the face of it, it is a private, corporate entity or a company limited by shares. The shareholdings in this company can be divided into three separate categories. The first category, which I will call the Swiss category, consists of some 20 per cent of Pangea shareholdings. Approximately 20 per cent are owned and controlled by a Swiss consortium of companies. We should bear in mind that in the overwhelming majority of cases, the ownership of shares equates to the control of shares and perhaps the control of the company or entity, depending on the extent of a particular shareholding.

A further 10 per cent of the shares are owned by various United States corporate interests. However, the remaining shares - a massive 70 per cent - are owned by British Nuclear Fuels Ltd. We can see immediately that by far and away substantial ownership of the company, hence the control of this company, is vested with an entity called British Nuclear Fuels Ltd. The obvious question that must be asked is: Who owns or controls British Nuclear Fuels Ltd? Is it controlled by other entities, other companies or a political entity of some description? Of course, as many members are aware, it is a trading entity owned by the British Labour Government which in turn is led by Tony Blair.

Given the ostensible opposition to the Pangea proposal by the Leader of the Opposition, I ask the obvious question: What steps has the Leader of the Opposition taken to communicate this Parliament's abhorrence of this proposal to Tony Blair?

Mr Kobelke: I think you are trying to cut down another banana tree.

Mr BAKER: Not at all. That is a good point; I will deal with definitions shortly. We will see whether the member for Nollamara should tighten up on his definitions. I will concede that point, but raise it again in relation to this Bill. However, to be frank, I think he will end up with his foot in his mouth. As we all know, the Leader of the Opposition is best of mates with Tony Blair; he has a longstanding friendship with him. I ask the sincere question: To what extent has the Leader of the Opposition taken any steps to approach Mr Blair to pull the financial rug out from under British Nuclear Fuels and, in turn, this Pangea proposal, or at least to give it some sort of direction that it should butt out of our affairs and take its proposal elsewhere?

Mr Kobelke: Is this the Gilleece method of doing business?

Mr BAKER: Not at all. The answer, as the Leader of the Opposition will concede, is that he has not made any approach to Mr Blair or to British Nuclear Fuels.

Dr Gallop: Your question is beneath contempt.

Mr BAKER: As long as the proposal appears to be alive in the minds of Western Australian voters, there is a tremendous prospect of a fear campaign being mounted to somehow sway votes to the Labor Party and for that matter, the Greens at the next state election. I am sure that is at the heart of the matter.

Mr Kobelke: Do you think it is just a fear campaign?

Mr BAKER: I think the Opposition will acknowledge in due course that its Bill will not do what it purports to do. It must be amended, but I will deal with that shortly.

The Premier has been questioned time and again in this Chamber about what he can do to kill off, etc this proposal. He has answered clearly. A motion was debated in this Chamber a month or so ago which was passed unanimously without the amendments moved by the Opposition. Beyond that, during the Premier's recent trip to the United Kingdom, he took the trouble to visit British Nuclear Fuels to which he made representations and made it clear that it is Western Australian government policy that this proposal should not proceed under any circumstances whatsoever. Pangea wrote back with a bland, blase letter.

The point I am making is simple. The Premier has done as much as he can do. In due course, some amendments to the Bill will be moved. What has the Leader of the Opposition done? He has done nothing; zilch.

Mr Kobelke: You are debating his Bill. Go and find more banana trees.

Mr BAKER: We can debate Bills in this Chamber and amend the Opposition's defective legislation, or the Leader of the Opposition can simply contact the person who is in effect the de facto managing director of British Nuclear Fuels, Tony Blair and say, "Tony, do me a favour. Can this proposal."

Dr Gallop: Is that the way you do business?

Mr BAKER: The Leader of the Opposition should go to the very source of control of this proposal - the ultimate source - lift the corporate veils, and say, "You are calling the shots; you have the power; you have the control." If he were sincere he would have done that. He has not approached Mr Blair.

Dr Gallop: You do not know what I have done. Your question is beneath contempt.

Mr BAKER: Not at all. The actions of the Leader of the Opposition are on the record. I think he has spoken to a couple of officials from British Nuclear Fuels.

Dr Gallop: So I have done something, have I?

Mr BAKER: That is what *The West Australian* says anyway.

I accept that the Bill is primarily targeted at the Pangea Resources proposal. However, we should be targeting a proposal whereby Western Australia could be used as an international waste dump. We should also be stemming the likelihood of any proposal whereby this State could be used as a domestic or national nuclear waste dump for the other States and Territories in the Commonwealth of Australia. In that regard, it is interesting to note that clause 4 of the Bill purports to be about protecting the environment in which the people of Western Australia dwell by prohibiting the establishment of a nuclear waste storage facility in the State. From the outside that object seems to be broad enough to cover any nuclear waste facility in Western Australia. However, when one reads the definition of "nuclear waste" it is riddled with several loopholes, the first of which is the exemption for nuclear waste generated elsewhere in Australia. Most members of the Western Australian community could not care where the waste comes from; they do not want it in Western Australia - except for nuclear waste that is generated in this State.

Some other difficulties with the Bill will be dealt with when the Government moves its amendments. Another difficulty with the definition of nuclear waste is the reference to industrial waste that is generated under licence issued under the Radiation Safety Act 1975. The Bill does not define the word industrial, and anything could be deemed to be industrial waste. It is broad enough to include waste generated from nuclear testing in Australia or Western Australia. We need tight and specific definitions in this Bill. The amendments that the Government will move to the Bill will try to strengthen definitions, add further definitions or include certain exemptions or cross-referencing with other existing Acts of Parliament which will have the effect of further strengthening the legal integrity of the Bill.

At the end of the day, when it is all said and done, when we conduct a thorough analysis of the entity with which we are dealing, we can see that it is controlled and driven by the British Government. In many respects the Bill is flawed and the Government, once again, as it has done before in this Chamber, will come to the aid of the Opposition and sort out the mess, give the Bill some legal integrity and hence give the people of Western Australia some piece of mind.

All members of the WA community are opposed to any notion that WA will be used as a nuclear waste dump for international waste, or domestic or national waste. While this Bill does not include domestic waste, at least it purports to take a step in the right direction. As indicated earlier, government amendments will ensure that the loopholes in the Bill are narrowed. I support the thrust of the Bill. I will not support the Bill unless it is amended in accordance with the Government's amendments.

MR DAY (Darling Range - Minister for Health) [5.02 pm]: As the Premier, the Minister for the Environment and others have indicated, the Government supports the general aims of the Bill which has been introduced by the Leader of the Opposition and will therefore support the second reading of the Bill. However, the Government has concerns about the

effectiveness of the Bill; in particular, that it does not necessarily achieve what we believe the Opposition is seeking to achieve and what the overwhelming majority of the public of Western Australia want Parliament to achieve, which is to eliminate the possibility of overseas-sourced nuclear waste being stored in Western Australia without the approval of Parliament. In particular, the Government is concerned about the effect of clause 5(2) which indicates that once the Act comes into effect it will not derogate from the Radiation Safety Act 1975. In other words, that Act would override the Act which the Leader of the Opposition would like put in place. The Radiological Council in Western Australia, which is established under the authority of the Radiation Safety Act, has the responsibility for approving the use of radioactive material in Western Australia and also for licensing such use. It is extremely unlikely that the Radiological Council would give approval for the storage of such waste in Western Australia, as has been discussed in the public arena in recent times. On the other hand, it is not absolutely impossible that such approval could be given by the Radiological Council in the future depending on the circumstances. It is also important to note that the Commonwealth Government has the responsibility of approving the importation of any nuclear material into Australia and it is extremely unlikely that such approval would be given by the Commonwealth Government, certainly in the foreseeable future, for such material to be imported. Nevertheless, under the existing legislation, and that which is envisaged through the Bill that we are debating, it is not absolutely impossible for such approval to be given in the future.

To summarise, the main defect with the Bill is that it does not restrict the licensing approval process of the Radiological Council. Therefore, in the consideration in detail stage the Government will move a number of amendments. However, the main amendment will seek to provide that radioactive material which has been sourced from overseas cannot be stored in Western Australia without the approval of both Houses of Parliament. Given that, as Minister for Health, I have responsibility for the Radiation Safety Act, I intend to move such an amendment and a number of other amendments which will tighten up the Bill to the extent sought by the public of Western Australia.

The other main amendment will amend the definition to make clear what is nuclear waste. The definition in the Bill introduced by the Leader of the Opposition does not make clear when nuclear material ceases to be useful. The Government supports the second reading of the Bill. However, it will move a number of amendments to improve the Bill.

MRS van de KLASHORST (Swan Hills - Parliamentary Secretary) [5.07 pm]: I also strongly support the action being taken by the Opposition and the Government on this Bill. I have read the Bill extensively, and I agree with the objects of the Bill including those which will protect the health, welfare and safety of the people of Western Australia and the environment in which they dwell by prohibiting the establishment of a nuclear waste storage facility in this State. That is what this Bill is all about: We need to ensure the safety of people in Western Australia.

I have a concern about the actions of Pangea Resources Australia Pty Ltd. As pointed out by a previous speaker, Pangea has its origins in England. There must be a strong nimby attitude in England because it seems to be, "We're all right and we'll pass on our problems to the people in Western Australia." The United Kingdom has no practical plan for the disposal of its nuclear waste. The attitude of the people of that country is that they should not have to worry about it because it will be sent to Australia. That is horrifying and appalling. As long as the people of Britain and the northern hemisphere are safe, and the people of Australia and Western Australia accept all the risks, everything is okay! On 29 April, the Senate noted a statement made by the Minister for Industry, Science and Resources, Senator Nick Minchin on the ABC program *Four Corners* that Australia was not interested in being a nuclear power or the world's nuclear waste dump. He said that Australia will not accept nuclear waste. He congratulated the Federal Government on its decision not to allow an international nuclear waste dump in Australia like the one proposed by Pangea. The British Government and Pangea must heed not only this Parliament but also the Senate of the Australian Parliament.

We have many concerns about the proposal to bring nuclear waste into this State. There are a number of scientific arguments against British radioactive waste being stored in Western Australia. One view is that the world has a large amount of nuclear waste to deal with and geographical disposal is the only safe, long term solution. Because waste has long-lived radioactivity, it must be isolated from the biosphere for hundreds, if not thousands, of years. The right geology is a stable place with no significant earthquake activity. The ground should be flat and low-lying, and the geology simple. It is suggested that old sedimentary basins are the best areas. The area should not have been glaciated in the recent past or likely to be in the near future, nor should it be subject to a major increase in rainfall. It is necessary to have political and economic stability in the host country. Different countries around the world were considered. Britain, other northern European countries and Canada are self-exempted because of their glacial past; Australia is not. Australia therefore drew the short straw and got the attention of the people behind Pangea Resources Australia Pty Ltd. However, the argument could be turned back on those people in the northern hemisphere. A kilometre of ice above a deep repository would immobilise ground water and therefore there would be no chance for replenishment. It is up to Australia to decide whether to seek the economic benefits, as this proposal is being put in front of us like a carrot on a string. As the member for South Perth said, the benefits seem immense; however, the risk is even more immense. It is important that we as a Parliament lead the way; we know the problems are more important than the cost supposed financial benefit.

Members should think about this: It is almost an impossibility for 250 000 tonnes of waste to be dumped over a period of approximately 10 000 years without an error. When engineers build bridges or tunnels they do not risk their jobs by saying that they will last for 100 years; they say they may last that long. Therefore, how can it be said that nothing will happen and it will be perfectly stable and safe to put 250 000 tonnes of waste in the ground for 10 000 years? What about earthquakes? Earthquakes do not occur in the area under consideration. However, the world as we know it - I learned this in a geography class back in England when I was about 12 years of age - is sitting on plates which continually move and as they move the world is slowly changing. The plates often move and cause earthquakes. Areas that are not in an earthquake zone at this time could well be in a major earthquake zone in 10 000 years, or even 1 000 years, because of the continual movement of these continental plates underneath the earth.

Mr Pental interjected.

Mrs van de KLASHORST: That is right and we had one just a while ago. There is no guarantee in this world that things will and can remain stable. The risk therefore is huge. There may be no risk now but there may be a risk for future generations. I have grandchildren, and I hope one day to have great-grandchildren, and I do not want to leave that legacy to them. There are no earthquakes now in the Great Victoria Desert but there may well be in the future. Another thing to consider is the movement of ground water. Shells have been found in the centre of Australia, which means that at one time part of this continent was covered by sea. We do not know how long ago that occurred; perhaps scientists can guess at that. However, how can we be sure that in 10 000 years' time, or even before, the sea will not cover Australia again? How can we be sure that our rainfall will not change? We have been keeping records of rainfall for only several hundred years. We cannot look back at data over eons to predict changes. It is possible that in years to come the Great Sandy Desert will become a wetland; we do not know. We cannot predict what will occur in 10 000 years.

If all the nuclear waste from around the world were concentrated in one place, that would not only add to our problems but also produce another problem; that is, out of sight out of mind. People may think they can use nuclear waste, dump it in Australia and forget about it. Of course, we cannot allow that to happen. One of the things we must remember is that if people must dispose of or store their own waste, they will take care to produce the minimum amount of waste. Edward de Bono talked about polluting rivers and seas and handling rubbish. When people know they have responsibility for disposing of their waste, they take care to ensure it is at a minimum. They will also take care if it means they will pollute or destroy their own backyards. However, if people can pass off their waste to another country, dump it somewhere else, close their eyes and say that it is someone else's problem, they are likely to use more of it and not be concerned at all about dumping it.

It is important to be aware of all these problems and the fact that nuclear waste will not disappear overnight; it will be around in our country for 100 000 years. The British Government must realise that; Pangea must realise that. Other members with greater knowledge than I have indicated the Bill needs improvement by amendment. I have read through the Bill, I have heard some of the arguments and I will support the arguments that the Bill must be strengthened so that it does what it sets out to do to ensure that Western Australia does not become the world's nuclear waste dump. This will be positive not only for Western Australia but also for Australia. Like the member for Maylands, I have done a great deal of searching on the Internet for this information, and the more I read about it, the more I know about it and the more I recognise the danger of allowing anyone to dump their nuclear waste in Western Australia. It is important that we as a Parliament say, "Absolutely no, no, no." The Bill, when it is amended, will give Pangea and the British Government a message that we are dinkum; that people in this Parliament are strong in their opposition; and that they say no to nuclear waste. As I said at the beginning of my contribution to this second reading debate, I commend the idea of the Bill and I will support it in its amended form.

MR TRENORDEN (Avon) [5.17 pm]: Like other members, I have been doing a bit of reading on the Internet and have found a few very interesting things there. In 1957, when this issue was in its early days, the National Academy of Sciences recommended putting nuclear waste into large areas of salt. Salt grabs hold of itself, builds around articles and therefore becomes a receptacle that protects waste; that is a very interesting concept.

Mr Graham interjected.

Mr TRENORDEN: That could be too. Of course that is 1957 information. Back in those days there was also talk about the criteria for sites, and obviously those criteria have not changed. As has already been stated, the site requires a low earthquake area, away from any sort of water which is a major problem. It must also be an area with no history of resource extraction. A minor worry, compared with what I will raise later, is that much of the proposed area is not active in minerals. Because the area Pangea is looking at has not been -

Mr Graham interjected.

Mr TRENORDEN: It is not hugely active out there. I agree that it has all been surveyed but it is not active.

Mr Graham interjected.

Mr TRENORDEN: I heard what the member for Pilbara said. I also understand he is the Labor Party's agricultural spokesperson, but I am not sure whether he understands what those animals are! The member for Pilbara visited my electorate the other day.

Mr Graham interjected.

The ACTING SPEAKER (Mr Sweetman): Member for Pilbara, it is highly disorderly to interject when not sitting in your seat.

Mr TRENORDEN: I was very concerned, Mr Acting Speaker, because the member for Pilbara saw a number of people in my electorate and several of them reported back to me that he is a really nice bloke.

Mr Osborne: Who said that?

Mr TRENORDEN: Several leading people in my electorate.

Mr Osborne: You would have to doubt them.

Mr TRENORDEN: I was very concerned.

Mrs Edwardes: Have you given him a National Party membership form yet?

Mr TRENORDEN: I thought about extracting a National Party membership fee from people who made that comment. Nevertheless, it was good to see the member for Pilbara in my electorate. He was the first Labor Party person to walk through the door of the Wheatbelt Development Commission for some time, and they were delighted to see him. It was good that he was up there, and I will not argue about his electorate.

If one considers the arguments about hydrology and land care, one finds not a huge amount is known about how, why and where water moves. We might quickly solve salinity problems in the wheatbelt if we knew those answers. Debate rages about what causes water to move around. Placing nuclear waste in the ground will not be a great solution if one does not know what will happen to it once it is in the ground, especially as it remains active for 10 000 years or longer.

My point, which I believe no-one else has raised, relates to human health and the environment in a different context. If members have been reading newspapers recently, they will be aware of the enormous argument raging, particularly in Europe, about genetically modified food. It is a growing argument. Even though evidence here is limited, it is clear that European companies are prepared to pay a premium for products which are not genetically modified and not subject to some of the perceived problems associated with such treated food. Again, it is a debate and I say "perceived" as I am not an expert. Nevertheless, large groups of people are looking for places like Australia, and Western Australia in particular, to be the source of pure food under their definition. That is a very important point. Some sales are currently being made at a premium, and one suspects that sales and the premiums offered for such products will grow.

Sorghum is causing serious concern because of the perception that chemicals are used in its production, the capacity to genetically alter that plant, and its ability to absorb chemicals and kill pests. People assume that if it kills butterflies and aphids, it will kill people as well. That is the how the emotion is expressed. Research over 30 or 40 years has been trying to encourage human consumption of sweet lupins. There is definitely light at the end of the tunnel regarding turning lupins into a human consumable product. The price and production of sorghum was a key reason for lupins having no place in the market as a human consumable product. Nothing is wrong with lupins, but it has been unacceptable to eat them, except for some isolated examples around the Mediterranean, as a staple food. We may have an opportunity with lupins now that sorghum is in trouble.

Whatever benefits may accrue from putting someone else's waste in the ground in Western Australia will be well and truly lost when one accounts for the loss of potential sales from agriculture and fish products this could cause. No matter what we do, it will be harmful if people of the world knew pollutants were in our ground. People will not know there is 2 000 kilometres between the home of the member for Pilbara and my home. It will not be a saleable process. It is very important to keep our image clean and green. I know that phrase is used repeatedly. However, "clean and green" sells, and it is important when offering our products to the world.

Mr Ainsworth: And for our tourism.

Mr TRENORDEN: Yes. People come to Western Australia because they know that the oceans and general nature is pristine. I love visiting the Murchison, as nowhere is prettier in the world than the Murchison in August, September and October. It is fantastic.

Mr Osborne: Which part of Rockingham is that?

Mr TRENORDEN: I will spell Murchison out for the member for Bunbury! The Acting Speaker (Mr Sweetman) knows exactly where it is. It is beautiful country and a joy to visit. Many people visit because it is clean and open and represents a slice of overseas people's perception of Australia.

We had a major problem in Toodyay a couple of years ago with a proposal to introduce a class 4 tip site. It was not remotely like the waste under discussion today, but it was serious enough. Near the proposed tip site were sheep milk dairies and goat milk dairies; that is, people were doing different things and wanted to promote themselves as operating in a clean and green environment. They did not want noxious activities close by. Those proposals are not acceptable, and are mutually exclusive to such agricultural production. If we want to push ourselves for 20 or 30 years as a clean and green State, with produce made available to the premium and quality end of the market, we cannot afford to have that image polluted. It must not happen. To repeat myself, the value of that agriculture, which is a sustainable product, is worth far more than whatever one is paid to dig a hole to bury highly contaminated waste somewhere in the heart of Western Australia.

I support the Bill. The member for South Perth already mentioned this aspect, so I will not say too much: I believe strongly that the Bill should be amended so any such proposal must pass through both Houses of Parliament. It might sound hollow as Bills pass through both Houses anyway. However, such provisions are included in many measures. For example, agreement Acts, member for Pilbara, contain a requirement for the measure to pass both Houses. The same argument applies with the republic referendum. The clear inference is that if a measure passes through both Houses of Parliament, it receives the support of the majority of members and the process will be as apolitical as the political process can be.

This is an important issue. I find it bewildering as I go around my electorate that people attack me on this issue, as though I and other members of this House want this nuclear waste disposal proposal to be implemented. I have never said I want it to occur. On every occasion I have been asked, I have told people that I am definitely opposed to this waste facility. A feeling is evident in the community that the 57 people in this room cannot be trusted, which is unfortunate for a range of reasons. That perception exists because we put it there. We, and a number of other people of our ilk, have put that perception out among people and we must live with it.

Mr Osborne interjected.

Mr TRENORDEN: Someone has done it. Perhaps I have been here for longer than the member for Bunbury; maybe I have

done it. Nevertheless, it is there. It is important that people have some confidence that any Government, current or future, cannot just make decisions, as can be done under many Acts of this State, on nuclear waste proposals without bringing the matter to Parliament.

As well as saying that I support the Bill, I got involved in the debate to put forward the agricultural view. The Acting Speaker and others in this House will agree with the arguments I put forward. Agriculture is of far greater economic value, if the main argument is the economic value. I personally think it is a secondary argument. The primary argument for not wanting the dump is the moral one. However, the member for South Perth said a future Government may want to look at the dollars. I suggest the agricultural dollars are far more prominent than anything we would get from Pangea Resources Australia. I support both the Bill and the proposed amendment.

MR MARSHALL (Dawesville - Parliamentary Secretary) [5.30 pm]: When the proposal to have a nuclear waste dump in Western Australia was originally mooted, I believed the Government's word that it would not happen should be enough because everyone agreed that nuclear waste should not be dumped in Western Australia. I asked why time needed to be wasted on legislation for that purpose because the Government's word is honourable and legislative change could be made by an incoming Government. With the benefit of hindsight, I compliment the Opposition for presenting this legislation. It gives overseas companies the message that Western Australia does not agree to nuclear waste being dumped in this State. The Bill needs to be refined, as does any legislation. There is debate in both Houses every time legislation is introduced. Amendments to finetune the legislation are always proposed. We are here to get it right. Although I compliment the Opposition, I believe we must look at it more closely. Some refinements are needed to get it right.

However, the main thrust is that both sides of the House can combine and contribute to this legislation to ensure that international companies such as Pangea Resources Australia cannot develop a proposal to dump nuclear waste in Western Australia. Not one person I have spoken to wants nuclear waste dropped in our State. In the past four weeks none of the people I have spoken to in my electorate or region, the metropolitan area, or even anyone interstate or overseas wants nuclear waste dumped in Western Australia. We all agree on that. We want to get the legislation right so that it will stand the test of time for future Governments, and so we do not let down all the people who do not want it. Our State is promoted throughout the world as a truly clean State with clean air, blue skies, clear water and, most importantly, space. We do not want that to change. Many National Party members in the House grew up with space. If you are up Mt Walker or in Narembeen you are truly out in space! National Party members understand what blue skies and freedom are all about. We do not want that changed. I now know why the coalition and Opposition are truly united. We are debating a very important piece of legislation and experiencing unity today.

Mr Pental interjected.

Mr MARSHALL: I forgot the Independents! The Independents are also here today. Their contribution is also important. We do not want anything changed in Western Australia and we do not want any chance of radioactivity in our State for our children, grandchildren and the people who follow them. The Premier opened the Western Australian food and wine week at Selfridges in London and Manchester two weeks ago. This promotion displayed our export produce. It was promoted as clean, contaminant-free and environmentally friendly food. I am told that one and a half tonnes of rock lobster were sold during the week. Too often we talk about dumping nuclear waste and do not think about what the Indian Ocean has to offer, not only in employment and as an export industry, but also for recreation.

I swam off the Gold Coast some years ago and we visited the Great Barrier Reef. Everyone thought it was a magnificent, protected reef. The water was so clear and beautiful. People were earning a living by showing it. Two days later I flew out of Dampier to Rosemary Island on a two-week fishing trip.

Mr Cowan: Surely this was before you were a member of Parliament!

Mr MARSHALL: It was. Rosemary Island is the kind of island where people take their supply of damper and hope they have enough. They plan their food for two weeks and fish for the fortnight. As I was swimming around the island, it intrigued me that I had been on the Gold Coast two days earlier experiencing a world phenomenon and Western Australia has one in Rosemary Island. It is not being promoted. It is there for everyone at no charge. It is nature and eco-tourism at its best. Those things are in Western Australia and they are still undiscovered. They are part of our coastline and our north west. That is why Elle Macpherson did the advertising. It was a tremendous innovation by the Minister for Tourism. Elle Macpherson's promotion of Western Australia brought volumes of dollars into the State because she showed what Western Australia has to offer; that is, clean air, blue skies, clear water and, most importantly, the thing we all cherish, space. The food and wine week was extremely successful because people were aware of Western Australia's clean environment.

Mr Kobelke: Is Rosemary Island close to the Monte Bellos Islands?

Mr MARSHALL: What does the member call close?

Mr Kobelke: Was it in the vicinity of Monte Bellos Islands?

Mr MARSHALL: What is in the vicinity? I am talking about space in Western Australia. The member has never been to the island I am talking about. He has never fished or seen it. That is why I am advertising it, to give the member a break in life. It is worth a visit.

Mr Kobelke: Is the member aware of the history of the Monte Bellos Islands?

Mr MARSHALL: Yes, I am. Recently Senator Nick Minchin, the federal Minister for Industry, Science and Resources was quoted as saying -

Regardless of Pangea's views as to the suitability of Australia to host an international nuclear waste repository, the Government has no intention of considering Pangea's proposal for such a project.

I repeat that "the Government has no intention". He went on to say that successive Australian Governments have agreed that radioactive waste from other countries should not be accepted. In the Senate on 1 December, 1998, he said that Australia would not accept the radioactive waste of other countries. It is pleasing that the Federal Government supports the State's position so adamantly.

In 1993 the French company Rhone-Poulenc Rouer Australia Pty Ltd proposed to refine monazite from mineral sands in the south west to provide a rare earth oxide. It was to be produced at a factory between Pinjarra and Dwellingup. At the time Dwellingup was in the Murray electorate, which I was involved in. The project received tremendous opposition from the community when it was discovered that the resultant waste would be radioactive. The community was worried. Many of them were scared for their youngsters and about what would happen as the waste was trucked past their properties. Dwellingup has developed into one of the finest Western Australian tourist destinations outside Perth. The community was worried about the forest and whether people would come to see the fire museum, fine wood project and war museum, and go to the outdoor activities and camps. All the work that had been put in was suddenly on hold because of radioactive waste. The community concern was tremendous, as was the concern around Pinjarra. Pinjarra has one of the safest beef industries in Western Australia because of the consistent rainfall and the good feed. The proposal caused considerable concern. Luckily the overseas price of the monazite dropped and so the French did not go through with the project. Everything settled back as though it had never occurred. The factory is still there. If the world prices go up, the project could be a consideration. This legislation is also important in a minor way for things like that in the Murray electorate.

In closing, I reiterate the message from my constituents by confirming that no-one - I repeat "no-one" with a great big exclamation mark - wants nuclear waste dumped in Western Australia. This legislation is a move in the right direction, and with the necessary amendments to be moved by the Premier tomorrow, it will be a Bill that everyone in this House can unanimously support. It is a pleasure to work with members opposite in this manner.

MR MASTERS (Vasse) [5.41 pm]: In the mid-1980s, the Conservation Council of Western Australia, which quite rightly holds the position of peak body for conservation groups in this State, but is not well known for its democratic behaviour, had a round table discussion of all members who were interested in setting priorities for environmental issues and actions that needed to be taken over the ensuing years. I attended that meeting, primarily because, on behalf of the Busselton Naturalists Club, I had been a delegate to the Conservation Council for some time. It was very interesting that after about four hours discussion, nuclear issues had not even cracked a mention. They were not listed among the hundred items as an issue of any concern whatsoever to the conservation or environmental movements in Western Australia. Therefore, I must conclude that the issue of Pangea Resources coming to Western Australia and stirring up a hornets' nest of interest over the possibility of a nuclear waste repository is primarily an opportunity for the Labor Party, the green groups and others to play politics and raise issues that in the broader community are not that important.

Mr Pandal: Are you saying Pangea is not making overtures?

Mr MASTERS: I am not pretending that overtures are not being made, but it is creating an ideal opportunity for political stirring, intrigue and discussion. I think most people realise there is no likelihood of a nuclear waste repository being established in Western Australia. I will be happy to support the Government's amendments when they are presented and, therefore, I will support the amended Bill. However, I take the opportunity to raise a number of issues and perhaps educate various people around the place.

It is understandable that some countries, England included, would like nuclear waste deposited outside their borders. There is little doubt that the nuclear industry - that is, the industry which uses nuclear fission to produce electricity - has a legitimate place in our global society. Countries, such as Japan, which are small geographically, and have no fossil fuel resources, minimal opportunities for renewable energy use and high populations - 70 million in the case of Japan - have a definite need for nuclear power plants. However, some problems arise from their nuclear waste once the power has been generated. Japan has poor geological stability, and it is fanciful to suggest that a nuclear waste repository in that country would have any geological protection from earthquake, landslide or other unstable processes. France is geologically stable but, again, it has a high population density and limited fossil fuel resources. Even the United Kingdom has a justifiable need to generate electricity using nuclear energy.

The one country that should not be included in the list of countries that have the potential to justify a nuclear energy program is the United States. It is interesting that the USA is not involved in the Pangea Resources proposals. The USA is a large country and, although it has a large population base, its population density is low. It has geological stability in some places which is almost equal to that in certain parts of Western Australia, and it also has very significant fossil fuel resources. In particular, it has natural gas and petroleum. Basically, the United States has used its nuclear energy program to produce material for nuclear warheads. Not many people would support that action these days. Secondly, the United States, quite unashamedly, is using the fossil fuels and consumable resources of other countries to conserve its own limited supplies. It must be remembered that all fossil fuel supplies or resources are limited. Eventually, the United States is looking to the long term when no fossil fuels will come from the Arabian peninsula and no gas from the North West Shelf. The USA will then have the best of the remaining resources.

France, the United Kingdom, Japan and a number of other countries that are heavily dependent on nuclear energy have a legitimate need for that generating capacity, and a genuine need to find somewhere outside their national borders to dispose of their waste.

I remind members that some years ago it was very fashionable - it probably still is - to use the phrase "Reduce, recycle and re-use" in regard to waste or natural materials. Clearly, the term was designed to motivate people to think about how to reduce the amount of material they used. For example, if they reduced the amount of electricity they consumed, less fossil fuel or nuclear generated electricity would be consumed. If they recycled resources - for example, waste heat - that would reduce the need for heat produced by electricity and, therefore, diminish the overall amount of fossil fuels and nuclear generated electricity used. Finally, people were asked to re-use. I put an interesting proposition to this place and suggest that rather than the Pangea proposal being considered as a proposal for a nuclear waste dump, a contrary point of view is to consider it as nothing more than a temporary storage facility. In thousands of years from now, when there are no fossil fuels left on the earth, it may be extremely valuable economically to re-use these resources. Pangea is not pushing that concept and I certainly am not, because it is another debate entirely. However, I put it forward to members in the hope that they may think about a few issues.

I refer to an article which appeared in the *New Scientist* magazine on 7 August this year entitled "Richer and Cleaner". Its subtitle was "Emissions are falling as global economy surges ahead". The thrust of the article is that even though most of the economies in the world are increasing - in China, the economy grew by 7.2 per cent in 1998 - nonetheless, most developed countries reduced their carbon dioxide emissions in 1998. In spite of the 7.2 per cent growth in China's economy, it reduced its carbon dioxide emissions by 3.7 per cent. Another very good example is Poland; its economy grew by 6 per cent but it cut its carbon dioxide emissions by 9.7 per cent. Because it is not politically correct to do, I think this article has deliberately chosen to ignore the contribution that nuclear energy has made to the reduction in carbon dioxide emissions around the globe. If nuclear power plants were to be closed, as some people are suggesting, the increase in fossil fuel usage would be so extreme that it would make a mockery of the Kyoto agreement which Australia and most other countries entered into in 1996 or 1997. The news in terms of global carbon dioxide emissions is significantly better than it was even 12 months ago. One reason is the contribution made by the nuclear plants that generate electricity without contributing sufficiently to carbon dioxide emissions. I refer to an article in *The West Australian* - I do not have a date for it - headed "Workers ate uranium dust with lunch". It talks about workers in a plant in Kentucky in the United States who inhaled, ingested and otherwise came in contact with uranium and other nuclear-related materials. The article, in part, states -

At lunchtime, workers brushed black powder or green uranium dust off their food.

"They told us you could eat this stuff and it wouldn't hurt you," retired shop steward Al Puckett said.

Some supervisors salted their bread with green uranium dust to dramatise the point.

This is the sort of article which, mainly for political purposes, is creating the opportunity to scare people into thinking that anything to do with radioactivity is totally unacceptable, highly dangerous and, therefore, something to be avoided. I will give two examples. First, most people will remember a nuclear incident only last month at a fuel reprocessing plant in Japan. As a result of it, two or three workers were put in hospital, another 40 or 50 people were exposed to higher than normal levels of radiation, and 300 000 people were asked to stay indoors to ensure there was no threat to their health from the radiation that was emitted.

I cannot lay my hands on it, but a letter was written to the editor of the *New Scientist* last week by someone who knew what he was talking about. This person said that the amount of radioactivity emitted to the wider environment as a result of that nuclear accident was not much different from the natural radioactivity present in the human bodies of those who were involved in that industry; in other words, the reporting of this incident was used by those who are opposed to nuclear power to scare the living daylights out of us, to be honest, without any good reason for that nervousness.

A second example relates to plutonium. I return to the article entitled "Workers ate uranium dust with lunch" in which an inference is made in a couple of places in the article about the poisonous nature of plutonium. I spent a bit of time on the Internet this afternoon and searched for the word "plutonium" under the Toxic Substances Control Act inventory in the United States. Plutonium was not listed. According to that Government, plutonium is not a toxic or poisonous substance. I then went to an article headed "Occupational Health and Safety Administration" on the web site of the United States Department of Labor. The Internet searched 17 959 documents on occupational health and safety held by that department, and I found that plutonium is not listed as a poisonous substance. I then searched the broader topic of plutonium and I came up with an article published by the Uranium Information Centre Ltd in Melbourne. Some might say it is a little biased. However, I would be grateful to be given some response to the following statement which can be found on page 4 of the result of my search, entitled "Plutonium: Nuclear Issues Briefing Paper 18", which reads -

Despite being toxic both chemically and because of its ionising radiation, plutonium is far from being 'the most toxic substance on earth' or so hazardous that 'a speck can kill'. On both counts there are substances in daily use that, per unit of mass, have equal or greater chemical toxicity (arsenic, cyanide, caffeine) -

Many members here will be interested to know that is included in this list -

- and radiotoxicity (smoke detectors).

The Government is asking all people in Western Australia to put smoke detectors in their homes. The issue of plutonium and its poisonous nature is based more in myth than in truth and, therefore, it is important that someone try to bring a little sanity into this debate.

In the few minutes that I have left within which to speak in this debate I will discuss one aspect of this Bill and will make a few comments about the second reading speech by the Leader of the Opposition. Clause 4 of the Bill lists the objects of the Act which are to protect the health, welfare and safety of the people of Western Australia and to protect the environment

in which they dwell by prohibiting the establishment of a nuclear waste storage facility in this State. I suggest that maybe the Australian Labor Party and the Leader of the Opposition should get their legislation drafted by a better person than the one who drafted this piece. If I were employed by Pangea Resources Australia Pty Ltd and read that the objects of this Bill included the protection of the health, welfare and safety of the people of Western Australia, I would accept that as a challenge and accept that if I can show the people of Western Australia how I can put in a nuclear waste repository that protects their health, welfare and safety, this Bill allows me to do so. Maybe a few better chosen words in that clause might have helped those opposite.

A few comments must be made about the second reading speech. The comment was made that Pangea's proposal allows the acceptance of the world's nuclear waste for 40 years. That proposal is totally unsatisfactory because these radioactive substances have a half-life measured in thousands of years. I would be interested in getting Pangea's response to a request for it to provide details of a proposal for a nuclear waste repository for which it will be responsible for, say, 1 000 years. If it were prepared to address the issues associated with a one-thousand-year responsibility for a nuclear waste facility, it might be interesting to see, first, whether Pangea would proceed with the proposal and, secondly, if it did, what the reaction of people in Western Australia would be.

I have done some back-of-the-envelope calculations. The Pangea proposal is for 75 000 tonnes of spent fuel and high level waste to be deposited in its facility in a volume of rock which I calculate at 12.5 billion cubic metres. If that tonnage of spent fuel and high level waste were diluted among 12.5 billion cubic metres it would equate to 5 milligrams per cubic metre. Five milligrams is so small as to be almost unmeasurable. It is interesting that so many people are getting very hot under the collar over a number as small as that.

The Leader of the Opposition referred in his second reading speech to natural disasters and terrorist attacks. I look forward to supporting the Government's amendments to the Bill.

MR AINSWORTH (Roe) [6.00 pm]: When this subject arose at the earliest opportunity after the resumption of Parliament, following the parliamentary break, I was pleased to be able to support the Government's motion that clearly put the views of not only the Government but also this House about our distinct lack of support for any suggestion by Pangea Resources Australia Pty Ltd, or anyone else, to establish an international nuclear waste facility in this State. Today is the first opportunity we have had as a Parliament to debate legislation on the subject. I am happy to support the legislation and will be supporting the Government's amendments. It is most important that a subject such as the proposal to establish an international nuclear waste dump in this State be clearly addressed by the Parliament and that bipartisan opposition to that proposal be clear to the world.

The fact that we as a State and a country mine uranium from which nuclear fuel is derived is seen by some people as a reason to "do the right thing and take some of it back in the form of spent fuel". That is a nonsense because countries that seek to buy this fuel and to use it have a responsibility to deal with the waste product they produce from the use of that fuel. They gain a benefit from the nuclear power plant or whatever the material is used for; therefore they should be responsible for dealing with the waste product that is part of the process.

I think I touched on this matter in my previous speech during debate on the Government motion. However, I will reiterate it because it is important. If we were foolish and shortsighted enough to accept Pangea's proposal to deposit overseas nuclear waste in Western Australia, we would be diminishing considerably any incentive that the companies and countries involved in the production of that waste had to spend money to find safer ways of dealing with the waste on their own territory. For that reason alone, apart from the other detriments we would suffer as a result of bringing in that spent waste, we should say no.

My colleague, the member for Avon, has touched on many of the issues relating to maintaining our pristine environment, from the agricultural production side to the tourism side, so I will not dwell on those, except to say that a place such as Esperance, that has huge assets in its pristine waters, national parks and generally clean environment, would have much to lose as a region if this proposal were to proceed. The whole State would share that loss.

When the iron ore to be exported through the port of Esperance was first proposed to be stored on the wharf in uncovered stockpiles awaiting shipment overseas, as you would be used to in the north west, Mr Acting Speaker (Mr Sweetman), the biggest public meeting was held that I have ever seen in my time in Esperance, since 1960. I am referring to a benign, non-toxic export that would have done nothing to the health of the residents or visitors. That stockpiling now follows world's best practice and is totally covered. Had it not been dealt with in that way, although I do not want to diminish its effects, it would have caused only a small amount of pollution in the form of dust on some of the houses and discouraged some tourists because of the perception that Esperance is an industrial port.

The whole town was banging on the door of my office insisting that we should not have a bar of this otherwise there would be dreadful ramifications. In the light of that members can imagine what would be the public response if we proposed to import nuclear waste through the port of Esperance. I would stand alongside those people because I would share their concerns. Their concern about the export of iron ore through the port would pale into insignificance. It would not be 0.1 of 1 per cent as great as the damage that could be caused if nuclear waste were brought through our ports.

Mr McGowan: Are you saying you do not want iron ore going through the port of Esperance?

Mr AINSWORTH: No, I am not saying that. Iron ore is exported through Esperance and that is very successful. The only reason it is successful is that the public said they did not want open stockpiles and dust blowing through the town. They wanted to take it on their terms, which was in enclosed sheds with the highest level of housekeeping on the wharf. That is the situation today.

Mr McGowan: Is it there already? How far is it from Esperance?

Mr AINSWORTH: It is there now, and has been for years. No-one even knows it is there when they visit the town. I am saying that something as benign as the export of iron ore was strenuously opposed by the community; therefore, although one or two radicals might say do it, I am certain that 99.9 per cent of the population of my town would reject the Pangea proposal under any circumstances, and I will continue to back them 100 per cent.

I agree with my colleague's comments that the short-term economic benefit we might gain from accepting the import of nuclear waste would pale into insignificance compared with the ongoing losses tourism and primary production would suffer. The proposal would have a severe impact on the export of those products and a range of other things, and potentially on the health of our entire State. That would far outweigh any short-term financial benefit to be gained from storing nuclear waste. Once it is here, we will be stuck with it.

The half life of some of these nuclear materials is thousands of years. As members will know, "half life" does not mean only 50 per cent of the time the material stays around. It is half of the radiation dispersed over a certain period. That same half life extends to mean that half of the radiation that is left disappears in the same number of thousands of years and so forth. It is there for tens of thousands or hundreds of thousands of years. Once we have it on our land we cannot readily do anything about it because we will be stuck with it forever.

I stand by my comments made earlier in this place when the Government's motion was moved and make exactly the same point regarding this Bill: I applaud the fact that as a House we will give bipartisan support to legislation that clearly demonstrates to the world our total opposition to the importation of nuclear waste. I will be pleased to support the Bill at the appropriate time.

MR OSBORNE (Bunbury) [6.10 pm]: I spoke on the motion some weeks ago and referred to the tourist industry. I will repeat those remarks in part to be on the record as saying once again that, as the member of Parliament representing a south-west community and also having had an involvement in the tourism industry, I consider any proposal to store nuclear waste in this State to be absolutely inimical to the interests of the communities that I represent.

The remarks I will now make are similar to those made by the member for Avon. In fact, I made some preliminary notes about the fine-food and wine industries in the south west and the danger that the Pangea proposal presents to those industries, which are very important to the region. I amplify the member's remarks only to the extent of saying that his reference was to the production of bulk agricultural commodities and the damage that this proposal would have on our image as a source of products such as wheat. The member also mentioned sorghum and other bulk commodities such as beef.

Like the metropolitan area of Western Australia, the south west has a burgeoning fine-food and fine-wine industry. More than any other industry, these would be negatively affected by the Pangea proposal. By their very nature they rely on a perception that the product is of unimpeachable quality.

Mr McGowan: It is the south-west tapestry.

Mr OSBORNE: Yes. The basis of that tourism strategy and the strategy for the entire south west is the quality of the product. We are successfully presenting food products such as cheeses, cured meats and wines into world markets. We have no hope of defending the reputation of those products if we have a nuclear waste storage facility anywhere in this country.

The member for Murray-Wellington remarked earlier that he was recently in Britain and Europe. He pointed out that, throughout Britain, restaurants make a huge effort to assure their customers that the food offered is not genetically modified. Obviously, the public of Britain is very aware of the importance of purity and cleanliness of food for human consumption. I strongly support the member for Swan Hills' comment that this makes it doubly ironic that the people of Europe would like the nuclear waste to be out of sight and out of mind in Australia. They are not prepared to store it in their own countries - they self-exempted themselves, as the member put it. They must be aware that, in their own countries, pure, clean, fine food is held in very high regard by the consuming public.

I know that you, Madam Acting Speaker (Mrs Holmes), were recently at the Selfridges promotion in London, which was also attended by other members of the State Government, including the member for Murray-Wellington. When I saw the television coverage, it appeared that 20 to 25 per cent of the members of this Chamber were jammed into the venue. It appears everyone but I managed to get to that event.

Mr McGowan: Why was I not there?

Mr OSBORNE: I was not there either, so do not talk to me about it.

The purpose of the promotion was to present Western Australian food to the British market, and to that important retailing chain. Through that chain, our fine food will be presented to the consuming public of Great Britain. The promotion presents Western Australia as the source of the finest food products. Nothing would be more damaging to the thrust of that promotion than to accept nuclear waste storage in this country. I wholeheartedly support the proposal that this Parliament send not only a strong message but also a legislative message that it will not put up with the storage of overseas nuclear waste material in this country.

I had intended to make some remarks about food production but, broadly speaking, the member for Avon said what I had planned to say. Food production is extremely important to the south west. I was born and have lived and worked there all my life, and I will not stand for anything that adversely affects the people and the economy of the region.

I will refer briefly again to the tourism industry. The remarks I have made about the fine-food industry can be repeated in

respect of the tourism industry. The tourism industry is very important to the south west, not because of the size of its contribution to the economy but because of its potential. No other industry is growing as strongly and encapsulates the whole idea of the south west more accurately than the tourism industry. The industry is young, vital and growing strongly. It is making a contribution to the social and economic life of the State and the south west. Everything about the industry is characteristic of the region itself. As a long-time supporter of the industry, I will not stand by and allow anything to happen that has the potential to damage its contribution to the economy and the region.

The tourism industry relies explicitly on the image that it projects. Of course, it relies on infrastructure such as roads, tourism attractions, channels of distribution for product and promotion. However, more than anything, it relies on the successful projection of a tourism image. The Tourism Commission, tourist bureaus and the South West Regional Travel Association have all come to the same conclusion; that is, the south-west tourism industry wants to project an image of youthfulness, vitality and health. If anything damages that, it stands to reason that the basis of the promotion of the tourism industry will be irretrievably damaged.

The other important issue in respect of the tourism industry is that major growth elements in the industry relate very specifically to the environment. In the past the industry was probably based more on man-made attractions. However, increasingly, the industry is becoming more and more reliant on natural attractions, adventure tourism and ecotourism. The people attracted to ecotourism and adventure tourism are a special segment of the market. They tend to be younger and fewer and they are very discerning in their consumption of the tourism product. Typical backpackers or ecotourists might not look wealthy - they might have a backpack and hitchhike - but they will be very discerning. If the adventure or ecotourism product they want is available, they will spend large amounts of money to enjoy themselves. While they might be very few, they are high-yield customers and therefore are a very important market.

The tourism industry of Western Australia, and the south west in particular, is reliant on a clean, natural environment. We need a guarantee that the attractions, water, food and facilities that the tourists are coming to see will not be threatened in any way. As I said, and as I have implied several times this afternoon, the future of the tourism industry would be irretrievably damaged if a proposal such as this were to succeed. I support the legislation in the spirit mentioned by the member for Dawesville. I support the initiative of the Leader of the Opposition in bringing the legislation to the Parliament. I am pleased that the entire Parliament is of a mind to support the legislation. I am also pleased that the Government intends to strengthen the legislation by making critical amendments. These will amplify the message the Parliament wants to send that not only do we intend to take a moral stand on this issue, but also that we intend to support that moral stand with legislation that is as foolproof as we can possibly make it to guarantee that this proposal will never see the light of day in Western Australia.

DR TURNBULL (Collie) [6.20 pm]: I support the proposed legislation and the amendments which will be moved by the Government. As the National Party member for Collie I have been asked by many of my constituents and members of the National Party to ensure that no nuclear waste is imported into Western Australia for storage. I have received letters from people who live around the ports of Geraldton and Esperance, which have been suggested as entry points for nuclear waste. Members will understand their great concern and their request to all members of Parliament to resist any approaches by any companies wanting to store nuclear waste in Western Australia.

I have had many requests from the residents of my electorate in the towns of Boddington, Boyup Brook, Balingup, Donnybrook, Waterloo, Burekup, Boyanup and Dardanup. They have asked me to speak strongly and vote against any proposals that nuclear waste be imported into Western Australia. I have already voted in the debate on a motion that was moved by the Government a few weeks ago. That vote expressed strongly and clearly the Government's position that it will not accept the Pangea proposal or any other proposal. Tonight there has been an explanation of the reasons that National Party members are so strongly opposed to the storage of nuclear waste in Western Australia. The member for Avon has described this quite well in relation to those products that come out of the wheatbelt and the central agricultural area, and I will list the potential effects in my electorate.

Producing clean, green, healthy, environmentally sustainable food products is the only way in which our agriculturalists and horticulturalists producers can market our products around the world for a premium price. As we know, Western Australia can produce any products that it wants to. However, because it is so far from the major markets, it must target the highest paying niche markets. There is absolutely no point in Western Australia producing an export product which is not of the highest quality and which does not attract the highest prices. The beautiful flowers, fruits and dairy products which come from the electorate of Collie can bring a return to the farmers of the area only if they are directed to markets outside Western Australia. We could produce enough Pink Lady apples in the south west of Western Australia to supply the whole of the world. That is how prolific the production of Pink Lady apples could be. However, we must be able to market them. I can assure members that Pink Lady and Gala apples are among the best in the world. In order to get the high prices, we must assure our markets that our products are clean, green and of the highest quality.

Tonight I want to reinforce the fact that no-one in Western Australia wants to accept nuclear waste which would produce a perception around the world that we were the refuse centre of the world's nuclear industry. That perception would taint us. It would be only a perception, because we know there are thousands of kilometres between the proposed repository sites and the south west. However, we cannot allow anything to affect our marketing capacity. Those are the main reasons, along with those detailed by the member for Bunbury a few minutes ago about ecotourism and the attraction of the unspoiled wilderness and wide open spaces of the forest and national park areas of the south west, that we must protect our image and it is why we must work so hard to stop the rumours flying about at the moment. Those rumours are being stirred up by the Opposition, which has previously tried to portray this Government as supporting the nuclear waste repository proposal. We cannot allow them to promote these innuendos or perceptions in Western Australia, let alone in the whole world.

We have already debated this proposal. We have already voted not to accept it. However, we can see that part of the reason for the Leader of the Opposition putting forward this legislation is to ensure that our current decision is adhered to in future. That is why the Government supports the legislation and why we will strengthen it further with amendments in the two Houses of Parliament. On behalf of my constituents, I fully endorse the Government's position and will vote for the legislation.

MR BRADSHAW (Murray-Wellington - Parliamentary Secretary) [6.27 pm]: I also support this legislation. It is important that the people of Western Australia have the opportunity to realise that the Government and the Parliament do not support nuclear waste being deposited or stored in Western Australia. It is not about reality, but about perceptions. A public relations exercise by Pangea Resources Australia Pty Ltd, or whoever else wants to store nuclear waste in Western Australia, will not remove the perception that nuclear waste is dangerous to people's health and that perception could affect the markets for our food and also ecotourism. People do not comprehend Australia's size and the fact that the proposed site is many thousands of kilometres away from populated areas. It does not matter how safe the proposed repository is, the perception will be that it is bad for Western Australia.

As the member for Bunbury pointed out, I have recently been to England. I noticed signs in shop windows and restaurants saying that their food was not genetically modified. The public have a huge fear of genetically modified food.

Dr Gallop: How many members opposite went to the food fair?

Mr BRADSHAW: I did not go over for the food fair; it happened to be on while I was there. I do not think there were as many members there as the Leader of the Opposition thinks. The only people I saw there were the Premier and the Minister for Tourism. If there were others there, good on them; but I did not go to England for the food fair, it happened to be on at the same time. The food fair was a huge success. A trade fair was also held at the same time. I am not certain of the benefits of those fairs at this stage, but I am sure that information will be released in due course. It is one thing to put on a promotion at Selfridges, but unless we keep selling the products to the United Kingdom, the food fair is probably not as beneficial as it could be. It was important to have the back-up trade fair inviting importers to try to sell those products. Certainly, from what I saw, the food fair at Selfridges was very successful. It was important that the image being projected was the clean, green image of Western Australia. The food looked very good, it was well presented and was selling well. We must maintain that image in the world because people are becoming more aware of these things and they do not want food which is genetically modified or which has the perception of being affected by nuclear waste in this State. The perception is very real and it does not matter how much promotion one does, it will always be there as a worry to people in the food business.

Another problem I see in Western Australia is the huge feeling throughout the community that this could become a reality. I was in a supermarket yesterday and noticed a sign on the notice board advertising a public meeting about stopping nuclear waste being deposited in Western Australia. I am also beginning to receive letters from people around Western Australia. It is important to stop this belief that we will have a nuclear waste dump in the State. It does not help the feelings of people who are concerned and worried about these things.

In 1989, Rhone Poulenc wanted to set up in Pinjarra and make deep injections of nuclear waste. The local people were extremely concerned about what would be their future and that of their children if that plan went ahead. The company said there would not be any problems, but grave fears were held by those people. They were not fears which would pass in five minutes but deeply felt, strong fears. It is important that we remove this fear of having a nuclear waste dump in Western Australia. This legislation is important and I support it. As the member for Bunbury said, it is also important from a tourism point of view because many people come to Western Australia to experience our nature tourism. They go to see the whale sharks, the dolphins and the trees in the south west, and that is important. That image will be tainted if we talk about having nuclear waste in this State. People will shy away from Western Australia in fear of being contaminated by that nuclear waste. Whether that fear is real is not important; I am talking about the perception. It is important that members support this legislation and send the message that we do not want this nuclear waste in Western Australia.

DR GALLOP (Victoria Park - Leader of the Opposition) [6.33 pm]: I thank the members of the Parliament - both those on the government side and the Independents - for expressing their support for this Labor legislation. The Australian Labor Party in Western Australia has two very important policies in its platform. The first is that we would prohibit the mining and transport of uranium from Western Australia and the second is that we would prohibit the importation of radioactive waste into the State. Both policies are related to the issue of locating a nuclear waste storage facility in Western Australia. We have backed up the policy commitment in our party platform by supporting people throughout Western Australia who are moving to oppose a nuclear waste storage facility being established in the State. In those efforts we have gained the overwhelming support of the Western Australian people. Only some conservative members of Parliament, both here in Western Australia and in Canberra, have expressed support either for the proposal or for consideration of it.

The second thing the Labor Party has done is to ensure that legislation came to this Parliament so that if any future Government wishes to establish such a facility, it will have to pass legislation through both Houses of Parliament. That is the important thing about what we are doing tonight. It is crucial that the Parliament send a message through law so that any future Government must change that law. Our bicameral parliamentary system will place a check on any future Government which might want to change this situation.

We take great heart from the fact that only two or three weeks ago, the Government expressed its opposition to this proposal and is now supporting it. We have not had time to look at the amendments the Government has foreshadowed, but our mood is to work with the Government to ensure the Parliament passes this legislation. We need to send a clear, unambiguous message from Parliament to those who might want to establish such a facility. Hopefully, we can facilitate the consideration

[Wednesday, 13 October 1999]

1989

in detail stage of this legislation, which will enable us to send the Bill to the Legislative Council. I thank members for supporting the second reading of this Bill. The Opposition looks forward to its passage through this Chamber and the other House, which will make it absolutely clear that any future Government will have to go through both Houses should it wish to establish such a nuclear waste facility.

This is a great win for many people in the Labor Party who have advocated this issue. However, more importantly, it is a great win for the many people in our community who said it was not enough to say we were opposed to this, and it was not enough to pass motions in the Parliament; we needed to pass legislation. I congratulate my colleague, the member for Pilbara, for bringing this proposal to the state Labor Party to ensure we got this legislation onto the agenda of the Parliament.

Question put and passed.

Bill read a second time.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) BILL 1999

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Tom Stephens (Leader of the Opposition), read a first time.

Second Reading

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [5.05 pm]: I move -

That the Bill be now read a second time.

One of the most controversial issues in Western Australia today is the proposal by Pangea Resources Australia Pty Ltd to establish an international nuclear waste dump in WA. The public outcry was immediate and unequivocal. Western Australians do not want their State treated as an international nuclear waste dump.

Before I go through the provisions of the Nuclear Waste Storage Facility (Prohibition) Bill, I will give some background to the proposal. In December 1998, the Friends of the Earth released Pangea Resources' promotional video which outlined what the company calls the "Pangea Concept". This video sent shockwaves around the country. Pangea identified Australia - specifically outback Western Australia - as a potential waste dump for high-level nuclear waste. Significantly, it proposed that the nuclear waste would be imported from overseas.

I refer briefly to two main elements of the Pangea proposal. Firstly, it wants to establish a disposal facility in a stable democratic country that has the appropriate geology and biosphere conditions. Secondly, it wants to provide countries that want to use Pangea's services with an alternative to disposing of high-level nuclear waste in their own countries. Put simply, using Pangea's services means Western Australia's accepting the world's nuclear waste for a period of 40 years. After that time, the site would be permanently sealed off.

The concept, as described, involves a dedicated port and rail link to the inland site, covering approximately five square kilometres on the surface and 20 square kilometres underground, 500 metres down. It is planned that over the 40-year life of the project, 75 000 tonnes of imported spent fuel and high-level waste will be deposited. This is estimated to be about 20 per cent of the spent fuel generated each year by commercial reactors worldwide. It is unclear where the world's high-level nuclear waste will be dumped after the 40-year lifespan of the Pangea repository has passed. One might well ask whether agreeing to the Pangea proposal would open the floodgates to new, additional sites throughout Western Australia. It is proposed that once the repository is sealed, the nuclear waste will become the property of the Australian Government forever. This means that all the risks of storage will be transferred to the Australian people in perpetuity. Not surprisingly, Pangea and its supporters claim there will be substantial economic benefits for Australia and this State.

Access Economics has undertaken an analysis for Pangea of the purported economic benefits flowing from the proposal. It estimates that over the life of the project, export revenues of \$200b would be generated, with payments of approximately \$90b to Australian Governments through royalties and payroll and company taxes. Western Australia's share of royalties is estimated at \$300m per annum, as well as payroll and other taxes. Access Economics also claims that an additional \$36.2b would be added to the gross state product over the period 2000-2049. Undoubtedly, these represent significant economic benefits. However, there is an important qualification to the Access Economics analysis. It specifically does not provide any comment on the technological, social and environmental issues. It is the technological, social and, most importantly, the environmental issues that go to the heart of the public's concerns. The public is aware that nuclear waste is highly radioactive and that it contains Pu-239, which can be used to make nuclear weapons. Also, several previous attempts at waste disposal have failed and led to the contamination of the environment.

Western Australians are telling their elected representatives that their progress, wellbeing and quality of life are not solely dependent upon, nor measured by, the gross state product. It is fair to say that the Western Australian public has a much broader and, indeed, better balanced view of its wellbeing than Governments and decision makers have recognised. In any event, as the Access Economics study points out, the long-term care of the facility after its closure must be factored into any purported financial benefits.

The site would be operational for a 40-year period. After that time, all the responsibility - legal, financial, security and environmental - would be Australia's. We would be talking of another 10 000 to 20 000 years, which is hardly an insignificant time in human history and all the mistakes that can be made.

As to safety, Pangea claims that its operations will be undertaken to the highest safety standards, with the risk minimised. To quote Pangea's own promotional material, the risk will be "in line with ALARP (as low as reasonably practicable) principles". Pangea's standards for the facility's long term safety are based on not exposing future generations to any risks

that are higher than those judged acceptable by today's population. Firstly, this standard excludes the possibility that future research may show that higher levels of safety standards and practices than we know of today are needed. Secondly, the public knows that nothing is risk-free. There are no guarantees that even a well-resourced and planned strategy would be effective to ensure the site's safety and security, for example, in cases of natural disasters or even terrorist attacks.

The environmental impact and the risks during transportation are other reasons for public concern. Among Western Australia's greatest attractions are its natural beauty and its clean, green image. This means that Western Australians are able to enjoy a wonderful quality of life that is hard to beat. It is also the major drawcard for tourists to this State. An international nuclear waste dump, wherever it is located, would have a devastating impact on the tourism industry. I know this is of grave concern to many people in the industry. It would make a mockery of our image as a clean and green State.

The environmental concerns are not restricted to the site itself, but involve all sectors of the transportation chain, from the country where the waste is generated - the United States, Britain or Europe - to its eventual disposal in Western Australia. This will involve transporting the waste by sea to Western Australia and then overland by rail or road to the site itself. It is worthwhile remembering that in other countries, such as Germany, there has frequently been a public outcry and controversy about the transportation of radioactive wastes and other nuclear materials within and across national borders. For example, in 1997 in Germany, 30 000 police in full riot gear were needed to protect the first shipment of nuclear waste in that country, at a cost of more than \$57m. That was coupled with extensive public disruption and sabotage of the railway lines. A subsequent shipment also resulted in serious protests and violence. Later, all shipments were halted because of the discovery of contamination from the casks used to ship the waste. Despite the public outcry over the Pangea proposal, the responses at both federal and state levels are best described as ambivalent.

I acknowledge that government ministers have given assurances that it is currently not government policy to import high-level nuclear waste. Last month a motion was moved in the federal Senate opposing the Pangea proposal and it was unanimously supported by all parties. However, the public remains concerned. The public is not convinced that either coalition Government is genuinely committed to opposing the proposal. For example, we know that a Pangea representative has already met with Wilson Tuckey, the federal Forestry and Conservation Minister. Senator Ross Lightfoot has also predicted that more than half of the coalition members of Parliament would support the project. Only last week, the federal member for Kalgoorlie said that the proposal may well have to be considered in the future.

Of course, more significant for the debate in this Parliament is the response of the State Government and its members. The Deputy Premier has confirmed that he and the Premier's former chief of staff met with representatives of Pangea Resources in November 1997. Since those meetings, the Premier's office has received updates from Pangea about its progress and approaches to industry.

However, in many respects, what is more disturbing are the attempts by some senior coalition members to draw a link between mining uranium and a so-called obligation that we have to accept imported nuclear waste as a result of this mining activity. This is contrary to the present international understanding that each country is ethically and legally responsible for the disposal of any nuclear wastes it has generated. The state Labor Party supports this approach, and I was pleased to see in the *Sunday Times* on 29 August that the Premier also accepts that Western Australia should not be expected to import other countries' nuclear waste.

The member for Cottesloe has publicly stated his support for the establishment of a uranium industry in Western Australia. In respect of the nuclear waste dump proposal, in answer to a question on notice dated 1 July he stated -

I think that any country that is a significant uranium producer has some moral and international responsibility to be part of the debate on the disposal of nuclear waste.

Trying to draw this link between uranium mining and the disposal of nuclear waste gives rise to many questions about the Government's future intentions in respect of the Pangea and similar proposals.

Labor recognises that there is a high degree of public scepticism about official claims that it is not government policy to allow an international nuclear waste dump in this State. Unfortunately, there is a basis for this public scepticism, when people remember that the Premier said "no" to a gold royalty before the 1996 state election, and then promptly introduced one after winning a second term. The Prime Minister promised that he would "never ever" introduce a goods and services tax! Let us look at the very words that the Premier and his senior ministers used when questioned about a gold royalty in 1996. On 17 September the Premier told *The West Australian* -

The Government has not got the issue of the gold royalty on the agenda.

Earlier in the story, it stated -

I have not considered it (a gold royalty) as a source of revenue and it has not been built into our forward estimates for the next three years.

The next day, 18 September, the Minister for Resources Development told the Parliament, in what seems to be the most simple and straightforward language -

There is no proposal for a gold royalty.

For his part, the minister took the betrayal of voters' confidence to new lows. On the election campaign trail in Kalgoorlie, he did not mince words: He promised not to be part of any Government that broke its promise not to introduce a royalty. On 7 December, the Deputy Premier was reported in *The Kalgoorlie Miner* as saying -

. . . if there is going to be a clear statement as there has been that a gold royalty is not on the agenda, then very clearly I am not going to be part of any Government (which) having said that, then breaks that commitment.

When asked to justify this backdown after the election, he rubbed salt into the wounds by saying -

. . . unless it is over an issue that was far more serious than a gold royalty.

So brazen was the coalition Government in its efforts to deceive, that coalition candidates even made a feature out of this deception.

Point of Order

Hon N.F. MOORE: I seek advice on whether a second reading speech must relate to the Bill that it seeks to describe; or whether it can be anything it likes.

The PRESIDENT: Order! It must relate to the Bill which it supports. A subsidiary question is whether, I assume, the gold tax is somehow related to the banning of the storage of nuclear material. I understand that the comments being made at the moment are incidental to the storage of nuclear material, in so much as they are attempting to indicate a pattern of conduct or circumstances that the Parliament is being encouraged to believe have occurred, or may occur, in seeking its support for the Bill.

Debate Resumed

Hon TOM STEPHENS: Members will remember that in the election campaign, National Party candidates produced these advertisements and posters claiming that a gold royalty was not on the agenda. Mr President, let me remind you that these advertisements said -

Hon N.F. Moore: Tell us about the \$10m Brian Burke got.

Hon TOM STEPHENS: Do some new standing orders relate to second reading speeches by ministers? If there are, in future we will avail ourselves of the opportunity.

The PRESIDENT: Order! I call the Leader of the House to order. I want to hear the balance of the speech.

Hon TOM STEPHENS: As I was saying, these advertisements stated -

There will be NO gold tax!! This is NOT an issue! How many times do Labor need to be told?

It is now obvious that it does not matter how many times the coalition Government promises the public something, because its words do not mean a thing. It was on that basis that the Australian Labor Party considered it necessary to introduce a Bill to ensure that this Government did not do another about-face.

Hon N.F. Moore: It did not do that.

Point of Order

Hon E.R.J. DERMER: It is my clear understanding that second reading speeches are not to be interjected on.

The PRESIDENT: Order! It is usual for second reading speeches to be heard in silence. There is no standing order against members interjecting but the member's understanding is correct: It is the convention and the practice of this House for members not to interject when a member is giving a second reading speech, and I ask the Leader of the House not to interject.

Debate Resumed

Hon TOM STEPHENS: I now turn to the Nuclear Waste Storage Facility (Prohibition) Bill. The aim of the Bill is to ensure that the Government's stated "policy" of opposing the establishment of an international waste dump is actually enshrined in state law. Given the Government's official opposition to the Pangea proposal, I can see no reason that it should not be prepared to adopt a genuinely bipartisan approach and show its support for this Bill. I will now turn to the provisions of the Bill.

The Bill is intended to prohibit the construction and operation of a Pangea-style nuclear waste storage facility in Western Australia. The object of the legislation is to protect the health, welfare and safety of Western Australians and the environment in which we live, by prohibiting a waste facility for any radioactive material derived from the operations of a nuclear reactor, nuclear weapons facility, nuclear reprocessing plant or isotope enrichment plant. It implicitly recognises that any potential economic benefits must be balanced against the social and environmental implications. In so doing, it also recognises that there are more ways for Western Australia to progress and develop than as the world's nuclear waste dump.

Clause 7 provides that the penalty for contravening this law will be a fine of \$500 000. This penalty can also be levied on directors of a corporation. Clause 9 provides that no government or public money can be made available for the purpose of encouraging or financing any activity associated with the development, construction or operation of a nuclear waste storage facility. This law will also bind the State. Clause 10 makes a consequential amendment to the Nuclear Activities Regulation Act 1978 so as to provide that this Bill prevails over it. It is important to note that the definition of "nuclear waste" in clause 3 excludes nuclear waste that has been generated in Australia or material that has been used under licence for scientific, industrial or medical purposes in accordance with the provisions of the Radiation Safety Act 1975. The Bill is not intended to prevent the use, and consequent disposal, of radioactive material for the very worthwhile scientific,

industrial and medical purposes already occurring in this State. The Radiation Safety Act already provides a regulatory regime for this material. Labor recognises that countries which generate nuclear waste should be responsible for the disposal of that waste. I reiterate that this reflects the general international principle.

It would be highly hypocritical if Australia wanted to avoid its own international responsibilities and tried to dispose of its own nuclear waste by exporting it to another country. This is exactly the situation Australia finds itself in with the Pangea proposal. We need to be consistent and principled in the way we respond to our international obligations.

Finally, Labor recognises that a future Government, if it wanted to, could simply repeal this Bill and allow the establishment of an international nuclear waste dump within the State. However, the state Labor Party believes that the Pangea and like proposals are fundamental issues of importance to the State.

Importantly, our legislation constrains the Executive. I refer members to clause 9, which provides that no consolidated fund or other moneys can be granted or advanced to any person for the purpose of encouraging or financing the development of a nuclear waste storage facility. It should be up to State Parliament, not only the Government of the day, to decide. Any future attempt to reverse this proposed legislation would require the passage of a repeal Bill in both Houses of Parliament, which would provide more accountability and the opportunity for full debate on the issue.

I am pleased that the Government has chosen to support the Bill in the other place. I welcome the amendments it introduced and which were passed as improvements to the Bill, recognising the significantly greater resources the Government has at its disposal when compared with those available to the Opposition. Any moves to strengthen the prohibition of an international nuclear waste dump in WA is welcomed by the ALP and the public, and I commend the Government for giving its support for this Bill. I commend the Bill to the House.

Debate adjourned, on motion by Hon N.F. Moore (Leader of the House).

NUCLEAR WASTE STORAGE (PROHIBITION) BILL 1999

Second Reading

Resumed from 21 October.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [9.00 pm]: The Government supports the Bill. As members know, it is a private member's Bill introduced by the Opposition in the Legislative Assembly and repaired by the Government. It has now reached the Legislative Council for its consideration. The Bill was originally a stunt introduced by the Labor Party to outgreen the Greens (WA) and the Australian Democrats, and to try to score political points on an issue of concern in the community. As I said during the Address-in-Reply debate, the original Bill was badly flawed and it would not have achieved the purpose for which it was intended. The Government decided to amend the Bill to make it work. The Bill now before the House will achieve the end which the original mover sought, but it also will achieve what the Government wishes to achieve; that is, it will prevent Pangea Resources Australia Pty Ltd developing a nuclear waste dump in Western Australia.

I made the point before that the Labor Party's credentials on this are to be questioned. I mentioned during my previous comments that the Leader of the Opposition, Dr Gallop, to my knowledge and to the knowledge of the public, has not made any representation to the British Prime Minister to do anything about this. As members know, 70 per cent of Pangea Resources is owned by British Nuclear Fuels Ltd, which is a government agency in the United Kingdom. Ironically, in the context of a few debates in this House recently, it is about to be privatised by the Blair Labour Government. I find that interesting because the Labor Party in this State is saying that this State cannot touch anything to do with nuclear energy or nuclear fuels because it is politically opportune to say that, and yet in the United Kingdom its colleagues, who represent New Labour - I guess we will hear about New Labour in Western Australia soon - are happy to privatise whatever needs to be privatised, and it is flogging off British Nuclear Fuels.

Hon Kim Chance: By the same logic that makes you pro-nuclear because your friends in the United States have nuclear reactors. It is the same logic. It is absurd but your accusation is also absurd. You are rattling nonsense. You are dribbling.

Hon N.F. MOORE: No, no. We have heard ad nauseam about the special relationship between the Leader of the Opposition in Western Australia and the British Prime Minister.

Hon Kim Chance: It has nothing to do with it. This is a statute of the Western Australian Parliament.

Hon N.F. MOORE: The member should allow me to finish and make my point.

Hon Kim Chance: Then make some sense.

Hon N.F. MOORE: If Hon Kim Chance does not make sense of what I say, I am obviously talking sense. If Dr Gallop was so concerned about the future of Western Australia and the devastation that would be caused by a nuclear waste dump, why did he not ask his mate the British Prime Minister to tell this fully government-owned agency to go away?

Hon Kim Chance: What guarantee would that give?

Hon N.F. MOORE: Possibly none. If the Labor Party is so concerned about this that it had to introduce private member's legislation to stop anything happening, it might at least have used that special relationship we hear about to ask the British Government to do it a favour and tell Pangea to go somewhere else. It would have been smart politics on the part of the Leader of the Opposition. He could have told people in Western Australia that he had encouraged or convinced his friend Tony Blair to send Pangea somewhere else. He did not do that. I am surprised about that because I think it would have been good politics. I should qualify my remarks by saying that perhaps Dr Gallop did that, and we have not been told. Perhaps he got knocked back and did not want to tell anyone. We do not know about that either.

The Labor Party introduced legislation to deal with the issue and, as we all know, the legislation was not adequate and it had to be fixed up. The Government has stated all along that Pangea is not welcome in Western Australia, and that has been the State Government's position ever since this matter arose. It is not correct for people to say that the Government has been equivocal on this matter. The Premier wrote to Pangea Resources enclosing a copy of the resolution passed by the Legislative Assembly, which was sponsored by the Government, advising that it was the view of all parties in the Legislative Assembly and that Pangea was not welcome. He followed that up with a visit to the United Kingdom, and I was fortunate enough to accompany him to a meeting with British Nuclear Fuels personnel in Manchester. Again, Pangea was told it was not welcome in WA.

It seems Pangea still does not have the message. I keep reading in the Press about its arranging seminars around the place. Recently it has been in the goldfields trying to encourage people to its point of view. I do not have a problem with people who want to do that; in a democracy everyone is entitled to argue their case, but Pangea has been told in no uncertain terms by this Government that it is not welcome if its intention is to dump nuclear waste in Western Australia. The Government cannot stop Pangea holding meetings and setting up an office; it is the company's business. The message is simple and clear. Pangea will not have a nuclear waste dump in Western Australia while this Government is in office. The Bill will be passed tonight or tomorrow, and it will place into law the views of all the parties in this Parliament. However, members also know that the next Parliament will be made up of different members, and the next Parliament can change any Act passed by this Parliament. As long as all members understand that, I can say only that as far as this Government is concerned this project will not go ahead. I hope the Labor Party, when it takes government in due course, as it inevitably will, will not allow it. Then Pangea must wait for some aberration to occur in the future when neither the Labor Party nor the Liberal Party is in office, and someone else can deliver what the company wants.

Hon Norm Kelly: It could be sooner than you think.

Hon N.F. MOORE: That would be a serious aberration! Imagine if the Greens (WA) or the Australian Democrats ran the country - the mind boggles. In an earlier debate Hon Jim Scott spoke about what we need for public transport and where

the money could come from. It is always a case of the money coming from the Government, but in the next breath he said the Government should close down businesses because they are causing pollution. I do not know where the money is eventually supposed to come from, if countries do not create wealth.

Hon Barry House: Under a toadstool at the end of the garden.

Hon N.F. MOORE: It would have been smoked by now! Wealth must be created in order to provide public services, and I despair at the prospect of the Greens (WA) ever running the country because I suspect it would go completely broke and be unable to deliver the public services that are so fundamental and vital to society.

I will not take more time other than to indicate that the Government strongly supports the intent of the legislation, which is to ensure that no radioactive waste dump is permitted to be located in Western Australia. I am quite sure the whole House will agree, and I have no doubt that at the end of the day Pangea Resources will get the message that nobody wants it here for the particular purpose it has in mind at present. The Government supports the Bill, which as I have indicated already has been fixed up by the Government in the other place to ensure it achieves the purpose for which it was originally intended.

HON GIZ WATSON (North Metropolitan) [9.09 pm]: I support this Bill, surprise, surprise! The Greens (WA) welcome this legislation into the House for debate. Certainly, we shall enjoy contributing to debate on this vital issue. All members will be aware that from the outset the Greens have raised the prospect of a nuclear waste dump in Western Australia when everyone was saying it would never happen and that people should not worry about it. Over the past 12 months people have gradually realised that these proposals by international companies to dispose of nuclear waste around the planet are real proposals that are an inevitable result of an industry that has got itself into an enormous dilemma worldwide.

I want to raise in this debate exactly why we need to have this kind of legislation in this State. The Greens (WA) originally raised this issue in October 1998 when it was first made public by the release of information that was obtained from British Nuclear Fuels in England and then released to Friends of the Earth in Melbourne. We were alerted to the Pangea proposal very early, and the general reaction was, "We will not worry about it. It will just go away." It is a credit to the level of community activism and outrage in this State that we have now reached the point where all the political parties in this State recognise that it is not sufficient just to move motions in this Parliament saying that we do not support the Pangea proposal and we need to enact specific legislation.

Over the past 50-odd years, the nuclear industry worldwide has created a monster for itself. That monster is nuclear waste. Those countries that have chosen to go down the route of generating electricity from nuclear reactors have created a waste product that is not disposable and will remain a danger to not only human beings but all forms of life on this planet for hundreds of thousands of years. Needless to say, the industry has continued to produce this waste material, the majority of which is stored adjacent to nuclear reactors in America, Switzerland, France and England in what are called euphemistically "swimming pools". Spent fuel rods that are pulled out of a nuclear reactor must be stored with a permanent cooling system, because they release enough thermal energy to cause that fuel material to melt down and create an uncontrolled nuclear reaction, let alone create an enormous amount of extremely harmful radioactive material. In fact, if one were to stand for more than 10 seconds adjacent to a spent fuel rod that had been taken out of a reactor, one would receive a lethal dose of radiation.

It is important that members understand the nature of the waste material that Pangea is proposing to bring into Western Australia. The industry tends to say it is just radioactive material and to equate it with uranium oxide before it goes through the reactor process, when the reality is that that waste product is hundreds of thousands of times more dangerous than that uranium oxide. The dilemma that the nuclear industry has got itself into in trying to achieve what it claims will be electricity that is too cheap to meter is that it has now run out of options for storing this material adjacent to reactors and is at crisis point. That is why it is paying companies like Pangea to try to find a disposal site in a remote location somewhere on the planet. However, the problem with this proposal is that, of the range of very bad options that we have internationally to deal with nuclear waste, one of the worst things to do with it is put it underground. The material must be stored above ground where it is visible and can be monitored, because if it is put in containers and buried, sooner or later, whether it be in 100 years, 1 000 years or 25 000 years, those containers will breach. That is inevitable, because no man-made material is known to last for thousands of years. The problem with putting it underground is that it is virtually impossible to detect a leak before it gets into the environment. However, if the material is stored above ground adjacent to where it is produced, it can be re-contained when - not if - a leak occurs. It is not a good option, but the industry has created a monster that it does not know how to deal with.

The other issue with the Pangea proposal is that it involves the transportation of this material around the planet. The ability to maintain the integrity of the containers in which that material is stored over transportation by land and sea increases the risk of accident a hundredfold, and despite what the industry consistently claims and lies about, accidents involving nuclear material have occurred, and they are exacerbated by the fact that this material is being transported over enormous distances and is putting at risk every community and ecosystem along the way.

This proposal by Pangea has been pushed very much by its trying to persuade Australians that we have an international obligation, and perhaps even a moral obligation, to assist in the worldwide problem of disposing of nuclear waste. That question is very skewed. The problem that has been created by the production of nuclear waste is the problem of those countries that have chosen to profit from the generation of electricity from nuclear sources. I have some sympathy for the argument that if Western Australia were involved in the mining of uranium, a question would arise about our international obligations. The Greens' position is that we must stay completely out of the nuclear cycle, and our moral obligation is to ensure that uranium stays in the ground.

The second aspect is that our responsibility as global citizens is to ensure that nuclear waste material is contained and guarded as close as possible to where it is produced so that we minimise not just the risk of accidents associated with its transportation but also the risk of deliberate sabotage or terrorist attack on that nuclear material, because a great deal of this material can be used for the production of warheads and nuclear weapons, and that is very much an aspect of any waste dump proposal.

The proposal to have a waste dump in Western Australia has also been supported by Pangea on the basis that the geology that it has identified in the Centralian super basin, which is also known as the Pangea formation, is on horizontally-bedded sedimentary rock. These are all the attributes of a stable site for a nuclear waste repository. The research that I and my office have done on this matter indicates that the geology in the area is not as stable as has been suggested and is underlain by numerous fault lines. Another issue is that nobody can guarantee that this particular part of the Australian continent will remain stable for the next 200 000 years. It is inevitable that if such a waste dump were placed in Western Australia, sooner or later the material would breach its containers and pollution would find its way into the ground water.

Another reason that we need this Bill and that mere motions and statements from the current Government are insufficient is that this industry is exceedingly persistent, desperate and, at this point, well funded. Pangea Resources Australia has a budget of \$5m a year for at least three years until the point when it intends - and it still states that it intends - to put a proposal to whatever Government is in office in Western Australia at that time. The Greens have argued right from the outset that legislation at all levels is necessary to put every barrier in place to prevent this proposal going ahead.

I want to move to some specific comments about the details of the Bill and also to foreshadow that at this point we still have some concerns and will be seeking to move an amendment to the Bill. There has been some debate in this place and the other place as to whether the original Gallop Bill has been amended sufficiently to close the loopholes. I have some outstanding questions regarding the definition of nuclear waste as it is currently in the Bill. Having studied the debate in the other place, I certainly agree that most of the amendments are welcome; we support them as they have improved the Bill. There is always the potential danger that legislation will be rushed for political reasons. I am absolutely adamant that we must get this piece of legislation as watertight as possible. I sincerely believe that at some time in the future, if not in the near future, either Pangea or some other interests will make serious attempts to establish such a waste dump in Western Australia, so we must get the legislation right.

The Bill as it stands seeks to prohibit the construction and operation of a nuclear waste storage facility in this State. Of course, that is welcome. One of my major concerns about this Bill is that it does not address the issue of the transportation of nuclear waste in this State. This is a particular problem because we know from the documentation Pangea has produced and made public that it is quite likely to consider a dedicated port on the south coast. We know that the geology of the waste site that Pangea is interested in constructing extends into South Australia. It is quite possible that a scenario would arise in which the company established a privately owned port facility on the south coast and then built a rail line from there into South Australia. We certainly think that the fact that the proposed legislation does not prohibit the transportation of waste is problematic. I have been advised that it is not possible to amend the Bill to address that issue of transportation, so I intend to look at amending other state legislation in order to rule out the issue of the transportation of such waste.

The objective of the Bill is to protect the health, welfare and safety of Western Australians, which is to be commended. It also prevents government or public moneys being made available for the purpose of encouraging or financing any activities associated with the development, construction or operation of a nuclear waste storage facility. Again, that is commendable and we support it.

The definition of "nuclear waste" is probably the most problematic issue in this Bill. Having spent a lot of time looking at the wording in this Bill, and this afternoon having had the opportunity to discuss the definition with a number of people from the Radiological Council and minister Day's office, I believe it is a very difficult problem. Certain nuclear material is already being used in this State in medical facilities and industry - the mineral sands industry in particular. There is concern that the definition in this Bill will not inhibit the importation of existing radionuclides, for example, or the storage of medical radioactive waste. It will be difficult to ensure that the definition is tight enough to prevent any company such as Pangea being able to find a loophole and being able to argue that its material would be acceptable under the current definition. The problem with the definition is that waste is defined as material for which no future use is envisaged. We know from Pangea's documentation that it has flagged that the material that it seeks to dispose of or store in a facility in Western Australia could at some future time be used for another purpose. By its own admission, it is leaving the door open for a future use for this radioactive material. I am still looking carefully at that wording. I have an amendment on the Notice Paper which I will be seeking to move.

I am pleased that the Bill also constrains the Executive. One of the problems I am still struggling with is that the Bill leaves the power of accepting or rejecting materials in the hands of the Radiological Council, with the additional safeguard that if the Radiological Council does accept that some material can be stored in Western Australia, it cannot happen unless agreed to by both Houses of Parliament. That is a good additional safeguard. However, I am concerned that a proposal for some material to come into the State to be stored will be in the hands of the Radiological Council. That might seem to be well and good, but one of the things that we know about the nuclear industry is that it has an enormous capacity to infiltrate boards, councils and other bodies worldwide. We should not be under any illusion that Pangea Resources, if it were really determined, would seek ways to influence bodies such as the Radiological Council. I hope it will not be able to do that; however, it is problematic that decision-making power still rests with that council. The details will no doubt emerge when we debate any amendments to the Bill in the committee stage.

The Greens would have liked to see the Bill tackle the whole of the nuclear cycle. We accept that the Bill has a specific

purpose; that is, the prohibition of a nuclear waste storage facility. Although we would like to broaden the Bill to include a prohibition on uranium mining and the transportation of any nuclear waste associated with uranium mining and the nuclear industry in this State, we accept that would be dealt with more appropriately in another Bill. We hope to propose that type of legislation in the near future.

It is important also to be aware, even when this legislation is, hopefully, passed before we conclude this session of Parliament prior to Christmas, that the federal legislation is critical to the importation of nuclear waste issue. To that end my federal colleague, Bob Brown, has introduced a Bill into the Senate to prohibit the importation of nuclear waste into Australia. I ask members in this place to encourage their federal counterparts to support that legislation as there is always a remote possibility that if a future Federal Government thought it was a good idea to have a nuclear waste dump somewhere in Australia, it would seek to impose its will on whichever State it chose to have that facility.

When I read of the legal impediments that could be put in the way of the Pangea proposal for a nuclear waste dump in Western Australia, I discovered that Pangea had attempted to sell the nuclear waste dump idea to a number of countries. One of the countries with which it had no luck was Namibia, which has written into its Constitution that it will not receive any nuclear waste. That raises an interesting question: Perhaps we should consider adding a further safeguard by amending the Australian Constitution. However, amendments to the Constitution are difficult to achieve in this country.

Another issue which I have been pursuing vigorously is the role of local authorities in handling proposals for a nuclear waste dump in their area. I note that Pangea visited Kalgoorlie and Laverton recently and met with the councils there to present its argument for a nuclear waste dump. Pangea has clearly said that it will continue to meet with people around the State to put its case. In the past six to eight months I have been in regular communication with a number of councils around the State which have expressed enormous concerns about the prospect of having a waste dump in their shire or having nuclear waste material transported through their shire. On the evidence that I have seen, including legal advice that has been offered to the Shire of Chapman Valley, it is within the power of local councils, towns and cities to amend their town planning schemes to make it illegal to store in or transport nuclear waste through their local areas. Until this legislation is in place at the state level, local councils should continue down that track. If we are to be 100 per cent sure about this issue, there is no reason for local councils not to make those changes to clarify their position and to send a further message to the company that it is not welcome in those local authorities' areas.

A point has been made that even if we pass this legislation, Pangea will continue with its game plan to conduct technical studies, to establish an office in Perth and to continue to meet with whomever will listen to it. The only way to ensure in the long run that Pangea's project is unsuccessful, in addition to any legislation we implement, is to ensure the upkeep of public vigilance. The debate about a nuclear waste dump has shown an enormous increase in public awareness of the issues surrounding the nuclear industry. I am unsure of the total number of petitions that I have tabled in this place from members of the public who are opposed to the establishment of a waste dump in this State; however, they include the names of more than 35 000 people. Objections to a waste dump continue to pour into my office on a daily basis. The level of community outrage has been extraordinary. My office has been inundated with phone calls from people who say to me, "I am certainly not a greenie and I have never been involved in any issue like this before, but I want you to do all you can to ensure that this company is not allowed to set foot in this State."

It is interesting also to note that the public submissions called for by the Shire of Chapman Valley, which resulted in the resolution to amend its town planning scheme to prevent the transport and storage of waste in that area, drew comment from organisations such as the Tourism Commission. The Tourism Commission pointed out that the prospect of a nuclear facility in Western Australia was of enormous concern to people involved in tourism in that it would have a devastating effect on the clean, green image of the State. Similarly, Agriculture Western Australia expressed concerns about the incompatibility of nuclear waste with the sale of Western Australian agricultural products for the same reasons; that is, if we become known as a State with a nuclear waste dump, the reputation the State has of producing clean and safe agricultural products also will be in jeopardy. The Western Australian Municipal Association also expressed concern vocally on the matter. It supported the resolution of the Shire of Chapman Valley to amend its town planning scheme and voiced its similar extreme concern about any proposal for a nuclear waste dump in WA.

The level of media interest in the proposed nuclear waste dump has been extraordinary. It is very welcome because one of the issues that has been debated more fully in this State is an understanding that we cannot separate the mining, enriching and exporting of uranium from the other end of the industry; that is, the production of intractable waste that remains harmful for tens of thousands of years. That is a very important debate to have here in Western Australia because, unfortunately, an enormous number of uranium deposits are in this State. It has been a real wake-up call for Western Australians to realise that if we develop uranium mines in this State we will be part of a nuclear fuel chain that results in material that has grave consequences in countries that have nuclear reactors and the problem of dismantling nuclear weapons. Western Australians have a vital role to play in preventing the beginning of that nuclear waste cycle. The mining cannot be separated from the waste. As I say, if we have any moral or international obligation in this matter, it is to ensure that the material remains in the ground and is not mined in Western Australia.

In the past almost 12 months an enormous number of public meetings have been held throughout the State on this issue. I have probably attended dozens of such meetings and spoken to a great many concerned members of the public, from Esperance to Geraldton and in the metropolitan area.

The Greens also took the opportunity of inviting international experts on this matter to come to Western Australia and explain exactly what is occurring internationally in the nuclear industry. Initially, people here were unaware of exactly how dire is the nuclear waste issue. It has prompted an enormous education campaign that has spurred hundreds of thousands

of people into action not only to oppose the waste dump but also to become more active in opposing uranium mining in this State.

The proposal has also provoked an enormous amount of international communication and solidarity. I was particularly heartened when I spoke to people in the United States who live with the dangers of nuclear waste on a daily basis and who are enormously concerned about the dangers of that material being in the proximity of their homes and children. They said clearly to me - I am sure they have said the same to others in this State - they do not want us to buy the argument that we can help the world by taking the waste into Western Australia; the only way to solve the issue that they as a collective have created is to close down the industry. We must be sure that one of the reasons Pangea Resources Australia Ltd is so keen to have a waste dump in Western Australia is to put it out of sight and out of mind and therefore allow the nuclear industry to argue that everything is okay. The industry will continue to operate and produce waste material.

I sincerely doubt the veracity of the proposal by Pangea Resources for a 40-year life waste dump, at which point it would be closed. I am sure that once such a waste dump was established in Western Australia it would be kept open and continue to be filled. Large monetary carrots would be dangled in front of whoever happened to be around at the time to convince them to continue to receive toxic material for ever and a day.

The nuclear industry worldwide must be wound down. Attempts by the industry to resolve the issue of intractable waste have failed. It has attempted to bury the material in countries such as Russia and England but those attempts have failed. It has attempted to gain access to Yacca Mountain in Nevada in the United States but has again failed to gain environmental approval. Interestingly, the Pangea proposal for a waste dump here in Western Australia is exactly the same as the proposal for Nevada, except in Western Australia it will not be necessary to burrow under a mountain. The Australian video presentation released by Pangea, which many members may have seen, is exactly the same as the one circulated in relation to the American dump.

The problem of nuclear waste will not go away. It will require monitoring, vigilance and creative scientific endeavour to find a solution to its disposal. To allow a waste dump to be established anywhere in the world, particularly here in Western Australia, will merely accommodate an industry that is corrupt and on its knees trying to fulfil its promise of creating cheap power, which is a nonsense. At present the cost of nuclear power is being eclipsed by the lower cost of many renewable energy sources. The nuclear industry has survived world wide only due to very heavy subsidies from the various Governments involved.

The nuclear energy industry is in dire straits and is desperate to find somewhere to dump its waste material. This Bill will go a long way to preventing that occurring here in Western Australia. However, we must be vigilant in ensuring that it does not merely displace the problem to another State, such as South Australia. Pangea is certainly making overtures in South Australia and believes that, as it is a relatively economically cash-strapped State, it might be tempted by the proposal. Therefore, once we have dealt with this legislation adequately and ensured it is as watertight as possible, we should encourage our respective federal colleagues to implement legislation to prevent the importation of nuclear waste. It may even be necessary to consider enshrining in the Constitution a section opposing the dumping of nuclear waste in this country, as has occurred in other countries.

With those comments I look forward to the debate in committee. The Greens (WA) will be seeking to tighten the definition of nuclear waste in the Bill.

HON NORM KELLY (East Metropolitan) [9.49 pm]: The Australian Democrats will support the Nuclear Waste Storage (Prohibition) Bill. We are pleased that it has such bipartisan support in this Parliament. Public meetings were held on this matter earlier this year. Traditionally at these and similar environmental meetings, one tends to have political speakers from the Australian Labor Party, the Australian Democrats and the Greens (WA). Unfortunately, more often than not, the Government does not choose to provide a speaker at such events. There were some doubts about whether we would receive government support for a Bill such as this. However, we are pleased that the Government has embraced the vehement opposition that the Western Australian public has already expressed to a nuclear waste facility being established in this State.

We are disappointed that the legislation does not contain a prohibition on uranium mining, because we believe that by allowing for the possibility of uranium mining we compromise our position. Arguments have been raised that if uranium is mined in and exported from a State, there is a degree of responsibility to take back the waste products from that uranium. I do not agree with that argument. I believe that the waste should be dealt with and contained in the areas in which it is generated, such as in nuclear power stations and the like, because one of the big problems can be the transport of these waste materials. Although we are disappointed that that prohibition on uranium mining is not contained in this Bill, we accept the need to get this legislation through the Parliament as quickly as possible to send the clearest possible message to the proponents of the Pangea Resources Australia Pty Ltd proposal that they are not wanted in this State; clearly, they are not wanted in Australia. The clearest possible message must come from this Parliament, representing the people, that this is the case. Although we cannot bind the actions of future Parliaments, we need to send that clear message and encourage the proponents not to expend further money in this State in trying to gain the support of people in positions of power for their proposal. A parliamentary group called Parliamentarians Against Uranium Mining has recently been established, and I encourage members in this place who have not already joined this inter-party group to do so. Hon Giz Watson, the federal member for Fremantle Carmen Lawrence, and I are joint founders of that group, and we are building up the membership.

Hon Tom Stephens: You might be able to get Hon Norman Moore to join.

Hon NORM KELLY: I have application forms downstairs.

Hon N.F. Moore: I must say that I do not have much in common with Carmen Lawrence.

Hon NORM KELLY: I am sure that Hon Giz Watson would be very happy, if more members from the other side of this Chamber joined that group, to push for a ban not only on uranium mining but also on all nuclear activities in this State, including nuclear weapons coming into Fremantle and Bunbury ports on a regular basis, nuclear-powered warships and the like.

Hon B.K. Donaldson: You want to ban those coming into Fremantle?

Hon NORM KELLY: Absolutely. I am ashamed that a country like New Zealand, given its scant resources, can take such a strong stance against nuclear proliferation compared with a country such as Australia, which still seems to be required to kowtow to the American imperialists.

The economic inducements which are being offered by Pangea could be tempting to those people who look simply at the economic benefits that will come to this State. I refer to a letter that I received from Pangea a couple of weeks ago. This is information which is drawn from the Access Economics report of November 1998 entitled "The Economic Impact of the Nuclear Waste Repository Project". The letter from Pangea states that the project would generate approximately \$200b in revenue; \$90b in payments to Australian Governments through royalties, payroll and company taxes; direct employment during the construction phase of 23 000 jobs; direct operational employment of 2 000-plus jobs associated with the continuous manufacture of ships, transport casks and disposal containers; and that, after the operation had commenced, Australia's gross domestic product would increase by about 1 per cent, resulting in an increase of more than 50 000 jobs nationally. Taken on purely economic lines, these are impressive figures. In the report, it is interesting to see the impact that this Western Australian-based proposal would have on the country. It indicates that there would be an average annual increase of over 300 jobs in Tasmania and the Northern Territory. It is stated that every State and Territory would receive these economic benefits. For a State that is in need of economic improvement - Hon Giz Watson referred to a cash-strapped South Australia - these figures can be very alluring with a view to solving economic ills. However, it is important to look beyond simply these economic figures, which are at this stage only preliminary figures. If we were to consider such a proposal seriously, we would need to examine these figures further before accepting them as solid information.

Unfortunately, in all the information I have received from Pangea, inadequate account is taken of the wishes and opinions of the Australian public. I find this particularly interesting, because in this proposal the people from Pangea say that they wish to operate this facility for 40 years, at which time the responsibility for it would revert to the Australian Government, and therefore the Australian people would have to deal with such a facility for the 199 960 remaining years during which it would be a radioactive risk to them. Therefore, although Pangea is willing to give the responsibility back to the Australian people, it is not willing to accept their wishes when they say that they do not want this facility. This is a measure of hypocrisy, in that Pangea is wishing to burden the Australian people in this way, but it will not listen to them in the first place.

One of the strongest arguments against this proposal is that intergenerational debt will be levied on future generations of Australians. The potency of this nuclear waste facility would remain for approximately 200 000 years. We cannot readily comprehend the enormity of that figure and the effect that such a proposal would have on future generations of Australians. Pangea has argued that Australia is a more suitable site for such a facility than China, southern Africa and Argentina. It dismisses those places because of their political instability. However, in view of the fact that this country has been settled by white people for only 200 years, it seems amazing that Pangea is putting forward political stability as one of the arguments to commit this country to a facility of this type for the next 200 000 years. In the same way, when we look at the geological -

Hon Simon O'Brien: That is how long it will take for a Democrats Government to get in.

Hon NORM KELLY: We will definitely be in there in half that time.

Debate adjourned, pursuant to standing orders.

Resumed from 23 November.

HON NORM KELLY (East Metropolitan) [4.03 pm]: Last night, when I commenced my remarks on the Bill, I spoke about the inter-generational debt that would be incurred if the Pangea Resources Australia Pty Ltd proposal went ahead. The Pangea proposal states that after 40 years of operation, responsibility for the waste storage facility will be transferred to the Australian Government. That effectively means that the responsibility will be passed to the Australian people, who are overwhelmingly expressing their opposition to the proposal.

There are concerns other than the storage of waste in Western Australia. There is also serious concern about the transport of such high-level nuclear waste. The potential for such waste to be spilt and lost into the atmosphere or the environment in an uncontrolled manner is multiplied with transport, especially when the waste is shipped halfway across the world from Europe and northern America to Western Australia. Only one shipping accident needs to occur for damage to be done. If the waste has not already been dispersed into the environment, it will be extremely difficult to retrieve the containers housing the waste.

The Australian Democrats believe that nuclear waste storage should be the responsibility of the country or state which generates it. That country or state should, on all possible occasions, contain that waste within its own boundaries and have a plan in place before it generates the waste in the first place. Unfortunately, it is the other way around; countries and states have generated nuclear waste for the past few decades without a long-term plan as to how the waste will be contained or stored for the duration of its radioactive life.

Another problem is that the deep storage of waste can be extremely difficult to monitor. The Pangea proposal states that the waste will be stored in a retrievable form. One positive aspect of that is that the waste can be checked for leakage and spillage. However, the downside is that it is accessible for people to reuse that waste, whether or not it is beneficial to the Australian people. We should remember that nuclear waste has an extremely long life. It is impossible to say whether further use would be beneficial to humankind. It is conceivable that in 500 or 1 000 years Australia could be dominated by what is now a foreign power that sees nuclear waste as beneficial for the production of nuclear arms. It may seem far fetched, but it would not take too much of a stretch of the imagination to foresee this occurring within a few centuries. It could happen even sooner.

Pangea Resources Australia says that Australia's excellent environmental record is a good safeguard for a nuclear waste facility because huge public demand would ensure that the highest levels of environmental performance and protection were applied to the facility. However, the Australian Democrats feel that Australia's environmental reputation would be severely damaged by allowing such a facility to be established in the first place. Australia would no longer be seen as a clean, green country. Of course, that perception is relative to other countries. Australia would instead be seen as a repository for the rest of the world's unwanted waste. It would simply be seen as a dumping ground. The cost to our country of that loss of public image throughout the world would vastly outweigh the positive work that has been done in various areas, such as tourism. All the positive images or perceptions of Australia held by people around the world would be severely damaged by this activity.

The Pangea proposal refers to the "not in my backyard" syndrome as the reason why people do not want the nuclear waste facility. However, Australia has taken positive steps to ensure it is not part of the nuclear cycle. The disposal of nuclear waste should be the responsibility of those who choose to generate such waste. I took note of the debate in the other place and held discussions with government officers and the like. I appreciate the bipartisan support that is trying to make this legislation as strong and tight as possible by getting rid of loopholes that may be contained within it. The Australian Democrats believe the Bill still has loopholes. We have placed amendments on the Notice Paper to correct what we believe is a significant loophole.

However, we will be going into committee in a spirit of cooperation, genuinely seeking to debate development of the strongest possible legislation. Strong emphasis has been placed on the role of the Radiological Council to regulate the

passage of any radioactive materials in this State. As much as we support the role and the work of the council, we must ensure that it is not put in a position of being forced to make political decisions. It is proper that Parliament apply an appropriate level of scrutiny. We do not want to take over the role of the Radiological Council, but we must ensure that an appropriate level of scrutiny is carried out by Parliament to ensure that we can properly represent the wishes of the Western Australian people in preventing the establishment of any form of nuclear waste facility in this State to take high-level nuclear waste from other countries or, for that matter, other States.

I appreciate that the Mt Walton facility, which deals with radioactive waste from materials used in this State, is in Western Australia. I understand it also takes some form of waste from other States. However, we must consider the future. For instance, New South Wales is considering replacement of the Lucas Heights nuclear reactor and how to deal with the medium-level nuclear waste generated from that project. South Australia is under heavy pressure to accept that future waste, and the Australian Democrats in that State are working hard to prevent that.

As I said, the one major sticking point is clause 3, which covers the definition of nuclear waste. However, our concerns will be more fully addressed in committee. We approach that stage with an open mind and the intention of engaging in genuine debate, as we do on any matter!

On 26 August in the Senate one of my federal colleagues, Senator Lynette Allison, who handles these matters for the Democrats, moved a motion calling on the Senate to vehemently reject the Pangea Resources proposal. It is encouraging to see that the motion was unanimously supported by all parties. Likewise we support Senator Bob Brown's call for the prohibition of the importation of such materials. That would be another way of tightening any loopholes to prevent the Pangea proposal from proceeding. Last Wednesday in the South Australian Parliament my Democrats colleague Hon Sandra Kanck introduced the Nuclear Waste Storage Facility Prohibition Bill to ensure that South Australia does not become the preferred target for Pangea once Western Australia passes its legislation. It is obvious from the maps circulated by Pangea that it has earmarked almost the same amount of potentially suitable area in South Australia as in Western Australia. Of course, if Western Australia passes this legislation, South Australia will become the next target for Pangea. It is great to see Hon Sandra Kanck taking positive action to prevent that from occurring in South Australia. I have been told that, unfortunately, the South Australian Parliament will not be sitting for another four months, the lucky sods, but I believe her Bill will have the support of the Australian Labor Party in that State. We hope also that she gets government support, so that her legislation could also receive all-party support.

As the Leader of the House said yesterday, we can do nothing that will prevent a future Parliament from overturning decisions made today. We must therefore remain ever vigilant in working against organisations or individuals who may want to impose their desires against the will of Western Australians. Even though the passing of this Bill will send a strong, clear message to Pangea Resources, it is a well-funded organisation with a long-term goal in mind. Passing this legislation will not stop its efforts to establish some sort of facility. Even when this legislation is enacted, as I expect it will be, in this State, we should not be complacent about maintaining a guard against any efforts, whatever they may be, by Pangea to establish itself.

On 24 September I was given a briefing by Pangea's representatives, Marcis Kurzeme, Dr Charles McCombie and Malcolm Johnston, following a forum held at the University of Western Australia in, I think, August. People were invited to hear some arguments which were predominantly supportive of the proposal. A few opponents of the proposal were there, but it seems to be difficult for such opponents to be given a fair hearing at these events, which, although organised by the university, have a strong pro-industry approach. Nonetheless, I welcome Pangea's openness and willingness to consult any people who have an interest in this issue.

Hon M.J. Criddle: Not with me.

Hon NORM KELLY: Irrespective of whether people have expressed opposition, Pangea seems willing to offer briefings and the like. In the interest of being informed as well as possible I took up Pangea's offer of a briefing on the proposal. As much as I appreciate Dr McCombie's background as a geologist and Pangea's scientific and technical arguments that its option is a good one, and that technically it has come up with the best long-term storage solution to what the company calls a global issue, that does not mean we agree with its arguments, particularly those about the geological stability of the area in which it is proposing to put the facility. It is all relative.

I refer to some comments in an article in *The West Australian* of 10 July by geology professor John Vivers. He refers to a previous article and says -

Records show that the Great Victoria Desert has been shaken by several earthquakes of magnitude 5 to 6 in the past 100 years. In 1873, Ernest Giles felt the motions of an earthquake and its aftershocks in the area of WA near the Northern Territory and South Australian borders selected for the waste site.

He is referring to evidence of a number of earthquakes over the past 100 years. A hundred years is a minuscule amount of time compared with the lifetime of 200 000 years of radioactive waste.

Although I agree with Dr McCombie that this area is geologically stable, that stability is only relative to other areas and is by no means an assurance that burying such waste in this area would ensure its stability through the lifetime of the hazardous waste. As I touched on last night, we cannot guarantee political or geological stability for the next 200 000 years, nor can we guarantee the safety of such a site for the next 200 000 years. Yet Pangea is asking us to accept the liability for that period beyond the initial 40-year proposal. If such a facility were to be established, I would expect it to last a lot longer than 40 years once all the infrastructure, such as the facility, the storage units, the ships and the rail access, was established. It then becomes a very cheap and viable option to extend the life and storage capability of such a facility. Given that, once

a facility of such a size is established somewhere in the world, it will become a magnet for nuclear waste for many decades to come. The retrievability is one issue which gives me great concern as to the wording of the Bill. It gives me concern as to the ability for foreign powers to target such a facility, making it attractive either to target weapons upon it or to utilise the material stored there for the production of weapons in the future. I could say much more about this proposal; however, I would prefer to move on to the committee stage as quickly as possible. We have genuine issues which must be resolved, especially in regard to the definition of "nuclear waste".

Another issue concerns whether Western Australia could be utilised as a stopping-off point, for example, to transport such waste into another State such as South Australia. There is nothing in this Bill that would prevent, for example, waste coming into a Western Australian port and being transported across our State into South Australia. There are still safeguards within the Radiological Council that could prevent that. There are provisions within the radiation safety Acts to guard against the storage. It may be interesting to hear either in response from the Leader of the Opposition or in the committee stage about the time span regarding storage. When it comes to, for example, the importation of genuine uses of radioactive material, such as medical isotopes or the like, they are usually allowed to be stored for up to a day in transit before they reach their final destination. The transport of high level nuclear waste could also be caught up in the need to store in transit, for example, from the unloading of a ship onto a rail facility for transport interstate. There may be some safeguards there. That is a very minor consideration against the overall intent of the Bill, which is against this specific proposal. We must make sure that, by this Bill, we do not prevent legitimate uses, but at the same time we must make doubly sure that we do not allow loopholes when we finally pass this Bill, hopefully with unanimous support. As I said last night, the Australian Democrats fully support this Bill.

HON MARK NEVILL (Mining and Pastoral) [4.24 pm]: I have not actually read the Bill, but I heard Hon Giz Watson's speech last night and that prompted me to get involved in this debate. I do not believe that we have any obligation whatsoever to take the waste of any country around the world. If those countries buy our uranium, it is up to them to sort out what they do with the waste. It is the same when we sell coal to other countries; we do not have to take back the carbon dioxide and the nitrous oxide that is produced. We do not have to take back the hundreds of thousands of tonnes of fly-ash which is loaded with tens of thousands of tonnes of toxic metals, all sorts of carcinogens and radioactive elements and compounds. I have never held the quaint view that some members of Parliament have held that a country which exports uranium must take back the waste. That is nonsense and it is a flawed argument for having an international waste repository. I do not know why people are even concentrating on this whole concept of Pangea Resources Australia, because from what I have read - I have read quite a few of the documents - Pangea does not bring any expertise to Australia that we do not already have. In terms of the storage of low level waste, high level waste in synthetic rocks and transport, that technology is freely available to us in Australia; for example, there are double hulled ships and all the rest of it.

Hon Derrick Tomlinson: Through CSIRO.

Hon MARK NEVILL: Yes. The synroc process is probably that to which the member is referring. That was developed by Professor Ringwood at the Australian National University probably 10 or 15 years ago using titanium silicates to enclose high-level wastes. We have the expertise here; in fact, Professor Barry Brady in charge of rock mechanics at University of WA is actually a consultant to most of these companies around the world. I know he has done consultancy work at the Yucca Mountain in the United States. We have all the expertise here. We do not need Pangea to come here and tell us how to put a hole in the ground to store these wastes. It is not as though it is bringing any intellectual property to this whole debate; it is not. If we want to build a repository, we have the skill, the technology and the know-how to do it ourselves.

There is no doubt that the nuclear power industry did not estimate the clean-up and storage costs in its early days. If there is one particular weakness, that is it. I am of the opinion that the storage of low-level and high-level wastes is not a technical problem; it is more a political problem. As I have said, I am not interested in taking other countries' waste, but if we want to build a waste repository for our purposes in Australia, I would support that. There is the technology here. One need only look at the ancient geological structures of salt domes. Some members might know that a lot of oil occurs in Texas around salt domes. Those salt domes are caused by pressure on beds of salt. The salt moves in a plastic fashion and ruptures under the layers above and forms these massive domes. Some of those domes have been there for 400 or 500 million years. If there were any moisture around, the domes would have dissolved and disappeared. Environments that experience this plastic movement of rock are very dry. In fact, they are so dry that the salt has not dissolved for 300 million or 400 million years, which far exceeds the life of the oldest isotopes in these high-level wastes. There are better places to store radioactive wastes than in salt domes. High-level nuclear waste is stored in Salzburg, Austria, which is named after the local salt domes.

We have about 150 nuclear power plants around the world, and each year they help us to avoid about 280 million to 300 million tonnes of carbon and all the deadly nitrous oxides and various other organic elements that are not very good for human beings being pumped into the atmosphere. Those nuclear plants make a massive difference to our environment that is never acknowledged by the Greens (WA). At the moment we have nuclear wastes stored in all sorts of places around the world near existing plants. There is no doubt that it is a terrible mess and a terrible risk. It is obvious that the countries that have those wastes must look to disposing or storing them in long-term repositories. That is particularly important for high-level wastes. That will probably involve storage facilities in some third world country. I do not see that we have any obligations or that there is any great risk in doing that.

If a country did have a waste repository, it could refuse to take wastes from countries that had nuclear weapons. It might take wastes on the condition that the country concerned wound down or got rid of its nuclear arsenal. There are many things a country with storage facilities could do and clean up the planet at the same time. That is a choice that the public of each country will have to make.

I will go through Hon Giz Watson's speech because, as usual, I find her comments on these issues distressing because of their inaccuracy. She said that nuclear reactors have created waste product that is not disposable. That is clearly nonsense. Nuclear waste is readily disposable if the process is not subject to political obstruction. The world has many areas of stable geology at a depth of 500 metres. Waste can be very safely stored well away from the biosphere and with multiple barriers. That is not rationally questioned by scientists who are informed in this area, but, of course, it is disparaged politically.

The member said that much of this waste material is stored in what are euphemistically called "swimming pools". They are not swimming pools. Many of these rods are initially stored in distilled water at a depth of three metres so that the temperature drops and the shorter-life radio isotopes become inactive. That three metres of distilled water allows shielding and cooling. It is a proper and deliberate way of storing nuclear waste. These facilities are certainly not swimming pools.

Hon Norm Kelly: That is the commonly used terminology.

Hon MARK NEVILL: It is a disparaging term. It is the appropriate way to store rods so that they cool before one must deal with the long-term waste. A large proportion of the radioactivity is removed by leaving the waste in these facilities for five or 10 years.

Hon Giz Watson also stated that the spent fuel rods that are pulled out of a nuclear reactor must be stored with a permanent cooling system because they release enough thermal energy to cause the fuel to melt down and to create an uncontrolled nuclear reaction. She does not know what she is talking about. The maximum heat generated by a fuel rod is about 10 kilowatts per tonne. A rod could not melt down at that level or contribute to any uncontrolled nuclear reaction. They are very radioactive, but shielding from that level of radioactivity is not rocket science. I visited the Department of Nuclear Medicine at Sir Charles Gairdner Hospital recently and inspected its ward, which is probably three metres by three metres and has lead walls 10 centimetres thick. Dealing with that sort of radiation is not rocket science. To suggest that there could be a meltdown shows a lack of understanding of what goes on.

The member stated that the industry tends to say it is simply radioactive material and to equate it to uranium oxide. I do not know of anyone in the industry who has suggested that radioactive waste can be equated to uranium oxide. I have been to Roxby Downs and stood next to drums of yellowcake or uranium oxide. The levels of radioactivity are low. For the member to say that industry is equating nuclear waste to uranium oxide is absolute nonsense. I do not believe that industry has ever played down the risk associated with high-level wastes, and to suggest that is crass.

The member further stated that the other problems with the Pangea proposal are that it involves transportation of this material around the planet, the integrity of the containers, the consistent industry lies about the associated risks and the risk to communities and ecosystems along the way. Spent fuel and high-level waste is routinely transported by rail, road and sea, and there has never been an incident resulting in the release of any radiation from this activity.

Since 1971, something like 7 000 shipments of spent fuel, weighing over 35 000 tonnes, have been transported over more than 30 million kilometres, with no property damage or personal injury, no breach of containment and very low dose rates to the personnel involved. I think the highest dose on record is of 0.33 millisieverts a year received by an operator at La Hague in France. In France alone there are some 750 shipments each year of what are called type B packages among 15 million shipments classified as dangerous materials, 300 000 of these being radioactive materials of some kind. The type B packages are those relevant to that type of transport.

Hon Giz Watson went on to say that the proposal by Pangea has been pushed very much by trying to persuade Australian people that we have an international obligation and perhaps a moral obligation. I do not believe that we have either of those obligations. If people want to buy our uranium, it is their problem. If we choose to take it back and treat it, that is a decision that Australia will make. There is absolutely no obligation in that respect. I have not seen anything in Pangea's literature which would suggest that it has promoted that as an obligation. I think it has promoted it as an opportunity. I have heard Hon Colin Barnett and someone else say that we have an obligation. However, I do not agree with that view.

Hon Norm Kelly: In its literature, Pangea mentions the need for a global solution and that there are moral obligations to find global solutions.

Hon MARK NEVILL: I am sure that there are moral obligations to find global solutions. People have been trying to use Russian arsenals to produce mixed oxide rods - MOX. They have been fed into Japanese reactors to burn up the left-over plutonium and material from the nuclear warheads, which are being dismantled. There are moral and international obligations. However, I do not see that Australia has a particular moral or international obligation to take this nuclear waste. My understanding of the Pangea proposal is that it is an opportunity for Australia. However, it is not an opportunity that the Australian public wants.

I will refer to a number of other points in Hon Giz Watson's remarks. She said that the nuclear industry worldwide must be wound down and that attempts by the industry to resolve the issue of intractable waste have failed. As I said, there is not a problem of storage and disposal of intractable waste. She said that the industry has attempted to bury the material in countries such as Russia and England, but those attempts have failed. I understand that the proposal for a research facility in England certainly was vetoed. However, the Russian proposal never progressed beyond hot air. She also said that the industry had attempted to gain access to Yucca Mountain in Nevada in the United States, but again failed to gain environmental approval. My understanding is that the Yucca Mountain proposal is well ahead of schedule with its approvals and is on track.

Hon Giz Watson interjected.

Hon MARK NEVILL: That is my information.

Hon Giz Watson: It was due to open last January. It is currently suing the United States Government because it has not been able to buy that facility.

Hon MARK NEVILL: From the information that I have read, which is probably a lot more reliable than the member's, it is on schedule to be commissioned in 2010. We are obviously reading different material.

Hon Giz Watson: Perhaps you would like to suggest why the American environmental protection agency is being sued by the nuclear facilities.

Hon MARK NEVILL: It would not surprise me who gets sued by whom in the United States. I do not think that necessarily means very much. Everyone sues everyone over there.

This Bill is a waste of the Parliament's time. We are always happy to indulge in the politics of symbolism, but we are less eager to indulge in the politics of substance. We are all happy to put forward solutions to problems which in my view are not problems. These people have no prospect of ever getting an international repository in Australia. They can try; it is a free country. It is amazing how it takes 20 years to get a Bill on prostitution into this House, but in a week we can get a Bill banning a radioactive waste repository that will never happen, at least not in the next 25 or 30 years. If there is a change of heart, the Bill will just be repealed, and off we will go again. It is the politics of symbolism.

One good thing about this Bill is that this Pangea proposal threw a lifeline to the Greens (WA). Effectively this Bill will now cause the Greens to look around for some other ogre to beat up to scare the living daylight out of the poor unsuspecting public. I suppose they will be given a lot of competition from the Democrats.

Hon Giz Watson: Do not worry. There is not a shortage.

Hon MARK NEVILL: No. It is a game for the Greens. I have little interest in the fate of this Bill, because it is largely irrelevant. It is the politics of symbolism. We should be addressing a few matters of substance.

HON BOB THOMAS (South West) [4.47 pm]: This is an issue in which I have a significant interest. Members will recall that I was one of the 30 Australian members of Parliament who travelled to Tahiti in 1995 to protest against the nuclear testing by the French. The public is interested in this issue. Apart from the belltower, the issue of the Pangea nuclear waste storage proposal is the one about which people talk to me the most. It is the next largest issue of interest to people politically. If members cannot recognise that, they are not listening to the public.

Hon N.F. Moore: I think your preselection is in the same category. Everyone is talking about it.

Hon BOB THOMAS: The Leader of the House has just indicated that my preselection is secure. That is true. Nominations for my seat closed on Monday, and I have not renominated.

Hon N.F. Moore: I said that is an issue about which people are talking. They are disappointed you did not put down your name.

Hon BOB THOMAS: I will be retiring on 21 May 2001. It is a decision I made a long time ago.

Hon N.F. Moore: The public is saying it is disappointed you made that decision.

Hon BOB THOMAS: Okay. That is true, yes. Never has the Leader of the House spoken a truer word!

The PRESIDENT: Order! I would like to get back to the substance of the Bill.

Hon BOB THOMAS: The public is concerned that members of the Liberal caucus are saying that more than 50 per cent of Liberal members of Parliament would support a nuclear waste storage facility here in Western Australia. Hon Ross Lightfoot has been on television a number of times saying that more than 50 per cent of Liberal members of Parliament support the Pangea proposal.

Hon Mark Nevill interjected.

Hon BOB THOMAS: That is correct. I feel so strongly about this issue that I obtained the amendments to the town planning scheme at Chapman Valley and distributed them to a number of councils in my electorate. I am pleased to say that Keith Hopper from the Dardanup Shire Council ran with the idea and moved to have the town planning scheme for the Dardanup Shire amended to prevent the transport and storage of nuclear waste in that city. The Bunbury City Council has done likewise through councillors Tony Dean and Steve Hill. I worked very closely with Guy Roth, who is the president of the ratepayers association in Albany, and with a number of councillors - principally Councillor Milton Evans - to have an amendment of this nature made to the town planning scheme in Albany. That move will be supported. As a result, the city council went to the Western Australian Municipal Association and moved a motion, which I believe has been accepted, that WAMA supports those councils. However, the interesting issue is that the Minister for Planning has said that he will not uphold any amendments to the town planning schemes in those areas to prevent the transport and storage of waste through those regions. That is one of the reasons the public is sceptical about the Liberal Party's position on this. The public thinks the Government is pulling the wool over its eyes and that there is something shonky about this. I for one would love the Minister for Planning to continue his opposition to the moves of those local government authorities because this will be a major issue at the next election and the Government cannot win on this. I note that the Leader of the Opposition is present and is now prepared to sum up on this Bill. I commend the Bill to the House.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [4.52 pm]: I thank members for their various contributions to debate on this Bill. In parliamentary life it is not often that non-government members get a chance to advance a private member's Bill. This is a rare opportunity and it is something -

Hon Cheryl Davenport: I did.

Hon TOM STEPHENS: I think I might pass on that interjection and move -

Hon J.A. Cowdell: It is not unique.

Hon TOM STEPHENS: No, it is not unique but it is nonetheless unusual. Other people have had this privilege.

However, there is a legitimate concern in the wider community to which the Labor Party responded by introducing this legislation. We recognise that eventually the Government came on board and agreed to the passage of this legislation through the Parliament. We recognise that there is only a limited window of opportunity inside which the Labor Party and the Parliament can move to get this legislation enacted. There has been considerable discussion about this Bill in this House, in the other place, in the corridors around the Parliament and more widely in the community. In the process of that discussion a range of issues have been considered and arguments have been put for and against various proposals to amend sections of this legislation.

Hon Mark Nevill: We should move a Bill to ban the hole in the ozone layer while we are about it.

Hon TOM STEPHENS: I will leave that to the member. I say to the House that members will now see that the Labor Opposition has had discussions with a variety of players including the Government, the Greens (WA) and the Australian Democrats about the best way to target definitional questions within the Bill. While consensus has not exactly broken out, there is an amendment on the Supplementary Notice Paper which represents what we consider to be the appropriate way to amend this legislation and tackle the concerns expressed by a variety of players in the debate.

Issues have been raised in this Chamber for which I do not have all the answers. Nonetheless, this Bill represents the Labor Party's best efforts to respond to the community's concerns about proposals for nuclear storage and the need to prohibit and limit that prospect. The Labor Party will not back away from its Bill or miss this opportunity. I have heard from my good friend Hon Giz Watson on behalf of the Greens (WA) in the past hour or so that they would prefer to delay consideration of this Bill in committee to enable further discussions to take place about the issues contained in the construction of the Bill. I do not intend to agree to that request. If arguments about any particular concerns of members are put to the Chamber in committee, I will do my best to respond to those concerns. I hope the House will recognise that this is a private member's Bill and I will do the best I can in the absence of a huge array of advisers.

Hon N.F. Moore: You can have as many as you like.

Hon TOM STEPHENS: I thank the Leader of the House for that but I am not sure whom I would need to draw upon to answer the questions and concerns of members.

Hon N.F. Moore: I will help you.

Hon TOM STEPHENS: By the sound of things I would need to draw on the Minister for Mines.

Hon N.F. Moore: Seeing we are fixing up the Bill for you.

Hon TOM STEPHENS: No -

Hon N.F. Moore: It wasn't going to work the way you had it.

Hon TOM STEPHENS: The Government has helpfully raised some concerns and queries. The Government raised questions in the other House.

Hon Kim Chance: Just as we do with its legislation all the time.

Hon TOM STEPHENS: That is right. The Government moved an amendment in the lower House which the Labor Party agreed to. However, it appears that that amendment did not quite do the job and we have collectively agreed on another amendment. Both the Minister for Mines and I, on behalf of the Labor Opposition, believe the amendment in Supplementary Notice Paper 17-3 deals adequately with the definitional questions. I appreciate the contributions of members. I say to all members that there is an enormous range of viewpoints on these issues. I believe the Labor Party has appropriately responded to the concerns of the community. The support the Chamber gives to this legislation so that the second reading can be passed and the Bill can proceed as quickly as possible into enactment will reduce the community's concerns and limit the opportunity of Governments of the future to agree to proposals for the storage of nuclear waste such as the one promoted by Pangea. I commend the second reading of this Bill to the House.

Question put and passed.

Bill read a second time.