

*Yeelirrie Uranium Mine — Public Inquiry — Adjournment Debate*

**HON SALLY TALBOT (South West)** [5.01 pm]: I know this is really, really irritating for the Leader of the Opposition —

**Hon Donna Faragher:** The Leader of the Opposition?

**Hon SALLY TALBOT:** The Leader of the Government—I am sorry; Freudian slip.

**Hon Ken Travers:** The future Leader of the Opposition!

**Hon SALLY TALBOT:** The previous and future Leader of the Opposition!

I know that this has been very irritating for him, and so part of my plea today to the Minister for Environment is to put the Leader of the House out of his misery by either answering my question or telling me who might be able to answer my question.

On the previous two evenings, I have risen during the adjournment debate to ask the minister a simple question. On both occasions the house disintegrated into a state of chaos, and I place on the record that the two protagonists—the two chief contributors to that chaos—were the Leader of the Government, Hon Norman Moore, and the Deputy Leader of the Government, Hon Simon O'Brien. They both seem to have taken it upon themselves to rewrite all the rules of debate in this house, to rewrite the rules of government and opposition, and to rewrite, indeed, the history of the last month by insinuating that when I stand and ask these questions I am somehow going beyond anything that is reasonable. I will come back to that in a minute.

I say at the outset, whilst the house is still in a state of relative peace, that my question to the Minister for Environment is this: if she will not have a public inquiry into uranium mining in Western Australia—given that we have never had uranium mining in this state and given that the option of a public inquiry is clearly specified in section 45 of the Environmental Protection Act 1986, and is indeed, by her own admission, one that she considered—when will she have a public inquiry? I guess I am asking the minister to speculate and let us into some of her thought processes, particularly the thought processes that must have gone through her mind when she made this decision. It is not that she has argued that it is not an option; I understand the point about it not being a level of assessment, but she has clearly conceded that it is an option. I just want to know what went through her mind when she decided, yes, it is an option, but it would not be an option she would take in this case.

Today, I have read through the debates that occurred in this place, because this was the chamber in which there was some very detailed discussion about what we now know as the Environmental Protection Act 1986. After reading the *Hansard* from, I think, October 1986, there can be no doubt that that public inquiry provision in section 40(2)(c) was included specifically to allow the government, when it is looking at particularly contentious proposals, to put in place a level of public inquiry that is thorough. I am not making any accusation about the Environmental Protection Authority's competence to carry out an environmental review and management program assessment and I am not casting any doubts on the validity of that kind of inquiry, but the public inquiry is clearly to be used in a situation in which the government must address the concerns of the community so that those concerns are addressed in a way that is ultimately open and transparent. If the minister will not have a public inquiry into the establishment of a uranium mining industry in Western Australia, when would she have an inquiry? Why does section 40 of the Environmental Protection Act exist? If section 40 is not going to be called on now, can the minister tell us why it is in the EP act? Otherwise, the government can come into this place and repeal that section and we will have the discussion about exactly what that section is for. That would not be a bad thing, I suspect. I understand that it is true that we have never had a public inquiry. Why not? I want to know what the minister thinks about this matter. I want to know what the Minister for Environment thinks section 40 of the Environmental Protection Act is for.

We agree on several matters. The Appeals Convenor's report to the minister, which I obviously have a copy of, is very thorough. The Appeals Convenor has done an excellent job of looking at all the issues, and it is very, very clear what was laid out in front of the minister. I do not suggest for one moment that the Environmental Protection Act needs changing in any way. I do not suggest that we broaden the provisions of section 40 to take into account social impacts; that is not my question and it is not my argument. I may at some stage in the future come into this place and argue that that should be the case but that is not my point at the moment. All I am saying is that we seem to have a Minister for Environment who is not prepared to give or is incapable of giving this house an account of section 40 and letting us into what her thought processes might have been on that matter.

I have some possible answers to my own question: why would I not? I have thought about this matter a lot. I think that the establishment of a uranium mining industry would be an absolutely textbook situation in which the government would call on section 40(2)(c) of the Environmental Protection Act. But if not that, would it take the establishment of a nuclear power industry in Western Australia? Is that what the Minister for Environment is

saving that public inquiry provision for? Would it perhaps be the establishment of a radioactive waste dump in Western Australia? I do not know. I ask the minister in good faith and I wait for the answer. If the volume of email and phone messages that I have had in the past 48 hours is anything to go by, I am not the only person waiting for an answer; a very significant number of people in the community are hanging out for this answer. They want to know when the minister would consider invoking section 40(2)(c) of the EP act.

One thing of concern for us this week is that it is the Minister for Environment's responsibility to deal with these issues and to answer this question. At the end of my contribution yesterday I was cut off, because of the unruly behaviour of the house, from making this important point about what we discovered in question time yesterday. We had asked the Minister for Mines and Petroleum what types of uranium processing would be approved in Western Australia should mining be allowed to proceed. The answer was that uranium mining proposals, including the type of processing proposed, would be evaluated as part of the assessment under part IV of the Environmental Protection Act 1986 process. This issue sits fairly and squarely on the shoulders of the Minister for Environment and she will not answer my questions. I want to know who is in charge. Who is making these decisions? If the minister will not tell me, what can I do other than to use my imagination about how that decision was arrived at? The minister has not given me one indication this week that she is prepared to share what that decision-making process was like. What conclusion can I draw? No other, I am afraid, than that this agenda is being driven by somebody other than the Minister for Environment. Is it the Minister for Mines and Petroleum? I do not know. The Minister for Mines and Petroleum stood up in this place yesterday and said not to ask him but to ask the Minister for Environment. Essentially, that was what that answer said. Yet when I asked the Minister for Environment a question about the Minister for Mines and Petroleum saying that the government has a mineral sands set of regulations and that they will be perfectly okay for uranium, she clearly did not know. I might have been asking her about flying to the moon for all the insight she showed into that question. She clearly did not recognise the words of her own colleague. That suggests to me that it is probably not the Minister for Mines and Petroleum. I can only think that it has to be the Premier who has forced this decision on her. I want to know who is in charge. It is clearly not the minister. Either the minister is asleep at the wheel or she is deliberately driving the cart off the rails, because she just will not engage with this issue. We have one of the most significant changes in public policy in the history of this state before us at the moment, and the minister is turning it into a debacle. This is a hopeless situation. The minister is way out of her depth. If she is able to cope with this, please give us a sign that she understands the importance of these issues.