

**NUCLEAR FACILITIES PROHIBITION BILL 2007**

*Third Reading*

**MR J.C. KOBELKE (Balcatta - Leader of the House)** [12.04 pm]: I move -

That the bill be now read a third time.

**MR R.F. JOHNSON (Hillarys)** [12.04 pm]: I know that my colleague the member for Capel wishes to make a contribution in the third reading stage of this bill; it will be a short contribution, as opposed to the one I might make now! Obviously he is a conscientious member and I know he is prepared to assist you, Mr Speaker, and Acting Speakers in the role he was due to take on at 11 o'clock. I have convinced my friend that his first duty is to deal with legislation, and he accepts that 100 per cent. He will not spend too much time on it - perhaps about 10 minutes. After he has made his contribution, I am sure he will be only too happy -

**Dr S.C. Thomas:** I will make a short contribution to the Waste Avoidance and Resource Recovery Bill third reading debate, and then I will take over. I offer my apologies.

**Mr R.F. JOHNSON:** On that note, my colleague is now ready to speak to the bill.

**DR S.C. THOMAS (Capel)** [12.05 pm]: The joys of timing!

Timing is an interesting component of my attempt to try to take the chair and debate this bill at the same time. Timing is also a key feature of the government's proposals under the Nuclear Facilities Prohibition Bill 2007. The government, as I have said, is dreadfully scared that a nuclear fission power station, as opposed to a nuclear fusion power station, might arrive in Western Australia over the next couple of months. In fact, I suspect that we will be looking at construction commencing in Swanbourne before Christmas. That must be the government's concern, because we conveniently have to rush this bill through a week before the federal election. This is a wonderful political point-scoring exercise that has nothing to do with the prohibition of nuclear energy and nothing to do with good governance.

Interestingly, the government opposes nuclear fission - the splitting of the atom. It is not opposed to nuclear fusion, which is the convergence of an atom. Both processes generate energy.

**Mr R.F. Johnson:** Member for Capel, might I interject? This is such an important bill for the government that they must push it through this week, and yet the minister is not in the house. You'd have thought he'd have an enormous concern to see the passage of this bill because of the imminent danger involved. He has not even deigned to be present in the house. I find that astonishing - absolutely astonishing!

**Dr S.C. THOMAS:** It is a bit disgraceful that the minister is not present. Perhaps he is in Swanbourne protesting against the imminent construction of a nuclear power facility in his residential area. He is obviously deeply concerned. I can see him now, with his banner, strutting along the beach, saying, "No nukes! No nukes!"

**Dr K.D. Hames:** Not in Swanbourne, I hope.

**Dr S.C. THOMAS:** Over the hill.

**Dr K.D. Hames:** Swanbourne's nudist.

**Dr S.C. THOMAS:** Let us not go there; let us not go in that direction! It is enough for governments around Australia to be engaged in the board shorts versus briefs debate, without getting into nude bathing! It is more than the mind could take and more than we should subject the house to!

This bill is an absolute farce and a political stunt on the part of the government. The opposition accepts that; politics is part of the game we are in, and this is politics. I am sure the minister has a press release ready to go out tomorrow saying, "Nuclear prohibition passes the lower house". That will be out there, hopefully -

**Ms J.A. Radisich:** Who's leaked it?

**Dr S.C. THOMAS:** Who has leaked it? No, this is a public debate, so it is not confidential!

I am sure the press release will be out there. "Labor opposes nuclear development; watch out, you'll have one in your back yard." It would be only for the Saturday and Sunday papers, I suspect; the press release will probably come out tomorrow. That is exactly what the government plans to do. This is nothing to do with the prevention of nuclear proliferation. It is purely about putting out a press release to support the proposals of federal Labor in the federal election. It is sad that the Legislative Assembly of Western Australia has reached this point.

The shortcomings of this bill obviously include its opposition to nuclear fission, but it also is silent on nuclear fusion because that will not be used until a long time into the future. Neither will nuclear fission, but that does not matter because that defeats the purpose of this bill. The development of nuclear fission in Western Australia might happen, but it would not be until a long time into the future. I do not believe that it will happen. Should nuclear power be developed in Western Australia? Of course not. As I have said previously, that might change in 100 years when the technology is significantly different. I could be wrong; the technology might change in

50 years, but I suspect that that is probably not the case. I believe we are looking at a 100-year time frame. If that is the case, there is no argument for nuclear energy facilities to be constructed in this state in the interim for a number of reasons. The first reason is sheer economics. Currently the economic viability of nuclear power, despite what its proponents say, is far beyond that of the other power sources. It is far beyond coal, natural gas and most of the renewable sector. The renewable sector needs subsidies because it is not economic compared with the fossil fuel technologies.

**Mr P. Papalia** interjected.

**Dr S.C. THOMAS:** If someone wanted to buy a report that says we want nuclear energy generation in the country, that is the way to do it. That is what the federal government has done with the Switkowski report. A proponent of nuclear energy has been asked to put forward his ideas and agenda. Whether the federal government picks up that point and says it wants to run that agenda, is entirely up to it. As a member of the Liberal Party in Western Australia, I can say that there is no agenda to generate nuclear power in this state. The point of the bill is not to stop nuclear power. There is no agenda by the state Liberal Party to run nuclear power. As we sit here in the Legislative Assembly of Western Australia, there is no agenda because there is no point to it.

Several members interjected.

**The ACTING SPEAKER:** Order, members! The Hansard reporter would not be able to take all of that down.

**Dr S.C. THOMAS:** I will take an interjection from the member for Collie-Wellington.

**Mr M.P. Murray:** Do you support your federal colleagues' plan, which was publicised, that Collie would be a great site for a nuclear power station?

**Dr S.C. THOMAS:** No. In fact, I do not think anyone at the state level says that is the case.

**Mr F.M. Logan:** Not at the moment. That is what you mean.

**Dr S.C. THOMAS:** That is quite true. If a proposal came up in 100 years that said there was a requirement for nuclear energy and Collie was the only spot from which it could be generated, we would review it then.

**Mr A.D. McRae:** What are you voting for today?

**Dr S.C. THOMAS:** We are voting to say that this bill is a political stunt that is going through this Parliament -

**Mr A.D. McRae:** Your vote is a stunt.

**Dr S.C. THOMAS:** This is a political stunt designed to assist the Rudd Labor opposition. This bill is a stunt because although the government is claiming it has enormous climate change credentials on the one hand, it still cannot answer the question about whether nuclear energy will form part of the contribution around the world to reduce greenhouse gas emissions. If government members are saying that some countries, particularly highly densely populated countries that have few alternatives, will not be using nuclear energy to reduce greenhouse gas emissions, they are kidding themselves.

**Mr A.D. McRae:** Where is that happening today?

**Dr S.C. THOMAS:** Where is nuclear energy happening today? Europe and America.

**Mr A.D. McRae:** No. Where are new nuclear power stations being developed as part of the response to climate change today?

**Dr S.C. THOMAS:** Hang on a minute. Let us pull apart the question. Where are new nuclear power stations being developed, and are they being developed specifically for climate change? Of course not. No nuclear power stations are being developed specifically for climate change. Where is research being done into new nuclear power at the moment? There are two nuclear fission units in France and the US. The member is correct in saying that no new nuclear fission power stations are being constructed. Why is it not occurring at the moment? It is because it is uneconomic. Those types of stations must be shut down relatively frequently and are useful only in large energy systems as part of the base load system. The returns for nuclear energy are not the same as for alternative energy sources.

**Mr A.D. McRae:** The whole philosophy and technology is a disaster.

**Dr S.C. THOMAS:** The Labor government has just acknowledged that currently no nuclear power stations are being constructed anywhere in the world.

**Mr J.C. Kobelke:** So why is the Howard government pushing for them?

**Dr S.C. THOMAS:** That is a good question. I am not here to answer for the Howard government.

**Mr F.M. Logan:** We are.

**Dr S.C. THOMAS:** I thank the member!

**Mr F.M. Logan:** That is the whole point of the bill.

**Dr S.C. THOMAS:** Exactly. This government is dealing with the Howard government and is trying to score political points. The member for Riverton quite rightly said that no nuclear power stations are being developed anywhere in the world because they are not economic. It is not because nuclear power stations are environmentally unsound that they are not being developed, and nor is it because of any theoretical reason; they are not being built because they are uneconomic.

**Mr A.D. McRae:** They are not economical because the environmental costs are so great that you can never build that into the cost of power. That is why they are not economical. Do not play games with that.

**Dr S.C. THOMAS:** Even that is untrue. It would be good to have a reasonable debate about why the development of nuclear energy will struggle, why nuclear power stations are not being constructed and why no new nuclear power stations will be built until the technology changes.

**Mr A.D. McRae:** We have to put a stop to it now so that we can make investments in real energy sources that are sustainable.

**Dr S.C. THOMAS:** The member is having the wrong debate. He is having a debate about technology that is not being built. Let us ban something!

Several members interjected.

**The ACTING SPEAKER:** Order members! It is very difficult for the Hansard reporter to keep up with all the interjections happening at once. The member for Capel might appreciate individual interjections, but that is up to the member.

**Mr R.C. Kucera:** Will you take an interjection?

**Dr S.C. THOMAS:** I would be delighted to take an interjection from the member for Yokine.

**Mr R.C. Kucera:** The real issue in Europe, if you look at those letters that I was happy to table the other day, is not the cost of building nuclear power stations but the cost of decommissioning them.

**Dr S.C. THOMAS:** It is both.

**Mr R.C. Kucera:** It is, but it is the cost of decommissioning the old stations.

**Dr S.C. THOMAS:** There are also reliability factors and the cost of maintenance. I accept that.

**Mr R.C. Kucera:** The point we are all missing is that while you put money into decommissioning nuclear power stations or building new ones, you are denying money from going into the research and development of alternative energy sources. That is the real issue.

**Mr J.H.D. Day:** And you know so much more about this than the 31 other governments around the world?

**Mr R.C. Kucera:** That is a puerile statement. I am expressing a point of view, member for Darling Range, that is being expressed by the rest of the world.

**Dr S.C. THOMAS:** I think the member for Yokine has simplified the scientific argument. The member is correct about the cost of construction, and nuclear power stations are not the most reliable of energy systems. Their unreliability, the high cost of maintenance and the cost of decommissioning nuclear power stations all contribute to make nuclear energy one of the most expensive sources of energy. That is why I am saying they are some of the major reasons why nuclear power stations are not being constructed. The member for Darling Range has a valid point. This bill is simply a stunt because in Australia -

Several members interjected.

**Dr S.C. THOMAS:** It is a stunt, and members know it is.

**Mr M.P. Murray:** Why did the federal government identify areas in WA that may be sites for a nuclear power station? Why did it do that if you reckon it will not happen?

**Dr S.C. THOMAS:** Let me put it this way: the process of identifying potential sites for nuclear power stations in Western Australia has probably gone on for far longer than anyone here is willing to acknowledge. It has been done across the board by proponents of nuclear energy in private industry and by state and federal governments who have all looked at the development of potential sites, but nothing has been developed.

There are very good reasons that nothing has developed, which I have just discussed with the member for Yokine. None of those industries will develop under current parameters. Nothing like that will occur.

**Mr J.C. Kobelke:** The Howard government has a track record of putting a lot of money into wasted and useless ideas; so our fear is that it might put it into this.

**Dr S.C. THOMAS:** Does the Minister for Police know that every government I have seen, including his, has a history of putting money into absolutely useless and puerile ideas? Every government does that. If private industry puts some money into research for nuclear energy, this government will oppose it, even if one day in the future it has the potential to make nuclear energy safe. That is the problem this government faces, because this is

a political outcome, not a scientific one. There are important reasons for people in this state to say that nuclear energy is one of those fanciful ideas. Nuclear energy in this state is as equally fanciful as is a nuclear fusion power station. A nuclear fusion power station in Western Australia is currently a fanciful idea, as is a nuclear fission power station. If anybody was silly enough to propose building one at the moment under current technologies, safety levels and economics, I would oppose it in the same way anybody with a seriously scientific brain would. Aside from ideology, we would oppose it when all those parameters were stacked up. Nobody would propose one because the parameters do not stack up; and because they do not stack up, there is no urgency for this bill. The urgency for this bill is a political urgency, not a scientific urgency. If the minister were to receive a proposal to build a 1 000-megawatt nuclear power station in Swanbourne, Cockburn or wherever he lives, I would go out into the community with him and protest, because it does not make sense. However, it will not occur. When the Minister for Energy's press releases come out in the Saturday and Sunday newspapers saying, "Look at us, we stopped the Howard government's agenda; vote Labor", which is exactly what this is all about, it will be the final and ultimate demonstration that the government's agenda in this place is not to save the world or even Western Australia from nuclear energy, but to work for the election of a Rudd Labor government.

My final point, before my voice gives out, is this: government members who embrace every opportunity that they have in this Parliament to promote the election of a Rudd Labor government to federal Parliament are about to find out, like a locomotive hitting them, exactly how much difficulty that will cause them. Ultimately, a federal Labor government will not help them. That will be one of the biggest problems they will encounter since coming to power. I do not know what they will do every day when they cannot come into this Parliament and ask a dorothy dixer blaming the federal government for all their woes when that federal government is on their side. They will have to stay silent, and the silence will be deafening.

**MR A.D. McRAE (Riverton)** [12.23 pm]: As we summarise our policy positions on this bill, I will contribute to the third reading debate to put on the record my absolute and implacable opposition to the construction of a nuclear power plant in Western Australia or Western Australia's engagement in any way at all in the nuclear fuel cycle. I do that for these reasons. The nuclear fuel cycle -

**Mr R.F. Johnson:** Did you take part in the second reading stage or the consideration in detail stage? This is not an opportunity for second reading speeches, my friend, which is what you are doing at the moment.

**Mr A.D. McRAE:** No; I am making my summary of the third reading.

**Mr R.F. Johnson:** Did you take part in any of the other stages? I do not think you did.

**Ms S.E. Walker:** No, he didn't.

**Mr R.F. Johnson:** Exactly; sit down!

**Mr A.D. McRAE:** If the member for Hillarys would like to take a point of order, he should please do so.

**Mr R.F. Johnson:** I am hoping you will see some decency here and not further politicise this particular area.

**Mr A.D. McRAE:** I am trying to recall whether I did actually stand and speak on the second -

**Mr R.F. Johnson:** You didn't, I can assure you.

**Mr A.D. McRAE:** So, the member for Hillarys sat through the whole debate?

**Mr R.F. Johnson:** You are not supposed to use the third reading stage to make a second reading speech.

**Mr A.D. McRAE:** Mr Acting Speaker -

**The ACTING SPEAKER (Dr S.C. Thomas):** Members, there has been far too much raucous action in this chamber so far on both sides. Although the previous Chair might have let members get away with a bit more than I would have, I will have to stamp down and ask members to remain quiet.

**Mr A.D. McRAE:** Mr Acting Speaker, I will take your guidance on it.

**Mr M.P. Murray** interjected.

**The ACTING SPEAKER:** Order, member for Collie-Wellington!

**Mr A.D. McRAE:** I take your guidance on this, Mr Acting Speaker. I think I did not stand in my place and speak on this matter during the second reading debate.

**Mr R.F. Johnson:** Or consideration in detail.

**Mr A.D. McRAE:** I did in fact engage -

**Mr R.F. Johnson:** You might have interjected.

**Mr A.D. McRAE:** Hang on; let me finish.

**Mr J.H.D. Day** interjected.

**The ACTING SPEAKER:** Order! Standing orders do not require that a member who has not contributed to the first reading, second reading or consideration in detail stages of a bill be excluded from contributing to the third

reading stage. Therefore, any member has the right to stand and make a contribution to the third reading stage. Members are required to refer to the detail of the bill and are not allowed to introduce new material. As long as that is the case, the member for Riverton has the floor.

**Mr A.D. McRAE:** Thank you, Mr Acting Speaker. The very reason I sought your advice was to clarify the nature of my contribution without this continual banter, harping and whining that I get from the member for Nedlands and the member for Hillarys.

**Dr E. Constable:** That would not happen on your side!

**Mr A.D. McRAE:** No. It does happen; it happens on both sides. That is why the Acting Speaker is in the chair to give us direction in this debate, and I thank Mr Acting Speaker for his guidance. I wanted to put on the record my support for this bill because of the particular elements that it seeks to introduce into Western Australian law. If members read the key aspects of this legislation they will see that they deal firstly with the construction or operation of a nuclear facility. They also deal with the prohibition of transporting materials to a nuclear facility site; they set out prohibitions against connecting nuclear generation plants to the Western Australian transmission or distribution system; they give powers to the state minister to take out injunctions against any person or company seeking to do any of those things; and they create offences for bodies corporate that seek to engage in any of those prohibited matters. This is very sensible legislation, as it does those things and sets out a law that will forever, until this Parliament decides otherwise, make it clear that Western Australia will not participate in the nuclear fuel industry cycle and nuclear power production. Why is that important, I hear members of the opposition benches ask?

**Mr J.H.D. Day:** No, we haven't asked that.

**Mr A.D. McRAE:** They are not asking! They do not even want to understand why it is important to set out those aspects. We are setting those prohibitions in place because today globally, nationally and in this state people are proposing nuclear power plants either as some sort of solution to climate change responses required around the globe or as a clever and sensible use of an existing uranium resource. Both those arguments are fallacious and can be destroyed on any reasonable analysis. That is why this legislation not only protects Western Australians but also sets out clearly that we should not embark on a false debate about the economic or environmental benefits of nuclear power plants. Only when we make a clear and unequivocal statement of law in this Parliament will we ensure that the resources, intelligence and creativity of people and industry are directed to those energy sources that will give long-term beneficial outcomes on economic and environmental grounds. If we continue to play footsy with the nuclear industry by saying that maybe in 50 years it will be all right or maybe in 100 years we will need it, we will drag out the creativity, energy and capital investment available for other sustainable and necessary energy technologies.

We would divert them to this crazy, mad, dangerous, uneconomical and environmentally unsustainable energy program. That is the fundamental reason we must pass this legislation. It is not about stunts. The federal member who covers my electorate of Riverton is Dr Dennis Jensen, the mad scientist, the person who people in this place have suggested has taken his leave from NASA when he espouses sunshades in space to protect the Great Barrier Reef. At the very least, if the federal member for Tangney was going to put up some crazy plan like that, he should say that he wanted to protect Ningaloo Reef. At the very least, this nuclear industry proponent, Dr Dennis Jensen in the seat of Tangney, should give some focus to his own state. He is on the record as saying to the people of Tangney that he would support a nuclear power plant in his own electorate. When he was invited to recant from that he declined. This bill is clearly not a stunt when a federal member of Parliament is advocating the construction and operation of a nuclear power plant in his own electorate, which also is my state electorate. I do not in any way countenance this legislation as some stunt related to the federal election. It is about the protection and future of Western Australia.

If there is any political question that relates to the federal election it is this: what do the people of Tangney want when they hear their state member for Riverton stand up in the state Parliament and say, "I support legislation that will bar the construction and development of a nuclear power station in our state, and you need to listen to the federal member, who is saying, 'I'd support one in my own federal electorate'"? If there is any political question, that is the one the people of Tangney will be asking themselves. It is little wonder to me that when that circumstance is put in front of people, they see the state Parliament considering a law to prohibit the construction and operation of nuclear power plants in Western Australia and they hear a federal member - a person with crazy ideas about climate change; a person with crazy ideas about protection of coral reefs -

**Mr R.F. Johnson:** You are abusing the third reading stage.

**Mr A.D. McRAE:** The member should take a point of order if he has something sensible to say. He has already had one go at it; he has failed already and he is not debating the matter at all.

**The ACTING SPEAKER (Dr S.C. Thomas):** This just shows clearly the problem with taking interjections - there ends up being blame on both sides. Rather than trying to apportion individual blame, I ask the member to address the Chair, and interjections, should they come, will be significantly unparliamentary.

**Mr A.D. McRAE:** Thank you very much for that advice, Mr Acting Speaker. It is good advice, and I will follow your guidance. I was explaining why these matters in this bill - which sets out prohibition of construction, prohibition of connection of any plant and prohibition of transport of nuclear materials to a plant and gives the minister the ability to seek injunctions from the courts to ensure that all the powers envisaged in this law are given teeth - are so vital to Western Australia's future, not just when we think about the long-term energy and environmental needs and our long-term demands for response to climate change, that we must act today. Here it is, Thursday 15 November 2007. We must make a decision today about whether we will support action today, not in some far-flung future that we cannot envisage. We do not have a crystal ball; we do not know what the economic, environmental and social profile of the globe will be in 50 years' time. However, we do know what we need to do today to begin our response to the most extraordinary threat on global populations everywhere. The single greatest thing we can do is send a signal into the market place, into policy makers' minds and to the community at large that a nuclear future is not one Western Australia needs to embark on or should embark on. The nuclear future being espoused by its proponents - I gave the example of Dr Dennis Jensen, the mad scientist from the federal seat of Tangney - on behalf of the nuclear fuel industry around the world, is wrong economically, environmentally and socially. There are many reasons the people of Western Australia will support this legislation. The key reason, I think, is that they want a Western Australia that is engaged at the very forefront of breakthrough technologies that deal with climate change and that does not fall back on technologies that have so many operational problems, particularly waste disposal, that it just begs the question: where do we put our energy; where do we put our creativity; and where do we put our capital resource as an investment in our future? This bill says clearly and unequivocally that they should not be put into the nuclear fuel industry.

**MR J.H.D. DAY (Darling Range)** [12.36 pm]: As has been made clear in the second reading debate and by you, Mr Speaker, when you spoke a little while ago, the opposition opposes this Nuclear Facilities Prohibition Bill. We have heard nothing from the government side during debate on it that has changed our view that it is a stunt; it is a waste of parliamentary time; it is unnecessary; and will achieve absolutely nothing. I consulted the *Australian Pocket Oxford Dictionary* from the back of the chamber to see the definition of "stunt". There are two definitions: it can be used as a noun. I think the first definition is applicable, "something unusual done for publicity". That is what this is all about. It is not done for any substantive purpose or as an act of statesmanship or to provide anything for the long-term future of the state. When it is used as a verb it means "retard the growth or development of". Perhaps we will leave that one aside rather than go down that path at the moment.

It speaks volumes that, during the second reading stage, there was only one speaker from the government side other than the minister. Surely, if government members felt so strongly about the issue from a community point of view or from their electorate point of view, we would have heard from members other than just the minister and the member for Yokine. We have just heard from the member for Riverton late in the piece at the third reading stage. Apart from that, no comment has been made from the 30 members on the government side or whatever the number is in here.

**Mr R.C. Kucera** interjected.

**Mr J.H.D. DAY:** The member for Yokine is implying that he has a great deal of doubt about the quality of debate that would have come from his colleagues.

**Mr R.C. Kucera:** I have no doubt about the quality of speeches that you have heard.

**Mr J.H.D. DAY:** The member for Yokine appears to be expressing significant doubt about the quality of the contribution that might have come from colleagues on his side of the chamber if they had spoken. My point is that members on the government side would surely have made a more substantial contribution if they strongly believed in this issue. It all adds up to the fact that this really has been brought forward as nothing more than a political exercise during a federal election campaign. The bill has been in this house for the past five months. The government could have brought it on much earlier if it was genuinely committed to it. It has been brought forward a week and a half before the federal election simply as part of a political exercise to win a few votes from people who have a natural concern about the possible development and effects of the use of nuclear energy. We made the point very clearly, and no-one has been able to demonstrate otherwise, that it is highly unlikely that a nuclear power station would be built in Western Australia in the foreseeable future because of the range of other fuels that are available to us for electricity generation.

To reiterate, if the government were serious about putting its actions where its mouth is with its concerns about the nuclear industry, it would introduce a legislative ban on the mining of uranium in Western Australia. The member for Riverton was one of two government members to speak about the great perils of nuclear energy, radioactivity and related matters. Presumably, if the government were genuine about translating its policy about those dangers for not only Western Australia but also other parts of the world, it would place a ban on the mining of uranium in Western Australia. The government says that that is its policy, so why will it not do that? I make the point again: there are only two plausible answers to that question. The first is that the government knows that there would be a massive backlash from the mining and resources sector in Western Australia if it did that.

The government obviously wants to curry favour with the mining sector, so it will not do anything to get it off side. The mining sector is clearly not happy with the government's policy, but to give that policy legislative effect would obviously produce a major backlash from that sector. The other point is that the state government does not want to offend Kevin Rudd and the federal Labor Party, given that they have now adopted a policy of encouraging uranium mining, including in Western Australia. There is disparity within the Labor Party at the state and federal levels. If the state Labor Party really wanted to put its money where its mouth is, it would introduce, either as part of this bill or another bill, a ban on the mining of uranium in Western Australia. Uranium can be exported all around the world. If the government were genuinely concerned about the effects of radioactivity from nuclear power plants, it would put such a ban in place. The fact that it will not do that demonstrates that it is being hypocritical and that this bill is nothing more than a stunt. The Liberal Party will not go along with this bill, not because the Liberal Party believes that nuclear power is relevant to, viable in or desirable for Western Australia - it does not believe that for the reasons outlined in earlier debate - but because this is a political exercise and nothing more than a stunt. We maintain our opposition to the bill.

**MR F.M. LOGAN (Cockburn - Minister for Energy)** [12.42 pm]: I acknowledge the contributions that members have made to the third reading debate, particularly your very amusing and enlightening contribution, Mr Acting Speaker (Dr S.C. Thomas). I am disappointed that the opposition has taken such a cynical approach to this bill. Opposition members indicated that they view the bill as being nothing more than a stunt. As the member for Riverton pointed out, this is a very important piece of legislation. It does a very simple thing. As I have said before, it takes pre-emptive action against a commonwealth government that may wish to seek to override the powers of the state Parliament. A federal government could seek to override any powers that the state government may have over transportation and planning and under the Electricity Corporations Act by using the Corporations Act to encourage the building of a nuclear power plant in Western Australia.

I am disappointed that the opposition has taken such a negative view of this bill, because it flies in the face of the stated intentions of the commonwealth government, which supports the nuclear power industry. The commonwealth government is on the record as supporting the nuclear power industry. The Prime Minister has indicated his support for the nuclear power industry and the construction of nuclear power facilities in Australia. The opposition has asked: where would that occur in Western Australia? The state government has put that question over and over again to the commonwealth and the Prime Minister himself, both before and during the election campaign, but it has received no advice or response whatsoever. The commonwealth government has not gone back on its support for the nuclear power industry. It has not indicated that if it is re-elected on 24 November, it will reverse its position. It has not made any statements whatsoever about the nuclear power industry since the start of the election campaign. That has been a deliberate action of the federal government, because I am sure that its polling has shown that that policy is not popular.

Plenty of statements were made about the nuclear power industry following the release of the Switkowski report in December 2006 through to about July 2007. The federal Minister for Industry, Tourism and Resources, Ian Macfarlane, made statements in support of the nuclear power industry. The federal Minister for the Environment and Water Resources, Malcolm Turnbull, indicated that he thought that the nuclear power industry was feasible, appropriate for addressing global warming and inevitable in Western Australia. The federal Treasurer, Peter Costello, indicated his support for the nuclear power industry and said that, ultimately, a nuclear power industry would be established in Australia. The Prime Minister himself has clearly said that nuclear power stations are on the cards for Australia. All those statements were made this year. Do members remember when this bill was introduced? This bill was envisaged during the period in which those statements were made. This is not a stunt. This piece of legislation was drafted in direct response to the statements that commonwealth ministers and the Prime Minister himself made and put on the record. How it can be interpreted as a stunt is just beyond me. The very fact that the commonwealth has gone quiet about the nuclear power industry during the election campaign indicates that its polling will have shown that any further statement on this matter would be damaging to it, because its policy is unpopular. That is why we have not heard anything from the commonwealth on the nuclear power industry during the election campaign.

The government will move on this matter regardless of the commonwealth not saying anything about it during the election campaign. This issue is critically important to the people of Western Australia, who have made it abundantly clear over many, many years that they oppose the nuclear power industry and any involvement in the nuclear fuel cycle. Even the Liberal coalition government realised that when it was in power in Western Australia. It put up a bill in 1999 opposing the storage of nuclear waste in Western Australia. Even its members understood that the populace of Western Australia does not want to be involved in the nuclear fuel cycle.

**Mr J.H.D. Day:** Why don't you ban uranium mining?

**Mr F.M. LOGAN:** The member for Darling Range has made that point on a number of occasions. An effective ban on uranium mining in Western Australia has been in place since 2002. Industry has not indicated its opposition to that. It has accepted the government's position on the banning of uranium mining and that the government will not approve any uranium mining licences in Western Australia. It is a very effective ban. I

have certainly had discussions with companies that are involved in uranium mining and they accept and understand the government's ban on uranium mining in Western Australia. The industry respects that.

As I have said, I am very disappointed that the opposition has taken such a cynical approach to the debate on this bill. The bill is not a stunt. The government is protecting the interests of Western Australians by taking pre-emptive action against a commonwealth government that wishes to build nuclear power facilities in Western Australia. The bill contains a number of provisions that set out a structure through which the state can oppose the commonwealth step by step, whether at the stage of the transportation of the fuel, the construction of a power station or the connection of such a station to the grid. The minister will have the power to seek an injunction to stop any attempt to construct a nuclear power facility in Western Australia. Finally, if all of those provisions fail, a referendum would be initiated by the state government in the hope that the people of Western Australia would show the commonwealth that they were opposed to the construction of a nuclear power facility in Western Australia. I think it is a good bill and that in the future members will come round to realising that it is a very well-intentioned and well-structured bill. I commend the bill to the house.

**The ACTING SPEAKER (Dr S.C. Thomas):** Before I put the question, I acknowledge the Western Australian Olympians who are in the Speaker's gallery.

[Applause.]

**The ACTING SPEAKER:** They were at the Special Olympics and travelled to Shanghai on 11 October. I am told that each of the Olympians in the Speaker's gallery came home with a medal for their state.

[Applause.]

**Mr A.D. McRae:** Will we give an Aussie, Aussie, Aussie?

**The ACTING SPEAKER:** No. Any Aussie, Aussie, Aussie will be met with a warning.

Several members interjected.

**The ACTING SPEAKER:** One more and the minister will be called to order.

Several members interjected.

**The ACTING SPEAKER:** Do not do it; do not test me today, members.

Question put and a division taken with the following result -

Ayes (28)

Mr P.W. Andrews  
Mr J.J.M. Bowler  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke

Mr R.C. Kucera  
Mr F.M. Logan  
Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Ms S.M. McHale  
Mr A.D. McRae

Mr M.P. Murray  
Mr A.P. O'Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
Ms J.A. Radisich  
Mr E.S. Ripper

Mrs M.H. Roberts  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr G.A. Woodhams  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

Noes (10)

Mr M.J. Birney  
Mr T.R. Buswell  
Mr G.M. Castrilli

Dr E. Constable  
Mr J.H.D. Day  
Dr K.D. Hames

Ms K. Hodson-Thomas  
Mr J.E. McGrath  
Mr A.J. Simpson

Mr T.R. Sprigg (*Teller*)

Pairs

Mr T.G. Stephens  
Mrs C.A. Martin  
Mr A.J. Carpenter

Mr C.J. Barnett  
Mr P.D. Omodei  
Mr B.J. Grylls

Question thus passed.

Bill read a third time and transmitted to the Council.

### AUSTRALIAN FURNITURE OF THE YEAR AWARDS

*Statement by Member for Serpentine-Jarrahdale*

**MR A.J. SIMPSON (Serpentine-Jarrahdale)** [12.56 pm]: Last Saturday, 3 November, the Furnishing Industry Association of Australia hosted the Australian Furniture of the Year Awards at the Perth Convention Exhibition Centre. Forestry has played a large role in shaping the history of many of our local communities, particularly in Jarrahdale. This is why it is important to celebrate the achievements of these businesses. Two of