



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

JOINT COMMITTEE ON PUBLIC WORKS

**Reference: New main entrance, Lucas Heights Science and Technology Centre,  
Lucas Heights, NSW**

FRIDAY, 17 OCTOBER 2003

LUCAS HEIGHTS

BY AUTHORITY OF THE PARLIAMENT

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**JOINT COMMITTEE ON PUBLIC WORKS**

**Friday, 17 October 2003**

**Members:** Mrs Moylan (*Chair*), Mr Brendan O'Connor (*Deputy Chair*), Senators Colbeck, Ferguson and Forshaw and Mr Jenkins, Mr Lindsay, Mr Lloyd and Mr Ripoll

**Senators and members in attendance:** Senator Ferguson and Mr Jenkins, Mrs Moylan, Mr Brendan O'Connor and Senator Ferguson

**Terms of reference for the inquiry:**

To inquire into and report on:

New main entrance, Lucas Heights Science and Technology Centre, Lucas Heights, NSW

**WITNESSES**

**CAMERON, Dr Ron, Acting Executive Director, Australian Nuclear Science and Technology Organisation.....2, 20**

**HANCOCK, Mr Timothy James, Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation.....2, 20**

**RANKIN, Councillor Genevieve, Councillor, Chair of Nuclear Reactor Working Party and Sutherland Shire Local Emergency Management Committee, Sutherland Shire Council .....10**

**RYAN, Mr Eric, Agency Security Adviser, Australian Nuclear Science and Technology Organisation.....2, 20**

**SMITH, Dr Garry John, Principal Environmental Scientist, Sutherland Shire Council .....10**

**STELLATOS, Mr Arthur, Project Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation.....2, 20**

**Committee met at 12.24 p.m.**

**CHAIR**—I declare open this public hearing into the new main entrance at the Lucas Heights Science and Technology Centre, New South Wales. The project was referred to the Joint Parliamentary Committee on Public Works on 24 June 2003 for consideration and report to the parliament. In accordance with subsection 17(3) of the Public Works Committee Act 1969:

- (3) In considering and reporting on a public work, the Committee shall have regard to –
  - (a) the stated purpose of the work and its suitability for that purpose;
  - (b) the necessity for, or the advisability of, carrying out the work;
  - (c) the most effective use that can be made, in the carrying out of the work, of the moneys to be expended on the work;
  - (d) where the work purports to be of a revenue-producing character, the amount of revenue that it may reasonably be expected to produce; and
  - (e) the present and prospective public value of the work.

This morning the committee received a briefing from the Australian Nuclear Science and Technology Organisation and inspected the site of the proposed work. The committee will now hear evidence from ANSTO and from the Sutherland Shire Council, which will be speaking to the submission made by the Australian Conservation Foundation.

[12.26 p.m.]

**CAMERON, Dr Ron, Acting Executive Director, Australian Nuclear Science and Technology Organisation**

**HANCOCK, Mr Timothy James, Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation**

**RYAN, Mr Eric, Agency Security Adviser, Australian Nuclear Science and Technology Organisation**

**STELLATOS, Mr Arthur, Project Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation**

**CHAIR**—Welcome. I thank ANSTO for facilitating the committee's inspection of the proposed site this morning. The committee has received a submission from ANSTO which will be made available in a volume of submissions to the inquiry and which is also available on the committee's web site. Does ANSTO propose to make any amendment to the submission it has made to the committee?

**Dr Cameron**—No, we have no amendments.

**CHAIR**—I now invite you to make a statement in support of your submission.

**Dr Cameron**—The Lucas Heights Science and Technology Centre is the site of Australia's only operating research reactor, HIFAR. It is also the site of the replacement research reactor which is currently under construction. The reactor is used for the production of radioisotopes for medicine and industry and it is a centre of neutron beam research. The existing main entrance to the site has been constructed on an ad hoc basis over many years. Security measures were reassessed as a result of the increased national and international security threat after 11 September 2001. As a result, enhanced security measures were put in place in early 2002, but these were always regarded as temporary and not optimal. In addition, the implementation of these measures has resulted in safety concerns for motorists on New Illawarra Road, particularly during peak hours. These concerns arise from dangerous traffic backups at the T-intersection outside the Science and Technology Centre which are caused by delays in the security processing of visitors and staff at the existing entrance.

In 2002 ANSTO commissioned a protective security risk review which was conducted by ASIO. This review found that the existing main entrance to the Lucas Heights Science and Technology Centre could not provide the necessary level of integrated and coordinated security arrangements and measures required for the current threat environment and that available new technology should be employed. ASIO recommended the construction of a new main entrance and that ANSTO engage an engineering consulting company that specialises in high security facility design. Both ASIO and ANSTO worked closely with this company to develop the design and to ensure that it is in accordance with ANSTO's national and international obligations. We have described that proposal in our written submission.

ANSTO proposes to construct a new main entrance, with appropriate security, supporting technology and facilities. The proposed design includes measures to ensure that unauthorised vehicles and personnel cannot enter the site. The new entrance will be some distance from the existing gate in order to alleviate the traffic backlog in New Illawarra Road. The design will minimise guiding costs by the use of new technology and will be able to accommodate any increase in threat level to the site. It will protect the Commonwealth's investment in the replacement research reactor and the other significant facilities on this site, while helping to assuage community concerns regarding security at ANSTO.

Consultations will take place with the Australian Safeguards and Non-proliferation Office in regard to security matters and with the Australian Radiation Protection and Nuclear Safety Agency in regard to any safety matters. The project is estimated to cost \$10.336 million, and funds were committed by the government in the 2003-04 budget. It is planned that construction will take place over a period of approximately two years, commencing late in 2003, subject to our receiving the relevant approvals.

With regard to environmental and heritage considerations, the proposed site is vacant, flat and partly vegetated, with suitable topography for buildings and roads. It lies west of the current gate, closer to the replacement reactor site. It is partly covered with trees planted by ANSTO, some of which range up to 15 metres in height. Environmental and heritage considerations relating to the site and surrounds were extensively examined during the environmental impact statement process for the replacement research reactor. The site is considered to have only low conservation significance.

In general, construction of the new facility will result in direct short-term localised and small-scale impact to soil, air quality, flora and fauna, traffic and transport infrastructure and services, noise and visual landscape. Management initiatives will restrict any impact on surface and ground water quality or from general waste management. There will be no impacts on Aboriginal or non-Aboriginal cultural heritage.

An upgrade of the old alignment of New Illawarra Road will be required for a distance of approximately 550 metres, but no clearing will be required. Approximately 250 metres of new roadway will be built to connect the upgraded section of this road to Rutherford Avenue. These roads run more or less parallel; and Rutherford Avenue is the main internal road and runs the length of the site. Some clearing of trees planted by ANSTO will be required, and replanting of trees will occur to compensate for any losses. We have concluded that the proposed works will not produce a significant environmental impact and have confirmed that assessment of the project under the Environmental Protection and Biodiversity Conservation Act 1999 is not required.

**CHAIR**—Thank you very much. The Public Works Committee *Manual of procedures for departments and agencies* specifies that technical information and submissions should include planning and design concepts. The main submission does offer some planning and design concept in paragraphs 55 to 75 but does not include any plans for the design and/or construction. To what stage have the design drawings been completed; and why was the committee not provided with some planning design drawings?

**Dr Cameron**—At this stage we have completed a detailed design process with an architect. This went in two stages. One looked at a number of options as to where the main entrance might be situated and, secondly, having agreed on the appropriate option, we went forward with a detailed design of that process. Some of that information relates to security issues—and we have not made that generally known; other information relating to layout is being firmed up currently. We expect that process will be completed very soon.

**CHAIR**—For the purpose of the hearing, can you give us some idea of what sort of structure is envisaged for the new gatehouse complex?

**Mr Hancock**—Perhaps I could clarify some of Dr Cameron's comments about the design process. To this stage we have carried out a planning process not a detailed design, and some layout type plan documents have been produced. At this stage we are looking at a two-storey building being located proximate to the facility's entry road off Old Illawarra Road. I believe that you inspected the site today. In essence, the security measures, the roadway and the building are all integrated into the security process, and their design and layout have all been coordinated in a planning sense to produce the end result of an improvement to existing arrangements.

**CHAIR**—In talking about coordination, how will you go about providing this new entrance? To minimise disruption, what will be its timing in relation to the new radiopharmaceutical building, which we will talk about in the next hearing? Could you also explain how it will work in relation to traffic going to the current building site of the reactor?

**Mr Hancock**—Essentially, the two projects are separate. Any coordination between them will be managed during the construction process, so there will be no changeover to the new entrance until it is ready to receive traffic and security operations. Full maintenance of the existing system will be kept in place until the new facility essentially is fully commissioned and operational.

**CHAIR**—How will the development of the new entrance affect current traffic going to the site of the replacement reactor?

**Mr Hancock**—The current arrangement will be maintained, which is through the existing entrance up to the current reactor, and there is an interim entrance to the proposed new or replacement reactor site. They are independent of this new entrance project.

**CHAIR**—Can you tell us where the interim entrance is and what the security measures are in relation to it?

**Mr Hancock**—Perhaps I can just clarify that the interim entrance I am referring to is the entrance to the RRRP site; it branches off Rutherford Avenue around the existing protected area to the RRRP site and is a kilometre or so away from the existing entrance. No impact or influence is felt from that interim access on the existing entrance.

**Mr BRENDAN O'CONNOR**—In your submissions you indicate that you consulted with ASIO—and understandably; that is a sensible thing to do. What other organisations have you consulted with about these works?



**Dr Cameron**—Clearly the advice we took with regard to security measures came from our discussions with ASIO and from the analysis which they carried out. We also, because of the relevant legislation, need to consult closely with the Australian Safeguards and Non-proliferation Office. They have regulatory control over nuclear materials and give us the permit to hold those; therefore, they are concerned with security measures around the site.

**Mr BRENDAN O'CONNOR**—Did you consult with the International Atomic Energy Agency to ensure that the new security features meet international standards?

**Dr Cameron**—Essentially, the process carried out between Australia and the International Atomic Energy Agency is that we have an agreement or an understanding with them about how safeguards will be implemented for Australia. That is done country by country. That sets out the requirements which we have to follow. Those requirements are regulated by the Australian Safeguards and Non-proliferation Office. So that agreement that we have with them about safeguards within Australia will be maintained, and ASNO's role will be to ensure that anything we do in terms of construction does not affect those agreements that we have in place.

**Mr BRENDAN O'CONNOR**—Were any consultations had with the local council, the Sutherland Shire Council, especially regarding the intended works to the New Illawarra Road?

**Dr Cameron**—The works we are discussing relate to what is essentially the internal road—not to the main highway itself, the main Illawarra Road, but only to the access road that goes from within our own site. Clearly we have, over a number of years, consulted with the Roads and Traffic Authority about traffic arrangements on the main highway.

**Mr BRENDAN O'CONNOR**—Earlier when we were inspecting the site, someone indicated that consultations had been held with employees throughout the organisation. What form did such consultations take? Were any unions representing those employees informed of the changes to the workplace?

**Dr Cameron**—I may have to come back to the second part of your question for clarification. With regard to the first part of your question, we have on this site a number of occupational health and safety workplace committees. Those committees have regularly raised the issue of traffic arrangements and traffic entrance into the site. On a number of occasions we, as an organisation, have followed those up in discussions with the Roads and Traffic Authority to see whether we could get different arrangements on the main road.

Also more recently we commissioned a small working group of our employees to look at what the options were for improved traffic and pedestrian flows relating to our main gate. That working group met over a period of weeks and came up with some ideas and recommendations. One of those recommendations was, for example, to go back to the RTA and request a change in the speed limit along the road; it used to be 90 kilometres an hour. That was agreed, and recently the speed limit was reduced to 70 kilometres an hour for the part of the road outside our site. In addition, that working group raised issues of pedestrian safety, and we took a number of those on board in deriving a pedestrian access route that takes people from the car park across the bollards and into the site. So we have consulted with them over a number of years in general terms, and in particular we did set up a working group to take on board its advice. That has been also incorporated into this design process.

**Mr BRENDAN O'CONNOR**—Perhaps I can clarify the second part of my question. You probably have industrial instruments covering the employment conditions of your employees. You would be respondents to those instruments and so would unions or registered organisations, under either the New South Wales act or the federal act. Those instruments would normally have a clause that would require the employer to notify not only the employees but also those unions of changes in the workplace. I ask this question because clearly there are significant changes in some of the areas here, and I wonder whether any formal notification of the changes—keeping in mind that obviously some matters are confidential and have to be carefully considered—has been provided to any of the employee organisations that would represent the work force.

**Dr Cameron**—The appointment of workplace safety committees and health and safety representatives is done under the Comcare act, which we as an organisation come under, and that relates to occupational health and safety matters. We have workplace safety committees and a central safety coordinating committee that bring together all of those health and safety representatives. That process was established by Comcare and it allows employees to raise issues of concern with regard to occupational health and safety. We believe that occupational health and safety is a matter for employees and is not necessarily a union matter, although employees are welcome to seek advice from the unions on any of those issues. In addition to that, we have a management union body, called our peak council. The proposal for our main gate was also discussed with our peak council so that both management and the union had an opportunity to discuss that in that particular forum.

**Mr BRENDAN O'CONNOR**—What unions represent your work force? You have not mentioned any organisations. Some proportion of your work force would be unionised, I guess. Is that right?

**Dr Cameron**—Yes, about 50 per cent.

**Mr BRENDAN O'CONNOR**—When I was discussing problems or matters that you might have to indicate to those organisations, I was not just referring to OH&S matters. These are employment matters and therefore there are obligations under acts and industrial instruments that compel parties and respondents to industrial agreements, whether they be enterprise agreements or state or federal awards, to notify organisations. Whilst you might not think that OH&S is a matter for unions, I put to you that any instruments that you would have would include clauses that would compel you to notify the unions and employees of the changes sought. I really have not had an answer to that, unless the answer is that you have not notified those organisations.

**Dr Cameron**—No, I think in the latter part of my question I indicated that, under our enterprise bargaining agreement, we have various mechanisms for consultation with our unions. We have a joint consultative committee, which is where unions or management can raise issues that require discussion and working-through in terms of achieving agreed objectives. That is essentially a consultative process which we use to deal with any changes to employment conditions or things of that nature.

In addition to that, there is a body to which both the joint consultative committee and the central coordinating committee, which involves the health and safety representatives, provide reports—that is, our peak council. Our peak council is our top body, where management and

unions get together and talk about these issues. So we use those mechanisms as we are required to under our EBA to raise any of these issues.

**Mr JENKINS**—One of the reasons given for the need for work is traffic build-up on New Illawarra Road. Can you characterise the nature of the problems that have been caused by the traffic build-up?

**Dr Cameron**—When we introduced the enhanced security arrangements, one part of that was the introduction of a forward guardhouse, which is just at the top of the ramp up to this site. That meant the amount of road available for cars to queue up was shortened. Previously, they were able to queue from the road right up to the gate, but, because we needed to hold them at that point and do checks prior to them reaching the gate, that period of road was shortened. Therefore, we found that cars turning into the site from either direction were often having to queue out onto the road.

You may have noticed that, if you are coming from the Heathcote direction, there is only a short overtaking lane allowing cars to bypass any turning vehicles on the inside. The difficulty is that trucks are coming down the hill quite quickly. Sometimes they find that short bypass route too short. If they are going too quickly it is hard for them to stop. In fact, if there are a sufficient number of cars in the right turning lane, the ability to bypass is cut off because the cars are then queued further up the road.

As a result of that, a number of accidents have occurred there. In addition, we had a number of near misses, where there was a lot of screeching of brakes, and some employees were traumatised by the time they entered the site. There are large waste trucks that come from all over Sydney. So it was because of the inability to provide enough room to get people into our own roads and off the main road while doing needed security checking prior to them reaching the gate to the site.

**Mr JENKINS**—In the new proposal, therefore, there is a greater distance between New Illawarra Road and the advance gatehouse, but it requires traffic to come off New Illawarra Road and then to do a right-hand turn into another road. My question is: was there a need for any traffic studies about those initial changed traffic movements?

**Dr Cameron**—Certainly, we were of the opinion that the issue was the lack of space between turning off the road and being checked prior to the site. Now, this gives us another 500 metres or so of space, which we thought—from all our analysis of what was occurring—would be ample for what we were trying to do.

**Mr JENKINS**—But there will be roadworks associated with the works that will occur to change the nature of the present entrance, I take it.

**Dr Cameron**—There will be associated roadworks in the sense that we have to create a roundabout for people to turn into the new road, which runs parallel.

**Mr JENKINS**—Is that part of the project?

**Dr Cameron**—Yes, it is.

**Mr JENKINS**—The traffic then goes past the advance station; it approaches the gatehouse area, parallel to the perimeter security fence. Does this present any problems for the functioning of that aspect of the entrance—the fact that the approach is parallel?

**Dr Cameron**—No, it means that we can do two things. It means that registered and authorised vehicles will be able to pass through that point because there will be a reader which reads their cards and allows them to pass—so there will be some sort of gate that has to be opened. If they do not have an authorised pass they will be held at that gate and have to divert from there into a parking area. They can park their car there and go into the gatehouse to have an induction or have a pass issued, a visitor's pass or whatever, and then they will be able to continue from there to the main gate, where they will be checked again. At the main gate there will also be the capability to reject people who, again, do not have the appropriate authorisation at that point. So, normal employees entering the site will be able to flow continuously through that. People who do not have authorisation will be diverted into a car park in the gatehouse area, where they can be processed and checked.

**Mr JENKINS**—The main gate will have what are technically called bollards, I now understand. Will they be of a similar nature to the present ones that in a non-technical way are described as Lego barriers? To what extent will the structures at the main gate replicate what has been attempted in a temporary fashion at the present gate?

**Dr Cameron**—One of the rationales we had was to move away from the Lego blocks, as you call them, and to replace them with technology that will raise automatic barriers to people who are not authorised if they attempt to go beyond the early checkpoint. So that is part of the technology that we will be putting in place.

**Mr JENKINS**—So is it a mix of that technology and more permanent barriers, or are you relying on the studies of those who have advised you which indicate that that type of new technology is sufficient?

**Dr Cameron**—It will be a mixture of boom gates and technology that will prevent people passing into areas where they are not authorised to pass—and that will be based on the latest technology available at the time, but it will be rapid response technology.

**Mr JENKINS**—And I take it that anything put in place will have an in-built ability for even further levels of security to be added.

**Dr Cameron**—Yes. Again, one of our main objectives was to have this security scaleable so that if there was an increased threat we had the ability to hold people further out at what we call the entry zone level and to have checking done there in addition to the checking that is done as they approach the gatehouse zone.

**Mr JENKINS**—To what extent are people checked when they exit the site?

**Dr Cameron**—Currently we have more or less the same checks for people exiting the site as for people entering. To exit the site you need to show a pass. You will be stopped at the gate if you have not got a pass. Visitors of course have to go through our reception area to exit the gate and to return their passes.

**Senator FERGUSON**—I have only one question, because I do not want to go over the role of the new entrance as far as traffic is concerned. Two or three years ago you had a major breach of security and since that time you have enhanced security, certainly as far as the perimeter fencing is concerned. Will this new entrance further enhance your security so that you believe that unauthorised entry will be almost impossible?

**Dr Cameron**—Clearly one of our objectives was to ensure that, as far as is possible, unauthorised entry to the site will not take place for whatever reason and for whatever cause that unauthorised entry is attempted. Certainly at the main gate we think that these mechanisms will make sure that does not happen.

**CHAIR**—I would like to ask one more question in relation to the environmental issues on the site. I notice that paragraph 53 of your submission states:

... ANSTO is exempt from the application of State or Territory laws where those laws relate, among other things, to the use of land.

That includes premises and the environmental consequences of the use of the land or premises. Given that works do not appear to be subject to any environmental impact assessment process, what assurance can ANSTO give the committee that the proposed project will give due consideration to the environmental impacts? With regard to that, I notice that certainly some trees have to be removed to facilitate the new entry.

**Dr Cameron**—Yes, as part of our environmental impact statement for the replacement research reactor, we did survey the whole site, including that area. We have been able to build on that information in making decisions about whether there were any specific environmental features that we needed to take into account. We have given the commitment that we will put in appropriate measures to mitigate any impact on the environment, and they will be based on the same types of measures as we currently use to control stormwater, run-off, waste build-up et cetera. I should point out, too, that as an organisation we have a commitment to an ISO 14001 certification, which is an environmental management certification. We are well along the road to doing that. That will be in place prior to the replacement research reactor coming on stream. This project will be assessed and monitored by the group who are involved with the installation of our environmental management system to make sure that we are complying with all appropriate principles.

**CHAIR**—Thank you very much.

[12.58 p.m.]

**RANKIN, Councillor Genevieve, Councillor, Chair of Nuclear Reactor Working Party and Sutherland Shire Local Emergency Management Committee, Sutherland Shire Council**

**SMITH, Dr Garry John, Principal Environmental Scientist, Sutherland Shire Council**

**CHAIR**—On behalf of the committee, I welcome you to the hearing. Do you have any comments to make on the capacity in which you appear?

**Dr Smith**—As well as being the council's principal environmental scientist, I am also a member of the ARPANSA Nuclear Safety Committee.

**CHAIR**—The committee has received a submission from the Australian Conservation Foundation, to which you will be speaking. Do you wish to propose amendments to the submission made to the committee?

**Dr Smith**—I understand that we are providing advice on behalf of council in relation to some of the matters raised by the ACF but not as a part of their submission.

**CHAIR**—The secretary tells me that that is fine, but I understand you are speaking to the issues that have been raised in that submission.

**Dr Smith**—We will be addressing that submission.

**CHAIR**—I invite you to make a brief statement, because we do have that submission, and then we will proceed to some questions.

**Councillor Rankin**—What we propose is that Dr Smith will talk about some of the planning matters and then I will raise a couple of specific matters.

**Dr Smith**—By way of a brief statement, we really are addressing those matters in the ACF submission today which predominantly go to your terms of reference about the effective use of moneys and the public value of works, which we would hope would be very high for Commonwealth facilities. Our main points will cover: firstly, the adequacy of the planning for the cost of this project, the reactor, but more particularly the two facilities you are addressing in this committee; secondly, the adequacy of the works being provided in light of those cost projections; and, finally, the question of whether you might not expect further cost increases in the future. We think these all go to the issue of the value of the particular proposals but particularly the public good in the sense of improved security and, in this case, improved radiopharmaceutical production. I will summarise our key points and then refer to the points in the ACF.

Our points are made in light of the fact that, back in April 1999, the council made a submission to the then Public Works Committee about the overall proposal of a replacement reactor located at this particular site. Within that, there was a figure which projected a

significantly escalating cost for this type of proposal of a reactor and associated facilities based on international examples.

Our understanding from looking at these projections and following the costs that we are aware of about this overall proposal—including the reactor itself, the gate, the radiopharmaceutical facilities—is that the costs are increasing at approximately the rate which was predicted by our overseas consultants and by council. We are concerned about that situation—particularly whether, for example, the increasing costs of the reactor facility due to increased foundation work with earthquake considerations and so on has meant that now the increased costs for gates and radiopharmaceuticals are being transferred through to new requests for funding, because the original proposal is becoming much more expensive than predicted.

So we are worried about that in the sense that we feel that the public purse should be able to expect a more accurate prediction in the first place, particularly when we have predicted that these things are going to be overblown in the first place. More particularly, we do not want to see security underfunded or things like environment protection technologies—for example, reduction of radioactive waste going into the sewer—underfunded because the costings of these proposals have been inadequate in the first place. I note from earlier testimony that the plans for this particular proposal, including the gates, seemed to be not available to the committee. As a council, if we were to assess a resident's house on the basis of 'no plans available', we would be held very accountable by the public. There has been a history, unfortunately, with the industry of proposing funding expenditures on very vague and undesigned plans and then having to come up with the designs and refurbish the costs later.

The particular point on this matter—and I take it that we are looking particularly at the security gate in this part of our evidence to you—within the ACF proposal is that the ACF have put it to you that there should be a comprehensive reassessment of the costs and benefits of the project and an independent review of the assumptions underpinning the siting of the facility. We would support that and we would suggest that the whole program, including the reactor costs and the cost of the gate and of the radiopharmaceutical facility, should be audited because we feel that there is emerging evidence that the cost projections have been very badly made and that perhaps there is double dipping with respect to the original cost proposals. I again emphasise that by pointing out that the original public works report which came out on the original proposal very clearly cross-examined ANSTO about possible cost increases and that the committee was assured many times that there would be no cost overruns. One might say, as I understand some people have said, that these cost overruns are in the light of subsequent security upgrades and that they are perhaps sheeted home to ARPANSA and the regulator. But it is on the record that we raised these issues of security, earthquake and so on very early in the piece and I think our predictions that the costs would be inflated over those that were estimated have actually been shown to be correct.

The other concern we have, and I will stop after this, is that the location issues of the reactor were never adequately addressed with respect to security. We do not want to revisit that here, as the machine is being built on this site, but we feel there is strong evidence that we have had through FOI that perhaps the government was given misleading information about the costs of relocation, therefore we now have to bear increased security costs on this site. We are also concerned about the quality of the research which will be able to be done on this site. I understand that the number of neutron sources that were originally proposed have been scaled

back, presumably due to cost and potentially other issues. So we are very concerned about the poor projections on costs and how they affect the quality of security and environmental protection. We would like those points, ones that I think the ACF have included on that basis, looked at very closely by the committee.

**Councillor Rankin**—I would like to reinforce that and take up a couple of the particular points which we would like the committee to request of ANSTO with regard to this first hearing. Firstly, we want to highlight to you very strongly the ACF final recommendation. It is urging this committee to commission an independent audit of ANSTO's compliance status as to all of the recommendations and commitments, as a precondition to voting more money for the current proposals. To put it briefly, there are two ways that you can look at this. Certainly the council and many other groups in the Australian community have major concerns about the overall project here but, when it comes to the Public Works Committee's responsibility and the issues we are looking at today, we are frankly appalled by the lack of accountability of this particular organisation, this federal government body. Overall if you look at the project cost and count the money that you are being asked to vote today, it is the biggest science spend in Australia's history. But the lack of accountability and detail available to the community on this project is quite extraordinary, particularly in the current climate whereby we have things like Medicare, the ABC, universities and the CSIRO all having to be very accountable for their funding.

The poor level of detail that we get out of the federal government does continue to concern groups such as the ACF and particularly the council. As Dr Smith said, if somebody came to council without a plan and a traffic study, the matter would not even be referred to a traffic committee to look at. We would normally expect projections of traffic figures et cetera before we vote to agree on something going ahead. We would expect that the matter be advertised and that people would have the opportunity to question and cross-examine. When it comes to nuclear facilities, it seems that you do not even have to put in a plan or say what it is. This has been the experience that we have had throughout the whole EIS process. There has never been a public inquiry, and we have drawn attention to that on many occasions. One of the concerns in relation to this is about secrecy. One of the issues that certainly has not been fulfilled under the original EIS is the Community Right to Know Charter. I believe that ANSTO has made comments to this committee and to the Senate in relation to the Community Right to Know Charter, which was put down as a condition when the Sutherland Shire Council and others noted the extreme level of secrecy—the 1950s style of secrecy—with which the organisation relates to the community.

There was a big push back in the mid-nineties for a community right to know charter, and in fact the environment minister laid it down as a condition. After community members working for nearly seven years on this process, after much correspondence, after Dr Smith attending on behalf of council and after many community representatives attending, we find that ANSTO is deliberately misleading both the parliament and the community. On their web site they have said that ANSTO are still awaiting a response to their invitations to Sutherland Shire Council to enter into discussions to finalise the charter and, in view of the long delay, they have written to the minister for the environment and are going to do their own thing without the community. A community right to know charter that does not give the community any further rights apart from freedom of information legislation—which, I can assure you, we have found to be very expensive—is not a community right to know charter.



If it is in order, I would like to table a summary that council has prepared for the committee in relation to events at Lucas Heights. It goes to two things: the level of secrecy and the appalling lack of accountability. To mislead the parliament in this way I think is something shocking. Council is a local government authority with almost no funds. We have our ratepayers' dollars and we are accountable for every cent we spend, yet here we have millions of dollars voted. We have council and community reps volunteering time to participate in a process and then we look up a web site and look at the parliament and, frankly, we see that lies are being told. The letters are all tabled here and I can give you copies of those if you want to see how council has responded conscientiously to every step of that process and is appalled about this not going ahead.

The other concern I have is in relation to not having detail about this proposal before the committee. I note Mr Ryan was here. ANSTO very often attracts public gatherings on site, and that has always been so. In our democracy people do have a right to express their opinion. There is major public opposition to this facility, and that opposition is not likely to go away with the completion of the project. Certainly, as Dr Smith said, the issues that have been pointed out by council at the Public Works Committee at the ARPANSA hearings are now all turning out to be true, and ANSTO now says it needs this extra money voted. I think the role of public scrutiny and the right of the public to express their concerns about this project will not go away even after 2005.

I would like to know, as a member of the public, what kind of facilities will be made available for public gatherings and public events here at Lucas Heights. The tradition has always been that gatherings occur on the grassed area across from the car park. Mr Ryan, as head of security, would know that there have always been agreements for those gatherings to occur. Whether they are local community groups, environmental groups or student groups et cetera, the grassed area is made available to them. It is Commonwealth publicly owned land, and we would like to know what arrangements are being made there. There was a gathering in February that impacted very strongly on local traffic arrangements, and I think we need some answers to that before you vote the money.

In short, the federal government is not subject to state environment laws and planning processes. We would expect that, as Dr Smith said, given that case, your government would be keen to set a very high standard, and we are quite disappointed that it is a low standard. We think this committee could do something about that by insisting at least on an accountability audit before you vote any more funds to the projects.

**Mr BRENDAN O'CONNOR**—You made reference to the fact that you are chair, I think, of the nuclear reactor working party for the council.

**Councillor Rankin**—Yes.

**Mr BRENDAN O'CONNOR**—Is that composed of councillors?

**Councillor Rankin**—There are councillors and community representatives—there is a mixture. It is like a joint council-community working party.

**Mr BRENDAN O'CONNOR**—With respect to some of the comments you have made and the concerns that you have expressed about ANSTO, is that a council position? If so, what resolutions have been passed by council indicating their concerns in relation to the particular matters you have raised this afternoon?

**Councillor Rankin**—It is a very strong council position. The council appoints me to chair the working party. We would probably have a thick book of resolutions that the council has passed, with concerns about various things, over the years. More than that, we have a principal environmental scientist, Garry Smith, who is here. There is a state government inquiry at the moment, Senator Forshaw chaired the Senate inquiry, and there was the last Public Works Committee. The book that Dr Smith held up is our council's submission. Every time there has been an opportunity like this, council has done a very detailed submission. To do that we call on overseas experts. We have always got people from the industry overseas, especially with things like earthquake risk et cetera.

With environmental issues generally, where you do allow for the proper scrutiny of projects, you can often head off issues that come up. I think we have flagged those, but we have been consistently ignored by the federal government. The council position has been very strong. Council is one of the bodies that really pushed for ARPANSA because there was no regulator in the past. When ARPANSA was established we were appalled, on both sides of politics—there was a Liberal mayor at the time—by the lack of any community rights in that ARPANSA legislation. The chief executive officer has full power. He can ignore submissions; he does not even have to call a public inquiry into facilities. Communities in America have a right to that sort of thing.

**Mr BRENDAN O'CONNOR**—Did you seek consultation with ANSTO on this project?

**Councillor Rankin**—On the gate and the building?

**Mr BRENDAN O'CONNOR**—Yes.

**Councillor Rankin**—No. I think we were 'submitted out' by that stage. At that stage the state inquiry was going on. We would expect an organisation to at least consult the council about the traffic matters. The RTA sits on the council's traffic committee. Basically, ANSTO shows total contempt in relation to their relationship with the council, so it is disappointing, I guess. Most industries would go to a bit more trouble to at least let the council know what they were doing.

**Mr BRENDAN O'CONNOR**—Why have you chosen to make a submission today in reference to the ACF's submission or, if you like, to supplement the ACF's submission and not put in a formal submission by council?

**Councillor Rankin**—Maybe Garry could answer that. The basic reason why we are here campaigning today is that the ACF requested us to do that. Dave Sweeney, their nuclear person, is a member of council's working party. The ACF are based in Melbourne and they had commitments and reasons why they could not be here today, so they asked council to talk to the submission because, on most matters, we certainly see eye to eye with them. Garry might want to answer why we did not actually put in a submission.

**Dr Smith**—My understanding is that we were making ourselves available to the committee today in the light of our experience to comment on the points in the ACF submission. We did not make a submission on this particular proposal partly because we have made many submissions in the past, including this one, which did not seem to get very far. I have to be frank: we were quite disappointed with the level of scrutiny that seemed to be applied at the earlier stage of public works approvals. All of the material which we are raising today we have raised many times in other written forums, although, as the councillor says, we have never had a proper inquiry to test information, including the financial information. So it did not seem that, to make particular points about the gate and the radiopharmaceuticals, would draw much more interest from the Public Works Committee.

**Mr BRENDAN O'CONNOR**—Unlike some members of the committee, I have not dealt with these matters before so I am less informed perhaps than some other members. Does the council have a formal view about the site of ANSTO? While you have made comments about allegations of processes lacking transparency and accountability, what is the general view about the existence of ANSTO in the municipality? Do you see that the municipality derives benefits? Can you comment on that general view?

**Councillor Rankin**—It is a complex question because certainly the council and the community have no objection to ANSTO's presence here, ANSTO's site or to the vast majority of the work that is done. In fact, it was only a matter of a few years ago that council and the general combined unions group up here had a very public common position on many matters—in fact, on most matters to do with the site.

One matter where we do disagree is on the building of a nuclear reactor. We believe the reactor is old technology. We would like to see a site here for the future which is job creating and one which looks at alternatives—both for medicine and for science and industry—to a nuclear reactor. We believe it is not forward looking. People like Professor Barry Allen have shown—he worked here for 30 years—that the proposal has the potential for setting nuclear medicine back 50 years. We would really like to see a forward looking site here employing people to look at new technologies—areas in which Australia could make a cutting edge contribution, not just repeat the work of other countries. That is our overall position.

Certainly, the environmental impacts of this proposal have never been subject to a public inquiry process. We feel very disempowered as a community because we have not had that right. ANSTO will come back and say, 'They've submitted to this many committees and this many hearings,' but it is not the same. If you look at the Nuclear Regulatory Commission in America, you have more rights as a citizen's group. Under New South Wales legislation, no hazardous industry like this would be passed without a proper public inquiry in which people were cross-examined on the need, the consequences and the siting. That has never been done for this project and I think it is disappointing that it has not been done.

We did have the potential—particularly with the work that council and the unions were doing together—of having an organisation up here that could really work with the community and that the community could be proud of and that we would have been proud to have our kids come and work for. That kind of vision is what I have for that place, not just one where we keep getting locked into dangerous nuclear reactor technology.

**Mr BRENDAN O'CONNOR**—Thanks very much.

**Senator FERGUSON**—Councillor Rankin, I am always very wary of people talking about experts—which you have done quite a bit—because for every expert that supports your point of view there are just as many experts who would disagree. The Public Works Committee has been charged to do one thing here today and that is all, and that is to look at the two proposals and the expenditure that has been raised in those two proposals—which are the entrance and the radiopharmaceuticals proposals.

You are asking us to commission an audit. I do not believe that is within our power. It is our job to report back to the parliament. Any question of accountability is a matter for the Senate estimates committee or for the parliament itself, not for the Public Works Committee. Once we have reported on a projected proposal for expenditure for the particular proposal our work is finished. It then becomes a matter for the estimates on the spending arrangements or it becomes a matter for the parliament if it wishes to debate whether or not the money is being well spent. It then becomes a parliamentary argument, not a public works argument.

I would remind you also that it was a unanimous report that we brought down in 1999. There was no dissension from that report whatsoever from either government or opposition. You talk about public gatherings. Is the area that you are talking about for public gatherings inside or outside the perimeter of the fence?

**Councillor Rankin**—I have not seen the new plan.

**Senator FERGUSON**—Is it inside or outside now?

**Councillor Rankin**—It is past the front gate—there is the security gate—but it is on the grassed area across the road from the car park here. So it is in a vicinity like this.

**Senator FERGUSON**—That is something we can put to ANSTO anyway, I think, in response to your question about that. One of you—I think it was Dr Smith—talked about the number of neutron sources being scaled back. Could you expand on that, please?

**Dr Smith**—Yes, and I might comment on your other points too, if I may.

**Senator FERGUSON**—Yes.

**Dr Smith**—Originally the proposal was for a hot source, a cold source and thermal neutrons—that is our understanding. In plans we saw some 12 months ago there was a proposal to drop one of those, and we would have thought that the financial cost was one of the factors. Now, whether that has been reinstated or not, we do not know.

**Senator FERGUSON**—But that is not something that has ever been brought before the Public Works Committee, is it?

**Dr Smith**—It is about the capability of the instrument to perform the high-level research for which it was originally proposed and funded, so it is a significant modification to the proposal.

**Senator FERGUSON**—We can ask questions about that too.

**Dr Smith**—Can I just comment on your earlier comments. The comments about experts, of course, are well taken; there can be disagreement between experts. We try to source high-merit experts, and we think we do. We provide their CVs. Many of them are eminent Australian, American or UK scientists. But the key point I think we are making is that it is the response to the experts—the type of questions that government asks—which is the key. If you do not ask the right questions you do not get the right answers to the key points. Government did not undertake a thorough analysis or testing of information, particularly by way of an inquiry into the EIS, and, as Councillor Rankin says, under New South Wales planning law private industry would have to jump over a much higher bar. So, yes, experts are experts, but it is the format and the forums in which they speak that are important, and that is our concern with this proposal. We feel that that is why the cost blowouts have occurred—which were predicted earlier, I emphasise again.

With respect to your particular proposals today—and taking your point about your terms of reference and the boundaries of what you can do—I think two of the key points we are raising are that, with respect to the entrance, is even this proposal adequate for the security of the site, particularly given there are no plans for it? If the traffic still backs up further down the road, particularly as no traffic plans and consultation have occurred, are we going to be stuck with a problem in five years time which has to be readdressed further? So the quality of information put to your committee I would think it material to you, as well as whether or not appropriate widespread consultation has occurred. The history is that that sort of consultation has not occurred.

**Senator FERGUSON**—I just interpose there that I did ask a specific question, Dr Smith—did they feel that the new entrance would help to enhance security—and their answer was yes.

**Dr Smith**—Yes, and I did note that they said also that they had not consulted widely—presumably they did with the RTA but certainly not with the council.

**Senator FERGUSON**—Okay, but not with the council.

**Dr Smith**—On the point about radiopharmaceuticals, am I assuming that we are dealing with both matters now?

**CHAIR**—No, we are just dealing with the gate—

**Senator FERGUSON**—No, we are doing the pharmaceutical stuff. We will be reconvening.

**CHAIR**—and then we will move on. In fact, we have got to move on, because time is getting away.

**Senator FERGUSON**—I have finished.

**Councillor Rankin**—Just briefly, I fully support what Dr Smith said, and I would note that we were extremely disappointed by the unanimous report last time. As Dr Smith said, while the Public Works Committee report detailed all the concerns—I do not know enough about federal parliament, but it seems to me extraordinary—in voting dollars there is no way that we can

actually come back and hold people accountable for how they are spending them. And if this is what the process is—

**Senator FERGUSON**—But we do not vote dollars, Councillor Rankin. We are given a proposal to approve or not approve. We do not actually vote the dollars. All we do is report to the parliament, and the parliament decides whether it is going to spend them or not.

**Councillor Rankin**—Yes, but isn't it about whether you are getting value for your dollar?

**Dr Smith**—You accept the estimate.

**Senator FERGUSON**—It is about whether we accept the estimates of the expenditure, yes.

**Councillor Rankin**—I would assume that, if you were going to accept the estimate, you would pretty much need to know what sort of gate was going to be built and what we were doing. Last time, when we showed that costs were going to be totally overrun, it was given carte blanche. I agree with you, it was a unanimous report—and there was a very sceptical response in the community, to all sides of politics, as a result.

**CHAIR**—We frequently call for more information where we think there is insufficient information. In the private briefings, in relation to the costings and the more detailed planning, we have called for more information. Senator Ferguson made the very valid point that parliament does hold agencies accountable through the estimates process. All we can do is work on the information that is given to us at the time. If later there are cost overruns, after the Public Works Committee has been assured there will not be, it is a matter for the parliament to take up through the estimates process or other forums of the parliament, and that happens very frequently.

**Senator FERGUSON**—It has happened in relation to this overrun as well, at the last estimates committee hearings.

**CHAIR**—Yes, exactly.

**Mr JENKINS**—If we set aside the new reactor, does council acknowledge that, in the present security climate, there is a need for heightened security measures, including the new entrance?

**Councillor Rankin**—Absolutely. I do not know about the new entrance—we would have to see the design and know what was being done—but council has been calling for greater security. We did a report—again, by an independent expert—which showed that security needed to be upgraded. Our submission to the ARPANSA licensing process, which was well before September 11, called for an examination of the potential for sabotage and whether that should be included in these costings. It is the international standard, so—September 11 aside—to be accountable it should have been included in the original costings, which I think is the point Dr Smith was making. We would certainly support anything to make sure that the process is as secure as possible, but we take on board that it will never be totally sabotage-proof. The ACF make it clear in their submission that they welcome increased security. But we are talking about the public accountability issues in relation to why these matters were not put before your committee in the first place. Also, I would really like to have some notion of how the traffic

issues are going to be solved—do we have a five-year or a 10-year traffic plan?—and the public gatherings questions.

**Mr JENKINS**—Does the council have a view about the traffic matters?

**Councillor Rankin**—When a DA comes in, it is considered by the traffic committee—a state government committee which is convened by the council and has the RTA, the police and those sorts of people on it. If a matter is not put before us, we cannot do the traffic study. So we would not have a particular view, although we know there are major problems out here with the traffic issues.

**CHAIR**—Thank you for appearing before the committee today.

[1.34 p.m.]

**CAMERON, Dr Ron, Acting Executive Director, Australian Nuclear Science and Technology Organisation**

**HANCOCK, Mr Timothy James, Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation**

**RYAN, Mr Eric, Agency Security Adviser, Australian Nuclear Science and Technology Organisation**

**STELLATOS, Mr Arthur, Project Manager, Civil Engineering Unit, Australian Nuclear Science and Technology Organisation**

**CHAIR**—Welcome back to the table. I remind you that you are still under oath. I invite you to respond to some of the questions that have been raised by the Sutherland Shire Council in their response, in part, to the submission of the Australian Conservation Foundation.

**Dr Cameron**—We welcome the comment from the Australian Conservation Foundation and the council that enhanced security is important for the site and that they support increased security measures. We believe that this new main entrance is an important part of that process. Clearly, it is not all that we do on site, and we continue to make sure that we get appropriate advice from international and national experts so that our security measures can conform to international practice in that area.

If I could make a few other comments, we did do a full traffic study as part of our replacement research reactor proposal. That looked at the traffic volumes on the highway. It also looked at how those volumes might increase during construction and also when the reactor was fully operational. That was done by independent traffic consultants. We presented that study to the RTA. We were hoping to get some agreement from them as to improvements to our entrance that would alleviate some of the problems that we saw. The RTA were of the opinion that the traffic volumes and the accident rates did not warrant any changes or any upgrades. That was a full analysis that was done, looking at possible projections and numbers over the next period of time as well as at current volumes. Having had that response from the RTA, we felt that it was important, in terms of our own duty of care to our staff, to put forward a proposal that would deal with those issues using changes to how traffic enter on the site, rather than pursuing the issue of trying to get changes to the site entrance and exits.

I would point out that the money that we are talking about here is not coming out of the replacement research reactor budget, so it does not have any implications for the cost of the replacement research reactor. With regard to the land which we have made available for protest groups, there will be no change to that process. That land will still be available for such groups. I would also point out that we had, as a result of our environmental impact statement, 29 conditions imposed on us with regard to environmental management and other issues. We have to provide a six-monthly report to the environment minister on those 29 conditions. We provided our latest report in October 2003. Those reports have been made fully available—they are public



documents—and they show how we have complied with those 29 environmental conditions. In fact, the majority of those conditions are now fully complied with. There are a number of others that are not yet completed but that is because we have not reached the stage in construction where those particular issues have to be dealt with. We feel that we are publicly accountable for our environmental performance. We do give those reports every six months.

As you know, as an organisation we have an annual audit by the Australian National Audit Office and indeed we have twice-yearly Senate estimates hearings when we are quizzed extensively on our expenditure of money. I will just make a comment about one of the environmental conditions which related to the community right to know. We did have many attempts to negotiate an agreement on the community right to know. We then brought in a mediator who also attempted to get an agreement on that process. We were not able to get agreement and so we wrote to Minister Kemp, explaining where the process had got to. With his agreement we have issued a community right to know document, which is available on our web site, and we have written to local councils and others to make them aware of that. That does give increased benefits and many fewer costs to people who require information from us. You may need to coach me on any other issues on that list that I might have missed out on commenting on. I am happy to address them.

**CHAIR**—Thank you. I do think that Sutherland Shire Council has a point. As we discussed with you earlier, we do not have the details of the project and its detailed costings so I think it is not a particularly satisfactory situation. Neither the committee nor the public actually has access to the detail that is important to proceeding to make a decision about the public value of this project. If you had a study done on the traffic management situation, was there any attempt to discuss that study with the council? You say you have discussed it with the Roads and Traffic Authority.

**Dr Cameron**—Yes, it was our understanding that issues to do with any changes on that road would be taken by the Roads and Traffic Authority. We have had meetings with them over many years with regard to issues on that road. We commissioned a study of traffic volumes, accident rates and other things, both current and prospective, and we expected there would be some agreement with them that there could be alterations funded for the road. That did not come about, so we believe the process that we are now putting in place will actually deal with this same issue but in a different manner.

**CHAIR**—Thank you.

**Mr JENKINS**—Have the RTA, based on any observations they have made about traffic conditions, ever come to you?

**Dr Cameron**—They have written to us on a number of occasions expressing their view about their response. As I said in a previous answer, our health and safety committees have been concerned and have drafted letters, and we as an organisation have then written to the RTA expressing our concerns about potential accidents and real accidents. They have written back a number of times saying that they have analysed the situation and have looked at the data and, on the basis of that data, they do not think any improvements were warranted. They, as you know, apply certain criteria before they make changes.

**Mr JENKINS**—At what stage would the organisation be able to provide the committee with a plan of some detail of what is proposed for the new entrance?

**Dr Cameron**—We have some plans as to the physical layout of the structures that we intend to propose—if that is what you are talking about. What we have not got is detailed costings for actually putting those together, but we of course have worked out the arrangements in terms of how people will be inducted, how they will be provided with passes and how the flow of people and traffic will go around this area. So we have all those layout drawings. We have got the layout drawings for the different floors of the buildings which we intend to put in place, but we have not yet got detailed costings of what it would cost to build those. We have worked with architects and others to make sure our estimates for those are as firm as we can possibly make them.

**Senator FERGUSON**—The questions I have probably relate more to the next hearing. I want to get some responses from ANSTO to issues that were raised by Sutherland Shire Council, but I will do it in the next hearing.

**Mr BRENDAN O'CONNOR**—I am in the same position.

**CHAIR**—Thank you. I would like to thank the witnesses who have appeared before the committee today in relation to the new main entrance at the Lucas Heights Science and Technology Centre, New South Wales. Thank you again for assisting the committee this morning with the inspection and the private hearing.

Resolved (on motion by **Mr B. O'Connor**):

That, pursuant to the power conferred by section 2(2) of the Parliamentary Papers Act 1908, this committee authorises publication of the evidence given before it and submissions presented at the public hearing this day.

**Committee adjourned at 1.45 p.m.**