

THE PREREQUISITES FOR NUCLEAR ENERGY IN AUSTRALIA: AN ANALYSIS OF THE INQUIRY SO FAR

A couple of months ago, we reflected on the [announcement](#) that the Australian Parliament was to hold an Inquiry into the prerequisites for nuclear energy in Australia. We are now two months into the four-month inquiry and submissions have now closed, although the hearings continue. We report here on the progress to date.

To date, over 250 [submissions](#) have been lodged from individuals and organisations, and five public hearings, which examine those submissions in more detail, have been held across the country.

ANSTO and AusYGN

The first person to give evidence was Dr Ziggy Switkowski, the former chairman of the [Australian Nuclear Science and Technology Organisation](#), who headed the 2006 Federal inquiry into nuclear. He called for the ban on developing nuclear power in Australia to be lifted, although he thinks that the time has passed to construct large scale reactors, preferring instead the deployment of Small Modular Reactors (SMRs).

As expected, there are a variety of views represented in the submissions, both in favour of and against deploying nuclear energy in Australia. The [Australian Young Generation in Nuclear](#), in its evidence addressing the workforce capability aspect, says “*the development of nuclear power in Australia would present significant opportunity for employment and education for young professionals*”.

WNA and CSIRO

The [World Nuclear Association](#), as one would expect, is very much in favour of nuclear energy in Australia and provides positive evidence in each of the areas being looked at in the [Terms of Reference](#) for the Inquiry. In terms of energy affordability and reliability, and economic feasibility, the WNA says “*in many parts of the world new nuclear plants are directly cost competitive on a levelised cost of electricity (LCOE) basis with other energy source.*”

The [Commonwealth Scientific and Industrial Research Organisation](#) has referred its letter to the Inquiry to its [Gen Cost 2018](#) report, produced in partnership with the Australian Energy Market Operator (AEMO), which provides updated estimates of electricity generation costs, including consideration of the role of nuclear power.

However, WNA says of this report “*The joint AEMO CSIRO GenCost report which is apparently considered authoritative in Australia certainly cannot be considered as credible when it comes to nuclear costs.*”

Economics come into the various submissions put forward elsewhere and include commentary on the economics of Hinkley Point C.

Law Council of Australia

A submission from the [Law Council of Australia](#), prepared by the Australian Environment and Planning Law Group (AEPLG) of the Law Council’s Legal Practice Section, also looks at each of the areas of the terms of reference, relying much on the 2006 Inquiry report and the CSIRO report to support its statements.

However, some of these appear rather subjective, and somewhat without foundation, such as:

- *“While there are a number of countries [] are currently developing waste storage facilities, no long-term study exists as to the environmental and safety impacts of such facilities” (para 10).* The development of each such facility is always supported by significant environmental impact and nuclear safety case studies based on actual site conditions
- *“Countries that have historically welcomed the development of nuclear power are now moving away from this technology” (para 14).* Japan is the only example cited.

In addition, there is an inaccurate statement at paragraph (21) relating to Hinkley Point, which includes the sentence: *“Construction [of Hinkley Point C] has now stopped and may not resume.”* This is clearly not the case.

Future Progress

Although not called for in the terms of reference, there are two submissions supporting the use of nuclear propulsion. The Royal Australian Navy (RAN) has ordered twelve Attack class submarines, of French design, to be built in Adelaide. Indeed, the Submarine Institute of Australia (SIA) has just concluded a separate [conference](#) on the subject.

It proposes that nuclear for defence purposes and nuclear for civil energy use should be developed together in a *“holistic”* manner, not in isolation, and that this would strengthen the case for nuclear in the country.

In addition to the Federal Inquiry, there is also a state-level inquiry in New South Wales, looking at repealing the state ban on uranium mining and nuclear energy, as well as in Victoria, which is looking to repeal its ban on uranium exploration and mining.

According to a recent [poll](#), more than 50% of Australians now feel that the country should develop nuclear power in order to reduce its carbon emissions, up from a reported 35% in 2011.

We will continue to watch and provide assessments of progress.

About the Author

Prospect Law is a multi-disciplinary practice with specialist expertise in the energy and environmental sectors with particular experience in the low carbon energy sector. The firm is made up of lawyers, engineers, surveyors and finance experts.

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