



Australian Government
Department of Industry,
Innovation and Science

National Radioactive Waste Management Facility

Barndioota Consultative Committee

Meeting Notes

Wednesday 11th April 2018

Agenda

Time	Item	Lead
Tea and coffee available from 09:00		
09:30-09:35	Welcome to country	Aaron Stuart
09:35-10:00	Housekeeping <ul style="list-style-type: none"> - Apologies - Overview of the meeting agenda - Approval of the Draft Notes of meeting of 12 December 2017 and 20 February 2018 - Approval of Observer Protocol 	Paul Thomas, Independent Convener
10:00-10:15	Project Update <ul style="list-style-type: none"> - Site Characterisation Updates 	DIIS
10:15-10:30	Community Benefit Programme Update	Mr Adam Comley, AusIndustry
10:30-10:45 Morning Tea Break		
10:45-11:30	Environmental Protection <ul style="list-style-type: none"> - Environment Protection and Biodiversity Conservation Act 1999 	Mr Daniel Rothenfluh (Department of the Environment)
11:30-12:00	Economic Working Group Update	Mr Ian Carpenter Mr Malcolm 'Tiger' McKenzie
12:00-13:00 Lunch		
13:00-13:45	ANSTO Facility Design Presentation And Framework Discussion	Mr Alex Borovskis, ANSTO DIIS
13:45-14:30	AEC Vote Process	DIIS
14:30-14:45 Afternoon Tea		

Attendees:

Paul Thomas (Convener)	John Rowe	Rachel Vella
Greg Flint (Deputy Convener)	Ashley Haywood	Julia Henderson
Susan Andersson	Steven Taylor	Aaron Stuart
Dianne Ashton	John Hennessy	
Denise Carpenter	Janice McInnis	
Ronald Daniel	Cecilia Woolford	

Apologies:

David Michael	Jon Gill	Philip Fels
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Other Attendees:

Name	Organisation
Senator Matt Canavan	Minister for Resources and Northern Australia
Mr Rowan Ramsey	Member for Grey, South Australia
Bruce Wilson	DIIS: NRWMF Project Team – General Manager
Ian Carter	DIIS: NRWMF Project Team – Assistant Manager
Stephen Clarke	DIIS: NRWMF Project Team - Community Consultation Team
Daniel Rofenfluh	Environment
Alex Borovskis	ANSTO
Adam Comley	AusIndustry
Ian Carpenter	Economic Working Group (Co-Chair)
Malcolm McKenzie	Economic Working Group (Co-Chair)
Ms Sue Tulloch	Observer

Action Items

Item	Status
1. Add note to each agenda from now on regarding the agenda protocol.	Complete
2. The department to provide Dept. of the Environment and Energy's presentation to the BCC.	Complete
3. Send email with links to various guidelines (e.g. the guidelines on significant Impact).	Complete
4. The department to provide the EPBC Act to the BCC.	Complete Available Here
5. ANSTO to provide outline on what the generic safety case will include.	In Progress
6. The department to provide feedback on if the AEC vote can be broken up.	Complete
7. Community outline paper to be developed by the department and distributed to committee.	Complete

Observer Protocol

Discussion

- A member raised their concerns regarding the confidentiality of what members say during the BCC meeting particularly when members names are connected to comments.
- A member argued that the committee will be able to handle observers and suggested that it should be trialled.
- The Chair added that matter of confidentiality can be raised before they are discussed to allow discussion to happen and observers can be asked to leave. The protocol also points out that if the protocol is not followed the observers privilege can be withdrawn.
- A member added that they don't feel comfortable if there is a routine presence of observers as there have been instances of aggressive/threatening behaviour or retaliation in the past.
 - A member argued that this is the purpose of the BCC – to get information out to the public.
- A member suggested that the committee should take this issue to a vote.
 - The member added that it has come to light that a member of the Economic Working Group had leaked on Facebook one of the community benefit packages.
- The Chair suggested that the observer should request to attend the meeting at least the day prior. This will allow the Chair to know who is going to be there.
 - A member added that it should be stipulated how many people can observe the meeting.
- A member asked how they could report breaches of protocol.
 - Members can contact the convenor who has the authority to deny that future observers access to the meetings.
- A member suggested that they should trial the protocol and if there are any issues then the privileges are taken away.
- Bruce Wilson suggested that the committee trial the observer protocol for 2-3 meeting where it will be then considered as to whether to extend.
- Members agreed to the observer protocol on the grounds that it will be trial for 3 meetings and observers will make a request to observe at least one-day prior (12 noon). The number of observers allowed will be up to the Convenors discretion.
- A member added that if an observer is representing a group they are to record this on the observer protocol.
- A member asked if the names of the observers will be announced before the meeting.
 - The chair confirmed that the names will be announced and included in the minutes.

Action Item 1:

Add note to each agenda from now on regarding the agenda protocol

Welcome to Country

- Aaron Stewart gave a Welcome to Country.

Draft Notes of meeting of 12 December 2017 and 20 February 2018

Members accepted the notes of meeting 12 December and 20 February.

Project Update

Bruce Wilson gave a brief overview of the site characterisation work including the following topics:

- Seismic surveying has been completed.
- LIDAR completed.
- Bore hole drilling and shallow trenches will be completed over the next couple of weeks.
- Site design is underway – to be completed in May.
- Safety Case is underway.
- Waste Acceptance Criteria (WAC) should be complete in the next couple of weeks.
- Aboriginal Cultural Heritage Assessment report is being finalised.
- The department is beginning to have conversations regarding the community vote.

Mr. Wilson added that Bruce McCleary has resigned and that he (Mr. Wilson) is the Principle Advisor on the project.

Discussion

- A member asked how when information on the site characterisation report will be available.
 - The report needs to be complete as soon as possible – the department is expecting to have it by July 2018.

Community Benefit Programme update

The successful Community Benefit Programme applications were announced 11 April 2018. Adam Comley (AusIndustry) provided a short update on the programme.

- All of the \$2.1 million was allocated.
- 12 projects were funded, 8 in Hawker, 2 in Quorn and 2 in Cradock.
- There was a further five that have merit assessed and found as eligible – if any more funds become available it can be easily allocated.
- Official notifications will go out this week and then agreement phase begins.
- Potentially all these grants can be signed off by the end of the month and money distributed by May 2018.
- A number of projects have conditions added to them.
- Mr. Comley then discussed the list of projects that successfully gained funding.

Discussion

- Members asked why the skate park had been accepted even though the committee had rated it low.
 - The assessment by the BCC accounts for 24% of the whole assessment. AusIndustry saw the skate park project as a high merit project.
- A member expressed concern regarding projects receiving multiple government funding.
 - With some funds AusIndustry do stipulate a cap on government funding for a single project.
 - However, AusIndustry made this program accessible and flexible to provide greater benefit to the program.

Environmental Protection

Daniel Rofenfluh from The Department of the Environment and Energy gave an overview of the *Environment Protection and Biodiversity Conversation Act 1999*. Mr. Rofenfluh's background is in chemistry and has been with the Department of the Environment and Energy since 2007.

Mr. Rofenfluh's presentation included the following topics:

- An overview of the EPBC Act.
- The assessment process.
- Approval process for establishing a radioactive waste facility.
- A member asked if the Minister could override the act.
 - It is the Ministers power to override these decisions but in my experience with the department I have never seen this happen. The Minister will take into account the departments advice.
- A member asked how will the public know when the referral is open for comment.
 - It will be available on the Department of the Environment and Energy's website. The responsibility is with the public to know what is happening.
 - Bruce Wilson added that the department will make sure the process is as transparent as possible. Mr. Wilson clarified the EPBC process will begin after the Minister chooses a preferred site.
- A member asked about the lifecycle of the committee.
 - The department see that the committee will continue to meet indefinitely even after a vote has been completed.
- A member asked if the EPBC act applies to other countries.
 - The act only applies to Australia and Commonwealth land.
- A member asked if the Minister can acquire the land and it becomes commonwealth land will access land be acquired.
 - Yes, the NRWMF act provides the acquisition of easements and such to get access to the facility.
- A member asked if the Department of the Environment and Energy would consider things like the Wentworth Group's Accounting for Nature.
 - The department considers different factors more broadly than that. The projects is what triggered the process so it always needs to be drawn back to that.
 - Bruce Wilson added that at Wallerberdina that water would be investigated, as part of the site characterisation study.
- A member asked if the department would have to outline how long Intermediate Level Waste will remain at the site for in their referral.
 - It could be part of the conditions (i.e. intermediate waste can only be kept at the facility for a maximum of 30 years).

- Bruce Wilson added that when the department goes to the Minister they will have to advise on how long the ILW will be kept.
- A member asked if the monitoring wells for groundwater will be managed by state or federal government.
 - The federal government will manage and monitor these wells and report the data.
 - Every report that the proponent develops will need to be publically available.
 - The member added how quickly environmental problems can be addressed.
 - The proponent has to continuously show that the environment is being monitored. The proponent will be required to monitor outcomes in real-time.

Action Item 2:

The department to provide Dept. of the Environment and Energy's presentation to the BCC

Action Item 3:

Send email with links to various guidelines (e.g. the guidelines on significant Impact)

Action Item 4:

The department is to provide the EPBC Act to the BCC

Wallerberdina Economic Working Group update

Co-Chairs of the Wallerberdina Economic Working Group (WEWG), Malcolm McKenzie and Ian Carpenter provided a short update on the activities of the WEWG to the BCC.

The update included:

- The Hawker Industry Expo which will take place Friday 4 May.
- The ANSTO educational experience which recently gave 18 Quorn students the chance to visit Lucas Heights.
- The economic and social impact study, which the WEWG had engaged Professor Peta Ashworth to undertake.
- The WEWG's involvement with AECOM site characterisation work.

Discussion

- A member asked if the WEWG would also be looking at opportunities for contractors not just in the Hawker area but more widely in the region:
 - Yes, the group will be looking more widely to gather the correct capabilities.
 - It's important that young locals are accredited and trained well for specific jobs.
 - That is why the WEWG is looking at what kind of jobs will be available.
- A member mentioned there is already a funded program at Leigh Creek similar to the WEWG proposal. It works through the TAFE and other RDO's.
- A member asked if the Co-Chairs of the WEWG were aware that a member of the WEWG breached confidentially on social media regarding the Community Benefit Programme.
 - The Co-Chairs of the WEWG will discuss at the next meeting.
- A member asked what benefit the Co-Chairs of the WEWG sought for the Industry expo day.
 - It's about networking for local contractors and national companies while discussing the opportunities that will be present if the facility were to go ahead at Wallerberdina Station.

- A member asked if the WEWG had spoken to any Aboriginal companies regarding the Industry Expo Day and have they shown interest.
 - It hasn't gone to this stage yet but Aboriginal companies will be asked to be involved.
- The member added if the WEWG will be pushing for a certain percentage of Aboriginal employment:
 - Yes, this is something that the WEWG has expressed to the department and AECOM.
 - The Minister added that minimum Aboriginal procurement targets will be a priority for the government.
- The co-chair stated the facility could be used to secure a permanent doctor in Hawker. This would provide continuity for the community.
 - A member raised the point Hawker has a doctor and has resided in the town for 20 years.

Minister Matt Canavan

Minister Matt Canavan and Rowan Ramsey MP joined the meeting and acknowledged the hard work of both Hawker and Kimba communities. The Minister then addressed the following topics:

- Release of the Radioactive Waste Management Framework.
- Announcement of vote date subject to council's approval – 20 August 2018.
- The \$10 million benefit fund.
- Co-benefits of the proposed facility.
- Ideally a site preference would be notified in October. Following this will be a 60 day consultation period.

Discussion

- A member stated that as far as the \$10 million benefit fund, it has already been legislated as part of a process.
 - The Minister clarified that under the act there are constitutional limitations but the feedback that the Minister has gathered that a fund and the structure needs to be discussed by the committee and then communicated to the Minister.
- A member asked if further information on this will be available before the vote.
 - The Minister confirmed that this would be part of the information that prior to the vote – he requested that the committee outline their preferred approach on how they would like the fund structured.
- A member addressed their concern for the divisiveness in the community.
 - The Minister acknowledged the issue and understand that any proposal like this won't be fully supported. The government knows that this isn't easy for the community that's why the Community Benefit Programme has been set up and the government is willing to continue invest.
- A member expressed their concern towards the fact that Hawker and Leigh Creek have been exposed to more blackouts than anywhere else in Australia. SA Power have come to the Hawker Development Board with the idea that they could put a generator out at Yappla to combat this, they also wanted to know they can put any money towards it (10%).
 - The Minister stated that he would discuss this issue with SA Power and get to the bottom of it. This could be a co-benefit to the facility.
- A member asked that the Minister clarify that there's the \$10 million and that there may be another stream of money that can go towards other infrastructure.

- The Minister stated that the \$10 million is set in stone but the government is open to feedback from the community and there is the co-benefits of the facility which include Indigenous employment and infrastructure.
- The Chair added that this should be on the agenda at a future meeting.
- A member added that it would be good for the federal government to invest in local aboriginal knowledge.
 - The Minister agreed and stated that the benefits would be great.
 - Bruce Wilson added that through the Aboriginal Cultural Heritage Survey that things like an Aboriginal cultural centre could be developed. These kinds of things can be beneficial to the wider area – the songline connect through other areas.
- A member expressed their concern that the BCC is an enabling committee and that no matter their feedback and discussions the department would do as they wish including the community outline. The member added that they were told that the process would be completed by the end of the year.
 - The Minister is happy to take feedback on the boundaries and they will be considered.
- A member expressed their concern regarding the percentage needed in the vote.
 - The Minister stated that more is taken into account than just the vote results, however it would have to be more than a split decision.
- A member stated that they believe a previous members comment regarding divisiveness was overstated.
 - The member who stated their concern regarding the divisiveness clarified that they were referring to the divisiveness in the Aboriginal community.
 - The Minister reiterated his acknowledgment of this divisiveness.
- A member asked for clarification on how the Waste Acceptance Criteria will work.
 - The waste will have to be acceptable due to transport regulations before it leaves the facility (i.e. Lucas Heights, Woomera etc.). The waste will need to fit the Waste Acceptance Criteria before it is disposed of at the proposed facility.

Framework

Bruce Wilson gave an overview of the Radioactive Waste Management Framework.

- New Waste Management Function which:
 - Sets expectations both domestically and internationally on Australia’s approach to radioactive waste management.
 - Coordinates decisions around Commonwealth held waste.
 - Responsible for managing the waste management stream.
 - Develop an Intermediate Level Waste (ILW) disposal pathway.
- ILW will be going to the facility

ANSTO Facility Design Presentation

Alex Borovskis gave an overview of the facility design work that is now underway at ANSTO.

Mr. Borovskis works in the Waste Management Services division and is a lead engineer working on the concept design of the facility on behalf of the department. Mr Borovskis gave an overview of the following:

- Concept design update.
- Building design principles.

- Influence of the Site Characterisation on design.
- The safety case.

Discussion

- A member asked if climate change will be taken into consideration as part of the safety case.
 - The safety case won't consider climate change specifically but will look at abnormal natural events to make sure the facility is prepared.
- A member asked if the safety case will be completed after a preferred site is selected.
 - The safety case will technically never be complete – it is an evolving document.
 - A generic safety case will be developed before a preferred site is selected. This safety case will be to Australian and International standard.

Action Item 5:

ANSTO to provide outline on what the generic safety case will include.

- A member asked if cost could come into the decisions making process when selecting preferred site.
 - Yes, cost could become part of the decision.

Action Item 6:

The department to provide ANSTO's presentation to the BCC.

Community vote

Bruce Wilson gave an overview of the Australian Electoral Commission (AEC) vote process.

- The vote will be a mail-out ballot over 4-5 weeks.
- The current community border is the Flinders Ranges Council (FRC) plus the 50km radius around Wallerberdina Station.
- The Flinder Ranges Council will host the vote.

Discussion

- A member expressed concern regarding the community border – the department seem to already have made up their mind.
 - That's not the case. The department will take feedback on this from the community.
- A member stated that there could be a potential imbalance in Quorn and asked if there would there be any consideration in breaking down the vote.
 - The department is unsure if this can be done, is a question for the FRC and AEC.
- Discussion was had around the vote boundary to be used in the community sentiment vote. The committee suggested that they vote at the end of the meeting on their preference.
 - A member raised that it should be clear exactly what is being voted on. It was advised that the committee would be voting on their preference between a boundary of the 50km radius around the proposed site plus the Flinders

Ranges Council area or the 50km radius around the proposed site plus the old Hawker Council area. This boundary would apply to the community sentiment vote to be held in August and would not apply to the Community Benefit Programme.

Action Item 7:

The department to provide feedback on if the AEC vote can be broken up.

- A member asked who will come up with the question for the ballot.
 - The department will work with the council and the community to construct the right question.
 - The current community outline would be a default.
- The Chair added that the community outline should be voted on at the next meeting.

Action Item 7:

Community outline to be voted on at next meeting (to be held as closed meeting).

Action Item 8:

Community outline paper to be developed by the department and distributed to committee.

Other business

- A member asked if ATLA and VYAC could present at a future BCC meeting as they felt they had a lack of presentation on the committee.
 - Mr Wilson expressed concern at the request and noted it was unusual to ask one stakeholder group to attend and not others and inquired what would be the purpose of this?
 - The Chair has taken this on notice especially given the point was raised after Mr Stuart had left (for family reasons) and will discuss this request with Rebecca Mouthaan.

Meeting closed 3:00pm