



## **Australian Government**

# Australian Government response to the Senate Economic References Committee report into the site selection process for a National Radioactive Waste Management Facility

November 2018

## INTRODUCTION

The Australian Government welcomes the opportunity to respond to the findings and recommendations of the Senate Economic References Committee report into the site selection process for a National Radioactive Waste Management Facility (the Facility), and agrees to the Committee's recommendations, either in full or in-principle.

The process undertaken by the Minister for Resources and Northern Australia and the department, including seeking nominations and making a decision on a site, is consistent with the requirements set out in the *National Radioactive Waste Management Act 2012* (the Act). In addition to those requirements the department engaged in a comprehensive community consultation process resulting in the communities being empowered to make an informed decision.

Consultation and engagement with the Aboriginal communities has been and remains respectful and comprehensive; consistent with broader community engagement undertaken over the nomination period. Importantly, independent of an individual's view regarding the project, the process has facilitated aboriginal community members participating in heritage discussions, visiting ANSTO, nominating for committees and where possible engaging in the site characterisation activities. The Government welcomes the recommendation relating to Indigenous engagement, which aligns with the department's existing and future plans.

What constitutes broad support in each community will necessarily vary depending on the different interest groups involved in a particular site. Setting a mandated threshold does not provide comfort that all voices in the community who wish to be heard will be heard. It may also disenfranchise minority elements of the community or result in a minority group having an automatic veto or dictating power over the majority.

The Minister's ability to exercise judgement to determine whether there is broad community support, based on the circumstances relevant to each nomination, is consistent with his absolute discretion under the Act.

The Government does not support the recommendations proposed in the dissenting statements by the Australian Greens or Centre Alliance which it believes would hinder rather than progress this important national project. However, it will continue to engage with all parties in taking forward the process to select a site and establish the Facility.

**AUSTRALIAN GOVERNMENT RESPONSE TO THE SENATE ECONOMIC REFERENCES COMMITTEE REPORT INTO THE SITE SELECTION PROCESS FOR A NATIONAL RADIOACTIVE WASTE MANAGEMENT FACILITY**

Committee recommendations	Government response
<p><b>Recommendation 1</b></p> <p>If a NRWMF were to be sited in an agricultural region, the committee recommends that the Department of Industry, Innovation and Science work with local stakeholders so that part of the remaining 60 hectare buffer zone can be used to grow and test agricultural produce in order to reassure the community and agricultural markets that the produce from the surrounding region does not contain excessive amounts of radiation and is safe for consumption.</p>	<p><b>Agreed in principle</b></p> <p>The department will work with local stakeholders to determine how the buffer zone can be used to grow and test agricultural produce, within the constraints of regulated safety and security requirements.</p>
<p><b>Recommendation 2</b></p> <p>The committee recommends that the Minister intensify and expedite efforts to fully engage with the Indigenous stakeholders near Kimba and Hawker so that comprehensive heritage assessments for all nominated sites can be completed.</p>	<p><b>Agreed in principle</b></p> <p>The department will continue to work with the relevant Traditional Owners, and further develop its heritage assessment, once a site has been selected.</p> <p>A preliminary independent assessment of Aboriginal cultural heritage within Napandee and Lyndhurst has been completed. The assessment confirmed there are no registered heritage sites within or surrounding the Lyndhurst or Napandee sites. Heritage assessments will continue at both sites with the department and heritage consultants working with the Barngarla community to determine if there is unregistered heritage that could be impacted by a facility, should either site be selected.</p>

Committee recommendations	Government response
	<p>An initial comprehensive, independent heritage assessment of Wallerberdina Station has been completed, in close consultation with a Heritage Working Group, involving the Adnyamathanha Traditional Lands Association (ATLA) and the Viliwarinha and Yura Aboriginal Corporation (VYAC). While three key areas of Aboriginal heritage were identified within the 6,300 hectare property, the selection of 100 hectares of land within Wallerberdina station was chosen so as to not impact on any sites of known heritage.</p> <p>If Wallerberdina Station were to be selected to host the facility, an Aboriginal Cultural Heritage Plan will be developed to manage cultural heritage values around the site. The plan would be continuously developed during a detailed technical cultural heritage investigation, as well as during the life of the facility. The Adnyamathana community would continue to be at the centre of discussion about culture and heritage at Wallerberdina station, and will be consulted prior to any works to establish the Facility.</p>
<p><b>Recommendation 3</b></p> <p>The committee recommends that the government undertake an independent valuation of the land to be acquired to ensure that the financial compensation is consistent with the original proposal to compensate the landholder at four times the land value</p>	<p><b>Agreed</b></p> <p>The department is in the process of seeking an independent valuation. It will also provide financial support for the nominators to obtain their own independent advice to assist them to seek reasonable compensation in line with their entitlements under the <i>National Radioactive Waste Management Act 2012</i>.</p>

Committee recommendations	Government response
<p><b>Recommendation 4</b></p> <p>The committee recommends that the Department of Industry, Innovation and Science make submissions received during the consultation process publicly available in the circumstances where the authors originally intended for their submission to be made public.</p>	<p><b>Agreed</b></p> <p>The department will publish submissions on its website - <a href="http://www.radioactivewaste.gov.au">www.radioactivewaste.gov.au</a> – where it has authors’ agreement to do so.</p>
<p><b>Recommendation 5</b></p> <p>The committee recommends that the Office of the Chief Economist within the Department of Industry, Innovation and Science undertake a policy evaluation of the first two phases of the site selection process for a National Radioactive Waste Management Facility</p>	<p><b>Agreed</b></p> <p>The department has an impact evaluation of the Community Benefits Program scheduled for 2019/20. It will look to expand the terms of reference for the evaluation to cover appropriateness and efficiency in achieving the desired goals of the implementing the Act in relation to the first two phases of the site selection process.</p>