

Policy Scrutiny Committee
Public Hearing 15 October 2018
Opening Statement

NUCLEAR WASTE TRANSPORT STORAGE AND DISPOSAL
(PROHIBITION) AMENDMENT BILL 2018

Michael Tennant, Chief Executive Officer, Department of Trade, Business and
Innovation

Following Ms Townsend's Remarks

Madam Chair and members of the committee. Thank you for inviting me to speak to you today on behalf of the Department of Trade, Business and Innovation about the Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018.

I also acknowledge the time and effort of those that have made submissions on this Bill. I note that some of the submissions included references to comments I made at the previous public hearing on 10 September 2018.

My comments highlighted that the original Act provided an exemption for the offshore oil and gas sector, and that exemption is clarified and maintained in this Bill. This provides ongoing certainty to existing and future oil and gas proponents and supports jobs and economic activity in the Territory.

In responding to the request by the Minerals Council of Australia Northern Territory Division for an additional exemption for mineral sands and rare earths operations, it is worth reiterating that onshore rare earths and mineral sands operations, as with all onshore operations regulated under the *Radiation Protection Act*, are exempt from and therefore unaffected by the Act.

Consideration of an exemption for offshore mineral sands and rare earths operations was beyond the scope of this amendment Bill and would require considerable community consultation, although is not considered appropriate

while there remains a moratorium on seabed mining in the Territory. However, reviewing the list of exemptions could be considered during the next major legislative review of the Act.

I note the submission from INPEX provided a considerable outline of how naturally occurring radioactive material or NORM are generated and dealt with in relation to offshore petroleum production operations, including the onshore processing and cleaning prior to disposal at an approved facility outside the Territory.

As outlined in INPEX's submission, the Northern Territory Government has invested in the Darwin Marine Supply Base to generate economic activity and support Territory jobs through servicing offshore industries. Again, the proposed Bill supports this activity by providing clarity and certainty to the industry and to supporting industries and operations. While the majority of this activity is expected to come from fields within 800km of the Territorial sea baseline of the Territory, it is accepted that it may be commercially viable for operations beyond 800km or outside the Australian jurisdiction to use the Territory as a service and supply hub.

To that end, it is proposed, in addition to the 800km requirement, to include an alternative requirement for an operation to be based within a prescribed basin. Prescribed basins would be identified in the draft regulations and would initially include at least the Browse, Bonaparte, Money Shoal Arafura and Carpentaria Basins.

These geographical criteria, in addition to the economic and social benefit requirements outlined by Ms Townsend, will ensure clear economic and related social benefits to the Territory are identified for each Prescribed Project. They will also prevent other companies that have, for example, established supply bases in Queensland or Western Australia, from using the Territory solely as a dumping ground for nuclear waste, and that the original intent of the Act is supported.

We would be happy to answer any questions the committee may have.