



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

COMMITTEES

**Climate Change, Environment
and the Arts Committee**

Report

SPEECH

Monday, 21 February 2011

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Monday, 21 February 2011
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Questioner
Speaker Zappia, Tony, MP

Source House
Proof No
Responder
Question No.

Mr ZAPPIA (Makin) (10.08 am)—On behalf of the Standing Committee on Climate Change Environment and the Arts I present the committee's report entitled *Advisory Report on the National Radioactive Waste Management Bill 2010*, incorporating a dissenting report, together with the minutes and proceedings.

Ordered that the document be made a parliamentary paper.

Mr ZAPPIA—In presenting this report I advise the House that the National Radioactive Waste Management Bill repeals and replaces the Commonwealth Radioactive Waste Management Act of 2005. The bill also restores some review and procedural fairness rights in the process of selecting a site for a facility. It also preserves the previous nomination of Muckaty Station.

The bill was referred to the Standing Committee on Climate Change Environment and the Arts by the selection committee on 21 October 2010. On 25 November 2010 the member for Melbourne was appointed as a supplementary member to the committee for the purpose of this inquiry, and he has submitted a dissenting report.

The committee takes very seriously its responsibility in dealing with a matter referred to it by the parliament and it certainly did so with the inquiry into this bill. When a bill is referred to a committee there are no terms of reference. In determining the nature of the inquiry into the bill the committee noted the long history associated with this matter and, in particular, previous parliamentary inquiries. In fact, there were four separate Senate inquiries into this bill.

The committee noted that the original bill had been referred to the Senate Legal and Constitutional Affairs Committee on 4 February 2010. That committee reported back in May 2010, which effectively means that it had reported back to the House only a few months before this bill was again referred to the committee. The Senate committee had conducted an extensive public inquiry, in which 238 submissions were received and two public hearings were held—one in Darwin and one in Canberra, if I recall correctly.

The Senate Legal and Constitutional Affairs Committee made six recommendations and Greens senator Scott Ludlam presented a dissenting report at the time. The recommendations of the Senate committee were substantially addressed in the revised bill. The Standing Committee on Climate Change and Environment and the Arts also considered the matters raised by Senator Ludlam in the Senate committee inquiry's dissenting report—in particular, the concern with respect to the dispute about the Muckaty Station nomination. I make it clear that the committee took that dispute very seriously. The compliance with environmental and nuclear radiation standards and the federal minister's powers were also raised by Senator Ludlam in his dissenting report.

On each of these matters the committee was satisfied that the bill should be debated in the parliament. This bill specifically deals with a site nomination process. The nomination of a site does not guarantee the establishment of a radioactive waste facility. The Environment Protection Biodiversity and Conservation Act; the Australian Radiation Protection and Nuclear Safety Act and the Nuclear Non-Proliferation (Safeguards) Act 1987 will all need to be complied with, including all relevant public consultation provisions, before a radioactive waste facility is approved.

I will just turn back to the nomination of the Muckaty Station. With respect to the Muckaty Station nomination the committee noted that the dispute is currently before the Federal Court. The committee concluded that it would be inappropriate for it to inquire into a matter currently before the courts. In fact, the committee felt that it would be improper for it to do so. The committee also noted that the minister had indicated that the government would respect the court's decision.

This history of reports and inquiries associated with this matter date back to 2005 and earlier. As I said a moment ago, there have already been four public inquiries into issues associated with this very matter by Senate committees. There exists throughout the community ideological differences on matters associated with the nuclear industry. The committee accepts that. These ideological differences will not be resolved by more

costly public inquiries, whether they are by House committees, by Senate committees or by another public body. Ultimately the parliament, through its publicly elected members, will have to decide. The committee, in recommending that the Radioactive Waste Management Act be approved, concluded that the parliament, through its publicly elected members, will ultimately have to resolve this matter.