

Record of Minister's assessment of preferred site (as of 21 January 2020)

This document sets out the factors considered in making an assessment of the preferred site for a facility for the safe and secure management of radioactive waste, in line with the objective of the *National Radioactive Waste Management Act 2012*.

Determination

Radioactive waste can be safely and securely managed by the establishment and operation of the facility at **Napandee**.

Findings

Site selection criterion 1

The extent to which it is reasonably likely that, at the site, radioactive waste can be safely and securely managed by the establishment and operation of the NRWM facility that meets the necessary regulatory or other approvals, licences and permits.

- All sites could safely and securely store radioactive waste with appropriate mitigations, however the complexity and cost to achieve this varies significantly between sites.
- The geology, seismology, and hydrology reports of the Wallerberdina site demonstrated a level of complexity and cost significantly greater than either Lyndhurst or Napandee.
- In contrast to the site at Lyndhurst, the Napandee site requires less mitigation works and no additional land acquisition to manage natural hazards.

Site selection criterion 2

The costs to acquire the site and realise the NRWM facility at the site.

There are costs differences between sites because of the complex natural hazard mitigations required (see criterion 1).

- Wallerberdina has a significant cost disadvantage relating to hydrology risks and the construction of roads.
- Lyndhurst has a cost disadvantage relating primarily to hydrology issues and the associated mitigation costs including additional acquisition of land and building design mitigations.
- Napandee has a cost advantage because the increased costs of road works (compared with Lyndhurst) or power (compared with Wallerberdina) is offset by the cost savings associated with the lower hydrology risks at the site.

Site selection criterion 3

Other matters relevant to the suitability of the site for the establishment and operation of the NRWM facility.

- The supply of water to Lyndhurst and Napandee will require engagement with the South Australian Government. Given the level of community support that exists for the project, there are good prospects for this matter to be resolved satisfactorily.
- While Native Title has been extinguished at all of the sites, this does not minimise the need to preserve and protect Aboriginal cultural heritage. It will be vital for the Government and the department to work with the Barnjarla Determination Aboriginal Corporation (BDAC) to ensure the preservation and protection of Aboriginal cultural heritage.

Site selection criterion 4

The extent to which there is broad community support for the NRWM facility to be hosted at the site.

The evidence demonstrates there is broad community support for the facility at Napandee and Lyndhurst. There is more support for the facility at Napandee than Lyndhurst.

Wallerberdina

- The Wallerberdina site has not met the threshold for broad community support, on the basis that:
 - there was no simple majority in the formal community ballot process (47.33 per cent support) where 71.08 per cent of the community voted
 - reviewing the public submissions, it was clear that the majority of local submissions indicated no support for the facility (86.6 per cent)
 - Traditional Owners and their representative organisations indicated mixed support for the facility – while the Adnyamathanha Traditional Lands Association (ATLA) oppose the facility, it is acknowledged that Viliwarinha Yura Aboriginal Corporation (VYAC) members voted in favour of the facility
 - this site was more contested by the broader community than was the case with respect to the Kimba sites (Lyndhurst and Napandee).
- Neighbour and business surveys were not conducted for Wallerberdina given the outcome of the community ballot and the subsequent decision not to proceed with the site.

Lyndhurst and Napandee

- There is broad community support at the Kimba sites as indicated by:
 - the significant majority (61.58 per cent) of ballot respondents that support the facility at Kimba
 - the high participation rate (90.41 per cent) which reflects strong community engagement on site selection and makes the ballot a reliable indicator of sentiment

- the support for the facility expressed in the majority of local public submissions (59.8 per cent overall, and 63.0 per cent of bespoke submissions)
 - approximately one third of the local community (254 individuals) made public submissions, which reflects strong community engagement on site selection
 - a large number of submissions, particularly from younger members of the local community, expressed enthusiasm for the jobs and opportunities the facility would provide for those living in the area
 - there were a number of submissions from members of the public expressing enthusiasm to return to Kimba, if there were more of these opportunities available
 - the majority of businesses surveyed (59.3 per cent) supported the facility.
- The high participation rate for these measures (90.41 per cent for the ballot; 254 local submissions, and 135 local businesses) reflects strong community engagement on site selection and makes these reliable indicators of sentiment.
 - The neighbour survey is a distinguishing sentiment indicator between the sites at Napandee and Lyndhurst:
 - all direct neighbours of Napandee that participated in the survey supported the facility
 - there is less support from direct neighbours of Lyndhurst
 - while there are different ways to view the results of the neighbours survey (by parcels owned, by participants as residents or owners, or by total responses) the majority of neighbours within five kilometres of the Napandee site supported the facility (60.0 per cent by participants, 72.7 per cent by responses and 75.0 per cent by parcels owned).

It is important to acknowledge that there remains some opposition and division within the Kimba communities.

- The agricultural industry has a lower level of support (47.7 per cent) than neighbours, businesses and the broader community. The Government is committed to promoting research and development benefits for the agricultural sector in Kimba.
- Safety concerns remain for those opposed to the site. When safety was raised as a concern, it was mostly in relation to the movement of TN81 canisters (containers of Intermediate Level Waste).
- The Barnjarla Determination Aboriginal Corporation, which represents the Barnjarla Native Title holders in the region surrounding the sites, is opposed to the facility and has made a number of submissions expressing dissatisfaction with how they have been consulted, particularly with respect to the assessment of Aboriginal cultural heritage values.
 - Of the 39.71 per cent (83 members) of BDAC members who voted in its survey, all participants expressed opposition.

- While members of BDAC do not generally reside in the local area, their position as Traditional Owners is recognised, and serious consideration has been given to BDAC's views and opposition to the facility.
- While Native Title has been extinguished at the approved nominated sites, it is a priority for the Government to protect and preserve Aboriginal cultural heritage and engage meaningfully with the Traditional Owners.

The project should only proceed in a way that recognises and respects the views of those who oppose the facility, including BDAC and those with agricultural interests. The Government has consistently stated that one group or individual would not have a right to veto the facility and that everyone's views would be taken into account.

Support will continue to be provided to help provide a level of comfort for the communities, and ensure that future planning and development for the facility proceeds in a respectful way.

- Significant weight was not given to:
 - ministerial correspondence, which was not promoted as a process to gather sentiment,
 - petitions, where the location of petitioners is unclear, and
 - surveys undertaken by community members, where the efficacy of the survey process is unclear.

Summary of assessment of preferred site

A facility at Napandee will safely and securely manage radioactive waste, and within Kimba, there is broad community support for the project and the economic benefits it will bring. For these reasons Napandee has been identified as the preferred site for the facility.