



**Alinytjara Wilurara
Natural Resources
Management Board**

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Nuclear Fuel Cycle Royal Commission
GPO Box 11043
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Dear Sir/Madam

We thank the Royal Commission for the opportunity to make a submission.

This submission is based on preliminary understanding of the information presented at public fora and from initial consultation with community members, and directly refers to matters raised in Discussion Papers 1 and 4.

Our responses to Issues Papers 1 & 4 is based on our vision for our region: healthy people, healthy water, healthy country.

We hold the view that there is a need for appropriate economic development opportunities within our region that balance short term economic gain with the long term sustainability and availability of important natural resources to future generations so they too have the chance to enjoy the things we experience today. We value the opportunity to take care of our water, land and stories and value the chance to be able to pass these opportunities on to our children.

In general, we note levels of concern within our communities that suggest that the timeframe for consultation on the risks and opportunities through the Royal Commission is insufficient that to give more than a cursory opportunity for appropriate consultation. We noted through preliminary conversations with community members a level of confusion about what was being discussed, where some people stated “no, that’s all been talked about in the past and there won’t be any more nuclear” to those that displayed a better understanding of the nature of the scope of the Royal Commission, but a sense that decisions had already been made to proceed with a waste dump.

Given this range of responses from a relatively limited set of conversations, we suggest that if any matters were to be considered in any more detail, there needs to be a much deeper and extensive level of consultation and engagement to fully inform community about the nature of risk and opportunity related to the nuclear fuel cycle. It must be remembered that the people of our region suffered significant personal, cultural and social harm as a result of the testing of nuclear weapons. The living memory of this phase of our shared history casts a long shadow over any contemporary conversation regarding the nuclear fuel cycle.

We note that the Nuclear Fuel Cycle Royal Commission will be taking hearings following submissions.

With this submission, we seek the opportunity for the Commissioner to attend a meeting of our Board to have the opportunity to address the conversation directly with leading representatives of the community who have both traditional cultural and contemporary legal ownership & management responsibilities of the lands. At such a meeting, or at hearing, we would be pleased to discuss with you matters of investment models to deliver long term benefits to environment, society and economy in our region. Along with this we would be pleased to work with you on matters of understanding broader Social Return on Investment that may indicate the value of the development, were one to proceed in the future.

We feel that such deeper consultation and engagement with our communities, through for a such as meeting our Board needs to be undertaken sooner rather than later, and needs to be appropriately resourced to ensure that the timeframes are not rushed, and community don't feel pressured into making decisions, or providing a view that is not fully informed by fact. This is based on historical experience where resource project proponents in our region believed that had fully engaged and consulted community.

However, once the resource project became operational, community were deeply upset at the operational scale of activity. This previous experience has created a sense of distrust amongst some members of our community toward those proposing to undertake major economic development project activity. This means that the any proponent who is considering undertaking a development that has the potential to significantly impact land, water & biological assets, and as a consequence cultural assets, needs to ensure that appropriate consultation process that results in "free, prior and informed consent" is undertaken, regardless of whether the project is successful of not.

Yours faithfully,

Parry Agius
Presiding Member
Alinytjara Wilurara NRM Board

Enc: responses to Issues Papers 1 & 4

ISSUES PAPER ONE EXPLORATION, EXTRACTION AND MILLING

1.1 Are there opportunities for new or further exploration activities directed at locating new mineral deposits, or to better understand existing deposits containing economic concentrations of uranium or thorium in South Australia? What specifically are those opportunities? What might understanding those opportunities be reasonably expected to reveal? What needs to be done to understand their potential more clearly?

In the event of greater levels of exploration for new deposits within our region, we seek that proponents:

- clearly articulate the nature of their exploration project to community, and
- seek to ensure that all exploration works undertaken that causes disturbance to the environment achieve a net positive impact where environment, communities and local economies are long term better off after the exploration than before the exploration began.

Historically, poorly managed exploration projects in the region have left permanent negative impacts on the landscape and this causes a level of mistrust for communities. This makes the commitment to net positive impact even more important, not just as a promise, but as a deliverable to create a meaningful level of trust and positive community relations. Any agency or department providing support for any new exploration needs to commit to the net positive impact approach that will leave a positive environmental, social and economic legacy.

1.2 What are the economic conditions including those in resource markets that would be necessary for the financial viability of new exploration activities directed at locating uranium or thorium? Aside from economic conditions, how do factors such as access to investment, skills training, taxation, research and development, innovation and regulation, bear on decisions to invest in new activities? What is most important?

From a natural resource management perspective, regional skills development in line with developing economic opportunities that can enhance natural resource management outcomes will generally be better received than those that don't consider community participation in natural resource management. Protection of key habitat types, waterhole condition, protection of threatened habitat, ecological communities or species may be an important component of resource company project development by creation of environmental offset protection areas. These are all works programs that can deliver broader environmental, social and economic benefits for local communities and also provide important local outcomes for resource companies. We strongly endorse the broader consideration of the role of indigenous rangers and natural resource management work crews to deliver meaningful landscape scale outcomes.

1.3 What might be necessary to encourage further exploration for uranium and thorium? What might be done to promote viability? Are existing government plans sufficient? Could support be provided in other ways and, if so, how could that be done most effectively? Is there a sufficient availability of information from exploration activities previously undertaken?

Resource project development will inevitably have some local environmental impacts. We strongly support broader consideration of the importance of relevant agencies to consider net positive impact consideration and activities that deliver landscape scale outcomes rather than be tightly and purely focused purely on the inevitable local point impacts. This kind of consideration has the potential to create measurable multiple benefits for natural resource management along with community development.

1.4 Are there either existing proven uranium or thorium resources which might feasibly be developed? Where are they? What specifically needs to be done to develop these? How long would the development process take?

The timeframe for development process will be significantly lengthened if insufficient effort is undertaken to ensure that free, prior and informed consent is undertaken by any project proponent.

1.5 What would be necessary to develop new mine sites or expand existing sites? To what extent are those factors affected by the ability to extract commercial resources other than uranium? What are the necessary factors that might stimulate an expansion in activity? What is the evidence that those factors have been relevant to an expansion in activities elsewhere?

Development and extraction of mineral resources will be significantly delayed if proponents are not able to demonstrate to community members there is a net positive impact of the project that includes improved environmental, social and economic benefits locally around the development.

1.6 Does more need to be done now and in the future with factor inputs (including skills and training, research, education and infrastructure) which are relevant to decisions made to invest in new projects or to expand those that already exist? What capabilities and capacities would be required for the development of new projects? What is the evidence that any specific deficiency influences new investment? What needs to be done to address any deficiency and how would it be done?

Local skills development and training for indigenous participation in the development and operation of extraction and milling projects should be a core focus for any project developer and agency involved in approvals. This should be alongside pathways that stem from natural and cultural management ranger programs to where the work delivers meaningful environmental, social and economic development opportunities for remote indigenous communities in the vicinity of the resource. There is currently significant deficiencies in long-term funding for regional and remote ranger programs that are carefully considered to deliver immediate and ongoing environmental, social and economic development opportunities along with the potential pathways to other higher-skill level roles. Dealing with local development opportunities that also deliver meaningful outcomes for resource companies is seen to overcome “green-tape” and deliver meaningful and deeper engagement between the resource company and surrounding communities. Such innovative approaches can be seen to facilitate improved speed of development of resource projects in WA, where resource companies, regulators and local communities all see significant benefit in the “net positive” approach to landscape management through sensible investment natural resource management projects.

1.7 Is there a sound basis for concluding that there will be increased demand for uranium in the medium and long term? Would that increased demand translate to investment in expanded uranium production capacity in South Australia (bearing in mind other sources of supply and the nature of South Australia’s resources?).

We do not see that there is incontrovertible evidence for increased demand for uranium in the medium and long term, especially due to the apparently rapid rate of technological advances in the renewable power production sector, and the risk to long-lead time projects from disruptive technology. However, investors into such activities need to weigh up the risk of future change to their business model and we will be interested to see the outcomes of the Royal Commission in this regard.

1.8 & 1.9 Would an expansion in extraction activities give rise to new or different risks for the health and safety of workers and the community? If so, what are those risks and what needs to be done to ensure they do not exceed safe levels? Are the existing arrangements for addressing the interaction

between the interests of exploration and extraction activities and other groups with interests such as landowners and native title holders suitable to manage an expansion in exploration or extraction activities? Why? If they are not suitable, what needs to be done?

While the issues paper identifies that various pieces of legislation require agreement and assessment of impacts and direct proponents to consult with native title holder, any proponent should familiarise themselves with the long history of negative impacts that the nuclear fuel cycle (especially the dislocation, illness and dissociation from sense of place and culture from the nuclear testing) has created in our region. As a result of this long and substantially negative set of experiences, any proponent seeking to participate in nuclear cycle activities will be greeted with concern and mistrust. Proponents should seek to ensure that any consultation is deep and done over an extended timeframe with a view to fully understand native title holders and traditional owners issues, concerns, hopes and desires for country and future generations. Proponents should carefully consider the importance of good natural resource management to cultural and physical health and community cohesion. Appropriate consultation and engagement should focus on achieving free, prior and informed consent for any outcome related to resource development.

1.10 & 1.11 Would a future expansion of exploration, extraction and milling activities create new environmental risks or increase existing risks? If so, are current strategies for managing those new risks sufficient? If not, in what specific respects? How would any current approach need to be changed or adapted? Given current techniques of extraction and milling and their regulation, what are the relevant lessons for the contemporary management of environmental impacts that should be learned from past extraction and milling practices?

We do not have a clear view that there would be any expansion of risk other than that which currently exists, except for scale. Greater scale will carry greater direct impacts and proportional increases in risk. We do note that there are significant cultural and spiritual stories related to subsurface environmental features within our region. Mining and extraction of mineral resources could stand to have impacts that may be unacceptable to community related to cultural reasons.

1.12. If an expansion of exploration or extraction activities were viable, what would the estimated benefit be expected to be directly in those sectors, in terms of economic activity? Can growth in employment relating to the extraction or milling of uranium (alone or in conjunction with other commodities being extracted) be estimated? Is there evidence increased extraction and milling would create additional capabilities and capacities in related sectors? What are those sectors? What would their value be?

We cannot estimate the potential economic uplift that would be generated if uranium extraction were viable within the region without more location specific information related to natural resource management.

1.13 Would an increase in extraction activities give rise to negative impacts on other sectors of the economy? Have such impacts been demonstrated elsewhere in Australia or in other economies similar to Australia?

We feel this question is outside of the brief of Alinytjara Wilurara Natural Resource Management Board to respond to and have no comment to add.

ISSUES PAPER FOUR MANAGEMENT, STORAGE AND DISPOSAL OF NUCLEAR AND RADIOACTIVE WASTE

4.1 Are the physical conditions in South Australia, including its geology, suitable for the establishment and operation of facilities to store or dispose of intermediate or high level waste either temporarily or permanently? What are the relevant conditions? What is the evidence that suggests those conditions are suitable or not? What requires further investigation now and in the future?

We have not technical views on this matter. However, we do stress that our region and our communities have significant negative associations with nuclear waste, given the significant legacy issues for health, culture and society resulting from the Maralinga testing of nuclear weapons. This historical context may colour contemporary views of risk and opportunity associated with long-term storage of wastes.

4.2 Are there nuclear or radioactive wastes produced in Australia which could be stored at a facility in South Australia? In what circumstances would the holders of those wastes seek to store or dispose of that waste at facilities in South Australia?

We hold no view on this matter.

4.3 Would the holders of nuclear or radioactive waste outside Australia seek to store or dispose of that waste in South Australia? Who holds that waste? What evidence is there that they are seeking options to store or dispose of wastes elsewhere including in locations like South Australia? If so, what kinds of waste and what volumes might be expected? What would the holders be willing to pay and under what arrangements?

We hold no views on whether parties want to store or dispose of their wastes in SA. The matter of significant concern to us is the nature of impact such storage facility could have on natural and cultural resource management, and the potential for economic development that may be associated with such storage or disposal facilities. Again, we re-assert that our goal is appropriate balancing of short-term economic gain that does not cause negative impacts on future generations to enjoy and experience the cultural and biological assets that give our world meaning. Any remuneration or business model for disposal or storage in our region should address issues related to our goals.

4.4 What sorts of mechanisms would need to be established to fund the costs associated with the future storage or disposal of either Australian or international nuclear or radioactive wastes? Are there relevant models in operation which should be considered? What mechanisms need to be put in place to increase the likelihood that the South Australian community, and relevant parts of it, derive a benefit from that activity?

Historically, mining and extractive resource projects have focussed on remuneration for right to access and take resources on a royalties form of arrangement. These kind of arrangements, while commercially expedient, do not necessarily deliver the kind of benefits to remote indigenous communities that may be experienced by other societies. More suitable local investment models should consider the lifetime of the investment, and be made with a view to ensure that the benefits of the investment provide benefits to environment, society and long term economic benefit, not just short term financial benefit for a limited number of individuals. Mechanisms for investment to deliver meaningful, lasting and broad benefit could include through the establishment of regionally focussed natural resource management trusts. A locally relevant example of a version of a workable model is seen in the Great Victoria Desert Biodiversity Trust. While we feel there are elements of that model

that could be improved, the general model is a relevant. Further the investment modes of resource companies into projects that deliver meaningful and measurable benefit, such as into the Kanyirninpa Jukurrpa Land Management Program in the Western Desert region of WA. These two contemporary models for investment that delivers balanced environmental, social/cultural and economic outcomes show how resource extraction or alternative land use businesses can positively benefit local communities.

We would be pleased to discuss our views of appropriate local investment management models with you to ensure regional and long-lasting regional benefits can come from appropriate remuneration management models.

4.5 What are the specific models and case studies that demonstrate the best practice for the establishment, operation and regulation of facilities for the storage or disposal of nuclear or radioactive waste? What are the less successful examples? Where have they been implemented in practice? What new methods have been proposed? What lessons can be drawn from them?

4.6 What are the security implications created by the storage or disposal of intermediate or high level waste at a purpose-built facility? Could those risks be addressed? If so, by what means?

We hold no views on these matters specifically but look forward to seeing the Royal Commission reporting on responses to the questions.

4.7 What are the processes that would need to be undertaken to build confidence in the community generally, or specific communities, in the design, establishment and operation of such facilities?

Site visits elsewhere and consultation with other communities in the location of long-term storage and disposal are appropriate mechanisms to build confidence in our community member's minds that the risks of negative impacts can be managed so that natural and cultural resources do not suffer unwanted or unpredictable outcomes.

4.8 & 4.9 Bearing in mind the measures that would need to be taken in design and siting, what risks for health and safety would be created by establishing facilities to manage, store and dispose of nuclear or radioactive waste? What needs to be done to ensure that risks do not exceed safe levels? Can anything be done to better understand those risks? Bearing in mind the measures that would need to be taken in design and siting, what environmental risks would the establishment of such facilities present? Are there strategies for managing those risks? If not, what strategies would need to be developed? How would any current approach to management need to be changed or adapted?

Risks to environmental, social and cultural assets need to be considered alongside those to personal health. Better understanding of risks to those assets can be better understood through appropriately conducted consultation with specific information related to the nature of the proposed development.

4.10 What are the risks associated with transportation of nuclear or radioactive wastes for storage or disposal in South Australia? Could existing arrangements for the transportation of such wastes be applied for this purpose? What additional measures might be necessary?

We hold no specific concerns regarding the importance of ensuring no waste is lost from the transportation process prior to final disposal or storage. To us, there is no acceptable amount of nuclear waste that can accidentally be placed in a location other than a designated permanent and final storage facility.

4.11 What financial or economic model or method ought to be used to estimate the economic benefits from the establishment or operation of facilities for the storage or disposal of nuclear and

radioactive waste? What information or data (including that drawn from actual experience in Australia or overseas) should be used in that model or method?

Our preferred method for evaluation of the benefits that may be associated with establishment or operation of long term storage or disposal of nuclear waste is “Social Return on Investment”. This is well established accounting practice internationally, and we would strongly urge any storage or disposal project that may be considered in our region takes on the Social Return on Investment (SRoI) model for considering project benefits.

Again, we would be pleased to discuss this model for economic benefit assessment in more detail with you at hearings.