Committee Secretary
Parliamentary Standing Committee on Public Works
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Re: Inquiry into Submarine Rotational Force—West, Priority Works, HMAS Stirling, Western Australia

To the Committee Secretary of the Parliamentary Standing Committee on Public Works,

Thank you for the opportunity to submit to the Committee Inquiry into and report on the Department of Defence — Submarine Rotational Force—West, Priority Works, HMAS Stirling, Western Australia

This submission is made on behalf of both Nuclear Free WA and Stop AUKUS WA. Nuclear Free WA is a registered charity formed in 2023 with over 80 members and thousands of supporters. The organisation is the latest form of the strong and long standing anti-nuclear movement in WA. Stop AUKUS WA is an organising collective made up of over a dozen organisations and community groups and more than 300 individuals.

Many of our members live in the local government areas of Rockingham (situated on the border of Whadjuk and Binjareb Noongar peoples territories), Kwinana, Cockburn and Fremantle which all face Cockburn Sound - the location of HMAS Stirling at Garden Island. Consequently, they are directly and personally impacted by the AUKUS nuclear powered submarine program and including the ASA's proposed CIF to manage and store nuclear waste.

Stop AUKUS WA and Nuclear Free WA both stand for a nuclear free Indo-Pacific, peace and for Australia to have an independent foreign policy. We are fundamentally opposed to AUKUS and the Force Posture Agreement and the visitations, rotations, procurement and building of naval nuclear-propelled submarines in Australia. We are opposed to this application from the ASA which would facilitate the storage of Low Level Nuclear Waste from visiting US and UK nuclear powered submarines.

We oppose the presence of these submarines, the military build up in the region to secure foreign defence forces and we absolutely reject the establishment of a facility to store radioactive waste from foreign defence forces. This is not in the public interest but instead makes our beautiful Cockburn sound a military target and risk. It poses a health risk to workers, to the environment and in the case of an accident the broader community who use the region intensively through recreation, boating, fishing, walking and more.

Despite our strong opposition, we have engaged, and continue to do so, in policy discussions regarding the implementation of AUKUS, in the interest of constructively advocating for stronger, clearer and more transparent laws and conditions for the operation of nuclear submarines in Australian waters. In the interest of public safety, governance and transparency we offer this submission to the Parliamentary Standing Committee on Public Works on some more substantive details beyond our broader political opposition.

Preface

We express concern that this 2nd stage of the application and approval process to construct a Controlled Industrial Facility (CIF) at HMAS Stirling precedes

(i) Disclosure of the results of the SRF-West Infrastructure Project Community Survey conducted in March 2024

(ii) The outcome of the Australian Submarine Agency (ASA) application to ARPANSA for a site licence for the proposed CIF – public submissions to the ARPANSA Inquiry pertaining to this having closed some time ago.

(iii) The establishment of the Australian Naval Nuclear-Power Safety Regulator, who would be the decision making authority over the granting of a site licence. The establishment of the regulator through the ANNPS Bill has been delayed in Parliament and will not be brought back until the next parliamentary sitting: which begs the question of why these works should be considered as “priority”.

There has been a lack of transparency, sufficient detail and efficient time planning in this process from inception. This in turn fails to engender trust and social licence for a project wrought with risk and public safety concerns.

The Public Works Committee has asked for comment on 1. The stated purpose of the proposed work and its suitability for that purpose 2. The need for the work 3. The cost-effectiveness of the proposal 4. The amount of revenue it will produce if the work is revenue producing the current and prospective value of the work.

The stated purpose of the proposal is unclear, other than to facilitate the operation of nuclear powered submarines. We reject that there is a need for nuclear powered submarines, particularly foreign owned and operated ones. There is little publicly available data about the purpose of having nuclear powered submarines, particularly foreign owned and operated ones - the need for it, the cost effectiveness of it or the revenue it would produce.

In considering the public impact of the project on our environment, housing, commercial interests and the security issues we offer the following comments:

- The proposed works are premature pending an environmental assessment of the proposed HMAS Stirling developments, management of low level radioactive waste and dredging of Derbal Nara (Cockburn Sound) a significant region for both recreation and ecological values.

- There is a current EPBC Referral for Westport - Outer Harbour Port Kwinana developments which includes dredging for a channel to Westport - highlighting that this proposal is both premature and potentially in conflict with existing commercial plans for the region
- There has been no evidence or consideration of the interaction between the shipping lane for commercial vessels (many of which will be Chinese given the existing commercial interests of Chinese companies in the region particularly with WAs lithium and battery developments) and the US and UK nuclear submarines using the same channel
- Given the US and UK and AUKUS pact is largely seen as a response to the potential for tensions to escalate between China it seems that little thought has been given to the fact that Chinese shipping companies are likely to be amongst the most informed about the movement of US and UK nuclear power submarines and military presence in the region.
- There is little evidence or detail on how the proposal will benefit the Australian people with misplaced emphasis on job creation when the region is suffering from worker shortages.
- We are of the view, along with many experts, that the increased military presence in Cockburn Sound at HMAS Stirling does not offer us greater protection but instead makes us a military target - and a military target not just for Australia's potential adversaries but those of our military allies.
- Our understanding is that Australian tax payers are to pay for the proposed works but it is still unclear how Australians will benefit, we seek greater clarity on the material impact and benefit of the development
- There is no acknowledgement or plan to address the housing shortfall and shortage of construction workers - The government has committed $200 + million on new social housing there are also significant private new builds. It is unclear how this increased construction capacity will be met without bringing in new workers to the state - which again will put a further strain on existing housing stock. The ABC reported (27/06/2024) REIWA president Joe White estimated that 30,000 homes needed to be built in Perth last year - but only around 15 - 16,000 were. We don't have housing for new workers and there is a workers shortage across many sectors in WA including construction.

We would like to also provide more details on why the proposed location for the works are not appropriate considering environment and heritage.

Derbal Nara (Cockburn Sound) and Meeandip (Garden Island) are sensitive ecosystems which are made up of critically endangered ecological communities, highly endemic plant species, migratory species, priority fauna species and diverse and significant marine species. Meeandip (Garden Island) is also in close proximity to the Shoalwater Islands Marine Park with many of the same or similar ecological values.

We note many of our supporters who live in the region who frequent the area speak highly of the ecological values and the pristine environment at the island and describe the incredible experiences they have there with their families and children exploring nature. These values are precious and despite

ongoing assurances in community consultation forums that recreational access will be maintained, many of our supporters are already reporting changes to their accessibility because of activities and exclusions around the island.

There are recreation and commercial values of the area which are threatened by the presence of nuclear power submarines and foreign defence forces. The presence of nuclear waste and nuclear powered submarines dramatically changes the security needs of the area and we anticipate this proposal will see a build up of security led by foreign defence needs and security protocols.

We have also heard from local people who work on the island about the existing culture on the island with regard to the protection of the little penguin population and the natural environment and that there are concerns about those values with the presence of 700 foreign defence force personnel. It is important for ARPANSA to consider the impact of LLW on the little penguin population which we understand have nests in the rocks around the shores and where the proposed CIF and submarine activity is set to be located. We also understand that the little penguin population on Meeandip is genetically different from the little penguins on other islands, likely making this population endemic and threatened.

The buildup of activities at HMAS Stirling on Meeandip will dramatically impact the natural environment and on those who use Cockburn Sound and Garden Island for recreation and residents of Rockingham and surrounds. It is unclear at what point in the process these considerations about the location of the nuclear waste storage and porting and maintenance of nuclear submarines will occur and be open for public comment. For this licensing process we would like to make the point that the storing of LLW, should not be handled in a sensitive environment or stored near one of Western Australia's most intensive recreation areas, or in such close proximity to a built up suburban area.

The permanent presence of US and UK nuclear submarines and nuclear waste storage inherently makes HMAS Stirling, a nuclear waste storage facility and the nuclear submarines a military target. If attacked the radiation risks threaten Cockburn Sound, Shoalwater Bay Marine Reserve and the communities facing Cockburn Sound, Rockingham, Kwinana, Cockburn and Fremantle. The licence application document fails to mention this risk, how those risks will be mitigated and any emergency responses to different scenarios.

We are also aware that there are significant cultural stories connected to the island and advocate for the strongest possible standards of heritage protection and working with First Nations communities in meaningful and participatory decision making regarding the cultural heritage values. For any submissions you receive on this point from First Nations community members we suggest you refer these on to Minister Plibersek as they are likely to have great significance. We note recent comments by the UN Committee on the Elimination of Racial Discrimination just last week which condemned the WA Aboriginal Heritage laws and repealed 2023 laws. Given the recent history and issues arising following Juukan Gorge, issues of Aboriginal Heritage must not be sidelined.

We have significant concerns about the environmental impacts, ground water and climate change impacts and impacts on the amenity and social and cultural values of the region. In the case of accidents, leaks or spills the consequences in such an ecologically sensitive and populated area the impacts would be significant and lasting. This is not a suitable location for the storage and handling of low level nuclear waste.

We would also like to raise issues with the current plans for nuclear waste storage.
We are extremely concerned about the proposal to store low level nuclear waste from the maintenance of visiting US and UK nuclear powered submarines at HMAS Stirling.

We are deeply concerned about draft legislation that seeks to regulate nuclear waste from submarines from within the Department of Defence. We are concerned this will lead to a lack of transparency and accountability and evade public scrutiny and engagement with First Nations communities on whose land the DoD may seek to establish a waste facility.

Furthermore the current text of the Australian Naval Nuclear Power Safety Bill (2023) leaves the door open to Australia accepting HLW from the US and UK. We are hopeful that Australia will never actually acquire nuclear powered submarines, we are conscious that the AUKUS pact and Force Posture Agreement (FPA) already means that there is and will be pressure to take foreign nuclear waste.

The Australian Naval Nuclear Power Safety Bill (ANNPS) also would create an internal regulator responsible only to the Minister for Defence. We are deeply concerned about the lack of transparency and the serious risks of having defence in control of nuclear waste and materials which pose a public health and security risk. This also raises proliferation risks of having nuclear material which could be diverted to a nuclear weapons program under the control of the Department of Defence.

The consultation documents do not describe the legislative framework which would apply to this facility and the ongoing monitoring and maintenance and public reporting about the site. This is troubling, we hope ARPANSA can assist in providing clarity on the future policy framework for this proposal and subsequent proposals at Osborne in South Australia.

Issues with the level of waste

In the recent ARPANSA licence application to site a facility for the management of low level waste it stated the Australian Submarine Authority will “receive, manage, treat, decontaminate and temporarily store solid and liquid, low-level radioactive material generated from the submarines during their operations. The low-level radioactive waste management activities are similar to those that occur in over 100 locations nationwide, including hospitals, science facilities and universities.” However it is our understanding that the low-level waste generated by hospitals and universities is in effect very short lived waste (VSLW) or very low level waste (VLLW), and does not require the same degree of managing and storage safeguards as “LLW” generated by a naval or other nuclear reactor.

Hence as evidenced by Australia's National Inventory of Radioactive Waste 2021, we suggest that equating the LLW to be stored at the ASA's proposed CIF to hospital and university waste is deceptive. Furthermore we note this same misleading comparison has been promoted at the recent community information Hubs held in Rockingham, Kwinana and Cockburn by the Department of Defence. We understand it has also been the position conveyed to the PSWM Alliance of local councils in engaging their support for AUKUS and the infrastructure developments needed at HMAS Stirling, including the CIF.

Risk that the proposed "temporary storage" of waste at the CIF will be by default become permanent

The storage of waste at HMAS Stirling is said to be temporary. There is however little description of how long it is anticipated waste would be stored there and options for future permanent disposal.

This is critical because in the absence of a Federal low level radioactive waste (LLW) facility the idea that this site will be temporary is unrealistic. The Federal government has made several attempts to secure a low level radioactive waste site for over forty years. There is no indication that the Federal government has changed its approach and so it is unclear if there is a pathway forward to establish a LLW facility.

Recommendations:

We recommend that the Public Works Committee do not approve the proposed developments at HMAS Stirling

For any clarification or questions please contact.

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