

## **Additional Comments from Coalition Senators**

### **General comments**

1.1 Coalition Senators note the majority report and the issues raised in the serious matter of the selection process for a national radioactive waste management facility in South Australia.

1.2 Coalition Senators are concerned that, in quite a number of cases, the Chair's report has taken statements in submission as fact, without consulting the source for verification. Coalition Senators' additional comments attempt to correct some of these factual inaccuracies.

### **Chapter 1—"Introduction"**

1.3 Coalition Senators believe that paragraph 1.31 of the Chair's report regarding the next steps are incorrect. It currently reads "the Minister will decide if any of the nominated sites are selected to progress to a detailed business case". It should instead read "the Minister will decide which, if any, of the nominated sites are suitable to acquire for the purposes of the Facility".

### **Chapter 2—"Community sentiment" (Recommendation 1)**

1.4 Coalition Senators agree with Recommendation 1.

1.5 Coalition Senators note that the quote reference in paragraph 2.21 of the Chair's report was given to a media interview not the meeting/community. It is also being utilised not in proper context to imply that there is a minimum benchmark figure of 65%. What the statement provided in the interview meant was that there is no actual benchmark (no magic number) but that having gotten 65% not opposed (the figure of support was 58 plus 7-8% not opposed) then the minister would most likely want to see final support not go backwards. The quote was made exclusively in relation to Wallerberdina and should not be used to imply that 65% was also appropriate for Kimba.

1.6 Coalition Senators wish to raise concerns with paragraphs 2.22 and 2.23 of the Chair's Report. The first of these paragraphs relies on assertions that the Minister agreed 65% was the benchmark (and that he repeated this to several groups in the Kimba community) made in the submission from the Kimba anti-nuclear group. Neither Minister Canavan nor the Government has stated or agreed that 65% was a benchmark figure in relation to Kimba.

1.7 Coalition Senators note in particular the way paragraph 2.23 opens ("Despite this the Minister chose to move to Phase 2 in Kimba with significantly less than 65 per cent support") is highly judgmental, implies that the 65% is THE operative benchmark and takes the comments on 65% well out of any context. It ignores the Ministers and Departments well established and central position that there is no benchmark that should be applied across all communities especially as they are all quite different in their makeup.

1.8 Coalition Senators suggest that both paragraphs be removed or reframed to provide a more accurate and balanced position that does not provide implicit endorsement of any particular benchmark. Finally, the assertions are made through the submissions, with no evidence to support them.

1.9 Coalition Senators note that paragraph 2.33 of the Chair's Report, which is highly critical of the ORIMA survey in phase one, relies exclusively on assertions in one submission from an anti-nuclear group. This is unbalanced and unfair. If retained, then the report should also note ORIMA's submission where the methodology and process was well explained and defended.

1.10 Coalition Senators note that paragraphs 2.40 and 2.41 of the Chair's report do not accurately represent the consultation process and again rely on one view by ATLA. They imply agreement that ATLA should be added to the local community vote. It should note that the purpose of the Ballot is to capture the sentiment of the local community (which includes traditional owners who live in the area) and that it is NOT meant to be the mechanism for capturing ALL views.

1.11 Coalition Senators also believe that the consultation process and Minister's decision were separate and explicitly provided for the capture and representation of the views of the Traditional Owners, regardless of where they live (most of the traditional owners do not live in the proximate area of either site).

1.12 Coalition Senators note that paragraph 2.45 of the Chair's report, which uses the term "majority of the community", is intentionally misleading in its ambiguity. It should read "a majority of valid votes", since not all eligible members of the community voted.

1.13 Coalition Senators note that the "facts" in paragraphs 2.60 and 2.61, which are from two submissions by FLAG, lack credibility. Flinders Ranges is simply NOT one of the top ten tourist destinations in the world. The suggestion that tourism in the ranges is worth around \$450 million per annum and directly employs 1900 people is incredulous. The total population of the Flinders Ranges local government area is 1600 people. Hawker has two caravan parks and one hotel. There is one resort at Wilpena Pound. The point that tourism is an important part of the local economy is valid. Those statistics are not.

### **Chapter 3—"Indigenous support" (Recommendation 2)**

1.14 Coalition Senators note that Recommendation 2 has already been undertaken.

1.15 Coalition Senators note that paragraphs 3.15 and 3.16 of the Chair's report, while representing the view of the ATLA CEO, are not presented with the counterbalancing facts provided by the Department on the level of consultation with ATLA. As such, it presents a one-sided and inaccurate picture.

1.16 Coalition Senators wish to emphasize the extensive consultation with ATLA, including meetings with CEO and various members in the first phase (along with a specific survey of ATLA members in the phone polling).

1.17 In support of this, ARPANSA confirmed at a public community meeting in Hawker last week that they had been trying to arrange a meeting with ATLA through Mr Coulthard for over 12 months but he has not responded to emails or phone messages.

1.18 Coalition Senators are disappointed that paragraph 3.22 incorrectly asserts that the Department had not followed best practice in its indigenous engagement. These are simply assertions without any evidence to support their veracity. They are simply wrong and the facts do not support Ms McKenzie's assertions. The supporting quote is factually unsustainable.

1.19 Similarly, paragraph 3.37 incorrectly asserts that "without the full involvement of those Indigenous stakeholders with relevant cultural and heritage knowledge, it is unlikely that the Indigenous cultural and heritage survey is comprehensive". This does not represent the facts of the matter. Many of the traditional owners in Hawker who are critical actually participated in the RPS study (they now deny it but there is logged evidence of all conversations). There are many community members who are happy with the RPS report but these are not recognised in the current drafting.

1.20 Coalition Senators believe that paragraph 3.37 ought to be reformulated to recognize that the Department's own report by RPS acknowledges the need for further assessment to fully understand and document the heritage values on the proposed site and that this will occur if the site proceeds further in the process.

1.21 Coalition Senators strongly encourage all community members with knowledge of heritage and culture to engage in this process so that all values are properly documented.

#### **Chapter 4—"Financial compensation and incentives to communities" (Recommendation 3)**

1.22 Coalition Senators agree with Recommendation 3, and wish to stress that the entire process is using independent valuations.

1.23 Coalition Senators note that extraordinary bias in paragraph 4.22. It is not appropriate or accurate to single out just one nominator (there is a trust that owns Wallerberdina) and imply it is somehow inappropriate (or worse) for him to seek compensation.

1.24 Coalition Senators note that the trust (not just Mr Chapman) is eligible to nominate land under the Act. Mr Chapman did not take this decision by himself and nor was he an elected representative or member of the government at the time. Moreover he has been at arm's length from the process and any decisions made under it. If the nomination at Wallerberdina is taken forward, then the trust that owns the land MUST under law be compensated for that acquisition.

**Chapter 5—"General comments about the site selection process"  
(Recommendations 4-5)**

1.25 Coalition Senators note that, in relation to Recommendation 4, all submissions provided to the department, where it was indicated they wished to be made public, have already been made public on the Department's website.

1.26 Coalition Senators note that most submissions did not indicate that they wished to be released (most had no indication either way).

**Senator Jane Hume**  
**Deputy Chair**

**Senator Dean Smith**  
**Senator for Western Australia**