

Nuclear-Powered Submarine Construction Yard – Site Preparation Licence

City of Port Adelaide Enfield
Endorsed Submission

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Overview

At its Ordinary Meeting in November 2024, Council adopted a Decision-Making Framework for AUKUS to guide its strategic and operational input into the AUKUS development (see **Attachment 1**). The Framework was developed to ensure a consistent approach to any decisions that Council may have to make in relation to the AUKUS development and reflects the guiding principles, goals and role statements from Council's City Vision 2024-34. More specifically, the purpose and scope of the Framework will be for Council to:

- **Use the Framework's guiding principles to develop specific positions:** Council has developed and endorsed the AUKUS decision making framework to guide all its decision making relevant to the AUKUS project, including forming positions when required.
- **Focus on what Council can control and influence:** Council will apply the AUKUS decision making framework in all decision making relevant to the project to ensure Council focuses on its roles and responsibilities.
- **Align with the PAE's endorsed strategy and policy:** The decision-making Framework aligns with the City Vision 2024-34 goals and objectives.
- **Focus on community outcomes, needs and concerns:** Council's primary focus is advocating for community and environmental benefit (including businesses) and minimising negative outcomes for and impacts on relevant communities and environments.

Council has previously considered the legislation for the development of the new legislative framework that will be regulating the nuclear safety of activities relating to the Osborne Naval Shipyard and the AUKUS submarines. At its Ordinary Meeting in November 2024, Council resolved the following:

- *opposition to the storage or disposal of radioactive waste in the AUKUS facilities at Osborne Naval Shipyard; and*
- *the position that any applications for licencing for the management, storage or disposal of radioactive waste at the AUKUS operations at the Osborne Naval Shipyard should be subject to comprehensive community engagement;*

Council's below comments on ANI's Site Licence Application Summary Overview reflect this position and are consistent with the PAE Decision Making Framework for AUKUS.

Recommendation 1

That in keeping with Council's resolution of November 2024, any licence approval for the preparation of a site for a Naval Nuclear Propulsion (NNP) facility at Osborne, prohibit the storage or disposal of radioactive waste in the AUKUS facilities at the Nuclear-Powered Submarine Construction Yard (NPSCY).

Site Licence Application Summary Overview – Specific Comments

For ease of reference and convenience, the structure of Council's submission follows the structure and order of the Site Licence Application Summary Overview (SLASO) document.

Section 2 - Nuclear Facility Details

The SLASO states that no nuclear or radiological hazards will be on site during the site preparation licence stage for the NPSCY at Area 3. In addition, no radioactive waste is anticipated to be generated during the preparation and construction phase of the NPSCY.

It is noted that the non-radiological aspects of the development at Area 3 will be subject to planning and environmental approvals at the State and Commonwealth levels. Further information on the remaining approvals process (outside of the EPBC Strategic Assessment and State PDI Act Environmental Impact Statement) for Areas 1 to 3 and the timings of these is therefore requested.

Recommendation 2

Confirmation from ANI on the proposed planning approvals process for Area 3, particularly regarding the proposed in-water testing and commissioning berth, and the ship lift or floating dock and their anticipated impacts on the Port River, including environmental impacts and public use of the River channel.

Section 3 - Site Evaluation and Characterisation

The SLASO makes references to a Siting and Site Evaluation Report (SSER) that documents the characterisation and environmental assessment of the preferred site to inform the Site Licence Application. The SSER and its technical studies have assessed the effects of natural and human induced external hazards, assessed the potential radiological impacts to people and the environment, and assessed the population density, distribution and other characteristics of the population and the effect on the feasibility of planning an effective emergency response. To understand whether the risks to the local community and environment associated with the nuclear and radiological hazards that are proposed in Area 3 have been thoroughly identified and effectively minimised, access to the SSER and its technical studies is considered necessary.

Recommendation 3

The Siting and Site Evaluation Report and its technical studies are made publicly available in the interests of transparency and building public trust.

Section 4 - Safety Analysis

The information provided on the safety analysis that has been undertaken to demonstrate that the NPSCY is capable of meeting the necessary design and safety requirements is very

general in nature. Details from the hazard identification workshop in relation to the potential nuclear hazard and radiological exposure hazards and the human and environmental consequences of these should be provided in the interests of transparency and building public trust.

Recommendation 4

Details on the safety analysis undertaken, including the full range of hazards identified, and how this relates specifically to environmental and public health, together with the results and conclusions of this analysis, should be made publicly available. This should include likelihood of the hazards occurring, preventative controls and mitigation measures.

Section 5 - Safety Management

Council acknowledges ANI's policies and procedures in seeking to establish an effective health and Safety Management System (SMS) during the site preparation and construction phases of the site. Clarity as to whether the provisions of the SMS, including requirements under ANI's WHS Management Plan, impact upon the health and safety of the general public and/or the environment is requested.

Recommendation 5

Information is made available regarding if, how and when ANI's Safety Management System (SMS) may impact upon the general public and/or the environment and details of how this will be managed.

Recommendation 6

ANI's Incident Reporting & Investigations Procedure should include public notification and reporting in the interests of transparency and building ongoing public trust throughout the lifecycle of the NPSCY.

Section 6 - Environment Protection

In the interests of transparency, results from the radiological and contamination baseline survey should be made publicly available. This will also enable understanding and awareness of the impacts that may occur to the environment during the lifecycle of the NPSCY through future monitoring programs.

For Council and the community to better understand the environmental risks from radiological material at the NPSCY on the environment, details on the potential exposure pathways from the Radiological Dispersion and Dose Assessment Modelling should be made publicly available.

It is important that the proposed environmental monitoring program is developed with input from specialised experts in environmental protection matters. This is especially important

given the adjacent high conservation value habitats, including Mutton Cove Conservation Area and the Port River/ Adelaide Dolphin Sanctuary.

Recommendation 7

Results of the radiological and contamination baseline survey should be made publicly available prior to the approval of a licence for a regulated activity.

Recommendation 8

Results of the Radiological Dispersion and Dose Assessment Modelling should be made publicly available prior to the approval of a licence for a regulated activity.

Recommendation 9

The environmental monitoring program should be developed with ecological experts specialised in environmental protection matters.

Recommendation 10

Details of the environmental monitoring program should be provided to Council for review and comment, including how frequently this will occur and at what locations.

Section 7 - Effective Control Arrangements

Council notes ANI's proposed strategy and plans for managing the site and the regulated activities to be undertaken within Area 3. Whilst this is focused on the various security and safety responsibilities of employees, including requirements for training, communications and resource management, Council would like to better understand how control arrangements will impact access on the peninsula for the local community. Specifically:

- what control arrangements will be in place, and under what circumstances will access to the Port River be restricted for recreational and tourism use?
- What restrictions will be in place over access to Mutton Cove for community volunteers?

The Port River is a much treasured and well-used waterway for the local community and Council has significant concerns regarding the future blocking of the river, for however short a time period. Retaining navigable access of the river channel at all times is of the utmost importance to both Council and the community.

Recommendation 11

Access to river and tourism assets should be maintained at all times for tourism and recreation use, including the Port Adelaide Passenger Terminal and river access for water-based tourism operators. If any unavoidable restrictions to the navigable access of the river channel are required, this should be limited to as short a timeframe as possible and the public should be notified well in advance of any loss of access.

Recommendation 12

Opportunities for community access to Mutton Cove should be include in the proposed control arrangements for the NPSCY.

Section 8 - Emergency Management

Council notes that ANI has an Emergency Management Plan to respond to emergencies during the site preparation phase that do not involve nuclear or radiological materials.

An Urgent Protective action planning Zone (UPZ) has been proposed for the purpose of site design and layout development. It is important that the site design and layout takes into account the potential for a cumulative hazard incident due to a high consequence safety failure at one of the surrounding Major Hazard Facilities (MHF) to the NPSCY, including sites storing dangerous substances in quantities slightly less than required for MHF classification.

A number of emergency management plans and strategies are identified as being required to support future NPSCY lifecycle phases. Local Government is listed as being a key stakeholder that will be involved in this process. Council requests further information regarding this process and the outputs of the project that will be of relevance to the general public. In particular, the interplay between the ANI Emergency Management Planning and the State's statutory Zone Emergency Management Planning (ZEMP) needs to be clarified, as there are two regional EZM Plans that relate to the City of Port Adelaide and this development and licencing. These are the Northern Adelaide and Western Adelaide ZEMPs. Further information can be accessed here: www.ses.sao.gov.au.

ANI will develop a Communications Plan that coordinates public information regarding emergencies in the NPSCY. Further detail on what this plan will include and how it will be prepared is requested i.e. will there be any engagement with Council or the community in its preparation?

The SLASO states that ANI has undertaken an environmental baseline assessment to inform a continuous environmental monitoring program. Council requests that the data from this baseline assessment is made publicly available prior to the approval of a licence for a regulated activity.

Recommendation 13

The site design and layout development of the NPSCY needs to take into account the potential for a cumulative hazard incident due to a high consequence safety failure at one of the surrounding Major Hazard Facilities, including facilities storing dangerous substances in quantities slightly less than required for MHF classification.

Recommendation 14

Further information on the proposed emergency management plans and strategies required to support future NPSCY lifecycle phases, as relevant to the general public and the State's Zone Emergency Plans relevant to the City of Port Adelaide, is provided by ANI. This should include what Council's involvement will comprise.

Recommendation 15

Further information on the proposed content and development process for the Communications Plan is shared by ANI.

Recommendation 16

The data from the environmental baseline assessment (assuming this is separate to the radiological and contamination baseline survey) is made publicly available prior to the approval of a licence for a regulated activity.

Section 9 - Radiation Protection

ANI's licence application states that no radiological hazards are anticipated to be present during the site preparation and construction phases of the NPSCY. However, the SLASO is clear that *"construction of the NPS will inevitably results in small amounts of Low Level Waste (LLW) being generated"* (section 9.4 p47).

The intended management and operational aspects of radiation protection for the workforce under future stages of the NPSCY i.e. during the operational and decommissioning phases of the development are noted. Council would like further information regarding the radiological protection controls that will be of relevance to the local community to protect the health and safety of the general public. Specifically:

- What are the exposure risks from the proposed nuclear-related activities at Area 3 and what controls will be put in place to manage public health and safety from these risks?
This includes:
 - risks of exposure during the movement of nuclear/radioactive substances to and from the site
 - proposed storage of Low Level Waste
 - storage and testing of the nuclear power units
 - installation of the nuclear power units into the submarine, and its subsequent launch.

The same questions are also of relevance in relation to the potential risks to the environment and the radiological protection controls that will be put in place to mitigate these risks.

Section 9.15 specifies that the Radiation Protection Advisor will post local area environmental dosimeters. Where will these be located and on who's land?

ANI states that it will develop a site monitoring program that will monitor various environmental media, such as air, water, soil and biota for any changes to established environmental baseline levels. It is noted that there is an intention to provide periodic reports to the public featuring the results of the environmental monitoring. Council would encourage ANI to make all the data from the monitoring program publicly available. The proximity of Area 3 to the Port River and Mutton Cove make the monitoring of environmental impacts from the NPSCY particularly important. Transparency and accountability in relation to potential impacts to the environment from the NPSCY will help add to ANI's social licence.

Recommendation 17

Further information should be provided on the exposure risks to the local community from the proposed nuclear-related activities at the NPSCY and what controls will be put in place to manage public health and safety from these risks, as well as impacts to the environment.

Recommendation 18

Further details should be provided on where ‘local environmental dosimeters’ will be posted.

Recommendation 19

ANI should make all data from their site monitoring program on environmental media publicly available and Council requests that information is shared when changes to the baseline are identified.

Section 10 - Radioactive Waste Management

It is noted that no radioactive waste is anticipated to be generated during the site preparation and construction phase of the NPSCY. However, radioactive waste management will be required during the operational and decommissioning phases of the development.

The SLASO states that Area 3 will be subject to the *“management and temporary storage of low-level radioactive waste facility supporting the receipt, handling and processing of low-level radioactive waste”* (Section 2.15 p15).

As previously noted, on 12 November 2024 Council resolved to oppose the storage or disposal of radioactive waste in the AUKUS facilities at Osborne Naval Shipyard.

Recommendation 20

That the storage of any radioactive/nuclear waste at the NPSCY is prohibited.

Section 11 - Site Decommissioning

The SLASO states that a detailed decommissioning strategy will be developed for the NPSCY. However, as this strategy has not yet been prepared, Council considers that no licence for a regulated activity should be approved until a clear decommissioning plan is in place. This plan should include confirmation of how the management, storage and disposal of spent nuclear fuel or reactors will be undertaken. This plan should not be speculative or hypothetical in nature and should give the community certainty as to what the facilities required to manage and dispose of radioactive waste (and spent nuclear fuel) will comprise and where these will be located.

Recommendation 21

A decommissioning strategy/plan should be prepared (and made available for review) prior to the approval of a licence for a regulated activity. This plan should confirm how the management, storage and disposal of spent nuclear fuel or reactors will be undertaken, including the location of any storage facilities.

Additional Comments:

Stakeholder Engagement

ANI is proposing to review submissions received during the public consultation and prepare a response document to ANNPSR, summarising what was heard. This will also be published on ANI's website. This is not considered sufficiently transparent and Council requests that the full submissions received by ANI as part of the consultation are provided in full to the Regulator for consideration as part of ANI's site licence assessment and are made publicly available on the relevant government website.

Recommendation 22

That all submissions received by ANI during the community consultation are provided in full to ANNPSR as part of the licence application and are made publicly available on the relevant government website.

ATTACHMENT 1

PAE Decision Making Framework for AUKUS

November 2024



Application to City Vision 2034 guiding principles

- **Equity and belonging:** apply intergenerational principles to decision making to ensure future local communities are not adversely impacted
- **Participation:** inform, involve and consult with the community in relevant decision making
- **Sustainability:** advocate for economic, social and environmental outcomes, including infrastructure, employment and business opportunities and the protection and enhancement of and public access to the natural environment, including Mutton Cove, Biodiversity Park and the Port River and Barker Inlet estuary
- **Integrity:** ensure decisions align with the City Vision 2030 outcomes
- **Transformative:** engage and partner with the community and local business to leverage the opportunities that are generated from AUKUS

Application to City Vision 2034 goals

- **Thriving Community:** advocate for investment in community infrastructure and initiatives in the areas impacted by the development
- **Prosperous Economy:** advocate for opportunities for local business and investment in local training and employment opportunities and support co-investment in local infrastructure
- **Clean and Green City:** advocate for investment in the local circular economy, climate risk mitigation and environmental protection.
- **Places for Peoples:** advocate for planning for and investment in placemaking outcomes, including the State Government led preparation and delivery of an integrated masterplan for the Lefevre Peninsula.

Council's Roles

- **Leader:** Identifying, setting direction, planning and advocating for the needs and aspirations of the impacted communities (for issues within Council's direct control).
- **Advocate:** Lobbying and advocating for impacted communities, particularly with other spheres of government, to ensure the needs and aspirations of the community are being met (for issues outside of council's direct control but that Council can influence).
- **Facilitator:** Assisting others to meet the needs of impacted community by providing opportunities to remove barriers, which may prevent community needs being met.
- **Information Resource:** Providing a resource for the community and other stakeholders seeking information.

Priority actions

- Apply the Framework to Council's response to the following activities:
 - Determining Council's role in creating social licence for the AUKUS development with a focus on leveraging to maximise community benefit and address intergenerational disadvantage
 - The federal government led and legislatively required strategic assessment process for the overall AUKUS development (under the Environmental Protection, Biodiversity and Conservation Act).
 - The state government led 'major project' assessment process for the development (under the Planning and Design Code)
 - The state government led master planning for the Lefevre Peninsula and broader region (which factors in local infrastructure provision, housing and employment land use and supply and transport planning)
 - The federal government led development of nuclear safety legislation for the AUKUS development.
 - In the formulation of any policy positions relevant to the AUKUS development.
- Engage with impacted communities when developing relevant positions and responses.
- Promote the Framework on PAE's website and prepare FAQ's to support any engagement activities using the Participate PAE platform.
- Inform local MPs and relevant government agencies of the Framework and its application.