

To: Senate Foreign Affairs, Defence and Trade Legislation Committee

Regarding: **Australian Naval Nuclear Power Safety Bill 2023**, ‘A bill for an Act to regulate activities relating to conventionally-armed, nuclear-powered submarines to ensure the nuclear safety of those activities, and for related purposes’.

1. It is not clear how the proposed bill interacts with the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) which requires nuclear actions to be assessed by the Minister for Environment. This is particularly relevant to safety in the South Australian context for the proposal to have naval nuclear submarine reactors docked at Port Adelaide.

2. Minister for Defence (Richard Marles) announced that the new Australian Nuclear-Powered Submarine Safety Regulator ‘will be *independent* of the Australian Defence Force’s chain of command and directions from the Department of Defence’. However the Minister has the final say on ‘national security during an emergency’. This ‘Regulator’ is actually within the Defence ‘portfolio’. The expertise of the existing nuclear regulator (ARPANSA) is deliberately excluded.

3. It is claimed the Bill is compatible with *human rights* according to the requirements of the Human Rights (Parliamentary Scrutiny) Act 2011 (Cth). Reasons why this Bill is *not* compatible with human rights are as follows:

a. AUKUS is not a democratic decision. It is very likely against the wishes of the majority of the Australian population (just like Australia’s involvement in the Iraq war).

b. At the ALP National Conference on 18/8/23 Prime Minister Albanese said, ‘we.. respect each other’s right to put forward differing views.’ He then disallowed differing views (on AUKUS) to be put forward.

c. Richard Marles said on 16/11/23 ‘This bill.. is responsible and necessary..[for] the safety and security of Australians.’ ‘conventionally armed, nuclear-powered submarines..will keep Australia safe.’ The purpose of AUKUS is the projection of US power against China, near the Chinese coast, nowhere near Australia. It is not for defence of Australia. China is not posing a threat to Australia any more than Iraq did. On the other hand, the US is posing a threat to China, and this bill encourages Australia to join the US in this aggressive posture.

d. As well as negatively influencing Australia’s relationship with China, it inhibits positive relations with our south Pacific neighbours.

e. Students from Years 7-12 are being encouraged to design nuclear-powered submarines and even Year 4-6 students are being targeted. They are *not* being encouraged to question the *purpose* of the submarines.

f. The environmental and personal cost of damage to a nuclear powered submarine is far greater than that of a conventional submarine due to radioactive contamination. Since 1963 six nuclear powered submarines have been sunk. The radioactivity present will negatively affect *future generations* as well as current ones. Military secrecy prevents necessary public information.

Apart from the serious (and in fact existential) matters that arise from a. to f. above, there is a matter of particular concern for South Australians, a high-level nuclear waste dump. A likely site for this is Woomera. On Aboriginal Land. This itself is another human rights issue (abuse).

This Bill gives the Federal Government the power to over-ride South Australian law and *impose* a high-level nuclear waste dump on South Australia. It poses a *threat* to South Australia. The US has been unable to dispose of its own high-level nuclear waste. Britain has many used submarine nuclear reactors without suitable disposal for their high-level waste. Will Australia be under pressure to receive the intractable high-level nuclear waste from Britain and the US? Could there be pressure on South Australia (once again) to be a repository for the waste from the international nuclear industry?

These issues *deserve* a response from every Australian politician, and South Australians have a democratic (and human) right to decide their own future.

Thanks for reading my submission,

Andrew Williams