

## EDUCATION, SCIENCE AND TRAINING

### SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2005-2006 SUPPLEMENTARY ESTIMATES HEARING

**Outcome:** 3

**Output Group:** 3.2 – Assistance for science collaboration and innovation

#### **DEST Question No. E488\_06 – Final**

Senator Crossin provided in writing.

#### **Question:**

Why is the Federal Government seeking to compromise the EPBC Act by arbitrary decree that the EPBC Act's regulatory processes will only apply after a decision under this Bill on selection of a nuclear dump site?

#### **Answer:**

##### *Commonwealth Radioactive Waste Management Facility*

The activities to be conducted during the site investigation phase of the project are purely investigative in nature and are aimed at providing the data necessary for informed decision making about the suitability of sites for a facility, and to allow the preparation of designs for a facility that will take account of site specific characteristics. The most intrusive activities currently envisaged would be drilling bore holes, for example, in order to characterise the geology of the sites.

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* and the *Environment Protection and Biodiversity Conservation Act 1999* will not apply to the site investigation phase of the project. The Government considers that these Acts, were they not disapplied, would offer an opportunity for persons to take action to delay the site selection process.

There are no known significant environmental or heritage issues that would have required action under Commonwealth environment and heritage legislation were the relevant Acts not disapplied.

Nevertheless, the Minister may consult informally with the Minister for the Environment and Heritage should any significant environmental issues arise during the site investigations.