



Australian Government



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# Legal Framework of Public Participation in Australia

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*Environment Protection and Biodiversity  
Conservation Act*

*Australian Radiation Protection and Nuclear  
Safety Act and Regulations*

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# Treaty Obligations

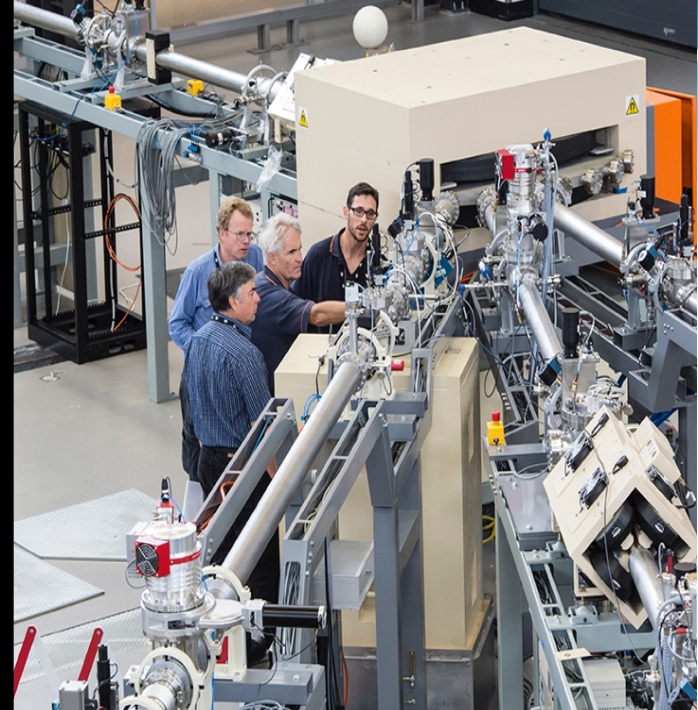
Early Notification Convention

Assistance Convention

Convention on Nuclear Safety

Joint Convention







# EPBC Act

- “Nuclear actions” need the approval of the Minister for the Environment if they are likely to have a significant impact on the environment.
- All proposed “nuclear actions” are advertised on the Department of the Environment website for public comment.

# ARPANS Act

- Creates advisory bodies:
  - Radiation Health and Safety Advisory Council
  - Radiation Health Committee
  - Nuclear Safety Committee
- Membership of all three includes “a person to represent the interests of the general public”
- Role in setting national standards

# ARPANS Act

- **32 Issue of facility licence**
- (1) The CEO may issue a licence to a controlled person that authorises persons to do some or all of the things referred to in subsection 30(1).
- ...
- (3) In deciding whether to issue a licence under subsection (1), the CEO must take into account the matters (if any) specified in the regulations, and must also take into account international best practice in relation to radiation protection and nuclear safety.

# ARPANS Regulations

## **41 Issue of facility licence—matters to be taken into account by CEO**

- (1) The CEO may issue a facility licence to a controlled person.
- (2) In deciding whether to issue the licence, the CEO must take into account the matters (if any) specified in the regulations.
- (3) The matters are:
  - (g) if the application is for a facility licence for a nuclear installation—the content of any submissions made by members of the public about the application.



# ARPANSA practice

- Draft safety and security standards – both ARPANSA and IAEA – published on website for 90-day period of public comment.
- Licence applications for nuclear installations published on website, with written submissions invited.
- Public forums held for facilities judged to be publicly controversial.
- Nuclear Safety Committee reviews applications and provides advice to CEO.

# States and territories







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# Thank you

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