



30 August 2013

Major Project Development Assessment Processes  
Productivity Commission

Email: [major.projects@pc.gov.au](mailto:major.projects@pc.gov.au)

Dear Productivity Commission,

**COMMENTS ON THE DRAFT REPORT: MAJOR PROJECT DEVELOPMENT ASSESSMENT PROCESSES**

The Australian Uranium Association (AUA) welcomes the opportunity to provide comment on the Productivity Commission's *Major Project Development Assessment Processes* draft report.

The AUA is the peak representative body for uranium explorers, developers and producers in Australia. These comments are in addition to the submission we provided to the original inquiry.

***Reducing duplication***

Section 8.2 of the draft report addresses 'Duplication of approval processes between levels of government'.

The Association supports the Commission's recommendation for a 'one project, one assessment, one decision' framework in order to reduce duplication in the DAA process.

The AUA notes with disappointment however, the report's findings that 'The Commonwealth would also continue to have control over matters where it is unlikely that the community would accept the Commonwealth exiting the field — such as for world heritage, nuclear and maritime matters.' (Draft Report, p189)

The Association is concerned by the particular treatment being given to nuclear matters and seeks clarification on whether the Commission intends the definition of nuclear in this instance to be as per the definition of 'nuclear actions' under the EPBC Act, i.e. including 'uranium mining and milling'. If so, the Association questions the justification for assuming that the community would not accept the Commonwealth delegating to states and territories the responsibility for assessing and granting environmental approvals for uranium projects.

The AUA notes that the Commonwealth Environment Minister would retain the right to withdraw accreditation if national standards were not being met (Draft Report, p189). Through the application of this condition to uranium projects, the AUA believes the community would be provided with adequate assurance that standards of environmental protection would not be lowered under a state or territory assessment and approval and that Commonwealth control is not automatically required.

The Association's initial submission outlined our argument for the removal of 'uranium mining and milling' from the definition of 'nuclear actions' under the EPBC Act; our position also applies in this context. The Association, which does not represent the wider nuclear industry, has no view on the remaining part of the definition of 'nuclear actions'.

The AUA therefore seeks the following amendment to the report:

'The Commonwealth would also continue to have control over matters where it is unlikely that the community would accept the Commonwealth exiting the field — such as for world heritage, nuclear (excluding uranium mining and milling) and maritime matters.'

This would then pave the way for bilateral approval agreements regarding uranium projects to be negotiated.

#### ***Timeliness of DAA processes***

The AUA supports draft recommendations 8.3 and 8.4.

The Association's initial submission drew attention to the long DAA timeframes involved with uranium projects. Statutory timelines for uranium projects would provide much-needed certainty for the industry and help to overcome delays due to the politicisation of assessment and approval of our industry. Similarly, the recommendation that 'decision makers should only be able to stop the clock once' is strongly supported by our industry. Again, it would remove the ability of political considerations to negatively impact the process of assessment and approvals of uranium projects.

Yours sincerely,

**Michael Angwin**  
CEO