

30 July 2025

From: The Independent and Peaceful Australia Network (IPAN)

Submission re: *Draft Australian Naval Nuclear Power Safety Regulations - Public Consultation*

Public consultation for the Australian Naval Nuclear Power Safety Regulations

The Independent and Peaceful Australia Network (IPAN) is a national body comprised of peace organisations, faith organisations, trade unions and environmental and anti-nuclear groups. IPAN campaigns for an Australia that acts independently of foreign influences and alliances in the best interests of the Australian people, seeking and promoting peaceful and mutually beneficial relations with all countries.

We regularly contribute submissions to national inquiries and consultations related to peace, defence and foreign policy matters. This includes raising concerns regarding nuclear energy, nuclear waste and nuclear weapons. Over two years, IPAN has consistently provided written submissions related to AUKUS, nuclear-powered submarines and nuclear waste.

See Appendix A.

Additionally, in 2022, IPAN released the findings of its own *People's Inquiry: Exploring the Case for an Independent and Peaceful Australia*. A large number of the 280+ submissions included in that report raised concerns around storage of nuclear waste and the need for the Australian Government to sign and ratify the Treaty on the Prohibition of Nuclear Weapons (TPNW). Submissions to the Inquiry resulted from extensive public consultations and discussions involving several thousands of people (through questionnaire responses, public meetings, group discussions, zoom meetings and webinars) from a wide range of civil society organisations.

IPAN thus has a member mandate to express concerns related to nuclear-powered submarines, nuclear energy and nuclear waste. We strongly advocate the importance of civil society organisations and community members speaking out on such matters.

IPAN has been unwavering in its efforts to highlight serious concerns regarding Australia's acquisition of nuclear-powered submarines. Among a range of factors, we have particular concerns regarding the hazards of nuclear waste and Australia's poor track record in managing materials of this nature, as well as the AUKUS nuclear-powered submarine arrangements, heightening the risk of Australian sites becoming nuclear targets in the event of war.

IPAN and many of its member organisations, especially those in Western Australia and South Australia, have closely monitored developments related to the AUKUS nuclear submarine plan and the two designated zones specified in the regulations, namely

- The Stirling designated zone being HMAS Stirling at Garden Island in Western Australia
- The Osborne designated zone at Osborne Naval Shipyard in South Australia.

Executive Summary

The Independent and Peaceful Australia Network (IPAN) values this opportunity to contribute to the public consultation on the draft Australian Naval Nuclear Power Safety Regulations. IPAN recognises the Department's stated commitment to ensuring appropriate safety oversight for Australia's naval nuclear enterprise under the AUKUS partnership.

IPAN, however, does have significant concerns with the proposed regulatory framework. IPAN contends that the AUKUS submarine program has deep flaws and deficiencies and is not in the best interests of the Australian people or the long-term safety and security of Australia. IPAN also suggests that there are in fact other pathways that Australia could pursue, which we have outlined in our [alternative defence policy for Australia](#).

IPAN submits that several factors fundamental to such a framework have not yet been established. This calls into question whether the proposed regulatory framework could in fact be effectively implemented. There is the total absence of any viable long-term nuclear waste management plan. There are also serious concerns in relation to the Federal Government seeking to override State and Territory laws. We contend that this would, in fact, require the Federal Government to engage in actions that are illegal.

In addition, there has been a failure to fulfill Australia's obligations under Article 29.2 of the UN Declaration on the Rights of Indigenous Peoples which says: 'States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous people without their Free Prior and Informed Consent.'¹

Prioritising Australia's strategic interests over those of a foreign power would require the development of a comprehensive long-term nuclear waste management strategy, consideration of existing State legislation and Indigenous rights, assessment of the program's fiscal implications, and evaluation of the strategic consequences for Australia's sovereignty and regional security posture.

IPAN, in fact, calls for a pause to any implementation of a proposed regulatory process to allow for a comprehensive Parliamentary inquiry into the AUKUS agreement in its entirety. We call for a review of all broader policy and strategic questions to ensure that future safety regulations are developed solely as an effective means to serve Australia's long-term national interests.

1. Introduction: The Premature Nature of This Regulatory Process

As a national coalition of organisations and individuals dedicated to advocating for a truly independent and peaceful foreign policy for Australia, IPAN has consistently monitored and opposed the AUKUS nuclear submarine program since its announcement. In doing so, we have highlighted concerns that the program presents a series of fundamental threats to Australia's sovereignty, security, and democratic values.

The Department of Defence frames the proposed regulations as a technical matter of safety oversight. IPAN must reject this narrow framing. These regulations cannot be divorced from the broader AUKUS enterprise which they are designed to enable.

While consultation documentation states that 'Future proposed regulations will address submarine activities², the Government is already taking steps towards facility licensing and material handling regulations. To regulate the technical

¹ [UN Declaration on the Rights of Indigenous Peoples, Article 29.2 UN Rights of Indigenous Peoples](#)

² Australian Government Defence, 2025, FACTSHEET A: Introduction to the Australian Naval Nuclear Power Safety Regulations- public consultation, p.5 [Defence Factsheet-A-Introduction-to-the-Australian-Naval-Nuclear-Power-Safety-Regulations-public-consultation.pdf](#)

aspects of nuclear submarine operations, while ignoring flaws in the foundation of the entire program, appears to be ‘putting the cart before the horse’.

IPAN is concerned that what appears to be a piecemeal approach has the effect of fragmenting what should be a comprehensive assessment of the entire nuclear submarine program, which will ultimately prevent proper democratic scrutiny of the full implications of AUKUS.

IPAN submits that this regulatory process is in fact premature and should be immediately suspended. It is imperative that the Australian Parliament, civil society and the Australian people have the opportunity to conduct a full and transparent assessment of whether the AUKUS submarine program is in Australia’s best strategic and security interests and whether, in fact, the program should proceed at all.

2. The Unresolved Nuclear Waste Crisis: How can Australia regulate without a plan for managing high level waste?

2.1 The Global Failure of High-Level Nuclear Waste Management

The most glaring deficiency in the proposed regulatory framework is its complete failure to address the long-term management of nuclear waste that will inevitably be generated by the AUKUS submarine program. As nuclear waste researchers Dimity Hawkins and Jim Green have documented, ‘no country has an operating repository for high-level nuclear waste.’³ This is not a new nor a temporary technical challenge—it represents a fundamental, unresolved problem that has plagued the nuclear industry around the globe for over seven decades.

The Department of Defence has openly acknowledged that it is “working to identify potential waste disposal sites for AUKUS radioactive waste on defence land, or considering acquiring lands to reclassify as defence land for a high-level waste repository.”⁴ The fact that this statement, however, provides nothing in the way of concrete details cannot instil confidence in the Australian people that there is any viable management plan. This is particularly the case given that the Australian government is asking Parliament and the Australian people to approve regulations for handling nuclear materials in the absence of any information regarding where the resulting waste will be stored. It should be emphasised, as noted below, that some of this waste will remain hazardous for tens of thousands of years.

2.2 The Intergenerational Burden of Nuclear Waste

Nuclear waste from submarine reactors will include high-level waste that remains dangerous for tens of thousands of years, with intermediate-level waste requiring isolation for thousands of years, and low-level waste requiring secure storage for up to 300 years⁵. To proceed with regulations that enable the creation of such waste without a proven disposal solution is to impose an unconscionable burden on future generations of Australians.

While the government has provided assurances that it will leverage UK and US experience in waste management⁶, neither country has found a solution to long-term waste disposal problems. While the USA has spent billions of dollars over decades attempting to establish a high-level waste repository at Yucca Mountain, Nevada, this project has been repeatedly stalled by technical, political, and legal challenges. The UK continues to struggle with the legacy of decades of nuclear waste accumulation, with no permanent disposal solution in sight.

³ Green, J. and Hawkins, D., 2024, ‘The Politics of Nuclear Waste Disposal: Lessons from Australia,’ p. 4.

Note: Dr Jim Green is the national nuclear campaigner for Friends of the Earth and a member of the Energy Science Coalition. His PhD thesis dealt with the history of the Lucas Heights nuclear plant and the debate over the replacement of its nuclear research reactor.

Dimity Hawkins AM is an Australian nuclear-free activist and researcher and a co-founder and current Program Coordinator of the Nuclear Truth Project, an international initiative working with First Nations and affected community Peoples, civil society and governments on nuclear abolition - Her work is centred on the history of nuclear weapons testing, nuclear colonialism and nuclear justice, particularly in the region in which she lives.

⁴ Green, J. and Hawkins, D., 2024, ‘The Politics of Nuclear Waste Disposal: Lessons from Australia,’ p. 26.

⁵ Parliamentary Research Service, May 2024, ‘Current prohibitions on nuclear activities in Australia: a quick guide.’

⁶ Department of Defence, 2023, THE AUKUS NUCLEAR-POWERED SUBMARINE PATHWAY: A PARTNERSHIP FOR THE FUTURE , p.41
<https://www.asa.gov.au/sites/default/files/documents/2024-10/00.%20Public%20Report.pdf>

2.3 The Commercialisation of Nuclear Waste Disposal

It is of significant concern to IPAN that there are signs that the government is considering privatising aspects of nuclear waste management. The company Tellus has been lobbying the Department of Defence to accept low-level nuclear waste from AUKUS submarines at its facilities, which were originally approved for non-nuclear waste.⁷ This suggests a reactive, ad-hoc approach to waste management rather than the comprehensive, nationally planned strategy that such hazardous materials demand. Poor waste control measures can have a devastating impact on the health and wellbeing of a population.

The prospect of private companies storing waste for the military raises serious questions about accountability, long-term stewardship, and the prioritisation of profit over public safety. Nuclear waste management must remain a public responsibility with the highest standards of safety and transparency. This process should *under no circumstances* be outsourced to profit making ventures.

3. Overriding State Laws and Violating Democratic Principles

3.1 The Systematic Violation of State Legislation

IPAN is gravely concerned that the Federal Government has announced the intention to enact laws giving it powers to *override* existing State and Territory laws that explicitly prohibit nuclear activities and waste storage and to furthermore *impose* AUKUS nuclear-powered submarine nuclear reactor wastes. This represents an unprecedented Federal attack on the democratic rights of Australian States and Territories to determine their own environmental and safety policies – with Western Australia, South Australia and the Northern Territory the jurisdictions most likely to be impacted.

The protections in place for community from the risks and impacts of nuclear waste⁸ in these jurisdictions are as follows:

Western Australia (WA): The Nuclear Waste Storage and Transportation (Prohibition) Act 1999 (WA)⁹ prohibits the storage, disposal, or transportation of nuclear waste, including waste from nuclear plants or nuclear weapons (Sec.7 & 7 A).

South Australia (SA): The Nuclear Waste Storage Facility (Prohibition) Act 2000 (SA)¹⁰ prohibits the construction or operation of nuclear waste storage facilities and the import to SA or transport within SA of nuclear waste for delivery to a nuclear waste storage facility. (Sec.8 & 9). Significantly, the Act also prohibits the SA Government from expending public funds to encourage or finance nuclear waste storage facilities (Sec.13). and requires Parliamentary inquiry into any proposed construction or operation of a Commonwealth-authorized nuclear waste storage facility (Sec 14)

Northern Territory (NT): The Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004 (NT)¹¹ prohibits the construction and operation of nuclear waste storage facilities and the transportation of nuclear waste for storage at a nuclear waste storage facility in the NT (Sec.6 & 7). Nuclear waste is defined as including waste material from nuclear plants or the conditioning or reprocessing of spent nuclear fuel (Sec.2).

Despite the storage of nuclear-powered submarine waste being *illegal* under existing Laws in both WA and SA the Federal Government plans as part of a US Navy nuclear submarine base and service / maintenance facility; to store USA nuclear-

⁷ Doyle, J, 2025, *DISRUPTION ON THE PATHWAY TO AN INTERNATIONAL NUCLEAR WASTE DUMP IN AUSTRALIA*, *Declassified Australia*, 8 July 2025 <https://declassifiedaus.org/2025/07/08/disruption-pathway-to-nuclear-dump/>

A solution in Australia already exists for AUKUS submarine waste, Tellus Circullus, 01 Oct 2024 Tellus <https://tellus.com.au/a-solution-in-australia-already-exists-for-aukus-submarine-waste/>

⁸ *Parliamentary Research Service, May 2024, 'Current prohibitions on nuclear activities in Australia: a quick guide.'*

⁹ *Nuclear Waste Storage and Transportation (Prohibition) Act 1999 (WA)*

¹⁰ *The Nuclear Waste Storage Facility (Prohibition) Act 2000 (SA)*

¹¹ *The Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004 (NT)*

powered submarine waste at Stirling off Fremantle, and plans to store low level radioactive wastes from nuclear-powered submarines at Osborne, in SA.

In addition, the Federal Government plans to impose a nuclear waste dump (i.e. AUKUS submarine High Level nuclear waste storage) on either WA, SA or the NT, despite this being illegal under existing Laws in each of these jurisdictions. Neither does the Federal Government have the necessary social licence to do this or the consent of the communities likely to be affected.

These State laws were not passed lightly and, in fact, represent the considered judgment of democratically elected State parliaments responding to the clear wishes of their constituents to remain nuclear-free. **See also below, 5. The Absence of social licence and community consent** regarding the Port Adelaide Enfield Council's 2024 rejection of the Government's proposal for Osborne.¹²

3.2 The Bipartisan History of Nuclear Waste Resistance

Resistance to nuclear waste storage in Australia has a long and bipartisan history. In South Australia, nuclear waste prohibition laws were originally passed under Liberal Premier John Olsen in 2000 in response to Prime Minister Howard's attempts to target SA for ANSTO nuclear fuel waste storage. In 2002, incoming Labor Premier Mike Rann showed leadership by expanding these prohibitions to include low-level radioactive waste.¹³

This bipartisan commitment to protecting South Australia from nuclear waste reflects a deep understanding of the risks involved and the lack of social licence for such facilities. The current Federal government's willingness to override these protections represent a fundamental betrayal of democratic principles and the rights of States to protect their citizens.

3.3 Section 105: The Undemocratic Override Provision and the precedent set for future State/Territory Federal relations

The proposed regulations include Section 105(3), which explicitly provides for 'State and Territory laws that do not apply in relation to a regulated activity.' This provision appears designed to override the State nuclear waste prohibition laws and impose nuclear waste storage by Federal decree, regardless of State laws or community opposition. This represents a dangerous precedent for Federal-State relations and democratic governance. If the Federal government can simply override State environmental and safety laws to pursue its preferred military projects, what protection do States and Territories have against future Federal overreach in other areas?

4. Lack of due regard to Indigenous Rights and International Law

4.1 The UN Declaration on the Rights of Indigenous Peoples

The proposed regulations completely disregard the rights of Indigenous peoples as recognised under international law. Article 29.2 of the UN Declaration on the Rights of Indigenous Peoples states that 'States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous people without their Free Prior and Informed Consent.'¹⁴

A Federal Parliamentary inquiry report from November 2023 into the UN Declaration on the Rights of Indigenous Peoples recommended that 'the Commonwealth Government ensure its approach to developing legislation and policy on matters relating to Aboriginal and Torres Strait Islander people be consistent with the Articles outlined in the UNDRIP.'¹⁵

¹² Port Adelaide Enfield Council (12 Nov 2024, p.213-218) [MINUTES OF ORDINARY COUNCIL MEETING MINUTES](#)

¹³ Green, J. and Hawkins, D., 2024, 'The Politics of Nuclear Waste Disposal: Lessons from Australia' p. 7.

¹⁴ United Nations Declaration on the Rights of Indigenous Peoples, Article 29.2.

¹⁵ Federal Parliamentary Inquiry Report, November 2023, into the UN Declaration on the Rights of Indigenous Peoples.

The draft regulations make no reference to Indigenous rights or free prior and informed consent. Nor is there any reference to a requirement to consult with Traditional Owners before establishing nuclear waste facilities on their traditional lands. This represents a clear violation of Australia's international legal obligations and a continuation of the historical pattern of imposing hazardous facilities on Indigenous communities without their consent.

4.2 The Historical Pattern of Resistance

Indigenous communities have a strong track record of successfully resisting the imposition of nuclear waste facilities on their traditional lands. As Green and Hawkins document, First Nations communities have 'successfully resisted the imposition of nuclear waste facilities on their traditional lands through effective community campaigning and legal challenges.'¹⁶

One of the most notable examples was resistance to the proposed national radioactive waste facility at Muckaty Station in the NT between 2005 and 2014. Despite being nominated by the Northern Land Council and becoming the government's sole focus for a national waste facility, the proposal was ultimately defeated by a community unwilling to accept the risks associated with such a facility.

4.3 Targeting of Woomera (SA) as a potential site for a nuclear waste dump

National media reports have identified the Woomera area in South Australia as a 'favoured location' for storage and disposal of AUKUS submarine high-level waste.¹⁷ Woomera is located on the traditional lands of Indigenous peoples, yet there is no evidence that Traditional Owners have been consulted about these plans or have provided their free, prior, and informed consent.

5. The Absence of Social Licence and Community Consent

5.1 The Pattern of Community Resistance

Developing the above point further, Green and Hawkins (2024) have highlighted Australia's consistent history of community resistance to nuclear waste facilities, demonstrating the absence of social licence for such projects. A number of communities have successfully opposed government attempts to locate nuclear waste facilities in their areas, including the following:

- Muckaty, NT (2005-2014)
- Woomera, SA (1998-2004)
- Flinders Ranges, SA (2016-2019)
- Kimba, SA (2017-2023)¹⁸

This pattern of resistance demonstrates that Australian communities understand the risks associated with nuclear waste and consistently reject attempts to impose such facilities upon them. IPAN urges the Australian government to respond by addressing community concerns. We have grave misgivings that, instead of heeding those who oppose such proposals, the government seeks to establish regulatory powers to override community opposition.

¹⁶ Green, J. and Hawkins, D., 2024, 'The Politics of Nuclear Waste Disposal: Lessons from Australia' p. 4.

¹⁷ Coorey, P. 2023, 'Woomera looms as national nuclear waste dump site including for AUKUS submarine high-level waste,' *Australian Financial Review*, 11 August 2023. <https://www.afr.com/politics/federal/woomera-looms-as-national-nuclear-waste-dump-site-20230810-p5dvle>

¹⁸ Green, J. and Hawkins, D., 2024, 'The Politics of Nuclear Waste Disposal: Lessons from Australia,' p. 5.

5.2 Local Government Opposition: Port Adelaide Enfield Council

Even at the local government level, there is clear opposition to AUKUS nuclear submarine waste storage. For example, in 2024 the Port Adelaide Enfield Council, whose local government area includes the Osborne Naval Shipyard where it is proposed that nuclear submarines will be based, formally opposed the storage of low-level radioactive waste at that Naval Shipyard.

At their Ordinary Council Meeting of 12 November 2024¹⁹, Port Adelaide Enfield Council reflected the concerns of the local community that will be most directly affected by these facilities by passing recommendations opposing AUKUS submarine waste storage. It is of significant concern that the proposed regulations completely disregard this local opposition and the will of the local community.

5.3 The Polling Evidence

Recent polling confirms that the Australian public lacks confidence in the AUKUS security agreement and its associated risks. A July 2025 poll found that two-thirds (66%) of Australians want a Parliamentary inquiry into AUKUS, while less than half (49%) believe the deal makes Australia safer.²⁰ When the enormous cost of the \$368 billion nuclear-powered submarine program is mentioned, support plummets further, with only about a quarter of Australians believing the submarines are worth the price tag.

This polling data is another indicator of the federal government lacking the social licence to proceed with the AUKUS security agreement and its associated nuclear waste storage requirements. Proceeding with regulations in the absence of public support is fundamentally undemocratic.

6. Regulatory Independence and Transparency Concerns

6.1 The Compromise of Regulatory Independence

IPAN is deeply concerned that the proposed regulations establish the Australian Naval Nuclear Power Safety Regulator as an entity reporting directly to the Minister of Defence rather than extending the role of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), which reports to the Minister of Health.²¹

IPAN believes that this arrangement represents a fundamental compromise to the independence that is essential for effective nuclear safety regulation. We argue that the regulator must sit outside of the Defence Department. When the regulator reports to the same minister responsible for promoting and implementing the nuclear submarine program, there is an inherent conflict of interest that undermines the regulator's ability to provide independent oversight.

International best practice in nuclear regulation emphasises the critical importance of regulatory independence from promotional interests. The federal government's proposed structure violates this principle and creates a situation where there is a risk that nuclear safety considerations may be subordinated to military and political objectives (and potentially those of another country).

6.2 Inadequate Transparency Provisions

The transparency provisions in the proposed regulations appear to fall short of best practice for a program involving nuclear materials and waste storage. Many of the transparency requirements are weakened by exemptions related to national security, defence interests, or commercial confidentiality.

¹⁹ Port Adelaide Enfield Council, Ordinary Council Meeting, 12 November 2024, Agenda p.213-218. [PortAdelaideEnfieldCouncilMinutes12Nov2024](#)

²⁰ Polling data, July 2025. [TwoThirdsofAustralianswantAUKUSReview](#)

²¹ IPAN submission to Australian Naval Nuclear Power Safety Bill 2023, February 2024 <https://ipan.org.au/wp-content/uploads/IPAN-Submission-Australian-Naval-Nuclear-Power-Safety-Bill-2023.docx-1-Feb-2024.pdf>

Given the long-term nature of nuclear waste storage and the potential for accidents or incidents, the Australian public has a fundamental right to comprehensive information about nuclear activities in their communities. IPAN is concerned that the proposed regulations fail to provide adequate mechanisms for public access to information about nuclear safety, waste management, or emergency planning.

7. The Threat to Australia's Nuclear Non-Proliferation Commitments

7.1 Undermining the Nuclear Non-Proliferation Treaty

Australia has been a strong supporter of the Nuclear Non-Proliferation Treaty (NPT) and has played a leading role in global nuclear disarmament efforts. The AUKUS program, however, threatens to undermine these commitments by creating the first-ever transfer of weapons-grade highly enriched uranium between nuclear weapon states and a non-nuclear weapon state.

While the government argues that the submarine program is consistent with NPT obligations, many experts disagree. As British academic and scientist James Acton (2021) has stated.

*'For Australia to operate nuclear-powered submarines, it will have to become the first non-nuclear-weapon state to exercise a loophole that allows it to remove nuclear material from the inspection system of the International Atomic Energy Agency (IAEA). I have no real concerns that Australia will misuse this material itself, but I am concerned that this removal will set a damaging precedent. In the future, would-be proliferators could use naval reactor programs as cover for the development of nuclear weapons—with the reasonable expectation that, because of the Australia precedent, they would not face intolerable costs for doing so.'*²²

IPAN is concerned that the precedent set by AUKUS could encourage other countries to seek similar arrangements, potentially leading to the proliferation of weapons-grade nuclear materials under the guise of naval propulsion programs.

IPAN is also concerned about the possibility that the Australian Naval Nuclear Power Safety regulations could override or conflict with the Nuclear Non-Proliferation (Safeguards) Act 1987.²³ This Act implements Australia's international safeguards obligations and ensures that nuclear materials in Australia are subject to International Atomic Energy Agency oversight.

Any conflict between the new naval nuclear regulations and existing safeguards legislation could compromise Australia's international legal obligations and damage its reputation as a responsible member of the international nuclear non-proliferation regime.

8. The Erosion of Diplomatic Solutions

8.1 The Militarisation of Australian Foreign Policy

IPAN is concerned that there has been a worrying erosion of the role of diplomacy in Australian international affairs, accompanied by a massive increase in defence spending in recent years. The AUKUS submarine program represents the culmination of this trend toward the militarisation of Australia's approach to regional security challenges.

²² Acton, J.M. 2021, *Why the AUKUS Submarine Deal Is Bad for Nonproliferation—And What to Do About It*

[Why the AUKUS Submarine Deal Is Bad for Nonproliferation—And What to Do About It | Carnegie Endowment for International Peace](#)

Note: James M. Acton is a British academic, scientist and co-director of the Nuclear Policy Program at Carnegie Endowment for International Peace

²³ IPAN submission to Australian Naval Nuclear Power Safety Bill 2023, February 2024 [1 February 2024 Foreign Affairs, Defence and Trade Committee PO Box 6100, Parliament House Canberra ACT 2600 Submission to Sena](#)

Rather than investing more substantial resources in diplomatic initiatives, conflict prevention, and multilateral cooperation, Australia is committing unprecedented resources to military capabilities designed to deploy and sustain military forces outside its own territory. This approach increases rather than decreases the likelihood of military conflict in the region.

8.2 The Alternative Path: Diplomatic Engagement

Australia has historically played a constructive role in regional diplomacy and conflict prevention. The country's geographic position, economic relationships, and democratic values position it well to serve as a connector between different regional powers and to promote peaceful resolution of disputes and conflicts.

The AUKUS program abandons this constructive role in favour of alignment with US military strategy and preparation for potential conflict. This represents a fundamental shift away from Australia's traditional approach to regional security and toward a more confrontational posture that could increase, rather than decrease, regional tensions.

9. Recommendations and Conclusion

9.1 Immediate Suspension of the Regulatory Process

Based on the fundamental flaws outlined in this submission, IPAN strongly recommends that the Department of Defence and the Australian Government immediately suspend the current regulatory development process. The regulations cannot be considered in isolation from the broader AUKUS program they are designed to enable, and that program lacks the necessary foundation for responsible implementation.

9.2 Comprehensive Parliamentary Inquiry

IPAN calls for a comprehensive, independent, and transparent Parliamentary inquiry into the entire AUKUS security agreement. This inquiry must examine:

- The strategic rationale for nuclear submarine acquisition
- The true financial costs and opportunity costs of the program
- The environmental and safety implications of nuclear waste storage
- The impact on Australia's sovereignty and foreign policy independence
- The implications for Australia's nuclear non-proliferation commitments
- Alternative approaches to regional security that emphasise diplomacy and cooperation

9.3 Respect for Indigenous Rights and State Laws

Any future consideration of nuclear activities in Australia must fully respect the rights of Indigenous peoples under the UN Declaration on the Rights of Indigenous Peoples, including the right to free, prior, and informed consent. Similarly, the federal government must respect existing state and territory laws that prohibit nuclear activities rather than seeking to override them through federal regulation.

9.4 Public Consultation and Democratic Process

Before any nuclear activities are authorised in Australia, there must be comprehensive public consultation and a clear demonstration of social licence. The current consultation process, which focuses on technical regulatory details while ignoring fundamental questions about the desirability of the program itself, is inadequate and undemocratic.

The proposed Australian Naval Nuclear Power Safety Regulations represent an attempt to legitimise and operationalise a program that we have identified as being strategically flawed, financially irresponsible, environmentally damaging, and not

aligned with democratic processes. In fact AUKS is a huge, open ended financial commitment which may not result in any increase in our defence capability.

9.5 Final Recommendation

IPAN believes that the proposed regulations must be rejected, and the entire AUKUS program must be subject to comprehensive parliamentary and public scrutiny before any further steps are taken.

Australia's future security and prosperity depend not on nuclear submarines and military confrontation, but through promoting peaceful, diplomatic solutions to regional security issue economic cooperation and addressing the real challenges facing Australian communities such as climate change and pressing domestic challenges like health and housing.

IPAN calls on the government to choose the path of peace, independence, and democratic accountability.

Yours sincerely

A handwritten signature in blue ink that reads "Annette Brownlie". The signature is written in a cursive style and is placed on a light blue rectangular background.

Annette Brownlie
IPAN Chairperson
M: 0431 597 256

Appendix A: Recent IPAN Submissions related to AUKUS and nuclear-powered submarines and nuclear waste.

- July 2025 Submission to the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) re: Radiological safety of proposed Controlled Industrial Facility (CIF) on people and the environment
- February 2025 Submission regarding the Submarine Rotational Force – West (SRF-West) priority works at HMAS *Stirling*, WA.
- March 2025 Submission to the Australian Submarine Agency (ASA) (Defence Proponent) re the Draft Impact Assessment Report Submarine Construction Yard Strategic Assessment Osborne, South Australia (IAR).
- January 2025 Submission to the Northern Territory Department of the Chief Minister and Cabinet regarding the Territory Coordinator Bill 2024, which among other provisions, proposed that the Northern Territory Nuclear Waste Transport, Storage and Disposal (Prohibition) Act be on a list of Scheduled Acts in the Territory Coordination Act 2024, that could be exempt from an Environmental Protection Assessment (EPA).
- November 2024 Submission to the Federal House of Representatives Select Committee Inquiry into Nuclear Power
- September 2024 Submission to the Joint Standing Committee on Treaties regarding: The Agreement among the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for Cooperation Related to Naval Nuclear Propulsion
- June 2024 Submission to the Australian Government, Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) re Australian Submarine Agency Licence Application to Site a Prescribed Radiation Facility known as the ‘Controlled Industrial Facility’
- February 2024 Submission to Senate Standing Committee on Foreign Affairs Defence and Trade Re: Australian Naval Nuclear Power Safety Bill 2023
- January 2023 Public Submission to the *Inquiry into Environment and Other Legislation Amendment (Removing Nuclear Energy Prohibitions) Bill 2022*