

NORTHERN TERRITORY OF AUSTRALIA

**NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL
(PROHIBITION) AMENDMENT ACT 2019**

Act No. 2 of 2019

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Act No. 2 of 2019

An Act to amend the *Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004*

[Assented to 27 February 2019]
[Introduced 23 August 2018]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Act 2019*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004*.

4 Section 2 amended (Definitions)

Section 2, definition *legislative authority*

omit

5 Section 5 amended (Application of Act)

Section 5(2)

omit, insert

- (2) Subject to this section, this Act applies in relation to all nuclear waste, whether originating inside or outside the Territory.
- (3) This Act does not apply in relation to the following:
- (a) nuclear waste that was lawfully stored in the Territory before the commencement of this Act;
 - (b) nuclear waste produced in the Territory that is stored or disposed of in accordance with the *Radiation Protection Act*;
 - (c) mining activity in the Territory related to uranium ores or uranium oxide (U₃O₈) under the *Mining Management Act*;
 - (d) the possession, packaging, storage or transportation of uranium ores or uranium oxide (U₃O₈) under the *Radioactive Ores and Concentrates (Packaging and Transport) Act*;
 - (e) nuclear waste produced incidentally from the operation or maintenance of a pipeline in the Territory conveying petroleum or other energy-producing hydrocarbons;
 - (f) nuclear waste produced incidentally from the exploration for, or the recovery or exploitation of, petroleum or other energy-producing hydrocarbons in the Territory.
- (4) This Act does not apply in relation to nuclear waste transported into the Territory if the nuclear waste is produced incidentally from:
- (a) the operation or maintenance of a pipeline conveying petroleum or other energy-producing hydrocarbons into the Territory; or
 - (b) the exploration for, or the recovery or exploitation of, petroleum or other energy-producing hydrocarbons at a prescribed project that:
 - (i) delivers significant economic and social benefits to the Territory; and
 - (ii) is located in a prescribed sedimentary basin within an offshore area or within 800 km seaward of the closest point on the Territorial Sea Baseline.

(5) In this section:

offshore area, see section 7 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth).

Territorial Sea Baseline means the baseline in relation to the Northern Territory, from which the breadth of the territorial sea is measured, determined in accordance with sections 7, 10, 11 and 12 of the *Seas and Submerged Lands (Territorial Sea Baseline) Proclamation 2016*, made under section 7 of the *Seas and Submerged Lands Act 1973* (Cth).

6 Section 15 amended (Regulations)

After section 15(2)

insert

(2A) The Regulations may specify examples of significant economic and social benefits for section 5(4)(b)(i).

7 Repeal of Act

This Act is repealed on the day after it commences.