

Julie Dennett
Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100 Parliament House
Canberra ACT 2600

Jessica Jones



ATT: Senate Legal and Constitutional Committee

I am writing with regard to the repeal legislation that is positioned to replace the Commonwealth Radioactive Waste Management Act, and the nomination for a possible radioactive waste repository at Muckaty Station.

From my readings, I see that problems with the proposed legislation include:

- Section 11 of the bill explicitly overrides any state or territory laws that would hinder site selection
- Section 12 eliminates Aboriginal interests (the Aboriginal and Torres Strait Islander Heritage Protection Act 1984) and green interests (the Environment Protection and Biodiversity Conservation Act 1999) from the process of choosing a site
- Section 13 eliminates the property rights of individuals unlucky enough to be in the path of the radioactive waste repository or its access corridors

In addition, the remaining provisions in the bill vest total discretion in the hands of the Minister to pursue the sole current nomination at Muckaty Station – an Aboriginal managed cattle station outside Tennant Creek. The problem with this is that it was based on a nomination that was flawed in its process. It is targeting a disadvantaged Aboriginal community, offering cash payments in exchange for eternally toxic radioactive waste. It ignores the rights of traditional owners and it is an abuse of power by the Government. The nomination process for this site was based on legislation that members of the present government opposed when it was passed.

The current nomination at Muckaty Station does not have the continued support of the Ngapa clan – as expressed by the correspondence sent to the Minister by 55 traditional owners from the Muckaty Land Trust.

The legislation overrides the NT's nuclear waste transport legislation and bypasses key federal environmental and heritage laws. However, if I were to trust that 'a selected site will go through full environmental heritage and approval processes', I wonder how any site could really be safe and effective when it requires routine transportation of large volumes of radioactive waste over long distances and through many regional centres and communities.

A remote area like Muckaty Station does not likely have the infrastructure or expertise to handle such a dangerous material. Assuming there will truly be NO leakages of this toxic waste if 'dumped' properly, nuclear materials should be moved as little as possible, and should be stored close to the point of production, close to centres of nuclear expertise and infrastructure. It should also be stored above ground so that it can always be checked and monitored, ensuring that it is not leaking out in any way, for many decades into the future.

The fact is that there is no engineering or scientific reason why we prefer remote sites, and why we continually choose remote Aboriginal communities as repositories for this waste. I have read that Mr Bradley Smith from the Federation of Australian Scientific and Technological Societies, said: "It would appear that politically the pragmatics seem to be that that is the only viable site at the moment that I am aware of for a Commonwealth facility." Similarly, Mr Steven Mackintosh, from ANSTO, when asked 'Why does Australia mainly look at remote sites?' answered: "I believe it is for political reasons, Senator."

From my readings, I understand that if a radioactive waste repository is built at Muckaty Station, about 4000 cubic metres of waste that has been accumulating in small stores in southern states over the past 50 years would be transported there, by rail or road. Trucks would move 2000 cubic metres of radioactive contaminated soil from the Woomera defence area in South Australia. Stockpiles of waste from the Lucas Heights reactor in Sydney in southern Sydney would be transported through dozens of cities and towns to reach the dump site 10 kilometres from the busy Stuart Highway.

In 2015 and 2016 about 32 cubic metres of highly radioactive waste from the reprocessing of spent research reactor fuel, that Australia has sent to Scotland and France over decades, is planned to be transported to Muckaty, probably via ships docking at Darwin harbour.

I'm not sure what it will take to establish a purpose-built facility for managing radioactive waste generated by Australia's 'medical, industrial, agricultural and research use' of nuclear materials, but the thought of it makes me sick with worry about the health of populations in the future. The dire consequences of mining uranium and using radioactive materials are profound. I personally cannot fathom the bipartisan federal support for increased uranium exploration and mining across the country and proposed expansion of all existing uranium mine projects.

Dave Sweeney, a nuclear expert with the Australian Conservation Foundation, said: "International experience has shown that if you are going to have an effective radioactive management scheme – and that is what we all want to see – it requires a high level of community confidence and a high level of community consent. This currently does not exist in Australia."

Please recommend that the Government 'go back to the drawing-board' on this one, to ensure the health and safety of our communities and our environment. We cannot afford to see nuclear waste treated like a dirty secret, because of the possible dire consequences of managing this material. We need to see fair, trusted, scientifically-sound solutions that are transparent to the community. The consequences of the 'medical, industrial, agricultural and research use' of nuclear materials by Industry, should never become the inheritance and legacy of remote Indigenous communities in Australia.

Thank you for accepting my submission to the Senate Inquiry.

Regards

Jessica Jones