

**From:**  
**To:** [Legal and Constitutional, Committee \(SEN\)](#);  
**Subject:** Submission to the Senate Inquiry re: National Radioactive Waste Management Bill 2010  
**Date:** Monday, 8 March 2010 7:19:51 PM

---

Hi,

I would like to submit a submission regarding the senate inquiry into the National Radioactive Waste Management Bill 2010.

I would like to make the following points:

**The nomination of the Muckaty site is highly contested, and I believe that respect should be paid to the Traditional Owners of the site and their wishes.**

Their voices have not been heard by government officials, and this is not democratic. Proper negotiation and compromise between the wishes of the various sides involved have not been considered properly or fairly, and corporate and bureaucratic wishes have been given privilege. As an Australian citizen, I do not think that this is fair, and would like to see better processes regarding community consultation and negotiations with the Traditional Owners of the land.

**This bill is highly coercive, and I do not believe that the legislation involved is fair.** Section 11 of the bill explicitly overrides any state or territory laws that would hinder site selection. Section 12 then eliminates Aboriginal interests (the Aboriginal and Torres Strait Islander Heritage Protection Act 1984) and environmental interests (the Environment Protection and Biodiversity Conservation Act 1999) from the process of choosing a site. Section 13 eliminates the property rights of any individual unlucky enough to be in the path of the dump or its access corridors. Once a site is chosen, it will be assessed under commonwealth environmental legislation which has almost no mechanisms for preventing the project from going ahead.

**All discretion in the hands of the Minister** - is it fair to allow this, given the biases that can exist, and the potential for corruption at this level? No information is given to the public about how the assessment will be carried out, and the local people have no right of appeal. This is, in effect, then, exploiting the resources of the local people. This does not seem like a very Australian thing to condone.

**The case for a remote dump has never been made.** Nuclear waste should be moved as little as possible, and should be stored above ground close to the point of production, close to centres of nuclear expertise and infrastructure. The Lucas Heights nuclear agency ANSTO is by far the biggest single source of the waste, and all the relevant organisations have acknowledged that ongoing waste storage at Lucas Heights is a viable option — the Australian Nuclear Science and Technology Organisation, the Australian Radiation Protection and Nuclear Safety Agency, the Australian Nuclear Association and even Mr Ferguson's own department. Additionally, requiring ANSTO to store its own waste is the best — and perhaps the only — way of focussing the Organisation's collective mind on the importance of waste minimisation principles. Any site selection process ought to be based on scientific and environmental siting criteria, as well as on the principle of voluntarism. In 2005, the Howard government chose the NT, and ruled out NSW, for purely political reasons. When the federal Bureau of Resource Sciences conducted a national repository site selection study in the 1990s, informed by scientific, environmental and social criteria, the Muckaty area did not even make the short-list as a "suitable" site.

Thank you,

Roshni Sharma.