

When will you guys begin to play fair?

Helene Collard

It is essential that the Senate Committee pay due respects to the Traditional Owners by travelling to Tennant Creek to take evidence from them directly.

The nomination of the Muckaty site by the Northern Land Council was highly controversial and is strongly contested by many Traditional Owners. Resources Minister Martin Ferguson claims that Ngapa Traditional Owners support the nomination of the Muckaty site but he knows that many Ngapa Traditional Owners oppose the dump — as well as numerous requests for meetings, he received a letter opposing the dump in May 2009 signed by 25 Ngapa Traditional Owners and 32 Traditional Owners from other Muckaty groups.

Mr Ferguson is also aware of the unanimous resolution passed by the NT Labor Conference in April 2008 which called on the Federal Government to exclude Muckaty on the grounds that the nomination "was not made with the full and informed consent of all Traditional Owners and affected people and as such does not comply with the Aboriginal Land Rights Act". Mr Ferguson also knows that fellow Ministers Jenny Macklin, Kim Carr, Peter Garrett and Warren Snowdon among others have acknowledged the distress and opposition of many Muckaty Traditional Owners.

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.