

Tully McIntyre

To whom it may concern,

I'm writing to you to express my extreme dissatisfaction about the proposed National Radioactive Waste Management Bill 2010, which has recently been proposed by Martin Ferguson, current Minister for Resources, energy and Tourism.

Here are just a few points why I feel this proposed Bill should not be passed.

Section 11 of the proposed bill states to override State and Territory laws that are already in place. I find this contradictory to the main intention of the current inquiry to address issues of procedural unfairness and would obviously have an impact on the interaction with state and territory legislation

Section 11 - of the proposed Bill enables the authority to conduct activities put forward in Section 10 of the Bill, which enables the right of any land or air access to a proposed site or building of new roads to access the site for a facility, the clearing of vegetation, the extraction of water and the list goes on under subsection 3, with authority of subsection 2 of the proposed bill in Section 10. Section 10 enables authority for persons to access any area of land in a state or territory, and allows the person to do anything necessary stated in subsection 3 in site selection, whether or not it is on a proposed site for a facility.

The proposed Bill states in Section 12 that it will eliminate the current laws that protect Indigenous human rights and the environment. These two Acts are the current Aboriginal and Torres Strait Islander Heritage protection Act 1984 and The Environment Protection and Biodiversity Conservation Act 1999. It is absolutely preposterous to select a radioactive management site with complete disregard to Acts put in place to protect human rights and the conservation of the environment.

Section 13 of the proposed Bill eliminates the property rights of any individual on the path to the selected site under the discretion of the Minister. The minister would only have to write a letter declaring any site a potential site to gain rights to native title, minerals and basically any area of land and the roads to thereby access that land, again overriding measures to protect basic human rights and the conservation of the environment.

These are a couple of reasons why I personally feel sections 10 to 13 of the proposed Bill are not environmentally and socially fair.

Considering The Australian Federal Government has recently been accused by the United Nations for racial discrimination against Indigenous people in The Northern Territory, I

find the Act a further backwards step in addressing such issues. The government will face the U.N in September of this year in Geneva to answer to allegations by the U.N for repealing the Racial Discrimination Act 1975, which was removed by the previous Liberal Government in 2007 and has not been reinstated by the current Labour Government since its election win in 2008 despite going against it's election promise to reduce the Gap between Indigenous and Non- Indigenous Australians.

The only selected site in Australia for a Radioactive Waste repository site facility is at Muckaty Station in the Northern Territory which is on Indigenous land. This was nominated and selected without proper consultation of all the Traditional owners and persons that would be affected by this site. The site was also not one of the environmentally viable sites that was selected by the Federal Bureau of Resource Sciences, who conducted a national repository site selection study in the 1990s, informed by scientific, environmental and social criteria.

The Northern territory should also not be dumped with radioactive waste management issues, as they are legally vulnerable, due to the reasons stated above. A site should be selected solely by the assessment of the effect the site will have on the environment and the persons that live on the land.

This brings me to the Environmental issues of proposing a site in an area that is extremely isolated from expertise in Radioactive Waste Management and furthermore, on an area of land known for earthquakes. Any proposed site for Radioactive Waste should be approved with the proper Scientific and Environmental testing by qualified individuals. This cannot be carried with the interest of Indigenous Australians or the Environment if the two previously mentioned Acts are removed by the Proposed Bill.

In a closing note for my submission to this inquiry, it is extremely obvious there needs to be an inquiry into the Ministers ethics and understandings of human rights and the seriousness of proposing to dump radioactive waste in areas that are not even environmentally viable for site selection.

I hope the senate takes into consideration the seriousness of these issues and makes the right decision in overturning the proposed Bill.

Yours Sincerely  
One of many concerned Australians  
Tully McIntyre