

To our democratically elected representatives,

I am highly opposed to the legislation regarding a nuclear waste dump at Muckaty on the grounds of environmental health, social justice and also concern for Australia's democratic processes.

Firstly, the Bill overrides any existing State or Territory laws that would hinder selection of a site (Section 11). States and Territories make legislation like this to protect both their citizens AND areas of environmental or cultural significance - and should not be ignored by our Federal Government. To do so is to deny citizens their democratic right to participate in the governing of their own country.

Australia has an appalling and shameful history regarding the treatment of indigenous people. Section 12 of this bill eliminates Aboriginal interests (Aboriginal and Torres Strait Islander Heritage Protection Act 1984) and environmental interests (Environment Protection and Biodiversity Conservation Act 1999) from the process of site selection. Once again, these legislations serve to protect our country and its people, and should not be overturned.

Section 13 eliminates the property rights of any individual unlucky enough to be in the path of the dump or its access corridors. So much for our Government's promises to protect the rights and welfare of individuals. 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.

Secondly, the nomination of the site at Muckaty is highly contested.

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. Without doing so, the Government is continuing our shameful history of disregarding the needs and opinions of indigenous Traditional Owners, and continuing to act in a racist and colonial framework.

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.

"All along we have said we don't want this dump on our land but we have been ignored. Martin Ferguson has avoided us and ignored our letters but he knows very well how we feel. He has been arrogant and secretive and he thinks he has gotten away with his plan but in fact he has a big fight on his hands." -- Muckaty Traditional Owner Dianne Stokes

Thirdly, The Bill places enormous power in the hands of the Minister to assess whether or not the Muckaty site should go ahead. No information is given to how this assessment will be carried out, and the bill makes it clear that local people have no right of appeal. Without knowing how a process

of such national and environmental significance should work, how can the citizens of this country be assured that our opinions will be respected?

The fourth concern I have is regarding the dangers of nuclear waste itself. Nuclear substances are incredibly dangerous in all stages of their use. They continue to be dangerous for millennia. No safe nuclear waste disposal site has EVER been created, anywhere in the world. The "safety" of the nuclear industry is a joke, with countless cases of missing/stolen nuclear material and weaponry occurring all over the world over the last 50 years.

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. In Australia, 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.

I hope the peoples' representatives will carefully consider the responses to this Bill, and the consequences it will have for all Australians: the Traditional Owners whose rights are being bulldozed, the health and safety of all those who live anywhere along the transport routes between Lucas Heights and Muckaty, and the democratic rights of all Australians which are being consistently eroded.

Sincerely,

Inge Arnold