

13 October 2008

Committee Secretary  
Senate Standing Committee on Environment, Communications and the Arts Department  
of the Senate

**\*SUBMISSION TO INQUIRY\***

**\*re COMMONWEALTH RADIOACTIVE WASTE MANAGEMENT BILL\***

I am very interested in this Bill put forward by Senator Ludlam as its successful passage would result in a repeal of the existing Commonwealth Radioactive Waste Management Act 2005 and the amendments made to that Act in 2006. This is necessary because the existing legislation contains gross injustices and health risks, particularly to the indigenous people of the Northern Territory. Prime Minister Rudd's SORRY DAY message earlier this year should ensure that those aspects of this Act are properly and sympathetically addressed. The Labor Party, prior to the Federal election of November 2007, promised to repeal the 2005 Act and the Amendments. It is important to deliver on that promise now.

The injustice of the existing Act applies to /all /Northern Territorians as it over-rides NT legislation which prohibits transport and storage of Federal radioactive wastes. It eclipses the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 while sites for a waste repository are being investigated, and stops the operation of the Native Title Act 1993. The 2006 Amendments to the RadWaste Act eclipse the Aboriginal Land Rights Act which is supposed to give Aboriginal people affected the right to be consulted and to withhold their consent if they do not approve of proposals. To have such protective legislation over-ruled in this way must result in feelings of helplessness among the indigenous people involved. This is not the attitude that Mr Rudd's SORRY speech was meant to engender. The short-listing of Muckaty for the waste site has not had the approval of all traditional owners. I suspect that those who have consented perceive the waste dump as a much-needed financial asset for their people, and also that they have not been given full information about the effects of hosting a national radwaste site in their country. If this is how the acquiescence of the Northern Land Council was achieved, then most unfair tactics have been used.

The fact that Labor promised that Muckaty would not be used and that it would do away with the enabling legislation was a big factor in the election campaign last year. Labor's judgment of the Howard Government's approach was spectacularly harsh. Now the Rudd Government must live up to the standard it has set.

Supporting the Bill put forward by Senator Ludlam would clearly be a step in the right direction.

Judy Blyth