

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Inquiry into the Commonwealth Radioactive Waste Management Bill 2005

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The Chair - Senator Judith Troeth
Senate Employment, Workplace Relations and Education Committee
Inquiry into Commonwealth Radioactive Waste Management Bill 2005

This submission is written on behalf of the Australian Student Environment Network, the peak environment organisation representing university and TAFE students nationally.

ASEN expresses a number of serious concerns regarding the Commonwealth Radioactive Waste Management Bill 2005, currently subject to a Senate Committee Inquiry.

1) Lack of consultation with stakeholders and community members

In preparation of this legislation the Commonwealth Government has failed to consult with the Northern Territory Government, local communities in the Northern Territory, or traditional Aboriginal landowners.

Adequate community consultation is a cornerstone of open, participatory and democratic governance and ASEN believes that for such a project to be successful it requires the support and understanding of the communities which it will affect. In particular, communities in the vicinity of proposed waste dump locations and along the waste transport routes should be involved in the development of waste management strategies. Robust public policy, such as is required to deal with the complexity of radioactive waste management, requires a dedicated process of public education, community negotiation and inclusion, rather than quick-fix legislative 'solutions' imposed by Federal Government.

In stark opposition to this principle, both major political parties in the Northern Territory are opposed to the imposition of the waste dump, traditional Aboriginal landowners have not been consulted and the inquiry period is far too short for the public to grasp the complexity of this issue and express their concerns fairly (or even at all in many cases) to the Senate. Further, the committee has failed to travel to the Northern Territory to listen directly to the communities whom this legislation will affect most significantly.

As such, the legislation contravenes Australia's international obligations to the International Atomic Energy Agency (IAEA) which maintains that waste dump facilities require community consent and a reasonable degree of 'social license'.

2) Policy back-flip and misuse of federal powers

Despite its "absolute categorical assurance" to the Northern Territory Government that there would be no nuclear dump in the Northern Territory, this legislation not only imposes a low and medium level dump but actually overrides any ability of the community and Northern Territory Government to 'hinder or delay' the construction of a waste dump.

ASEN is concerned that such draconian legislation concentrates power in the commonwealth, and will undermine democratic avenues of protest as well as territory government checks and balances on appropriate site selection, construction, monitoring and development of the facility. By exercising its powers in such a manner, the Commonwealth is removing the ability of local, territory and state governments to adequately reflect the concerns and aspirations of the communities they represent.

ASEN further believes that this sets a dangerous precedent both in the execution of Commonwealth powers, and in legislative restrictions on democratic community and territory engagement in Commonwealth policy. In particular, this section of the legislation undermines community confidence in the Commonwealth's actions regarding radioactive waste management, and its future intentions.

Reflecting these concerns, the legislation has already been criticised by the Senate Scrutiny of Bills Committee for its adverse impacts 'on personal rights and liberties'.

3) Failure to demonstrate a need for the facility & lack of scientific inquiry

ASEN is concerned that the nuclear waste dump is not the most safe or appropriate means of radioactive waste management for Australia. Although the Government asserts that the waste dump is needed in order to ensure access to high quality nuclear medicine, senior medical professionals including the former head of medical research at the Lucas Heights reactor, Professor Barry Allen, contradict such claims.

ASEN urges the Senate to reject the need for a nuclear waste dump facility, particularly one which has been subject to such little community consultation. ASEN instead urges the Senate to opt for waste storage and management to continue on-site at the Lucas Heights reactor, where generations of experts can guarantee its security, and a culture of stewardship can develop within the community, thereby ensuring the best possible safety of radioactive materials into the future.

ASEN rejects the 'out of sight, out of mind' attitude towards nuclear waste reflected in the locations chosen for this waste dump, as it is these waste management methods that are most likely to result in accidents and lack of proper safeguards in the future because expertise is concentrated in the cities. In addition to this, the locations chosen for the Northern Territory waste dump were not selected through any scientific process of inquiry. This represents serious mismanagement and lack of preparation before the facility has even been built, raising concerns regarding the ongoing management of these highly dangerous materials through the current proposal.

Lastly, and perhaps of most concern, is the potential for this legislation to pave the way for high-level radioactive waste storage at the facility in the Northern Territory. Proposals for Australia to become an international repository for high-level nuclear waste have been raised before by politicians on both sides of parliament. The current legislation can allow the proposed facility to become an international radioactive waste dump, potentially forever. ASEN has serious concerns regarding the ongoing threat to the health of both the local communities within the vicinity of the facility, all Australians and the international community along transport routes of imported waste. Further, transport of nuclear waste across the globe increases the terrorist threat experienced by Australia and the world at large, as high volume transport routes are increasingly the target of piracy (eg the Malacca Straits) and a very real concern is the conversion by such groups of

international nuclear waste into dirty bombs. ASEN also raises ethical questions regarding the responsibility of Australia to take on such a serious risk to our health, ecosystems, food and water supply when we do not invest in nuclear power or weapons ourselves.

In conclusion, ASEN urges the Senate Committee of Inquiry to reject the current proposed Commonwealth Radioactive Waste Management Bill 2005 on the grounds of:

- a lack of community consultation and consent, in particular Aboriginal landowners;
- the rejection of the proposal by the Northern Territory Government;
- misuse of federal powers;
- the lack of scientific inquiry into the proposed sites;
- the lack of evidence of the need for such a facility; and
- the potential for the repository to store international high-level nuclear waste in the future, with the associated risk posed to the health and safety of all Australians and the international community.

Yours Sincerely,

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