

# Submission

to

Senate Employment, Workplace Relations and Education  
Legislation Committee

## **Inquiry into the Commonwealth Radioactive Waste Management Bill 2005**

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**Submission no:** 199

**Received:** 18/11/05

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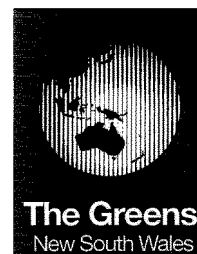
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The Chair

Senator Judith Troeth

Senate Employment, Workplace Relations and Education Committee

Inquiry into *Commonwealth Radioactive Waste Management Bill 2005*

18 November 2005

**Re: Submission to Inquiry into the Commonwealth Radioactive Waste Management Bill 2005**

Dear Senator Troeth,

I write to express my strong opposition to the *Commonwealth Radioactive Waste Management Bill 2005*.

I believe that the way this legislation has been rushed is appalling. The federal government has not made a compelling case for the urgency of this legislation. The legislation should not go any further until a proper consultation process had been undertaken.

There has been inadequate consultation with the Northern Territory government and community, traditional Aboriginal landowners or communities living along the proposed transport routes. This must be carried out before any further steps are taken in relation to the proposed legislation. The International Atomic Energy Agency (IAEA) maintains that such facilities require community consent and a reasonable degree of 'social license'. This legislation is inconsistent with this international obligation. It is very clear that community consent has not been given at any of the three proposed sites, or indeed in the Northern Territory in general.

The Federal Government earlier gave an "absolute categorical assurance" to the Northern Territory that there would be no nuclear dump imposed. This legislation is in complete conflict with this earlier promise. It is worth noting that all political parties in the Northern Territory are opposed to the imposition of the dump. The sites chosen for the Northern Territory dump were not selected through any scientific assessment. I understand that at least one of the sites is prone to flooding in the wet season.

It is disturbing that this legislation seeks to override existing provisions of federal and territory law that could hinder or delay the dump plan. This will no doubt greatly undermine community confidence in the Commonwealth's actions on this issue, as well as its future intentions. The overriding of land rights legislation and Aboriginal heritage provisions is abominable.

The federal legislation would allow the proposed Northern Territory waste dump to be turned into an international radioactive waste dump housing highly radioactive materials from all around the world - effectively forever. This is not a legacy we should be leaving to future generations. It is certainly not a legacy we should be leaving to remote indigenous communities. It is entirely inappropriate for Australia to accept radioactive waste from other countries - it is bad enough that we are producing our own nuclear waste.

The claims about the need for the dump in order to maintain access to high quality nuclear medicine are wrong and are contradicted by senior medical professionals including the former head of medical research at the Lucas Heights nuclear facility - Professor Barry Allen.

I have major concerns with the transportation of nuclear waste, especially over the long distance that will be inevitable by locating the waste dump in the Northern Territory. Transportation of nuclear waste puts in peril the communities along the route of transport. It is also vulnerable to terrorism and other security threats.

I was a member of the NSW Joint Select Committee on the Transportation and Storage of Nuclear Waste. The Report of the Inquiry of this Committee, tabled in February 2004, listed recommendations including:

1. The current Federal Government proposals for the Repository and the Store cannot be justified and should be abandoned.
2. The current transport proposals to the Repository (and the Store) should, therefore, be abandoned.
3. In the interim, Lucas Heights should continue to act as a waste facility, subject to a public inquiry into the storage facilities on site to identify operating conditions which will ensure world's best practice.

The full report of the Committee is available on the NSW Parliamentary website at: <http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/3B435D05DCA2A3ACC A256E3D00178F7C>

The Commonwealth legislation is heavy handed and anti-democratic. It removes the ability of local, territory and state governments to adequately reflect the concerns and aspirations of the communities they represent. Furthermore, the legislation has been criticised by the Senate Scrutiny of Bills Committee for its adverse impacts 'on personal rights and liberties'.

This Inquiry period is far too short to deal with the complexity of the issues involved, and therefore my submission has been brief out of necessity. I find it amazing that the committee has not bothered to travel to the Northern Territory to hear directly from the most affected community. It seems that the affected community has been forgotten at every step of the process.

For the Earth



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**Ian Cohen MLC**