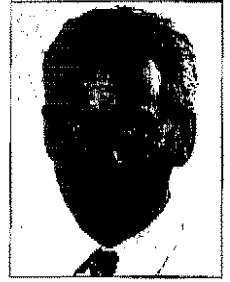


LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

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21 NOV 2006

Senate Employment, Workplace Relations and Education Committee
Department of the Senate
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Parliament House
Canberra ACT 2600
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**RE: Submission to Senate Employment, Workplace Relations and
Education Committee Inquiry – Commonwealth Radioactive
Waste Management Legislation Amendment Bill 2006**

To the Committee

The purpose of this bill is to amend the Commonwealth Radioactive Waste Management Act 2005. Senator Julie Bishop, Minister for Education, Science and Training stated in her speech to the Senate on 2 November 2006 that the purpose of this bill is:

"to allow for the return of a volunteer site to its traditional owners should such a site be forthcoming and ultimately selected for the Commonwealth radioactive waste management facility".

The reality is however, that if radioactive waste is buried the land will never be returned. If there is contamination from the storage of radioactive waste land it will never be returned and if no other site is ever found to relocate this radioactive waste, the land will never be returned.

These particular proposed amendments to the Act are therefore misleading and irrelevant.

Senator Bishop further stated that:

"Current provisions of the Act set down a number of criteria that should be met if a land council decides to make a nomination. Importantly, these criteria include that the owners of the land in question have understood the proposal and have consented to the nomination, and that other Aboriginal communities with an interest in the land have also been consulted."

The proposed amendment to the Act that states that after subsection 3B (2) the following should be inserted:

"(2A) Failure to comply with subsection (1) does not affect the validity of a nomination".

This provision suggests that a land council can make a valid nomination even if:

- o There is no evidence of consultation;
- o There is no evidence that the traditional owners understand the nature and effect of the proposed nomination; and
- o There is no evidence that the traditional Aboriginal owners as a group have consented to the proposed nomination.

This proposed amendment to the Act will provide the land council, in particular the Northern Land Council with the legal sanction to nominate any land within their boundary, devoid of evidence and against the wish of the people they are bound to represent.

It is further proposed that failure to comply with subsection 3B (1) will not affect the validity of a declaration, which further suggests the current Federal Government intends to select a site to store radioactive waste, regardless of any decision made by the Traditional Owners, cattle station property owners who live on adjacent land or community residents who live in close proximity to the site.

In short, these proposed amendments to the Act appear to be designed to end the democratic system of government under which Australia is constituted.

The residents of the Barkly Region of the Northern Territory of Australia do not want radioactive waste stored in this region.

The traditional owners of Muckaty station do not want radioactive waste stored on their land.

Radioactive waste could be stored at Lucas Heights in New South Wales as easily as anywhere in the Northern Territory. There is absolutely no need to transport radioactive waste into the centre of Australia.

The Commonwealth Radioactive Waste Management Legislation Amendment Bill 2006 does not provide any protection for the citizens of Australia, particularly those residing in the Northern Territory. This Bill is a clear example that the present Government of Australia does not value Indigenous Australians and is actively working to pass legislation that is undemocratic.

Yours sincerely



ELLIOT McADAM