

SISTERS of ST JOSEPH SA RECONCILIATION CIRCLE

Submission to the Senate Inquiry National Radioactive Waste Management Bill [NRWMB]

The Sisters of St Joseph SA Reconciliation Circle welcomes the opportunity to make a submission to the Senate Inquiry in this serious matter of nuclear waste and in particular the current proposal to make the nation's radioactive waste dump on the land of the Traditional Owners of Muckaty Station north of Tennant Creek NT.

In a letter to the Resources Minister Ferguson, Pamela Brown and a number of the Traditional Owners said: *We want you to know that all of the traditional owners from the Muckaty Land Trust who have their dreaming sites along the haulage road and outside of the haulage road are still going against the nuclear waste dump.*

People who live in Tennant Creek, Warramunga people, Warlunga people and non-indigenous people, they are all against the dump.

NLC (Northern Land Council) nominated the site but didn't consult the traditional owners. They can't just ask Ngapa people, they have to ask people from country around that site. Our land is going to be affected and we are talking on behalf of that country.

Since this 2008 letter the Minister has been asked many times for meetings and in May 2009 received a letter by signed by 25 Ngapa Traditional Owners as well as by 32 Traditional Owners from other Muckaty groups opposing the dump.

As South Australians we understand something of the distress, fear and sorrow of the Traditional Owners. From 1998 to 2004 there was an intense campaign in our own state of South Australia against the proposed location of the dump in the Billa Kalina area of northern SA, led by the *Kupa Piti Kungka Tjuta*. These Senior Aboriginal Women of Coober Pedy were extremely concerned for country and their sites and fearful for their 'future generations' Understanding country and water systems they understood the dangers of the proposed dump. Eventually the State government took up their concerns and those of the people of the state, successfully protecting country after this six year campaign.

Our Members are concerned that the present legislation proposed by the current Bill is very similar to the previous Government 2005 Bill which it is seeking to replace.

We have serious concerns that this, the Government's currently proposed National Radioactive Waste Management Bill (NRWMB) legislation

- leaves Muckaty NT as the only site which will be initially considered.
- overrides any state or territory laws that would hinder site selection (Section 11)

- overrides the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (S. 12)
- overrides the Environmental Protection and Biodiversity Conservation Act 1999 (S.12)
- eliminates individual property rights if in the path of the dump or corridors to it. (S. 13)
- leaves all discretion in the hands of the Minister
- gives no right of appeal for local people

Naturally we are concerned for the democratic principles of our nation as well as the safety and well being of its peoples and country when such safeguards are proposed to be set aside just when they are most needed. Such safeguards are essential for the sake of safety, scientific and environmental rigour in dealing with this most hazardous element known to humankind. We understand that the waste involved will eventually include as well as the former reactor parts, long lived intermediate level waste which is due to be returned from Europe in 2015/16.

We bring to the Senate Inquiry's attention the disturbing fact that in the national scientific exploration for the previous short listed 11 sites – which we understood were 'rigorously assessed', Muckaty Station was not even mentioned. This fact together with its extraordinary distance from the major source for the material – Lucas Heights - makes it difficult not to conclude that this was a political rather than a safety, scientific choice. We remind Senators, moreover, that this is a choice which also leaves the many communities en route open to risk.

We remind the Inquiry that on the contrary, nuclear waste should be stored above ground level, as close to its source as possible, and close to centres of nuclear expertise and infrastructure. We emphasise in this vital context, that the Lucas Heights nuclear agency -ANSTO (Australian Nuclear Science and Technology Organisation) is by far the largest source of the waste and that ANSTO and all the other relevant bodies including the Minister's own department have acknowledged that ongoing storage of nuclear waste at Lucas Heights is a viable option.

We see this is an extremely serious matter for national safety and the democratic safeguards of our nation as well as for the fundamental rights of the Traditional Owners of Muckaty Station. As a matter of course, we urge the Senate Committee to travel to Tennant Creek to take direct evidence from the Traditional Owners

In conclusion, the Sisters of St Joseph SA Reconciliation Circle urge the Senate Committee to propose amendments which will rectify the serious flaws in this proposed NRWMB legislation.

Thank you for receiving our submission.

Signed Michele Madigan March 12, 2010

Sister of St Joseph on behalf of the Members of Sisters of St Joseph SA Reconciliation Circle

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