

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

**Public Submission to the Senate Inquiry  
Commonwealth Radioactive Waste Management Act (Repeal and Consequential  
Amendment) Bill 2008**

I, Kate Holmes, resident of the Corangamite Electorate in Victoria, submit this document in full support of the Commonwealth Radioactive Waste Management Act (Repeal and Consequential Amendment) Bill 2008 put forward by Senator Scott Ludlum of the Australian Greens.

I support the repeal of the *Commonwealth Radioactive Waste Management Act 2005 (CRWMA)* for the following reasons:

1. The *CRWMA* compromises advancements made in indigenous reconciliation by the current Commonwealth Government.
2. The *CRWMA* aborts the concept of democracy through imposition of a radioactive waste site on affected communities, Traditional Owners or the Northern Territory Government without consultation or consent.
3. Northern Territory laws which prohibit transport or storage of radioactive materials in the NT are overridden by the *CRWMA* in a gesture which undermines the publicised wishes of the present government to work in close consultation with the States and Territories.
4. The *CRWMA* undermines representative democracy by removing all rights to “procedural fairness” and removing rights of appeal under the Administrative Decisions (Judicial Review) Act.
5. The *CRWMA* undermines the efforts of the Australian community to rectify issues of racial discrimination and inequality in relation to Indigenous Australians by preventing the *Aboriginal and Torres Strait Islander Heritage Protection Act (1984)* having effect during potential dump site investigation, and by excluding the operation of the *Native Title Act 1993*.
6. Given the gravity of the nuclear issues in relation to long term potential impacts on the environment of the site and the usability of the site by Traditional Owners or other Australians, it is essential affected communities be involved in the decision making processes. This is recognized by the international community in regards to nuclear issues.

The *CRWMA* does not enable close community consultation as it overrides the community of the Northern Territory at large.

7. Prior to the 2007 election, the Australian Labor Party stated the *CRWMA* would be repealed if they were elected. Nearly a year has passed since the election. It is time to enact the promise to the people which was clearly stated by Senators Kim Carr and Trish Crossin on 27 September 2008, and repeal the flawed law.
8. If the current government is genuine in its apology to the Stolen Generation and the Indigenous Australians affected by “protectionist” laws in Australia, it ought to overturn the *CRWMA* which shamefully overrides the concerns and sovereignty of Indigenous Australians in their own land.
9. The Howard Government sought to buy consent by offering a sum for the lease of the land while neglecting government spending in key areas of inequality between Indigenous and “new” Australians. If the current government sincerely seeks to close the gap between white and Indigenous Australians, laws such as and including the *CRWMA* ought to be repealed to prevent further exploitation of Aborigines.