

Senate Inquiry into Commonwealth Radioactive Waste Management (Repeal and Consequential Amendment) Bill 2008

Submission to the Inquiry by
Marlene Hodder

The Australian Government should repeal the Commonwealth Radioactive Waste Management Act for the following reasons:

1. The Act allows the radioactive waste dump to be imposed on the Northern Territory without consultation or consent from traditional Owners, affected communities or the NT Government.
2. The Act overrides Territory laws that prohibit transport and storage of these radioactive materials in the NT.
3. The Act explicitly removes all rights to “procedural fairness” and removes rights of appeal under the Administrative Decisions (Judicial Review) Act.
4. The Act prevents the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 from having effect during investigation of potential dump sites, and excludes the Native Title Act 1993 from operating at all.
5. International trends highlight the need for community involvement and consent in decisions about locating of nuclear facilities. Australia should step into line with these international standards.
6. None of the sites currently under assessment for the waste dump were shortlisted in the national study to find a national radioactive dump site (completed in 1997). The sites in the NT were clearly chosen for political, not scientific, reasons.
7. It is national Labor Party platform to repeal the CRWMA. Nearly 12 months since the election there has been no indication that this will occur.
8. Senators Kim Carr and Trish Crossin made clear statements before the election on 27 September 2007 that the ALP would repeal the CRWMA if elected. Prime Minister Kevin Rudd committed to keeping all election promises, and this one must also be followed through.
9. Labor should not just continue to roll out the Howard government

plan to impose a radioactive waste dump on the Northern Territory. Before the election, Labor Party politicians called this very legislation "sordid", "shameful" and "arrogant".

It is time for the government to keep its commitments and take a democratic approach to radioactive waste management.

The following resolution was adopted at the April 2008 NT ALP Conference:

"Conference understands the nomination of Muckaty as a potential radioactive dump site, made under the CRWMA legislation, was not made with the full and informed consent of all Traditional Owners and affected people and as such does not comply with the Aboriginal Land Rights Act (ALRA). Conference calls for the Muckaty nomination to also be repealed when the CRWMA legislation is overturned."

Marlene Hodder
31 October 2008