

ATTENTION: Senate Committee on Environment Communications and the Arts

RE: Commonwealth Radioactive Waste Management (Repeal and Consequential Amendments) Bill 2008

The No Waste Alliance is a community group of concerned individuals and representatives of stakeholder organisations. The Alliance formed in response to Dr Brendan Nelson's announcement in July 2005 that, contrary to federal government promises during the previous federal and NT elections, the NT has been targeted for a radioactive waste dump. The No Waste Alliance aims to give Territorians information and options for action in response to the unwanted long-lived pollution presented by the nuclear industry.

The No Waste Alliance appreciates this opportunity to object to support the repeal of undemocratic CRWM Act, and to encourage a responsible approach to dealing with Australia's burden of nuclear waste, that is rooted in foundations of scientific assessment and social licence.

The No Waste Alliance actively opposed the Act and its subsequent amendments. Those formal objections are attached as appendices.

Recognising the need to rediscover some democracy in this area, it is significant to note that repeal of the Act is an expectation from the change of government delivered at the last election. It is national ALP policy to repeal the Act, NT Labor's annual conference this year passed a resolution in opposition to the previous federal government's dump process, and the NT Government has continued to strongly oppose the use of the powers in the Act to impose nuclear waste on vulnerable NT communities.

The CRWM Act deliberately sought to bypass principles of consultation, previous scientific and technical investigations, NT law, relevant federal laws for environment and heritage protection, standard avenues for legal redress, the hard earned rights of Traditional Owners as enshrined in the Aboriginal Land Rights Act (NT) and indeed any legal or procedural impediment to the former government's plans to dump nuclear waste in the NT.

The No Waste Alliance maintains that such an approach can never arrive at a decision that will stand the test of time.

The No Waste Alliance urges the committee to consider international best practice in the processes that define Australia's decision making on these important issues.

It would be grossly inappropriate for the new government to repeal the old law, but pursue plans for a nuclear dump at one of the sites identified through that process. Recent statements by the

Resources minister suggest that this government remains interested in the site evaluation reports commissioned by the previous government. To repeal the Act, but retain the bad outcomes it has produced, would be a perversion of the new government's election promise. Rather than continuing to pursue any of the three sites scheduled in the initial Act, or the nomination by the NLC of Muckaty Station, as allowed for by the Act and further shored up by the subsequent Amendments, we call upon the committee to recommend that the government begin anew a set of decision making tools and processes regarding Australian nuclear waste that :

- gives due consideration to the primary imperative of waste minimisation;
- commits to appropriate consideration of scientific and technical criteria; and
- recognises the need for full community engagement in order to earn public licence

As a first step in the right direction, we urge the committee to come to the Territory in the course of this inquiry and meet with Traditional Owners and other community members from the sites impacted by this legislation.

Australia does have a small but significant legacy of long-lived nuclear waste. We need to carefully make some sensible decisions about how will prepare future generations to manage that waste. But these are decisions that need to last as long as the waste itself : beyond the foreseeable future. These decisions must be well grounded in science, and well accepted by impacted communities, if they are to have a hope at longevity. There is no 'solution' to nuclear waste, only decisions of varying utility. It is in the interests of working towards a genuine useful decision that the No Waste Alliance recommends not only the repeal of the CRWM Act, but a clean break away from the former government's failed approach to this important decision making.

Justin Tutty
for No Waste Alliance
darwin@no-waste.org
08-8985-4931