

NUCLEAR WASTE DUMP NOMINATION ACCEPTED FOR MUCKATY STATION

Party making the nomination: Northern Land Council

Party accepting the nomination: Minister for Education, Science and Training

Nomination accepted: 27 September 2007

The Federal Government has officially accepted the Northern Land Council's nomination of Muckaty Station as a potential site for its proposed nuclear waste dump. Muckaty, 120 kilometres north of Tennant Creek in the Northern Territory ('NT'), was first nominated in May 2007 by the Northern Land Council ('NLC') to serve as the site for the proposed dump.

The Muckaty site will now undergo a detailed assessment of its environmental and biological environment to determine its suitability to house storage of low and medium grade nuclear waste. Three other possible sites at Harts Range, Mount Everard and Fisher's Ridge, all Department of Defence land, have already been assessed for suitability as nuclear waste dumps. The chosen site will attract a deal worth \$12 million. Federal Science Minister Julie Bishop is expected to announce the official site in 2008.

The NLC's nomination will be valid as a result of recent legislation, although there has been clear opposition to the proposal from elders of two Aboriginal clans who own parts of Muckaty and the Northern Territory Parliament. Amendments to the *Commonwealth Radioactive Waste Management Act 2005* (Cth) restrict public input into selection of the dump site. The amendments mean that nomination of a site by a land council will still be valid where that body has not demonstrated that it consulted with the traditional owners or that the nomination was understood and consented to by the owners as a group.

The amendments also remove the right of any third party such as traditional owners, pastoralists or community groups to mount a legal challenge to the site nomination on the grounds of 'procedural fairness'. The Prime Minister has refused to consider a referendum on the matter.

Natalie Wasley, spokesperson of the Arid Lands Environment Centre's 'Beyond Nuclear Initiative', has condemned the decision, citing a lack of NLC consultation with traditional lands owners as well as the lack of consent provided by traditional land owners. Ms Wasley specifically criticised Ms Bishop's statement that all affected Aboriginal people have had the chance to express their opposition to the plan, given that the Minister has not responded to invitations to visit Muckaty in order to meet the people who felt that they would be negatively affected by this decision.

Northern Territory Chief Minister Clare Martin expressed similar sentiments, arguing that the nomination was achieved through a flawed process and that the Federal Government was simply taking advantage of the constitutional weakness of the NT in comparison with other Australian states.

Under a deal secretly negotiated by the NLC, the 70-member Ngapa clan will receive more than \$10 million from the Commonwealth for allowing 5000 cubic metres of nuclear waste to be stored on their land for more than 300 years. The Ngapa clan said in May the money would 'create a future for our children with education, jobs and funds for our outstation and transport'.

Janet Thompson, a Milwayi elder, attended a recent meeting held to discuss an offer of \$2 million to allow trucks carrying waste to cross the land. She said that most people in attendance did not know what was being proposed. Many of the elders do not speak English as their first language and were not offered translators. 'I walked out', Ms Thompson said, '[t]he process wasn't fair'.

Senior elder of the Milwayi clan, Sammy Sambo, said he and other elders had second thoughts because, 'they tell us the dump will only be for low-level waste, like gowns and blood

from hospitals. But we are worried because we hear it will eventually become a dump for nuclear waste from around the world'.

Full details of the announcement of nomination are available at the website of the Minister for the Department of Education, Science and Training <<http://www.dest.gov.au>>.