



Conservation
Council SA

31 January 2014

Committee Secretary
Senate Foreign Affairs, Defence and Trade Committee
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Submitted via email: fadt.sen@aph.gov.au

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Cc:

Hon Ian Hunter MLC, Minister for Sustainability, Environment and Conservation
Allan Holmes, Chief Executive, Government of South Australia Department of
Environment, Water and Natural Resources

RE: Inquiry into Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013

To whom it may concern,

The Conservation Council of South Australia welcomes the opportunity to provide comment on the Inquiry into the Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013.

Conservation Council SA is an independent, non-profit and strictly non-party political organisation representing around 50 of South Australia's environment and conservation organisations and their 90,000 members. Conservation Council SA has developed a comprehensive view of environment policy in South Australia in a *Changing Climate: A Blueprint for a Sustainable Future*¹. This document sets out, at a strategic level, policy positions in six key environmental areas. A number of these policy positions are relevant to this submission.

In our submission to the Senate Committee that considered a substantially similar bill in 2013, Conservation Council SA highlighted a number of concerns, particularly relating to the environmental assets of the area – which amounts, in total, to approximately 1/8 of the area of South Australia. Given that significant portions of the Woomera Protected Area (WPA) have been largely undisturbed until now, we believe that there is a great opportunity to protect biologically significant assets of the WPA without unduly limiting the proposed opening up of the area for resources exploration and mining.

¹ <http://www.conservationsa.org.au/blueprint.html>

The eastern area of the WPA is within the South Australian Arid Lands Natural Resource Management region. This region has a high rate of species decline and extinction. Threatened flora and fauna species listed under the Commonwealth's *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* or the South Australian *National Parks and Wildlife (NPW) Act 1972* include in the Stony Plains bioregion 50 plants, 5 mammals, 39 birds and 1 reptile; and in the Gawler bioregion 58 plants, 3 mammals, 61 birds and 2 reptiles. The *EPBC Act* lists as threatened the ecological community 'of native species dependent on natural discharge of groundwater from the Great Artesian Basin' in the South Australian Arid Lands. A provisional list also identifies 16 threatened ecological communities in the South Australian Arid Lands.

The Bill currently fails to make reference to environment or sustainability, or the threats to the environmental assets of the WPA. Conservation Council SA recommends a number of measures to ensure that these threats are addressed appropriately, consistent with the *EPBC Act* and the *NPW Act 1972*. The measures include:

- provide, in the Bill, zoning and permit system for the WPA, for an audit of key environmental assets to be undertaken before exploration or mining commences in any area.
- ensure, in the Bill, zoning and permit systems that effective consultation is held with key environmental stakeholders, including traditional owners and the South Australian Arid Lands NRM Board, before an area is opened for exploration or mining.
- ensure that Wilderness Protection Areas (under the South Australian *Wilderness Protection Act 1992*) are established to protect the key environmental assets of the WPA. In an area of over 120,000 sq. km, (1/8 of South Australia), there should be ample room to protect such assets without unduly limiting exploration and mining. Conservation Council SA notes that the Yellabinna Wilderness Protection Area, to the south, is of the order of 5000 sq. km., and we propose that a Wilderness Protection area of approximately 10,000 sq. km. within the WPA is likely to be of the order necessary to preserve key assets in this vast area of South Australia.
- consider the establishment of an Indigenous Protected Area (IPA) – particularly in those lands adjacent to the Maralinga Lands.
- provide in the permit system for adequate measures to ensure that exploration would not introduce or spread existing weed species, such as buffel grass.
- ensure that the Bill and zoning system provide for an integrated planning approach to any exploration and mining across the WPA, consistent with the South Australian Government's proposed Regional Mining and Infrastructure Planning (RMIP) approach to planning for supporting infrastructure. This is to ensure that all activities support proactive environmental protection, environmental improvements, commitments to renewable energy and sustainability.

- provide for water issues to be taken into account. The WPA has limited water resources directly available and there is significant pressure on existing groundwater resources and spring ecosystems. Any desalination proposals should ensure that contaminated brines and sludges are not disposed of in a way that would harm ground water, flora or fauna.
- ensure that the Bill requires that an energy planning strategy is prepared to optimise the use of renewable energy sources where possible, particularly where projects move from exploration towards minerals or energy development and production.

I would be happy to discuss our submission in more detail.

Kind regards,

Craig Wilkins
Chief Executive