

Issues and Conclusions

Amendments to Statement of Evidence

Project Cost

- 3.1 Defence stated in its main submission that the estimated out-turn cost of the facilities upgrade to the Shoalwater Bay Training Area (SWBTA) project as \$11 million excluding GST.¹ At the public hearing Defence amended the estimated project cost to \$11.16 million.²

Consultation List

- 3.2 At the public hearing Defence added the following organisations to its consultation list that was included in its statement of evidence:³
- Department of Primary Industries – Forestry;
 - Central Queensland University;
 - Department of Natural Resources and Mines;
 - Great Barrier Reef Marine Park Authority;

1 Appendix C, Submission No. 1, paragraph 16

2 Appendix D, Official Transcript of Evidence, page 2

3 Appendix C, Submission No. 1, paragraph 24

- Queensland Environmental Protection Agency;
- Queensland Parks and Wildlife Service;
- Central Queensland Wildlife Preservation Society;
- Darumbal Noolar-Murree Aboriginal Corporation for Land and Culture;
- Fisheries representative; and
- A neighbouring graziers' representative.⁴

Environment, Heritage and Risk Branch

3.3 Defence's third amendment to its statement of evidence was that the Defence Environment, Heritage and Risk Branch⁵ had reviewed the PER and three public submissions and concluded that

...there is no further requirement to seek further consideration or approval of the proposal by the Minister for the Environment and Heritage under the EPBC Act.⁶

Joint Combined Training Centre

3.4 Defence stated in its main submission that the SWBTA is approximately 454,500 hectares in size.⁷ The Committee enquired as to what proportion of the SWBTA site is occupied by the Joint Combined Training Centre.

3.5 Defence responded that the footprint of the Exercise Control Building is approximately 25 metres by 15 metres, co-located with existing range control facilities. The Urban Operations Training Facility will occupy an area of 500 metres by 500 metres, however the environmental approval process allowed for a total land area of 1,000 metres by 1,000 metres. The Urban Assault Range is an area of for live fire approximately 100 metres wide and 300 - 400 metres long.⁸

4 Appendix D, Official Transcript of Evidence, page 2

5 Appendix C, Submission No. 1, paragraph 19

6 Appendix D, Official Transcript of Evidence, page 2

7 Appendix C, Submission No. 1, paragraph 2

8 Appendix D, Official Transcript of Evidence, page 5

Training Activities

- 3.6 In its main submission, Defence explained that a live-fire capable Urban Assault Range will be provided as part of the Urban Operations Training Facility.⁹ At the public hearing the Committee asked Defence to clarify the area being used for live-fire, and the amount of live fire on the site.
- 3.7 Defence answered that the Urban Assault Range, adjacent to the Urban Operations Training Facility and the only live-fire part of the proposal, is the area where
- ...small arms and vehicle mounted weapons would be used in live fire on simulated building targets.¹⁰
- 3.8 Defence added that there would not be an increase in live-fire exercises as a result of the project. Given the level of technology being used in the simulated environments of the Urban Operations Training Facility, Defence submitted that there may be a decrease in live fire munitions.¹¹

Number of Personnel

- 3.9 At the public hearing, Friends of the Earth Brisbane expressed concern at the prospect of a large increase of on-base personnel during military exercises such as the scheduled Talisman Sabre 2007 (a joint military training exercise between the ADF and US forces) and the associated social concerns.¹² The Committee sought clarification from Defence about the anticipated numbers of personnel during large training exercises, and how this number compares to previous training exercises.
- 3.10 Defence responded that during Talisman Sabre 2005, approximately 5,000 personnel were at the SWBTA. The total exercise personnel figure, of 20,000-30,000 personnel, included activities all over Australia and the South Pacific.¹³
- 3.11 In information provided to the Committee subsequent to the hearing, Defence explained that the initial planning numbers for Talisman Sabre 2007 is approximately 35,000 personnel of which approximately 6,000 will be at SWBTA. The planning figure includes all land, air and sea forces for

9 Appendix C, Submission No. 1, paragraph 12

10 Appendix D, Official Transcript of Evidence, page 11

11 *ibid*

12 *ibid*, page 22

13 *ibid*, page 29

the entire exercise as opposed to primarily land forces within the SWBTA.¹⁴

Environmental Considerations

Public Environment Report

3.12 Defence stated in its main submission that an environmental study for the Urban Operations Training Facility was conducted by independent environmental consultants engaged by Defence.¹⁵ The Committee sought further information about the environmental study and its conclusions.

3.13 Defence responded that its Public Environment Report (PER) includes the environmental study and a heritage assessment as referred to in Defence's main submission. After considering the PER and attached submissions, Defence concluded that

This proposal is not likely to have significant impact on the environment, and therefore there is no requirement to refer it to the Environment Minister under the EPBC Act for further consideration or approval.¹⁶

3.14 Given the significance of the PER, the Committee requested further details of the authors of the PER. Defence answered that it has a panel of expert environmental companies, and this particular job went out to tender. HLA-Envirosciences were engaged to undertake the PER and the authors of the PER are all environmental scientists employed by HLA-Envirosciences.¹⁷

Use of Depleted Uranium

3.15 Several submissions¹⁸ to the Inquiry raised the issue of the use of Depleted Uranium (DU) and the associated risks. The submission from the Federal Member for Capricornia stated that Defence

14 Letter and supplementary information from Colonel William Grice, Acting Director, General Infrastructure and Asset Development, Department of Defence, 9 August 2006

15 Appendix C, Submission No. 1, paragraph 19

16 Appendix D, Official Transcript of Evidence, page 7

17 *ibid*

18 See *Volume of Submissions*, Submission No. 3, Friends of the Earth Brisbane, page 2; Submission No. 7, Ms Christine Fensham, page 2; and Submission No. 8, Women's International League for Peace and Freedom (Australian) Section, page 2

...needs to do everything it can to allay community fears about possible contamination of soil and water in and around Shoalwater Bay.¹⁹

The Committee sought reassurance from Defence that there would be no use of DU on the SWBTA by the ADF or any forces that may make use of the SWBTA such as the United States of America (USA).

- 3.16 Defence informed the Committee that testing for the presence of DU is very difficult and has not been carried out within the SWBTA. However, Defence is confident that there is no DU on the SWBTA and added that Australia has a “status of forces agreement” and “joint statement of environmental principles” with the USA which

...explicitly excludes the use of depleted uranium on any of our [Australian] training ranges.²⁰

Defence also stated that

Defence policy in relation to foreign forces exercising in Australia is that any weapons that are not contained in the Australian Defence Force inventory that they intend to use are subject to strict safety and environmental checks before they are used.²¹

- 3.17 Defence added that weapons proposed for use, that are outside the ADF inventory, are checked to ensure that the weapons are not used with DU.

Heritage Considerations

- 3.18 Defence’s heritage assessment concluded that the proposed facilities would not impact on any historical or heritage sites in the SWBTA.²² During the site inspection, the Committee was shown the three site options considered for the project, one of which was excluded due to heritage considerations. At the public hearing, the Committee requested Defence elaborate on the heritage concerns for the excluded site.
- 3.19 Defence explained that the Lindfield Station homestead was on one of the proposed sites, and proceeding with the project on that particular site

19 See *Volume of Submissions*, Submission No. 9, Member for Capricornia, page 2

20 Appendix D, Official Transcript of Evidence, page 10

21 *ibid*

22 Appendix C, Submission No. 1, paragraph 21

represented an environmental and heritage risk. In addition, the site was deemed not optimal in its training value.²³

- 3.20 The Committee also enquired whether the site chosen for the proposal presented any heritage concerns. Defence answered that

The only heritage consideration at the current site was the fact that the Hutton graves were in close proximity and therefore mitigation measures have been put in place to ensure that those grave sites are protected.²⁴

Indigenous Heritage

- 3.21 Submissions to the Inquiry from Friends of the Earth Brisbane and the Women's International League for Peace and Freedom raised concerns regarding sites of indigenous heritage significance within the SWBTA, and the lack of access to the area granted to the Darumbal people.²⁵ The Committee requested further information regarding the indigenous heritage aspects of the SWBTA, and the access for the Darumbal people.

- 3.22 Defence stated that a number of heritage studies had been undertaken within the Shoalwater Bay area and Defence

...are aware of a number of important sites for Indigenous cultural heritage and those sites are protected under our [Defence] range standing orders and in our environmental plans.²⁶

Defence continued that depending on the nature and significance of a particular indigenous heritage site, the site may be designated as a "no-go zone" or have specific access guidelines to ensure sites are protected. Defence informed the Committee that the Darumbal people are regularly invited to access the area and provided opportunities to observe traditional cultural practices and to recreate. However, in regard to this particular project Defence states that there are no indigenous cultural sites of any significance in the immediate vicinity of the footprint of the facility.

- 3.23 Subsequent to the hearing Defence provided the Committee with a report, conducted in addition to Defence's heritage assessments, undertaken to

23 Appendix D, Official Transcript of Evidence, page 12

24 *ibid*

25 See *Volume of Submissions*, Submission No. 2, Friends of the Earth Brisbane; and Submission No. 8, Women's International League for Peace and Freedom

26 Appendix D, Official Transcript of Evidence, page 13

specifically identify and address cultural heritage considerations for the SWBTA.²⁷

Consultation

- 3.24 Defence included 11 organisations in its consultation list, with regard to its proposal for the SWBTA.²⁸ At the public hearing, Defence added a further ten organisations to its consultation list. As Defence stated in its main submission that “discussions have been held, or are planned to be held...”²⁹ with organisations, it was unclear which organisations had been consulted, and the Committee requested clarification on which organisations had been consulted by Defence, what form and when the consultations had been undertaken.
- 3.25 Defence responded that all consultation as listed in Defence’s main submission, including the additional list, were undertaken by HLA-Envirosciences.³⁰ Subsequent to the hearing, Defence provided the Committee with information further detailing its consultation processes. This included:
- copies of letters regarding the SWBTA proposal sent to organisations as listed in Defence’s main submission;
 - a Defence media release “Defence seeks public comment on training facility planned for the Shoalwater Bay Training Area” dated 13 February 2006; and
 - copies of the advertisements inviting comments on the proposed Urban Operations Training Facility.³¹

Community Meetings

- 3.26 In its main submission Defence reported that community meetings were held in the Rockhampton, Yeppoon and Stanage Bay areas to expose the proposed works in the SWBTA to the local community and to seek

27 See *Cultural Heritage Investigations of proposed Urban Combat Training Facility, Shoalwater Bay Training Area, Central Queensland*, Central Queensland Cultural Heritage Management, July 2006

28 Appendix C, Submission No. 1, paragraph 24

29 *ibid*

30 Appendix D, Official Transcript of Evidence, page 8

31 Letter and supplementary information from Colonel William Grice, Acting Director, General Infrastructure and Asset Development, Department of Defence, 9 August 2006

feedback. The Committee sought some further detail on the community meetings with regard to the attendance and how the meetings were advertised.

3.27 Subsequent to the hearing, Defence provided a copy of the advertisements placed in *The Australian*, *The Courier Mail*, *The (Rockhampton) Morning Bulletin* and *The (Yeppoon) Capricorn Coast Mirror* advising where the public could view a copy of the PER, submit comments, and details of proposed information sessions. Defence also provided further detail on the community meetings:

- Monday 20 February 2006
 - ⇒ 7:30 - 8:30pm, Army Depot, 68 Western St, Rockhampton, 14 attendees;
- Tuesday 21 February 2006
 - ⇒ 12:30 - 1:30pm, CWA Hall, the Caves, eight attendees;
 - ⇒ 7:30 - 8:30pm, Yeppoon Council Hall, Yeppoon, approximately 60 attendees; and
- Wednesday 22 February 2006
 - ⇒ 10:30 - 11:30am. Plum Tree Café, Stanage Bay, 15 attendees.³²

Indigenous Community Consultation

3.28 At the public hearing, a representative of Friends of the Earth Brisbane expressed concern about the level of consultation on the development proposal by Defence. Specifically mentioned was the lack of consultation with traditional owner groups.³³ The Committee sought clarification from Defence regarding what consultation had been undertaken with the local Indigenous community.

3.29 Defence stated that

...the independent environmental assessment conducted by HLA-Envirosciences did not to our [Defence's] satisfaction cover consultation with the Darumbal. As a consequence of that, we [Defence] commissioned Dr Luke Goodwin to conduct specific consultation with the Darumbal about our project.³⁴

32 Letter and supplementary information from Colonel William Grice, Acting Director, General Infrastructure and Asset Development, Department of Defence, 9 August 2006

33 Appendix D, Official Transcript of Evidence, page 23

34 *ibid*, page 29

The Committee requested a copy of the specific report, which Defence supplied subsequent to the hearing. The report found that:

- no places of cultural heritage significance to the Darumbal People were identified in the course of the investigations;
- the Darumbal People did not consider there were any places of particular significance to them in the study area;
- and the proposed development fell within Darumbal People's acceptable limits of change.³⁵

3.30 Defence added that the Darumbal-Noolar Murree Aboriginal Corporation for Land and Culture were represented on the Environmental Advisory Committee (EAC), and had also been consulted through the EAC forum.³⁶

Environmental Advisory Committee

3.31 In a supplementary submission Defence maintained that it is "open and transparent about the environmental effects of its activities".³⁷ In this regard Defence established an EAC comprising of neighbours and interested groups which meet and discuss activities that affect the SWBTA. The Committee enquired as to the composition of the EAC and how the composition is determined.

3.32 Defence responded that it determined the composition of the EAC and invited people and organisations to participate. The EAC, which meets twice a year, includes:

- the Queensland Department of Primary Industries and Fisheries;
- Central Queensland University;
- the Department of National Resources, Mines and Water;
- the Great Barrier Reef Marine Park Authority;
- the Queensland Environmental Protection Agency;
- the Queensland Parks and Wildlife Service;
- the Livingstone Shire Council;
- the Central Queensland Wildlife Preservation Society;

35 See *Cultural Heritage Investigations of proposed Urban Combat Training Facility, Shoalwater Bay Training Area, Central Queensland*, Central Queensland Cultural Heritage Management, July 2006

36 Appendix D, Official Transcript of Evidence, page 10

37 See *Volume of Submissions*, Submission No. 12, Department of Defence page 1

- the Darumbal-Noolar Murree Aboriginal Corporation for Land and Culture;
- a recreational fisheries representative;
- neighbouring graziers;
- Defence representatives from Rockhampton and Canberra.³⁸

3.33 Defence also stated that the EAC's most recent meeting prior to the public hearing was attended by a representative of the JCTC project. Defence assured the Committee that all members of the EAC had been consulted with regard to the proposed works.³⁹

Other Concerns

3.34 Other concerns that were raised at the public hearing include:

- road usage and maintenance in the SWBTA;⁴⁰
- complaints regarding low-flying helicopters in the Byfield area;
- an incident involving a marine flare found on Bangalee Beach; and
- an encounter between a private yacht and Defence within the Shoalwater Bay area.⁴¹

While the Committee heard the aforementioned concerns and Defence responses, it is, however, unable to consider these issues as part of this Inquiry as they do not specifically relate to the facilities upgrade to the SWBTA. The Committee is required to report to Parliament in accordance with the terms of the *Public Works Committee Act 1969*.⁴²

Recommendation 1

The Committee recommends that the Department of Defence continue its close ongoing consultation with all relevant groups and organisations with regard to the facilities upgrade to the Shoalwater Bay Training Area.

38 Appendix D, Official Transcript of Evidence, page 11

39 *ibid*

40 *ibid*, page 18

41 *ibid*, page 14

42 *Public Works Committee Act 1969*, Part III, Section 17

Building Materials

- 3.35 In its main submission, Defence proposes to use recycled sea shipping containers as modular building components for the Urban Operations Training Facility.⁴³ The Committee asked Defence to explain why the shipping containers were the preferred option as building material for part of this project.
- 3.36 Defence explained that it conducted an assessment of various construction materials to achieve Defence's objectives. Furthermore, the assessment concluded that the
- ...containers provided the most robust and economically viable solution to providing us [Defence] with the reconfigurable facility that was required.⁴⁴

Codes and Standards

- 3.37 The SWBTA is designated "Defence Special Purpose" and no civilian authority or design construction approvals are required for the proposed works. Defence submitted that the project will nevertheless comply with all relevant standards and regulations as applicable.⁴⁵ The Committee requested further detail on how Defence complies with the relevant codes and standards.
- 3.38 Defence answered that the Exercise Control Building which will accommodate personnel, and be a permanent building, will meet the Building Code of Australian standards. However, as the Urban Operations Training Facility is solely a training facility and will not be accommodating personnel, no specific standards are applicable.⁴⁶

Future Requirements

- 3.39 In 2005 a Range Siting Board was established to identify the long term requirements of the SWBTA.⁴⁷ The Committee sought further information

43 Appendix C, Submission No. 1, paragraph 25b

44 Appendix D Official Transcript of Evidence, page 12

45 Appendix C, Submission No. 1,

46 Appendix D, Official Transcript of Evidence, page 13

47 Appendix C, Submission No. 1, paragraph 23

on the range Siting Board's long-term requirements of the SWBTA and whether Defence anticipated any change to the requirements in the future.

- 3.40 Defence answered that the establishment of the Range Siting Board was in response to the changing needs of the training area. The Board considered the SWBTA as a whole, rather than specific to the current proposal and examined whether the project was consistent with the other uses for the site. Defence informed that Board that

...once we [Defence] have a training network where we can use simulations and link up other ranges, that opens up the scope to decrease the amount of training on here [SWBTA] in a distributed sense.⁴⁸

Defence anticipates that any technological enhancement to the Urban Operations Training Facility would not necessarily involve a large increase in activity within the SWBTA. Defence maintains that the SWBTA will remain Defence's premier training location in the short to medium term.

- 3.41 Defence also assured the Committee that the Urban Operations Training Facility and the Exercise Control Building are both consistent with the long-term development plan of the SWBTA, and this view is shared with the Range Siting Board.⁴⁹

Recommendation 2

The Committee recommends that the proposed facilities upgrade to the Shoalwater Bay Training Area, Rockhampton, Queensland, proceed at the estimated cost of \$11.16 million.

Hon Judi Moylan MP

Chair

13 September 2006

48 Appendix D, Official Transcript of Evidence, page 6

49 *ibid*