



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

JOINT COMMITTEE ON PUBLIC WORKS

**Reference: Facilities upgrade to Shoalwater Bay Training Area, Rockhampton,
Queensland**

FRIDAY, 28 JULY 2006

ROCKHAMPTON

BY AUTHORITY OF THE PARLIAMENT

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JOINT STATUTORY COMMITTEE ON

PUBLIC WORKS

Friday, 28 July 2006

Members: Mrs Moylan (*Chair*), Mr Brendan O'Connor (*Deputy Chair*), Senators Forshaw, Parry and Troeth and Mr Forrest, Mr Jenkins, Mr Ripoll and Mr Wakelin

Members in attendance: Senator Parry and Mrs Moylan and Mr Brendan O'Connor

Terms of reference for the inquiry:

To inquire into and report on:

Facilities upgrade to Shoalwater Bay Training Area, Rockhampton, Queensland

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Committee met at 1.44 pm

CHAIR (Mrs Moylan)—Good afternoon, ladies and gentlemen. I declare open this hearing into the facilities upgrade to Shoalwater Bay Training Area, Rockhampton, Queensland. Before we start formally, we need a motion to authorise the broadcasting of this public hearing today.

Mr BRENDAN O’CONNOR—I move that the committee authorises the broadcasting of its proceedings this day.

CHAIR—Thank you. This project was referred to the Public Works Committee on 11 May 2006 for consideration and report to parliament. In accordance with subsection 17(3) of the Public Works Committee Act 1969:

- (3) In considering and reporting on a public work, the Committee shall have regard to -
- (a) the stated purpose of the work and its suitability for that purpose;
 - (b) the necessity for, or the advisability of, carrying out the work;
 - (c) the most effective use that can be made, in the carrying out of the work, of the moneys to be expended on the work;
 - (d) where the work purports to be of a revenue-producing character, the amount of revenue that it may reasonably be expected to produce; and
 - (e) the present and prospective public value of the work.

Earlier this morning the committee received a tour of the Shoalwater Bay area, and we have also just completed a confidential briefing on the project costs from the Department of Defence. I thank the department and Colonel William Grice for facilitating that inspection this morning.

[1.46 pm]

BROWN, Brigadier Robert Charles, Director General, Joint Combined Training Centre Project, Capability Development Group, Department of Defence

BYRNE, Mr William Stephen, Manager, Base Services, Rockhampton, Department of Defence

GRICE, Colonel William Alfred, Acting Director General, Infrastructure Asset Development Branch, Department of Defence

MOORE, Mr Shaun, Project Manager, Infrastructure and Services, Joint Combined Training Centre, Department of Defence

SHEPPARD, Mr Robert Sherman, Acting Director, Project Development and Delivery, Queensland, Infrastructure Asset Development Branch, Department of Defence

TRINDER, Mr Colin, Director, Environmental Impact Management, Department of Defence

Witnesses were then sworn or affirmed—

CHAIR—On behalf of the Public Works Committee, I welcome you and thank the base for making this facility available for today's hearing. The committee has received a statement of evidence from the Department of Defence and this will be made available in a volume of submissions for the inquiry. The submissions are also available on the committee's website. We have also this morning received an amendment to the costings. Does the Department of Defence wish to propose any further amendments to the submission it has made it to the committee?

Col. Grice—We have three amendments. Firstly, at paragraph 16 on page 5 of the statement of evidence, the out-turn cost is \$11.16 million. The second amendment is at paragraph 24 on page 8 of the statement of evidence, which deals with organisations that have been consulted. We would like to add that the following organisations have also been consulted in the development of the project: the Department of Primary Industries, Forestry; the Central Queensland University; the Department of Natural Resources and Mines; the Great Barrier Reef Marine Park Authority; the Queensland Environmental Protection Agency; the Queensland Parks and Wildlife Service; the Central Queensland Wildlife Preservation Society, the Darumbal-Noolar Murree Aboriginal Corporation for Land and Culture; a Fisheries representative; and a neighbouring graziers' representative.

The third amendment to the evidence is to do with paragraph 19 on page 6, which talks about the public environmental report which was prepared. We would like to say that Defence's Environment, Heritage and Risk Branch has reviewed the final public environmental report and the three written public submissions that were made during the public comment period. Defence concluded that the project will not have a significant impact on the environment and that there is no requirement to seek further consideration or approval of the proposal by the Minister for the

Environment and Heritage under the EPBC Act. The justification for this conclusion has been documented in the assessment report, which was provided to the committee together with a copy of the public environmental report.

CHAIR—Thank you for the amendments. I will now invite you, Colonel Grice, to make a brief opening statement, after which we will proceed to questions.

Col. Grice—This proposal seeks approval to deliver infrastructure to support networked simulation and training systems required to realise the objectives of the Joint Combined Training Centre at Shoalwater Bay Training Area for the Department of Defence. The Joint Combined Training Centre project proposes to link live and simulated training, which will provide a mechanism to enhance Australian and bilateral training, increase the current capability to measure the operational preparedness of Australian forces, improve interoperability and contribute to future capability development. The program of works includes the construction of a new exercise control building and a new Urban Operations Training Facility, which incorporates an urban assault range.

On 2 March 2006 the committee approved my request for an early works package to enable Defence to meet the required project completion date of March 2007. This package of works involved the exercise control building and the civil works required to support the construction of the Urban Operations Training Facility, at an estimated cost of \$2.68 million. These works are now under way and, subject to parliamentary clearance being obtained for the entire project, this should enable Defence to complete the project and prepare the facilities for use in Exercise Talisman Sabre 2007.

The budget for the entire facilities project is \$11.16 million. This figure includes the early works package, design and management fees and charges, construction, furniture, and fittings and equipment, together with appropriate allowances for contingency and escalation. The project was foreshadowed as part of the 2006-07 Defence budget. Subject to parliamentary clearance, it is intended to commence the balance of the works in late 2006, with all works being completed by early 2007. Madam Chair, with the permission of the committee, I would like to invite Brigadier Bob Brown to provide a very short presentation on some technical aspects of the Joint Combined Training Centre.

A PowerPoint presentation was then given—

Brig. Brown—Given that the facilities we are considering today are being delivered as part of the JCTC, I thought I would go through some background to explain the context. The first slide, which members have in front of them—I think you have a hard copy of it—explains that, as a result of the very close operational relationship between Australia and the US, at very senior levels in both governments there was a desire to find ways that we could enhance interoperability between the two defence forces and, at the same time, to leverage off US advances in training technology and simulation and apply those to training areas within Australia.

A number of high-level studies were undertaken and as a result of those, at the US-Australia ministerial talks in 2004, then Minister Hill and Secretary Rumsfeld announced the creation of the JCTC. It was decided that the initial priority for the JCTC would be upgrading the facilities

at the Shoalwater Bay Training Area and that these facilities would be developed in time to be fielded during Exercise Talisman Sabre 2007, in June and July 2007. As a part of those studies, it was also determined that an urban operations capability was a high priority. A JCTC MOU was signed at AUSMIN in October last year and project JP 2098 was initiated and received the two minister's combined first and second pass approval last year.

Next slide. That is the vision of the JCTC, which I know is a mouthful, but it picks up the major themes—that is, that it is involved with bilateral training aimed at improving and measuring operational capability and improving interoperability. At the heart of this is the use of technology to improve training, to make the training more realistic and to enable better interoperability between the two countries.

Although it is called a training centre, this is something of a misnomer; in fact, it is more of a capability—a network, if you like—that links training management systems and training area simulators to enable distributed training. This is one of the major benefits of the JCTC: the ability to conduct distributed training.

I will now move to the next slide. In the first instance a number of nodes will be established within Australia and connectivity established with the United States plugging into the United States equivalent of the JCTC—which is called the Joint National Training Capability. The heart of the JCTC will be the ADF Warfare Centre at Newcastle. There will be nodes at Shoalwater Bay Training Area, High Range Training Area and RAAF Base Tindal—and also in Sydney at HMAS *Watson* for the maritime warfare training system. This demonstrates the networked nature of this to provide the network and the capability to be able to do distributed training and to take advantage of US technology.

Going to the next slide, the initial deliverables for the project include connectivity of those Australian systems and the US Joint National Training Capability and the development of joint synthetic training environment and exercise control management information systems. That involves the establishment of a network within Australia. The bit that is pertinent to us today is the enhancement of the live range facilities at Shoalwater Bay—the exercise control activity and the urban ops training facility.

The next slide looks at the exercise control building. Even before the JCTC there was an acknowledgement that we had a shortfall in our ability to successfully control major joint and combined exercises. As the committee saw on the ground this morning, we have been required to work in substandard facilities out there—for example, to put up ad hoc tenting. There was also no adequate communications connectivity.

In looking at the requirements for the exercise control building it was determined that it would need to house a wide range of exercise control functions. The director of the practice, the person who runs the exercise; his staff, the safety networks; the umpire headquarters; and the environmental and damage control cells would need to be housed in that exercise control building. It is designed to meet the ADF war centre's requirement for joint and combined exercise management. Given that the US will only be on the range very infrequently, obviously Australian Defence Force units will benefit from that capability at all other times. The exercise control facility will be a key node on our network and will be a focal point for the collection of

data from the instrumented range and from other instrumented ranges. The result is the design of a large reconfigurable building capable of hosting up to 60 workstations.

I turn now to the operations training facility. Again, this has been a longstanding shortfall for the ADF and was a high priority as part of the JCTC project—noting the environments that Australian troops are required to engage in at the moment and have been in the past. The aim is for it to enhance training in the full spectrum of urban operations. That would include peacekeeping, humanitarian relief operations and fighting in war in a wide range of urban terrains. As the committee saw this morning, the desire is for a reconfigurable, flexible training site involving a structured build. The main facility itself will not be live firing but there will be scope to move to an adjacent live-firing urban assault range which will be a smaller, more rudimentary capability.

Initially the facility is designed for a combat team that has about 120 personnel and vehicles. As was explained this morning, a footprint will go down to enable future expansion to a larger facility if that is needed. The facility will not be set up to replicate any specific cultural or geographic context but will be able to be transformed to meet a number of different training requirements. I guess the big difference with this facility will be that it will incorporate state-of-the-art instrumentation to enable tracking of exercise players and visualisation of players to make sure that the lessons learned are enhanced.

The next slide shows examples of some of the mobile mount shipping type containers which are going to make up the majority of the site. These are at a site in the US. They show the way these containers can be configured; enhanced with courtyards et cetera; moved around internal staircasing, balconies and verandas; and of course enhanced with all sorts of clutter around them. The next slide shows one that has been developed in Afghanistan and shows the way you can use shipping containers to replicate certain different types.

We used the next slide during the community consultation process because there has been a lot of talk about what this facility really is and we wanted to make it clear what it is and what it is not. Yes, it is a combined Australia-US project, but Australia will be the major user. It will not result in more troops on the range—probably less. It is really a way to train smarter through the use of simulation and distributed training. It is a modern tool. It is certainly not a US base. There is no suggestion and no contemplation of any US basing in Australia. It is certainly not about testing new weapons. As we have explained before, we have very strict guidelines about what weapons are used on Australian ranges, and there would be no change to those rules. As I said, it will not result in an increase in US troop numbers exercising at Shoalwater Bay. That completes my opening statement.

CHAIR—I note in reading the first page of your submission that the Shoalwater Bay site is 454,500 hectares in size. Could you explain to us how much of the Shoalwater Bay site the Joint Combined Training Centre will take up?

Col. Grice—The exercise control building is a building of about 25 metres by 15 metres. That is its footprint. It will be co-located with the existing range control facilities. The Urban Operations Training Facility initially will occupy an area of 500 metres by about 500 metres. But the environmental approval process we went through included a total land area for that of 1,000 metres by 1,000 metres. So this is one square kilometre in total, but initially in area it will be 500

metres by 500 metres. The urban operations range is an area for live fire about 100 metres wide and 300 or 400 metres long.

CHAIR—I notice also in your submission that in 2005 a range siting board was initiated to identify the long-term requirements of the Shoalwater Bay Training Area. Firstly, is it likely that the training area will continue to expand? Perhaps you could give us some idea of what the longer term requirements are and, as I said, whether they are likely to change significantly. When you talk about identifying the long-term requirements, what term are we actually talking about? That might be a useful starting point. What was the brief given to the range siting board in coming to that decision?

Col. Grice—I will pass that question to Brigadier Brown.

Brig. Brown—The range siting board has been a response to the changing needs of the training area. Noting that, the JCTC was going to be developing some facilities. It was decided to take a whole look at the range, if you like, and ensure that what we were putting down was consistent with what other range users needed. As you saw on the ground this morning, it was sited to take account of the other activities on the range, particularly the requirements for manoeuvre, for mobile units to be able to move across the range, but also to ensure that the facility was in a spot where it could realistically fit into any scenario.

Given that it is not a live-firing facility as such, it did not really impact on the impact areas, if you like. I think the siting board was told that once we have a training network set up where we can use simulation and link up other ranges, that opens up the scope to decrease the amount of training on here in a distributed sense. So I think Shoalwater Bay will remain our premier training location because of the capabilities it offers—certainly in the short to medium term. There is no other place in Australia where you can do those sorts of amphibious operations, as an example.

But there are in the north of Australia other ranges which could be included in a future JCTC if the government were to decide to enhance the JCTC. As I said, the establishment of a training network which can use constructive and virtual simulations enables you to do a lot of that training from home base. So in summary, a very important training area will continue to exist. We will probably look at whether we can enhance the Urban Operations Training Facility in the future, and use more technology, but certainly not necessarily involving a huge increase in the amount of activity on the range, if I can put it that way.

CHAIR—At page 23 of your submission you state that the study of the range siting board concluded that the urban operational training facility proposal was consistent with the long-term development plan for the training area. The question that is left unasked or unanswered is: is the exercise control building consistent with the long-term development plan of the training area and is that the view of the range siting board?

Brig. Brown—Yes, it is.

Mr BRENDAN O'CONNOR—I refer to a number of points in your submission. Firstly, there is reference to a public environmental report, which we have a copy of. There is also reference to the heritage assessment. At paragraph 19 it says:

A comprehensive environmental study has been prepared for the Urban Operations Training Facility by independent environmental consultants engaged by Defence.

Is that this document? Is that what you are referring to?

Mr Trinder—Yes.

Mr BRENDAN O'CONNOR—So there are two reports, are there? There is this report and there is also a heritage assessment.

Mr Trinder—They are one and the same.

Mr BRENDAN O'CONNOR—One and the same?

Mr Trinder—That assessment report is an internal Defence document that we have prepared that draws on the public environment report and looks at and draws conclusions from the documentation in the public environment report.

Mr BRENDAN O'CONNOR—This report effectively concludes that there is no requirement for the minister to approve any changes—

Mr Trinder—To refer it to the minister for the environment. Our assessment report, after we looked at the public environment report and considered the submissions, concluded that there was no requirement. This proposal is not likely to have a 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.

Mr BRENDAN O'CONNOR—I notice that there are three authors of the bigger report, the public environment report, who have signed this report: Andrew Otrim, Mark Imber and the principal environmental scientist, Dr Sandy Griffin. How were they chosen to commission the report? How does the Department of Defence—

Mr Trinder—We have a panel of expert environmental companies. This particular job went out to tender. We selected a tender from HLA-Envirosciences, who have won this particular job to prepare it. Those people are all employed by HLA-Envirosciences. They are professional environmental scientists.

Mr BRENDAN O'CONNOR—I also want to take you through some of the references to consultation, just to establish exactly what consultation has taken place. On page 8, at paragraph 24 of the submission, you refer to 11 people or organisations that have not necessarily been consulted. The paragraph reads:

Discussions have been held, or are planned to be held with the following organisations ...

You then go on to list the federal member for Capricornia, the two state members, the Mayor of Livingstone Shire Council—in fact, the mayors of six councils—the Rockhampton Chamber of Commerce and Rockhampton Regional Development Ltd. Given that the list of those is prefaced

by 'Discussions have been held, or are planned to be held', I ask whether those discussions have been held with all 11 that are referred to in the submission.

Mr Trinder—Certainly that is my understanding, and Colonel Grice read onto the record the names of a number of other organisations with which consultations had also been held subsequent to the preparation of this.

Mr BRENDAN O'CONNOR—Mr Trinder, the difference is that the amendment proposed by Colonel Grice reads that 'the following organisations also have been consulted'; the actual submission says, 'Discussions have been held, or are planned to be held'. I am trying to establish whether those planned meetings with those people or organisations were in fact held.

Mr Trinder—It is certainly my understanding that they were in fact held.

Mr BRENDAN O'CONNOR—Perhaps it would be useful for the committee to be given information about the occasions on which all of those organisations held discussions with the Department of Defence, such that what is being said there has occurred, and, if there have not been discussions with those organisations, for us to be provided with that information. You have prefaced your answer, Mr Trinder, by saying 'as far as you understand', which means that really you do not know whether in fact those 11 organisations were consulted.

Mr Trinder—Consultations were undertaken by HLA-Envirosciences. I did not physically participate in those.

Mr BRENDAN O'CONNOR—No, I understand that, but you are here now before the committee. Clearly, consultation is an important dimension to the process, and I accept that there is every intention by the department to consult and that it may well have done so. I am not suggesting for a moment that you are necessarily entirely responsible for the answer, but I would like to know whether those intended discussions have taken place. If you cannot provide that to me then we really need to know that before we determine what we do with respect to this matter.

Mr Trinder—We can certainly provide that to you, and the dates when the meetings were held and what form the consultation took.

Mr BRENDAN O'CONNOR—If possible, before the end of the day, could we be provided by the department with whatever information is available. It would be easier for us for those sorts of things to be attended to if possible while the process of the public hearing is occurring. I am not suggesting any improper behaviour whatsoever, I can assure you, but we know how important consultation is. I think the department works very well in ensuring that that area of projects like this is attended to, and I would just like to get the answers to that particular question. In relation to consultations again, paragraph 19 says:

Community meetings were held in the Rockhampton, Yeppoon and Stanage Bay areas to expose the proposal to the local community and to seek feedback.

How were those community meetings advertised, and what attendance was there—or could you give me at least some broad understanding about the attendance at those meetings at those three locations, if at all possible?

Mr Trinder—The meeting at Rockhampton was held on 25 February 2006. The meeting at the caves in Yeppoon was held on 21 February, and the meeting at Stanage Bay was held on 22 February. Interested members of the public were also taken on a bus tour to Shoalwater Bay on Saturday, 4 March 2006. The public meetings were advertised in the local community newspapers. Brigadier Brown attended the meetings. Brigadier, perhaps you could comment on the numbers of people who attended each of the meetings.

Brig. Brown—The meeting in Rockhampton, if I recall, was held in this room. I think there were 20 or 30 people there. There were smaller numbers at the other meetings. Yeppoon may have been slightly larger. We can get those numbers. We have them on record from HLA.

Mr BRENDAN O'CONNOR—And were you involved in the other at Stanage Bay?

Brig. Brown—Yes, I was. I recall sitting in the pub up there and doing that. I think there were probably about 15 or 20 people there who were very interested. The bus trip out I think was pretty well a full bus. There was also some local press done during those periods. I did one television and one radio interview.

Mr BRENDAN O'CONNOR—You have really answered the question I wanted to raise regarding that matter. There are a number of other matters I wanted to raise. I noticed that in the information we received the member for Capricornia did write to the secretariat of public works talking about the need to ensure that the local community is not taken for granted or unnecessarily inconvenienced or offended by any process. I imagine you would have been in receipt of her correspondence because you then responded to us in relation to that matter. She says:

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

You then responded to us in response to Ms Livermore's comments by saying that there is no evidence of contamination. In a letter to Mr Raymond Knight, dated 18 July, in the fourth paragraph you say:

There is no evidence that Depleted Uranium munitions, or vehicles equipped with Depleted Uranium armour, have ever been used or tested by Australian or foreign forces at Shoalwater Bay Training Area, or any other Australian land training range.

You go on to say:

Depleted Uranium munitions are not in the Australian Defence Force inventory and therefore not permitted for use by foreign forces, including the United States.

What efforts are taken by the Department of Defence to ensure by way of evidence—by way of testing or otherwise—that there is no use of depleted uranium, whether it is by the United States or anyone else, for that matter?

Mr Trinder—The difficult thing with testing is that it is very difficult to design a testing program for something that you know is not there. If the question is how are we sure that the

United States is not using depleted uranium munitions on our training ranges, I guess we have a status of forces agreement with the United States and we also have a joint statement of environmental principles that the United States has signed, agreeing to abide by all of our environmental laws and meet our environmental standards. When they come here on exercises there is a joint operating instruction that explicitly excludes the use of depleted uranium on any of our training ranges.

We have not done any testing within Shoalwater Bay to look for depleted uranium because that would be an extremely difficult thing to do. Because there is no evidence that it has ever been used here, there is no way of targeting where you might start looking. It is a very technically difficult material to look for because the depleted uranium isotopes have to be separated out from naturally occurring uranium isotopes that are in the background soil, so the process is of course very expensive. If we were required to test even a small area of Shoalwater Bay to look for depleted uranium, the cost would be extremely expensive. I am talking about tens or hundreds of millions of dollars to test even a small area.

Col. Grice—There is one other thing, and that is that, as a condition of use of the Australian military training ranges, the US is obliged to inform us of the weapons it intends to use during those joint training exercises and we are present at the exercises. 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. If they have weapons that are not in our inventory, they are checked before they are used, so we would know in this case that they were not using those munitions.

Mr BRENDAN O'CONNOR—So effectively we rely upon the word of the United States. That is pretty much the only basis upon which we know that there is no depleted uranium. That is correct?

Col. Grice—Plus checks that are done of weapons that are outside of our inventory to make sure that they are not being used with depleted uranium.

Mr BRENDAN O'CONNOR—Can I turn to the Environmental Advisory Committee that you referred to in some correspondence. I have to find the reference, but there is a committee that has been established, I understand. In fact, it is in that letter that I referred to earlier, dated 18 July. You say:

Defence is open and transparent about the environmental effects of its activities. Defence has established an Environmental Advisory Committee which is a meeting of neighbours and interested groups to discuss activities that affect Shoalwater Bay Training Area.

Can I ask about the composition of that committee and how its members are either selected or elected?

Mr Trinder—The Environmental Advisory Committee here at Shoalwater Bay includes representatives from 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; the Darumbal-Noolar Murree Aboriginal Corporation for Land and Culture; a recreational fisheries representative; neighbouring graziers; Defence representatives from here in Rockhampton; representatives from Defence in Canberra; and also a representative at the last meeting was from the JCTC project itself.

Mr BRENDAN O'CONNOR—And that composition is determined by the defence department?

Mr Trinder—That's right.

Mr BRENDAN O'CONNOR—Or do you invite organisations to come?

Mr Trinder—We invite organisations to come. We send out invitations to people to participate in that committee. Obviously we cannot have everybody represented on it. The numbers need to remain manageable.

Mr BRENDAN O'CONNOR—Has pretty much everyone who was listed been consulted?

Mr Trinder—Yes.

Mr BRENDAN O'CONNOR—There was the addition that Colonel Grice provided to us, but additional to that is Livingstone Shire Council, which is not on that list because it was on the earlier list. How often would it meet?

Mr Trinder—Twice a year.

CHAIR—Before I call Senator Parry, could I just acknowledge Ms Kirsten Livermore, the member for Capricornia, in the audience today. I thank her for her submission to the committee and for taking the time to be here today.

Senator PARRY—Colonel Grice, I will follow on from Mr O'Connor's questioning about the weaponry and munitions and the checks with the US. Correct me if I am wrong: the whole facility is going to be for non-munitions type weaponry, so really that is irrelevant because it is already taking place. Is that correct?

Col. Grice—At the UOTF, that is correct. Adjacent to the UOTF is the urban assault range, which would be a live-fire range. We showed you the location of that this morning. That fires into the Pyri Pyri impact sector. That would be a range where small arms and vehicle mounted weapons would be used in live fire on simulated building targets. That is the only live-fire portion of the development.

Senator PARRY—Evidence earlier today indicated that there would potentially be a decrease in live-fire munitions. They certainly see no reason for an increase, because those current exercises take place.

Col. Grice—That is correct. There would be no increase in live-fire exercises as a result of this facility. Soldiers need to know how to use their weapons. They will get a different training benefit out of using the simulated environment. They will be able to have force-on-force

engagements and replay the action to see what they have done right and what they have done wrong. They can learn lessons from that. It is an area of training we do not have now, and it will be of great benefit to them.

Senator PARRY—I do not want to belittle it by calling it Xbox games, but we are moving into an area of high tech with monitoring and no live ammunition with this new proposal—they are simply exercises conducted like a floor exercise but using weaponry, without firing weaponry, that has technical capabilities that they do not ordinarily have?

Col. Grice—That is correct. Do you want to add anything?

Brig. Brown—No, that is true.

Senator PARRY—Moving to heritage considerations, paragraph 21 of your submission on page 7 indicates that:

The heritage Assessment concluded that the proposed facilities will not impact on any historical or heritage sites in the Shoalwater Bay Training Area.

On our tour this morning we were shown three sites that were considered. One was excluded and it had a heritage component. Can you expand upon why that was excluded?

Col. Grice—I will pass to Mr Shaun Moore for that one.

Mr Moore—The primary reason that site was excluded was operational—it was not an optimal site in its training value. However, due to the fact that the Lindfield Station homestead was on that site it was also considered to be an environmental and heritage risk.

Senator PARRY—Thank you. Were there any heritage considerations for the other sites—the remaining one and the one that was chosen?

Mr Moore—There were no heritage or environmental risks for the first site in the south of the sector. 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.

Senator PARRY—Does that mean in perpetuity?

Mr Moore—Yes.

Senator PARRY—Finally, are the containers that are going to be used for the building of the mock city or mock buildings the most effective materials? Is there a better way of doing that? Can you explain why containers are the preferred option?

Mr Moore—We conducted a comprehensive assessment of different construction materials to achieve our objectives. The outcome of that assessment was that containers provided the most robust and economically viable solution to providing us with the reconfigurable facility that was required.

Senator PARRY—Thank you.

CHAIR—I have a couple of other questions to ask. One is regarding approvals, codes and standards. In the main submission of Defence it was noted that the Shoalwater Bay Training Area was designated Defence special purpose and that no civilian authority or design construction approvals were required. However, it also goes on to refer to ‘Defence complying with all relevant standards and regulations, as applicable.’ Could you explain to us what those standards and regulations are in relation to construction and operation of the facilities?

Col. Grice—I will pass to Mr Sheppard for that one.

Mr Sheppard—Certainly the exercise control building, which is going to be used all the time and is going to be a permanent building, will meet the Building Code of Australia standards.

CHAIR—So that will have fire escapes and meet the fire standards and other building code standards?

Mr Sheppard—That is correct. The Urban Operations Training Facility is a training facility and there are no standards for that. Nobody is going to be living in there. That is purely there for training purposes.

CHAIR—I have one question in relation to Indigenous heritage. In your submission, you stated that the first evidence of usage of the area is that of the Darumbal people, who have a long historical affiliation to the Shoalwater Bay region. Friends of the Earth state that the Darumbal are only allowed limited access to the Shoalwater Bay area and that the land and sea at Shoalwater contain sites important to the Darumbal culture and heritage. Similar concerns were also raised by the Women’s International League for Peace and Freedom. Are you aware of the sites containing Indigenous heritage significance? If so, what areas are they and how will they be protected? What access to the site does Defence give to groups such as the Darumbal people? We know that in other projects we have looked at there is limited use allowed. Could you explain that to this public hearing.

Mr Trinder—Certainly. In terms of our awareness of the heritage sites across the whole of Shoalwater Bay, we have done a number of heritage studies that have identified some specific sites. I guess the intent of the paragraph was more to suggest that there is a connection between the Darumbal people and the whole of Shoalwater Bay rather than to suggest that there are site specific issues. But we certainly are aware of a number of important sites for Indigenous cultural heritage and those sites are protected under our range standing orders and in our environmental plans. Depending on the nature of the site, it may well be designated as a no-go zone or there may be other proscriptions in place to ensure that the sites are protected.

In terms of the use of the area by the Darumbal, I have been advised that they are invited to come onto the range on a very regular basis—at least monthly—and they do avail themselves of those opportunities to visit places like Freshwater Beach to observe their traditional cultural practices and to recreate and that sort of thing. They are also represented on the Environmental Advisory Committee, so they are engaged to a degree in assisting Defence in the management of Shoalwater Bay. We are also doing further work on developing heritage plans for the whole of Shoalwater Bay and a number of other sites within the Defence estate to improve our knowledge

about where heritage sites are, what is important about them and what the best measures available to protect them are. In relation to this specific proposal, there are no Indigenous cultural sites of any significance in the immediate vicinity of the footprint of this facility.

CHAIR—So you are undertaking consultations on a regular basis outside this project, I take it, with the Darumbal people?

Mr Trinder—That is right.

CHAIR—Can you tell us what form those consultations take?

Mr Trinder—The main one is the Environmental Advisory Committee, but the Darumbal are also participating with Defence in some other groups as part of the traditional use of marine resources project, which is looking at the marine side of Shoalwater Bay. I am not sure that there are any other formal consultation forums in which both Defence and the Darumbal are represented, but the nature of our working relationship is that if there is an issue to do with traditional cultural heritage we pick up the phone and contact them and deal with them directly that way.

CHAIR—When you consult, do you consult with one person or do you consult with a group of people?

Mr Trinder—We try to consult right across the spectrum of people who represent themselves as being part of the Darumbal group. They have an organisation that represents them, but we also consult with individuals as well to make sure that the consultation is as broad as we can make it.

Mr BRENDAN O'CONNOR—Can I go to a number of matters that are not necessarily specifically related to this project. They go to the general concern about the way the defence department works with the community and Rockhampton in general. Colonel Grice, you may not be in a position to specifically respond because they are broader and they do not directly relate to the project, but they might be something you could provide answers about to the committee later if that is required. There have been a number of incidents that have caused some concern which I wanted to mention. There might be reasonable explanations or they might well be just part and parcel of having to have a defence base and training centre in this region; they might be the things that arise. I will touch on a number of things.

There were complaints, I am told, about low-flying helicopters in Byfield. Again, we have this issue with flight paths and you have it all the time. We have it with domestic airports and with military bases. It is something that, if you can avoid, you tend to look to avoid, but it was an issue that was raised. I wanted to know whether that was a reasonable or an unreasonable complaint and whether you have a response to that. There was also concern about a marine marker or flare that was found washed up at Yeppoon. Apparently it had fallen off a boat. I am not sure what the story is behind that. You hear these stories but you do not know the facts. I do not have sufficient information to know whether that was an accurate assertion or not and I ask you to comment upon that.

Finally, there was also a concern about the way a yacht was asked to leave the Shoalwater Bay area. From what I understand, the yacht moved into the bay to get out of the weather and, understandably, they were informed that it was not a good place to be. Again, this is an allegation I cannot substantiate and ask you to comment upon; it may not be correct. I am told that they were anxious about the way in which they were approached to move on. They were pretty much told, 'This is a live fire area.' The defence department has an obligation, of course, to notify people if they are putting themselves at risk, so I am not suggesting blame here, but I wondered if you knew of that issue and whether there would have been a better approach, if indeed the approach was a little heavy-handed. I do not know and I ask you to comment.

Col. Grice—We are aware of those things. We have been briefed by the local CSI and the regional manager for south Queensland, who spent some days up here last week speaking with the yachtie involved, the mayor and others. Since then the mayor has written to our regional manager and we have responded in writing. It might be easier if we can enter those letters into the record. They will give an indication of what the incident was and how it occurred. I am not qualified to go into the details of each of them.

With the marine flare incident, reading my documents here, I can say that the device that was found on Bangalee beach was a marine marker type 58. It is a type used in the Australian Defence Force by the Royal Australian Air Force and the Royal Australian Navy as well as in navies from around the world. However, the batch numbers on the marker were not found in the ADF inventory. I can go through the procedure. We deployed an EOD team up here to have a look at the marker and dispose of it in a safe manner. It is probably best if we can seek leave to have these documents, the letter from the mayor and our response to the mayor, entered into the public record so that they are available for everyone to look at.

CHAIR—Are members happy to accept that as evidence?

Mr BRENDAN O'CONNOR—Yes. Does that include the alleged complaint about a low-flying helicopter?

Col. Grice—I am not aware of that. Colin, do you have any information?

Mr Trinder—I am not aware of it, but there are issues with low flying from time to time.

Mr Byrne—With respect to the helicopter incident, there was a complaint made about a week ago. The complaint consisted of allegations that there were low-flying helicopters in the area of Byfield and that they were at treetop level, invading people's quiet and space. At the time we gave a commitment to look into the matter, which we subsequently did. We found that none of the aircraft involved in that activity had breached our regulations in terms of operations around Byfield. For the purpose of the committee's knowledge, those regulations, as they stand now in our orders, are that aircraft do not track below 250 feet in non-built-up areas anywhere between Rockhampton and Shoalwater Bay. So there is a 250-foot minimum height. Many years ago Defence made a number of concessions to the community in Byfield, notably, from a three-kilometre radius from a certain point in Byfield there is a 2,000-foot exclusion zone. So there is a point in Byfield, a 3,000-metre radius and a 2,000-foot high stovepipe that sits there. No aircraft breached that flying provision. Those are pretty much the facts of it. We know that is the case,

and it has been confirmed through both squadrons that were operating—Australian and Singaporean.

CHAIR—Thank you very much for clarifying that. If there are no further questions for Defence I will now call on the representative of the Livingstone Shire Council.

[2.43 pm]

LUDWIG, Councillor Bill, Mayor, Livingstone Shire Council

CHAIR—Councillor Ludwig, welcome to the committee hearings today. We are pleased that you could make it; we did not think you were going to be able to be here. The committee has received a submission from the council. Do you wish to propose any amendments to the submission? Otherwise, you may make a short statement to the committee before we proceed to questions.

Councillor Ludwig—From the covering letter that we put with the submission, which was looking at infrastructure, I would like to highlight a number of issues that are of concern to council and are certainly of concern to the community. Whilst we have enjoyed a reasonably positive relationship with ADF, we have over a number of years been concerned with the level of communication with both council and the community. I suppose it came to a head a little bit when the announcement was made for the joint training facility. Because there was a lack of information and consultation directly with the community, many people believed that that was code or a flag for an American base.

I had many phone calls and attempts to get that clarified. That was when Senator Hill was the minister. Unfortunately, the responses were tardy. From that, though—and I have to commend Minister Hill because he authorised it at the time—ADF committed to a level of community consultation that council offered to facilitate to bring what I believe were quite meaningful and detailed presentations to the community on what the joint training facility was all about. There was a follow-up to that when the urban warfare centre was proposed. Having said that, I believe that there still is room for ADF to be even more proactive, to go into communities like Byfield and let the communities put their cases and have particular concerns answered directly. Once again, council would be happy to facilitate that.

Following the events of recent weeks, with the flare washing up on our beach, I have to commend Paul Watson. He was in my office within a couple of days of a request. I have a detailed response from him on that. But I believe that there is an opportunity once again for ADF to put some procedures in place so that we minimise the possibility of these things happening. I know it is very difficult. I find it difficult as a mayor when I have communities with what I believe are valid concerns—some of which might be because of operational issues and some of which might be because of perceptions and a lack of information. I think we need to have meaningful dialogue, and as I said, council will be proactive in facilitating that. We need to make sure that the operating procedures are right, that we do have procedures to communicate with maritime civilian authorities like the water police and the coastguard and that we have some direct contact with local yachties so that we do not have events like the one that happened the other day, which was very unfortunate. As somebody who is out on the water, I know how disconcerting and dangerous it can be to be pushing a yacht out, particularly when you have to travel at night and with a family.

As for the accounts, if one is not there, you do not always know the situation. I do not know whether the ADF personnel handled it in the best way or whether that was the way that they felt

was appropriate because they did not have the communications or the protocols. They are things that we can certainly look at to use as benchmarks to get the protocols right. On those community issues, our community safety must be paramount. We accept that ADF have a role to play. We accept that it happens to be in our backyard. People have said to me: 'What do you think of the facility there?' I have said that if that facility were a national park I suppose I would be even happier. There are people who realise that there are economic benefits for our region as well.

So the position that Livingstone Shire has taken is that we support the national interest, we support the role that ADF are playing, but we would like ADF to be sound and facilitative corporate citizens to make sure that what they are doing does not impact adversely on our community. That is No. 1. We need to make sure that our community is not exposed unduly to risks that they would not otherwise be exposed to if the facility were not there. From an economic point of view—and this comes down to equity for our community—the ADF are sitting on 23 per cent of our landmass and have paid zero rates for the last 40 to 50 years with very little commitment to capital injection to improve roads and things, which once again impacts on our safety. That has changed in recent years, with a \$7.4 million grant. You will see from our submission that we are looking for the balance of the total grant, and I think that is a fair ask for the community. We really need to be sure that there is equity for the residents of Livingstone Shire, notwithstanding the other positive economic benefits that there can be for the region.

CHAIR—Thank you very much. The committee believes that it is very important to have sound community consultation processes with any development. For a moment there I was worried because I noticed in your submission that you were very complimentary of ADF's level of community consultation. Obviously, this improved with this particular project and I am sure all my committee members are pleased to hear that. There are a couple of key issues there but I will let my colleagues ask questions in relation to them.

Mr BRENDAN O'CONNOR—Mayor Ludwig, you mentioned that the council in general is in support of the base. It has been here now for 40 years or thereabouts. Could you outline the benefits that the council considers the base has upon the community? You made a reference to the potential economic benefit. Could you elaborate?

Councillor Ludwig—If I can put that in a regional context, the majority of economic benefit actually comes to the city of Rockhampton, not so much to Livingstone Shire. That has been an issue for us as we have often said that the economic benefits should be something that we receive and positives come into it. From our perspective, for many years we had a running argument about levels of maintenance, community safety with road usage and usage of B-doubles on roads that were never designed to take them. We took ADF to task by putting a very detailed submission together about 3½ years ago. It took a number of trips to Canberra before I saw the minister but shortly after that—a number of months—we got the first positive, which was a commitment to capital funding. We work very closely with our regional organisation of councils and we recognise that the broader regional benefits have not always been reflected for the community of Livingstone, which is, in fact, the host shire.

Mr BRENDAN O'CONNOR—You referred to the \$7.4 million Commonwealth grant. Are you the recipient of those moneys?

Councillor Ludwig—Those moneys are being given to council as we complete stages of works. The works are an agreed set of works with a time frame to look after the military access roads. We have funding for widening and upgrading three major routes to national and state B-double standards. There is the brown route, which is the route through the caves; Raspberry Creek, which is the green route; and there is a modest amount of money—certainly not the amount of money required—to fix up the grey route, which is Stanage Bay Road. The rub for us here is that is primarily a cattle producing area. A major proportion of those cattle producing properties were resumed and put into the Shoalwater Bay Training Facility. Therefore, there are never going to be enough rate dollars coming out of there to ever seal and upgrade those roads to the appropriate standard. That is the basis of the submission that we have put in from an equity point of view for our community. If you are going to sit on our rate base, please give us the opportunity so that those people living there, who produce millions of export dollars for the national economy, do not have their product damaged and also, when the major exercises are on, do not have the personal safety issues which they currently have.

Mr BRENDAN O'CONNOR—You did say in your letter to the Public Works Committee dated 14 June that you requested that 'a firm commitment be made to the provision of the outstanding \$8.5 million to \$9 million'.

Councillor Ludwig— Yes.

Mr BRENDAN O'CONNOR—That is additional to the \$7.4 million, is it?

Councillor Ludwig—The \$7.4 million was only ever part of the original submission that we put in, which was for \$15.5 million. We indicated that we would take the \$7.4 million, thank you very much. We put it in on the 18 months that we were given—a very tight time frame. We have actually asked for a slight extension of that, but we have said we would then be back for the balance, which was \$8.1 at that stage. We are now saying that, by the time we get it, it is likely to be \$8.5 million to \$9 million. That is correct.

Mr BRENDAN O'CONNOR—You then go on to say:

Council's ongoing support of this facility is also contingent on ADF entering into an acceptable formal and binding maintenance agreement with LSC.

That is, Livingstone Shire Council. Can you elaborate on what you mean by that sentence?

Councillor Ludwig—Every year after exercises we would have a running battle with the engineers, who were working to very tight budgets, arguing about what level of usage and what level of wear and tear occurred and what level of gravel they thought came off. On top of that—and Senator Hill certainly acknowledged this point—they were excluding the use of contract vehicles that were servicing those facilities. So they said that they were only responsible for the army vehicles going in and in no way responsible for the wear and tear by the fleets of B-doubles and other major transport vehicles. Senator Hill rightly said that was an absolute nonsense, and we have been saying that for years.

That comes to the issue of the fair and binding agreement we want, and we want it calculated on the basis that it will be looking after the wear and tear and also providing for appropriate

depreciation and long-term reseat—which, by the way, will save ADF millions of dollars in maintenance on their own vehicles, let alone the fleets of private contractors that go in. It is good business, smart business and something that I am surprised ADF did not agree to years ago.

Senator PARRY—Everything we have been discussing there is really not relevant to the application that we are considering. I want to come back to the application. You have indicated that you support in principle the building of the new development, the construction on the site. We have been assured and we have taken evidence to the effect that there is really going to be no great increase in manoeuvres or activities because these buildings are designed to be non-invasive, if you like, for the environment and certainly for the community. On that basis, do you support the development application and the proposal by Defence?

Councillor Ludwig—You really cannot extrapolate that particular component—

Senator PARRY—Excuse me, Mr Mayor, we have to do that. We have one task here. Our task is to either approve or reject in making a recommendation to the Parliament of Australia concerning a development application which involves activity within a base that is already operating. You are talking about things in the past. I think it is great that you do that, but talk to Defence in the right forum. This is not necessarily the right forum to be discussing those issues in. These are things you have taken up with the minister, and quite frankly I would be supporting you with the minister and when I am speaking to the department on other issues. I think you have some valid points and they can be taken up at that appropriate juncture.

This is consideration of an application which is on the public record. There are submissions available and that is what we have to consider. Everything else that has been discussed we cannot consider. We can talk about it, but we are not getting into the relevant nitty-gritty, and that is the proposal that is put before us. Forgetting all the other peripheral issues which you have, which are for another forum, do you support the proposal by Defence?

Councillor Ludwig—I will come back and answer it this way: we asked for a consultation on that, and a very detailed and I believe good presentation was put to the community. On the basis of that, council indicated that we were satisfied, providing all those things that we were told about the way that it was going to be developed were acted upon. In principle, we did not have an issue. The argument is: will it put extra traffic and extra pressure on our facilities? We are not sure, and that is why I was giving you the englobo view of all of the equity issues. That is why we said it is contingent on the positive moves that have happened over the last few years continuing.

I do appreciate your comment that you are focusing on this, but this is a public forum and it is an opportunity for you guys, with due respect, to get an overview, to go back and be champions for this community and to make sure that the partnerships that deliver the real outcomes both for the ADF and for local and regional communities are heard and taken on not just in lip-service but in actions on the ground.

Senator PARRY—With all respect, if we did that, we would not leave some of the communities we actually enter into. We have a brief and it is a very clear brief. We have no choice. It is in an act of parliament and this is what we must do. As I am sure you would appreciate, Mr Mayor, you go to some meetings and public forums that may be all-

encompassing, but this is not. This has a specific purpose and we are inquiring into that. If we go too broad, we will never leave here. That is why we have a limited time frame and a limited opportunity, and we must stick to the facts. We have heard your comments. The main thing is that your issue concerns an increase in the volume of traffic. If I can summarise your viewpoint, you would have a concern about roadways if there is an increase in traffic. That is basically your position?

Councillor Ludwig—We have a concern about the traffic, increased or not, because—

Senator PARRY—That is history. But if this facility goes ahead, your only concern would be an increase in vehicle traffic accessing and leaving the site?

Councillor Ludwig—No, that is not actually our formal position. I said that, on the information we have been given, we are comfortable in principle. We would actually like that open dialogue with the community to continue. We would like more opportunities on a regular basis for the community to go and see the facilities and also to experience them. What we have heard from most of our community groups who have gone in there is the feedback that they believe that the ADF have been good environmental stewards of that area. That is why I go back to saying that we should get the goodwill happening. Let us make sure that everybody sees the periphery. Those are the things that will be contingent on council's and this community's long-term support of these facilities and this component of these facilities.

CHAIR—Thank you very much. Your comments are very sound in terms of the community consultation, the openness and the ability for people to better understand the work of the ADF here. I am sure from your comments and your submission that Defence are clearly working on that. Proper consultation processes are issues of relevance and interest to the committee. Thank you very much.

[3.03 pm]

LENTHALL, Ms Treena Rose, Campaigner, Friends of the Earth

MURRAY, Mr Peter, Consultant, Shoalwater Wilderness Awareness Group

Witnesses were then sworn or affirmed—

CHAIR—On behalf of the Joint Committee on Public Works we welcome you to this hearing. We have received a submission from Friends of the Earth. Do you wish to propose any amendments to your original submission before I ask you to make a short opening statement and before we go to questions?

Ms Lenthall—Maybe this could be in the short speech that we make. We want to make some responses to the ADF's—

CHAIR—That is fine. You can do that. We have time restrictions, but if you would like to make an opening statement then we will have time for questions. I am sure my colleagues have a number of questions to ask.

Ms Lenthall—Firstly, Friends of the Earth would like to say that we oppose the proposed Joint Combined Training Centre and its proposed Urban Operations Training Facility. We would like to respond further to the claims made by the ADF in response to our original submission to the inquiry. We believe that Defence has been strategically clever in isolating its plans for the Urban Operations Training Facility from the impact that this development will have on the greater Shoalwater Bay training area and beyond. It is clear that the training facility is intrinsic to the operations of the Shoalwater Bay training area and therefore is not exempt from the impact that the military and its role in Shoalwater Bay has on the surrounding environment and community. We already know that this development is part of preparing the area for exercises such as Talisman Sabre 2007, which will see a massive increase in personnel for exercises of this type. That is an increase of 10,000 from 2005 to over 30,000 US personnel.

Defence's qualification is that the training facility will not be used as a target for bombs—and this is in their submission; I sense that they are saying a different thing in this inquiry today. According to their submission, the fact that the training facility will not be used as a target for bombs or there will be no live ammunition used within the premises fails to recognise that such development exists within a broader context. I point out that the facility's upgrade proposal states that the Urban Operations Training Facility will provide a progression from simulated activities to high explosive live training. We believe that the militarisation of our society is incremental and that all these developments contribute to this process.

Military exercises in this region extend out as far as the Great Barrier Reef. Friends of the Earth does not agree that taking pride in maintaining good environmental practices means exposing some of our last coastal wilderness areas and threatened and endangered species to bombing, onshore landing practice and raiding drills. Bombings such as can be seen off Raymond Island—and I have got an image here; there are two copies—contribute to the

contamination of the waters and land. Even smart bombs contain contaminants that are highly poisonous. I know reference was made earlier to the military phosphorus device that was found washed up on the beach at Bangalee, in Yeppoon. This was extremely concerning for the community and understandably so.

Increased militarisation of this area will pose further risks such as this to environmental health, including toxic contamination, noise pollution, sonar water pollution and social upheaval, including increased crimes, rapes and violence. We will also see increased nuclear traffic, such as nuclear powered vessels potentially carrying nuclear and depleted munitions. We refute claims by Defence that depleted uranium munitions have not been used by the Australian military. The ADF, by their own admission in *Hansard*, were in receipt of 43,000 rounds of depleted uranium which was used in military exercises off the coast of Australia between 1981 and 1989.

Given that Shoalwater Bay is a major sea and land training base, it is highly probable that these rounds were fired off the coast of Shoalwater Bay. ADF have failed to provide the paperwork for where these rounds were fired. With the exemption of environmental impact studies for military exercises such as Talisman Sabre 2007, it means that there is even less accountability of military activity in this region.

In relation to the US use of depleted uranium munitions, we have yet to be reassured that they will not be used at Shoalwater Bay in the Talisman Sabre exercise next year. In 2003, responding to questions about Australian support for US use of DU, the then defence minister, Robert Hill, stated:

In relation to DU used by our allies we have said that, if they believe it is the most appropriate element to use in their particular munitions in certain circumstances, we do not think it is appropriate for us to press a different view upon them.

The US military have already proven to be environmentally irresponsible in other countries where they have or have had bases, such as in Vieques, Puerto Rico.

In Australia earlier this year, USS *Ronald Reagan* visited the port of Brisbane. This nuclear powered warship left a trail of rubbish in Moreton Bay as it departed. Soon after leaving the port, a pilot was forced to evacuate his plane during a routine exercise. The plane, never recovered, now sits off the south-east Queensland coast.

Friends of the Earth are concerned about the level of consultation with respect to the development proposal, despite Defence's claim that it is committed to open and transparent communication. We are concerned about the lack of consultation with locals, local environment groups and peace groups on the development. We are particularly concerned that women's health organisations and traditional owner groups were omitted from the list of organisations to be consulted in the Defence department's original proposal—two groups which have been shown to be impacted by the presence of military bases. It seems that the ADF in this hearing today have been a bit hazy about the groups that they claim to have consulted. It is my understanding that the invitation for submissions to this inquiry was advertised in the *Townsville Bulletin* and not in the local papers.

Recent incidences in the region also reveal that the community is being kept out of the loop as far as military activity is concerned. I again refer to the incident of the yachtsman and his family who had a horrifying experience when they unwittingly crossed into an unknown military training operation at Shoalwater Bay, placing them in danger of crossfire and forcing them into dangerous seas. It is my understanding that the family are still extremely traumatised by this experience. At a minimum, the community deserves to know what to expect if the facility expands. I would also like to make reference to low-flying planes at Byfield. It is my understanding that people made complaints about this to the military and that they were told that the military have no sympathy for people who move to areas near military bases.

Defence has stated that the traditional owners of the Shoalwater Bay area, the Darumbal people, could not be contacted by Defence's consultants for the public environment report on the construction and use of the Urban Operations Training Facility. Evidence today indicated that they were consulted because they are members of what I think is called the Shoalwater Bay Environmental Advisory Board; that the board meets twice a year and that the Darumbal people are represented. It sounds like the process for this advisory board is that you are invited to attend the twice-a-year meetings. I do not think that it is clear that the Darumbal people were actually present at those meetings. It is my understanding, through our contact with one of the elders of the Darumbal people, that they were not consulted directly about this proposal.

Questions were raised when small, underresourced volunteer-run groups were able to make direct contact with the Darumbal people in organising a peace convergence during Operation Talisman Sabre 2005, but a very well-funded ADF was not able to achieve this. We question a consultative process on development proposals that does not prioritise the original custodians of this region. As we know, the land and seas at Shoalwater Bay contain sites that are important to Darumbal culture and heritage. The denial of access to traditional lands is an infringement of the human rights of these people. It is also a concern that traditional owners may be forced to submit to military use of their land to maintain what access they do have. I would like to note that the Darumbal people have yet to be granted native title to their land.

Friends of the Earth maintain their opposition to not just this development proposal but any military expansion. We must always seek peaceful, just and sustainable solutions that prioritise the health and wellbeing of our communities and environment. Preparing for war will not bring this about. Terms such as 'improved interoperability' and 'enhanced high-end bilateral training' are not about defending Australia but about furthering Australian involvement in the US military machine. We do not want to bequeath this to our children and future generations. We ask that Shoalwater Bay be handed back to the people of Queensland for the future.

CHAIR—Thank you. We are running over time, because that was a very long presentation. The committee has read the submissions, and it is better that you just make a short remark; otherwise, we will have no time left for questions. I am sorry.

Mr Murray—We are talking about the Urban Operations Training Facility, and we should keep to those terms of reference, but you have to understand that the expansion of that facility means a quantum increase in activity. When the Army says that there is no increase in numbers, that is simply not true—11,000 last time and 30,000 next time is a quantum increase. Obviously the pressure on that pristine area is of concern to us. Those increased numbers would point to an expansion of Shoalwater Bay being used as a much bigger piece in the Australian Defence Force

strategy but also in the American defence force strategy, and that would be one of my concerns. I refer to *Hansard* on DU. I have extracts here—

CHAIR—I am glad you have read those.

Mr Murray—of questions by Senator Chamarette and Senator Evans. They are all standard. They purchased these weapons and used them in live firing during naval exercises.

Senator PARRY—That is not a part of this.

Mr Murray—Okay. The defence department said that they were not using weapons—depleted uranium. The fact is that they have used weapons, so I am replying to that. When you go to the records, you will see that, over and over again, they say that there are no records of where they were used. We can only presume that those weapons were used when the exercises took place during that time. With regard to the closure notice to the guy on the yacht the other day, there were no closure notices in the local paper. A notice was given to mariners two days before that closure, but no-one was aware of that closure. That man was threatened by the Australian Defence Force. It was totally inappropriate to be sent out in high seas. The Urban Operations Training Facility will have an impact on our community because it is part of an expansion, and we do not want to promote the culture of warfare in our community that this government and the US seem to be forcing upon us. We believe it should be given back to the people and listed as world heritage.

CHAIR—Thank you very much. I appreciate your helping with the time constraints.

Senator PARRY—I presume you have read the submission. It covers two points: an Exercise Control Building and an Urban Operations Training Facility. All the other things you mention may or may not be true, but we cannot delve into that; it is not part of our brief. It is just simply two buildings. You have gone off on a whole range of other issues, which is your right, but it is the wrong forum. It is frustrating for us, because we are interested in just a very minute portion of what happens at that base. We will either approve or disapprove this or make that recommendation. If this is not approved, everything else you say has, or possibly has, happened will still continue; this will not change any of that. We are interested in this. The only thing you have indicated that I have picked up from what you were both saying is your concern about consultation about the traditional owners. That is the only thing I heard you say that is relevant to our submission. Ms Lenthall, I think you said that Defence was hazy about the consultation. We heard that they had monthly access and other things and that they have been consulted. We have heard your evidence and we have heard the evidence of Defence.

Ms Lenthall—But the monthly access was not about this proposal. It is outside of the realm of this consultation process.

Senator PARRY—Okay; I am happy to ignore that, as well. I will weigh that up when I review all the evidence. What I am saying is that we are concerned only with the two buildings. That is our brief.

Ms Lenthall—I prefaced my talk by saying that we do not view the two buildings in isolation with regard to what takes place at Shoalwater Bay.

Senator PARRY—I would love to sit down and have a structured debate about it, but we do not have the time. I appreciate all your other concerns, but it is the wrong forum.

Ms Lenthall—DU seems to be a bit of a theme in this inquiry, so I think it was appropriate to respond to that as well.

Senator PARRY—I do not see that, but anyway, we have heard what you had to say.

Mr BRENDAN O'CONNOR—Do you have any questions, though, Senator?

Senator PARRY—I have no questions.

Mr BRENDAN O'CONNOR—I have a couple. There will be no speeches from me. Are you a local representative of Friends of the Earth or are you actually from Brisbane?

Ms Lenthall—We are from Brisbane, which is why we asked Mr Peter Murray to join us as a local consultant.

Mr BRENDAN O'CONNOR—You made reference to *Hansard*. Have you got a reference?

CHAIR—It is in the document. It is June 2003.

Mr BRENDAN O'CONNOR—Okay, I will have a look at it. I have it here.

Mr Murray—One is from 1994, question No. 87 on page 161. The Chris Evans one was No. 1631 on page 16585. There was another one, which I seem to have lost.

Mr BRENDAN O'CONNOR—Those will be fine. The secretariat will help me. If the matter was advertised in Townsville and not—

CHAIR—I would like to make a comment. The secretary intervened, and I was going to raise it after you had asked your question. The position of the Public Works Committee is that we are required to advertise works in the major paper, which in Queensland is the *Courier-Mail*. That is where this was advertised. As you can appreciate, there are often a dozen or more small papers that might cover the area in which we are asked to make a deliberation on a particular structure. So we have to work to a reasonable formula, and the process is that we advertise in the state paper. In this case, it was the *Courier-Mail*.

Mr BRENDAN O'CONNOR—I have one other question in terms of the Friends of the Earth position. Given that you have brought in all of these other broader issues, does the Friends of the Earth oppose the military base that is currently in Shoalwater Bay?

Ms Lenthall—Yes.

Mr BRENDAN O'CONNOR—Thanks.

Mr Murray—I have one quick comment regarding the Urban Operations Training Centre. In their submission, they say that that facility can be used for any purpose at any time in the future. One of our concerns is that when you are building a facility like that, which has form, roads, power, water and lighting, it can be used as a permanent facility in the future. That is one of my main concerns, that this is infrastructure going into that area. I believe this is the thin edge of the wedge of what we are to expect in the future, and that is a permanent presence, especially with the US military being able to use that permanent facility.

CHAIR—I have one other comment about the work of the committee in terms of advertising a forthcoming public hearing. We write to all members of parliament, state and federal, and all local government areas that are affected by the development—I know because I sign all the letters. I think those letters went out about three or more weeks before this hearing was scheduled. So we do as much as we can to properly and appropriately advise communities of forthcoming hearings, insofar as it is possible to do so. I know that it is probably never enough but, as I say, we have a form to work to and we adhere strictly to that.

Ms Lenthall—My understanding is that there was a lack of awareness by people about the process as well and how to participate in that process, which is not in the realm of this inquiry. On an individual level, I was quite surprised that the inquiry took place at a military premise.

CHAIR—We do these hearings—

Ms Lenthall—It is not neutral ground.

CHAIR—in many places, but this is not the place to go into that. There is a website, and I hope that perhaps in future those of you who are here will take advantage of that. For the purposes of this hearing, all of the submissions can be found on the committee's website. Thank you very much.

[3.25 pm]

BROWN, Brigadier Robert Charles, Director General, Joint Combined Training Centre Project, Capability Development Group, Department of Defence

BYRNE, Mr William Stephen, Manager, Base Services, Rockhampton, Department of Defence

GRICE, Colonel William Alfred, Acting Director General, Infrastructure Asset Development Branch, Department of Defence

MOORE, Mr Shaun, Project Manager, Infrastructure and Services, Joint Combined Training Centre, Department of Defence

SHEPPARD, Mr Robert Sherman, Acting Director, Project Development and Delivery, Queensland, Infrastructure Asset Development Branch, Department of Defence

TRINDER, Mr Colin, Director, Environmental Impact Management, Department of Defence

CHAIR—I welcome back witnesses from Defence. We will seek your response to some of the issues that came up. Then we will ask a question or two.

Col. Grice—With regards to this being the thin end of the wedge and that roads, electricity and lights means a permanent base, we have roads all over the Shoalwater Bay training area now. We have electricity in the Shoalwater Bay training area now. We have lights at the temporary accommodation camps. The things we are building out there are not fit for long-term human habitation. They are not big enough. Other projects involving long-term accommodation or basing that we have been involved with in other parts of the country and which the committee has investigated require expenditures in the hundreds and hundreds of millions of dollars. Defence does not have the funds to do that here at Shoalwater Bay and is not proposing to do that at Shoalwater Bay. Defence does not have a permanent military presence on Shoalwater Bay. As you heard this morning, there are two caretakers who live on Shoalwater Bay, one in the south and one in the north, and there are in the order of 15 or so people who work on the range on a daily basis. They commute off the range to their homes. They are all civilians except for maybe three or four military personnel.

CHAIR—And I understand from this morning's inspection that some of those are conservationists or environmental workers.

Col. Grice—Correct. They are environmentalists. Our usage of Shoalwater Bay is for field exercises. This is not going to change as we go forward. The same Australian military units that use it now for their annual field exercises will continue to use it for their annual field exercises. Every two years or so, there will be a Talisman Sabre joint exercise. The US will be involved in that joint exercise. With our Talisman Sabre exercise, when you see in the newspaper how many people are involved in a Talisman Sabre exercise, that might include thousands of people who

are hundreds of miles offshore in naval vessels, Australian as well as American. It may include people who are on the ground in Hawaii or other places operating aircraft or in headquarters areas, as well as people who are in Canberra, Tindal and other places around Australia.

In exercise Talisman Sabre 05, there were approximately 5,000 people on Shoalwater Bay—that is the figure, I believe. You will recall that that exercise was billed as involving some 20,000 to 30,000 people. But Shoalwater Bay is but a part of a Talisman Sabre exercise. It includes activities all over the country and all over the South Pacific. There is no intent by the Department of Defence to change the way we do these things. This is not the thin end of the wedge. We are not planning to build a permanent base on Shoalwater Bay—full stop.

Mr BRENDAN O'CONNOR—That was pretty categorically clear. In relation to the assertion made by the earlier witness about the local Indigenous community not being properly consulted, it is important to clarify that. I know that Mr Trinder made clear that there were discussions with representatives of the local Indigenous community, but can you respond to the earlier witness who asserted that they were not—

Mr Moore—We identified that the independent environmental assessment conducted by HLA-Envirosciences did not to our satisfaction cover consultation with the Darumbal. As a consequence of that, we commissioned Dr Luke Goodwin to conduct specific consultation with the Darumbal about our project. That consultation, including site inspection, is complete. We have received the report of that consultation recently. That consultation has been conducted.

Mr BRENDAN O'CONNOR—Can the committee receive that report when it is available?

Mr Moore—Yes.

Col. Grice—Madam Chair, I have one more point about depleted uranium. What we have said in the submission is that it has not been used on Shoalwater Bay. Speaking from some talking points that we have here, I can say the use of depleted uranium by the ADF was limited to the Phalanx 20-millimetre close-in weapons system which was fitted to the Royal Australian Navy's guided missile frigates. The use of depleted uranium ammunition in this weapon was phased out by mid-1990. It is not possible to identify the precise locations, nature and timing of the firings during which this ammunition was expended. However, in general terms it is likely that the ammunition was expended during various systems trials and anti-aircraft exercises conducted mostly in designated maritime defence practice areas off the east, north and west coasts of Australia. It was not fired within Shoalwater Bay. I would like to say one more thing. Defence would not object to independent testing for depleted uranium being carried out by others using their own resources and subject to all the usual protocols for access and safety that apply to access to Defence training areas. We would have no restrictions on the publication of the data that may be obtained from such investigations.

CHAIR—Thank you very much. My questions were around the numbers of people. I think you have probably clarified those. There were comments made of perhaps 10,000 people now and 30,000 people later and I was going to ask you what the anticipated numbers are for the future. Do you have a projection of those?

Col. Grice—I do not have the numbers for Talisman Sabre 07 but we could undertake to get those and advise you of them in writing. I do not know whether there is any planning for any of the exercises further than that, but we could take that on notice and write to you.

CHAIR—Okay. Obviously, that is information—as well as the disaggregation—that I think the community would also be appreciative of. As you say, now that it is a high-tech operation you can actually draw people from a very wide area without actually having feet on the ground, so to speak, here. I think it is useful for the public to understand that. Do you want to make a comment on the housing of people and increased traffic? They are basically camping for the duration, as I understand it.

Col. Grice—That is correct. When soldiers train on the range, they train and live under field conditions, which is in their individual shelters. At the beginning of the exercise when they deploy to the area, they may spend a couple of days in Camp Growl, which is a bare base camp which has group ablutions and a group kitchen.

CHAIR—We saw that on our inspection today.

Col. Grice—It has buildings and spaces for tents to be erected. They may use that as they first come onto the range and at the end of their exercise to recondition stores prior to deploying back to their home base. There are no facilities at Shoalwater Bay in which to base people permanently and we have no intention of building anything there. There is nothing in our program to do that.

CHAIR—Thank you very much.

Mr Trinder—Madam Chair, if I may add one point of clarification. There are no exemptions under environmental laws for major military exercises. It is our policy to subject them to environmental impact assessment and there are no special arrangements that are in place.

CHAIR—Thank you for clarifying that, Mr Trinder. Before closing, can I once again thank all witnesses who appeared before the committee today, especially those who assisted with our inspections and our private briefing this morning. I thank the Hansard reporters and sound people. I thank the secretariat and my colleagues.

Resolved (on motion by **Mr O'Connor**):

That, pursuant to the power conferred by section 2(2) of the Parliamentary Papers Act 1908, this committee authorises publication of the evidence given before it and submissions presented at public hearing this day.

Committee adjourned at 3.34 pm