



11th February 2014

Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee,

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

The South Australian Chamber of Mines and Energy (SACOME) represents over 340 members in the resources and energy sectors in South Australia. We welcome the opportunity to provide comments to the Senate committee on Foreign Affairs, Defence and Trade in relation to the re-introduction of the *Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013*.

Since August 2010 the Chamber and other relevant stakeholders have been in consultation with the Departments of Defence, Resources, Energy and Tourism, and Mineral Resources and Energy on a coexistence framework, model, and system for access to the Woomera Prohibited Area. The Hawke Review, Draft Deed of Access, and the Rules and Bill are the culmination of this four year process.

The *Defence Legislation Amendment (Woomera Prohibited Area) Bill 2013* currently before the Senate is the final step in delivering a co-existence model for Resources, other stakeholders, and Defence users to operate in this well regarded test range and highly prospective area. The Bill enables the Defence and Resources Ministers to develop a set of rules to allow permitted access to the Woomera Prohibited Area for a variety of new stakeholders.

It is SACOME's opinion and that of the wider industry that the legislative framework as written is sufficient in outlining the detail for a permitting system to exist and for access arrangements to be organised through the *Woomera Prohibited Area Rules 2013*.

The current draft as tabled by Senator Farrell contains amendments to the 2013 Bill that are acceptable and within the scope of the Hawke Review especially as it relates to the principles of co-existence. SACOME recommended in a previous submission on the bill that there be no amendments to section 72TP. The amendment to include the Resources Minister in creating Rules for the WPA is welcomed. Furthermore the refining of the definitions of Indigenous land owners is acceptable, and provides surety for these important land owners.

SACOME is aware, that in addition to the Bill introduced by Senator Farrell, the Government is proposing amendments in addition to the ones drafted by the Opposition. At this time, SACOME is unaware of the content and intention of these amendments, however, any further amendments should reflect the co-existence model outlined in the Hawke review and not diminish the Ministerial powers as outlined in the current Bill.

To these points SACOME recommends the following:

- 1) **That there are no amendments in the bill that ignore the principles outlined in the Hawke Review.**
- 2) **Specifically that section 72TP 'Woomera Prohibited Area Rules', including sub-sections (1)-(6), is not amended further.**
- 3) **The Bill is introduced and passed promptly during the Federal Parliament's 2014 Autumn sitting.**

Should you require further clarification please contact myself or Dayne Eckermann

Yours Faithfully,

Jason Kuchel
Chief Executive