

Terms of Reference
Woomera Prohibited Area Advisory Board
Adopted December 2019

Function

1. The Woomera Prohibited Area (WPA) Advisory Board was established by the Commonwealth Government with the South Australian Government to:
 - a. Monitor and report on the balance of national security and economic interests in the WPA.
 - b. Oversee and advise on the implementation of the coexistence policy arrangements.
 - c. Foster strategic relationships between Defence and non-Defence users of the WPA.
2. The Advisory Board fulfils the primary governance function for the WPA coexistence framework and supports the Commonwealth and South Australian governments to acquit their mutual responsibilities under the coexistence arrangements.
3. The Commonwealth Government reaffirmed the Advisory Board's function, roles and responsibilities in its acceptance of the *2018 Review of Coexistence in the Woomera Prohibited Area* report.

Advisory Board membership

4. Chair and Deputy Chair:
 - a. An independent Chair and Deputy Chair are to be appointed by the Prime Minister upon the joint recommendation of the Minister for Defence and the Minister for Resources and Water, in consultation with the Premier of South Australia.
 - b. The Chair and Deputy Chair may be appointed for an initial term of two years, with additional terms at the discretion of the Prime Minister.
5. Members: Ex-officio members are to be appointed for the duration of their substantive positions within their respective Commonwealth and South Australian agencies:
 - a. Department of Defence: Deputy Secretary Strategy, Policy, and Industry.
 - b. Royal Australian Air Force: Chief of Air Force.
 - c. Department of Industry, Science, Energy and Resources: Deputy Secretary with responsibility for resources.
 - d. Department for Energy and Mining: Chief Executive.
 - e. Defence SA: Chief Executive.

Advisory Board meeting attendance and representation

6. In the absence of the Chair, the Deputy Chair will fulfil that role for the duration of the meeting or other engagement.
7. An ex-officio member in their absence may be represented by a senior departmental officer.
8. A meeting quorum shall comprise the Chair or Deputy Chair and four of the five ex-officio members including their proxies.
9. The meeting quorum shall also apply to matters considered out-of-session.

Roles and responsibilities

10. The WPA Advisory Board will:
 - a. Support the Commonwealth and the South Australian governments to acquit their responsibilities as joint custodians of the WPA coexistence arrangements to maintain an appropriate balance of national interests in the WPA, including but not limited to:
 - i. Advocate for the implementation plan arising from the 2018 Review of Coexistence in the WPA, and related coexistence policies.
 - ii. Driving the execution of the implementation plan.
 - iii. Recommending amendments to coexistence policies and procedures.
 - iv. Collectively and individually engaging with stakeholders with interests in the WPA to better inform non-Defence considerations in coexistence decision-making, including commercial considerations and the utility and application of emerging technologies.
 - v. Assisting in the communication of the nature and effect of access decisions to non-Defence users.
 - vi. Endorsing investment and operational guidelines developed to assist industry when considering commercial operations in the WPA.
 - vii. Advising on South Australian Government and Commonwealth Government initiatives to better understand the mineral and economic potential of the Gawler Craton area, and ensuring those activities are compatible with Defence use of the red zone.
 - viii. Monitoring the timeliness and extent of any compensation payments made for loss or damage as a consequence of Defence testing in the WPA.
 - ix. Supporting the efficient conduct of, and contributing to, a review of the coexistence arrangements in 2025.

- b. Deliver a strategic forward work and engagement program for the Board to support Commonwealth and South Australian government agencies on issues of current and emerging importance for coexistence in the WPA across all non-Defence user groups, including but not limited to:
 - i. Maximising economic opportunities for Aboriginal groups and other non-Defence users.
 - ii. Streamlining access zone management arrangements.
 - iii. The introduction and management of non-Defence technology to the WPA to ensure it is compatible with Defence's testing environment, including endorsing notifiable equipment requirements.
 - iv. Considering potential new mine proposals for the WPA and advising on ways to minimise their impact on Defence activities.
 - v. Planned or potential infrastructure developments and Defence testing.
- c. Contribute to the longer-term strategic interests of the WPA by advising on emerging and prospective issues that may have an effect on coexistence out to 2030.

Operating Procedures

- 11. The Advisory Board will meet at least twice-yearly to consider issues arising from the discharge of the roles and responsibilities of the Board.
 - a. The Board may consider issues outside of a scheduled meeting which should be managed and resolved out-of-session with the agreed actions minuted at the subsequent Board meeting.
 - b. The Board may invite external representatives to attend meetings and provide briefings as they relate to the issues being considered.
- 12. The Chair should guide meeting discussions but is not the arbitrator on decisions.
- 13. The Board, through the Chair, may only endorse proposed amendments to coexistence policies and processes that have been agreed by both the Commonwealth and the South Australian governments, duly noting any dissenting views.
- 14. Each government agency ex-officio member is responsible for implementing the necessary changes within their own organisations to effect coexistence policy and procedural outcomes.
- 15. The Chair and Deputy Chair will be immediately advised of a decision made by the Minister for Defence to refuse an access permit or impose additional conditions on an existing permit or deed subject to the provisions of the *Woomera Prohibited Area Rule 2014* or the *Defence Force Regulations 1952*.
 - a. The Chair or Deputy Chair may seek further information from relevant parties on the access permit application or the decision.

- b. Upon the invitation of the Minister for Defence, the Chair or Deputy Chair may consider a decision and make a non-binding recommendation regarding that decision.
16. The Board must prepare an annual report on the performance of coexistence arrangements. This will include an assessment of the effective balancing of interests in the WPA and extant coexistence policy and procedures, and summarise the membership and activities of the Board. In preparing the report, to be finalised for each financial year no later than the end of December of that year, the Board should:
- a. call for submissions from non-Defence users on their experience with obtaining access to and operating in the WPA; and
 - b. assess Defence use of the WPA for the preceding 12 months.
17. The annual report is to be published on relevant Commonwealth and South Australian government websites, and stakeholders notified.

Administration

18. Each government agency is responsible for resourcing its contribution to the Board.
19. Secretariat support will alternate between Defence and the South Australian Department for Energy and Mining with contributions from each government stakeholder agency.
20. Meetings will alternate between Adelaide and Canberra or other locations as determined by the Board.