



Australian Government

Review of the Woomera Prohibited Area Coexistence Framework

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The Australian Government acknowledges the Traditional Owners of Country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the Elders past and present.

Image warning: First Nations people are advised that this document may contain images or content referring to deceased persons.

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Review of the Woomera Prohibited Area Coexistence Framework

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Executive summary

The Woomera Prohibited Area (WPA) is a unique strategic asset. It is both a home and a place of work for different stakeholders, including the Department of Defence, the mining sector, pastoralists, First Nations groups, and the transport sector. It is also frequented by tourists.

In 2014, the Australian Government established the coexistence framework to regulate access to the WPA to balance Australia's national security and economic interests. Following a review in 2018, the framework was re-calibrated to give cultural interests more prominence.

There is an inherent tension in the coexistence framework. Non-Defence users rely on certainty to maintain operations and maximise benefits, whereas Defence requires flexibility to conduct its testing and experimentation. When coexistence was conceived, the national interest was characterised by high commodity prices and a more stable strategic environment. In this context, coexistence prioritised certainty for non-Defence users over flexibility for Defence.

For over a decade coexistence has generally worked well. Through de-confliction and careful planning, most users have experienced minimal disruption to business operations and daily life. But national and global trends have added complexity to the strategic environment, making it harder to sustain coexistence.

The WPA's value as a unique strategic asset for testing new and advanced capabilities is increasing. Defence requires enhanced and more flexible access to the WPA to deliver the *2024 National Defence Strategy (NDS)* and *2024 Integrated Investment Program (IIP)*. International partners are also seeking to leverage the WPA's potential, including for AUKUS capabilities.

There is sustained interest in leveraging the WPA's economic potential. Pastoral and mining operations are ongoing, while new activities such as eco-tourism are burgeoning. Investment from the resources sector is growing, driven by increasing global demand for copper and critical minerals to support emerging technologies and the clean energy transition. While the WPA holds significant economic potential, its full potential remains unclear.

Cultural interests in the WPA are enduring. First Nations groups continue to undertake cultural business and maintain a strong connection to the land. First Nations groups are also pursuing new economic activities to help strengthen their communities.

Balancing these different, and at times competing, interests is an ongoing challenge. Coexistence remains viable but the framework requires modernising to reflect Australia's contemporary strategic environment.

The current demands on Defence leave me in no doubt that, although economic and cultural uses remain important, there can be no diminution of Defence as the primary user in the interests of national security. As the primary user, Defence should have the flexibility it needs to meet its operational capability requirements. Without it, Defence risks being unable to fulfil its core mission to defend Australia and its national interests. In the spirit of coexistence, any increase in Defence use must be accompanied by efforts to impact non-Defence users as few times as necessary, for minimal duration, and with minimum disruption. The strong stakeholder relationships between Defence and WPA stakeholders demonstrates Defence already works hard to minimise impacts, but this best practice needs to be codified in the coexistence framework. This will require implementing processes, structures and incentives to drive better internal planning, prioritisation and communication.

Enabling more flexible WPA use will require legislative changes to the *Woomera Prohibited Area Rule 2014* (the Rule). In its current form, the Rule does not provide Defence the flexibility it needs to meet NDS and IIP requirements. My Review identifies possible amendments to the Rule's provisions relating to Defence's allocation of days, the WPA's zoning arrangements and notification requirements. The proposed changes will enable Defence to meet its requirements, while also helping to reduce complexity in the coexistence framework. This will enable efficient access for all users, better spread Defence's impact and improve security.

With the strategic environment deteriorating, securing the WPA is becoming more important. Safety and security should be a shared responsibility for all WPA users. Noting the sensitive activities conducted in the WPA, applicants seeking access should be 'fit and proper' individuals and businesses. Defence also requires greater oversight of who is in the WPA at any given time and more scope to control permits for individuals, businesses and technologies.

Coexistence relies on strong relationships and requires a commitment by stakeholders to work collaboratively. As a good neighbour, Defence should be proactive in managing stakeholder issues, especially in relation to compensation and remediation. Defence engagement with First Nations groups is improving, but more work is needed to protect cultural heritage and create economic opportunities. Stakeholder understanding and buy-in for the changes in this Review will also require targeted educational activities.

While strong stakeholder relationships should underpin coexistence, the WPA also needs effective governance arrangements to manage problems. Effective strategic risk management will require more frequent and senior engagement between Defence and non-Defence stakeholders. Introducing new stakeholder forums will also help to identify issues early and assist remediation. The Memorandum of Understanding between Defence and the Government of South Australia should be updated to codify the planning and communication arrangements enabling flexible access for Defence, while providing other stakeholders sufficient certainty.

The legislative and regulatory frameworks governing coexistence are complex and burdensome and there is opportunity to streamline and reduce the operational overheads for all users. The current process for administering Approved Persons permissions involves unnecessary duplication, especially noting the proposed changes to the security framework will ensure only high calibre individuals and businesses are operating in the WPA. Stakeholders remain eager for a digital solution to administer the permit system, which was recommended previously though never implemented and needs to be a priority. Ensuring consistency across all permits, deeds and permissions will also help reduce complexity in the coexistence framework.

A philosophy premised on helpful and respectful collaboration, underpinned by simple and transparent structures and processes, should guide a modernised coexistence model. The Review has consolidated its findings and recommendations in an updated principles framework to provide high-level guidance on how coexistence should operate in practice.

Our national interests are not static. The coexistence framework requires regular review to ensure it remains appropriately calibrated. As such, the coexistence framework should be re-examined in 2030 to determine whether further changes are required.

Acronyms and abbreviations

ADF	Australian Defence Force
ABARES	Australian Bureau of Agricultural and Resource Economics and Sciences
AMEC	Association of Mining and Exploration Companies
AMY	Antakirinja Matu-Yankunytjatjara
APS	Australian Public Service
APY	Anangu Pitjantjatjara Yankunytjara
CAF	Chief of Air Force
Defence	The Australian Department of Defence and Australian Defence Force
DISR	Department for Industry, Science and Resources
First Nations groups	the six First Nations groups in the WPA
GCAS	Gawler Craton Airborne Survey
GP2	Gawler Phase 2
GWEO	Guided Weapons and Explosive Ordnance
HIMARS	High Mobility Artillery Rocket Systems
HMP	Heritage Management Plan
ILO	Indigenous Liaison Officer
IPA	Indigenous Protected Area
IIP	2024 Integrated Investment Program
Legacy user	A person who has authority to access the WPA under Section 35 of the <i>Defence Force Regulations 1952</i>
MoU	Memorandum of Understanding
NASA	National Aeronautics and Space Administration
NAIDOC	National Aborigines and Islanders Day Observance Committee
NDS	2024 National Defence Strategy
RAAF	Royal Australian Air Force
RCO	Regional Compliance Officer
The Range	Woomera Test Range
The Rule	<i>The WPA Rule 2014</i>
SA DEM	South Australian Department for Energy and Mining
SA Government	the South Australian Government
SACOME	South Australian Chamber of Mines and Energy
WPA	Woomera Prohibited Area

Summary of recommendations

Recommendation 1: As the primary user, Defence should be afforded more flexible access so it can meet its increasing test and evaluation requirements.

Recommendation 2: In return for increased flexibility, Defence should be required to impact non-Defence users as few times as necessary, for minimal duration, with minimum disruption, including by:

- ▶ implementing processes, structures and incentives to drive better internal planning, prioritisation and flexibility; and
- ▶ notifying 'non-Defence use' windows to stakeholders to enable forward planning and provide confidence for economic and cultural activities.

Recommendation 3: Increase the prescribed total number of days for Defence green zone use from 56 to 70, with provision for the Minister for Defence to approve additional Defence use – to a maximum of 100 days per annum – 'in the national interest'. Ministerial authority should be employed in consultation with the South Australian Government and via a disallowable legislative instrument.

Recommendation 4: Modernise zoning arrangements by:

- ▶ amending the term 'Exclusion periods' (for the purposes of section 72TA of the *Defence Act 1903*) to 'Defence use periods' in the Rule to better reflect how Defence manages safety and security requirements to minimise the impact on other users;
- ▶ allowing Defence to close any part of the green zone for the prescribed number of days;
- ▶ removing the requirement to conduct Defence activities in blocks of up to 7 days and reducing mandated breaks between activities to 6 weeks; and
- ▶ abolishing amber zone 2 and absorbing it into the green zone.

Recommendation 5: Amend notification requirements by:

- ▶ reducing to a minimum of three months' notice for resource production permit holders in the amber and green zones;
- ▶ reducing to a minimum of three months' notice for all other permit holders in the amber zones (retaining the current requirement for 21 days' notice in the green zone);
- ▶ exploring options to either remove or minimise promulgation of Defence use periods via the Federal Register of Legislation to mitigate the security risk associated with public notification; and
- ▶ allowing standing permissions to be suspended with 14 days' notice.

Recommendation 6: Defence should strengthen mechanisms to ensure individuals or entities seeking to own, control or invest in business activity in the WPA are professional, responsible and experienced individuals or commercial entities with sufficient governance and resources to meet security and regulatory obligations.

Recommendation 7: Enhance Defence's oversight of who is in the WPA by:

- ▶ implementing a generic notification requirement for entry to the WPA; and
- ▶ ensuring there is an appropriate permit category available for new economic activity in the WPA.

Recommendation 8: Strengthen Defence's ability to control access by:

- ▶ providing the Minister for Defence greater scope to refuse, suspend or cancel a permit on security grounds, placing the onus on permit applicants to prove access will not prejudice security (consistent with approved persons permits), and reducing thresholds for refusing, revoking or cancelling permits.
- ▶ allowing Defence to extend processing timeframes for an additional 60 business days for complex permit applications, and the Minister to withhold information used to inform a decision where disclosure is deemed prejudicial to national security.

Recommendation 9: Defence should demonstrate renewed commitment to compliance and security in the WPA.

Recommendation 10: Provide the Minister for Defence authority to regulate technologies via a legislative instrument.

Recommendation 11: Defence should be more proactive in its remediation and compensation for non-Defence users impacted by Defence use by:

- ▶ developing remediation plans for all Defence activities prior to execution to assist with the timely reparations for damage incurred; and
- ▶ developing a proactive 'coexistence payment', calculated by Defence to pre-determine anticipated entitlements for users.

Recommendation 12: Defence should enhance economic opportunities for First Nations groups in the WPA, where possible, including by strengthening the Regional Compliance Officer and Indigenous Liaison Officer programs.

Recommendation 13: Defence should conduct regular education and awareness activities with internal and external stakeholders to educate on Defence's needs and drive a shared purpose.

Recommendation 14: Strengthen governance arrangements by:

- ▶ establishing stakeholder forums with operational and strategic stakeholders to support escalation pathways for issues management;
- ▶ increasing the WPA Advisory Board's role in managing coexistence tensions and strategic risks; and
- ▶ updating the Memorandum of Understanding between the Commonwealth and the South Australian Government to ensure consistency with this Review's principles and recommendations.

Recommendation 15: Reduce the regulatory burden on all users by:

- ▶ streamlining approved person applications by processing within five business days (extended consideration may occur for complex applications); granting permission for up to 5 years; and allowing individuals to be accredited to multiple locations in the WPA;
- ▶ applying standing permissions for persons escorted by ADF/APS personnel for Defence purposes to Defence establishments in the WPA; and
- ▶ leveraging existing Commonwealth or South Australian Government systems, Defence to implement digital systems to strengthen safety and security, including for:
 - ▶ registering and monitoring WPA access, and
 - ▶ permit applications and management.

Recommendation 16: To the extent practical, Defence should apply consistent requirements for all permits, permissions and deeds.

Recommendation 17: Review the coexistence framework in 2030 to ensure it remains fit for purpose.

Recommendation 18: The Australian Government and South Australian Government should work in partnership to understand the resource and economic potential within the red zone, using non-intrusive methods in the first instance.

Recommendation 19: When the *Defence Act 1903* is next reviewed, it should be updated to:

- ▶ provide Defence with necessary powers to enforce WPA safety and security requirements, including the power to warn, infringe and/or remove any person accessing the WPA without permission; and
- ▶ modernise language defining the WPA's purpose from 'testing war materiel' to better reflect modern military capabilities and requirements.

Ghost Bat aircraft on the tarmac at Woomera.

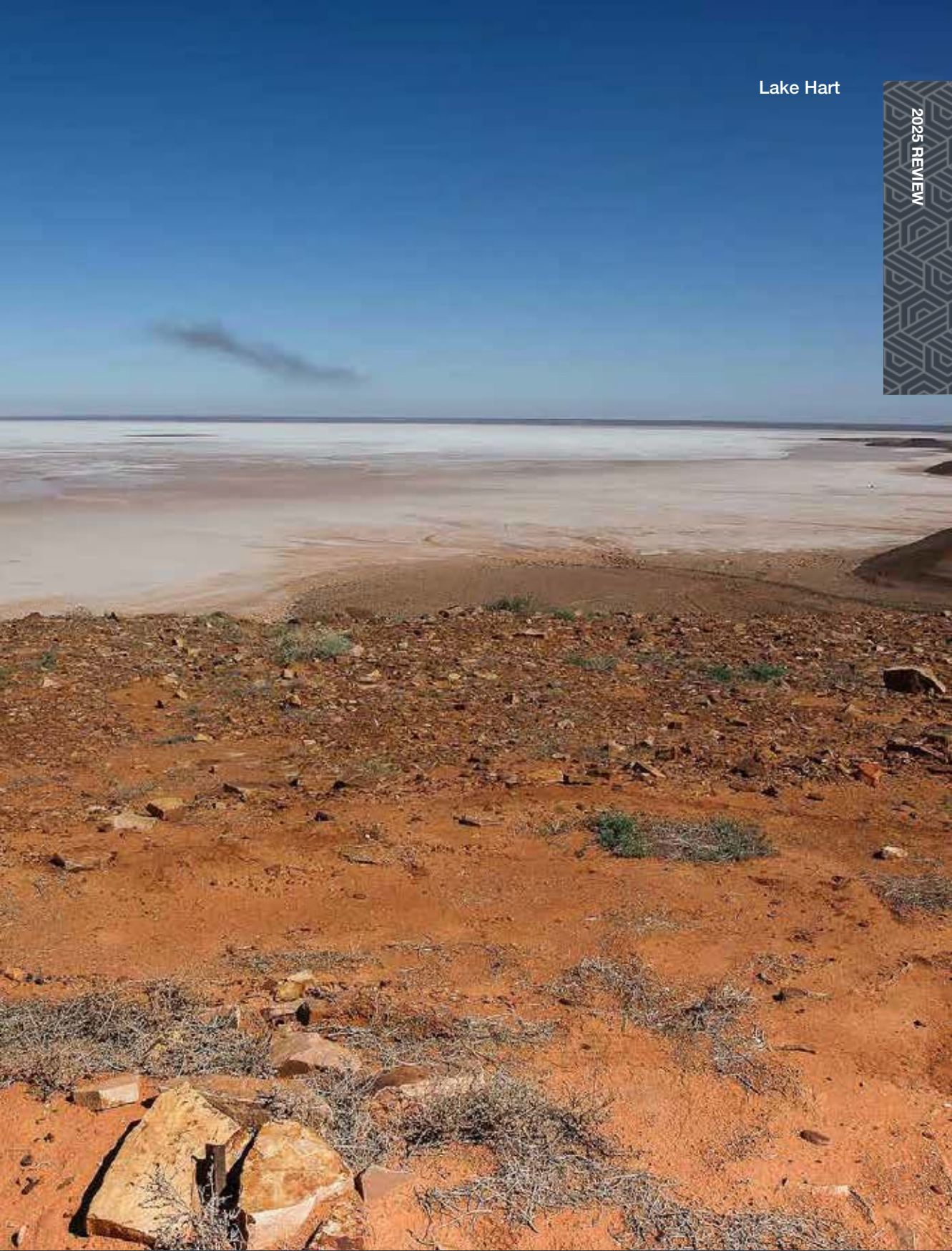


Chapter 1:

Introduction

- 1.1 In August 2024, the Australian Government commissioned me (Ms Rebecca Skinner, PSM) to conduct an independent review into the Woomera Prohibited Area (WPA) Coexistence Framework (the Review) to inform future legislative amendments to the *Woomera Prohibited Area Rule 2014* (the Rule) and policy updates to the coexistence framework.
- 1.2 The Review's Terms of Reference directed me to assess whether the coexistence arrangements are fit for purpose for Australia's current strategic environment and make recommendations in the national interest to balance national security, economic and cultural interests. My assessment was to take into account the WPA's contribution to Defence capability, Defence's anticipated future needs, the current and future economic value for minerals and other economic activities, and governance arrangements. Full details are at Attachment A.
- 1.3 I conducted extensive consultations with WPA stakeholders between September and November 2024 to discuss experiences with coexistence and understand contemporary needs. I hosted meetings in Woomera, Adelaide, Roxby Downs, Canberra, and via teleconference. I met with stakeholders from First Nations groups, the pastoralist sector, the resources sector, the railway sector, the Commonwealth and South Australian governments, the Woomera Prohibited Area Advisory Board (Advisory Board), and communities near the WPA. A full consultation list is included at Attachment B.
- 1.4 I received 15 public submissions, including from the South Australian Government, an Aboriginal corporation, resource companies, defence industry, environmental groups, and interested citizens. Some submissions raised issues regarding nuclear waste disposal, however this matter falls outside the Terms of Reference and was not considered by the Review. A full list is included at Attachment C.

- 1.5 I provided interim findings to the Deputy Prime Minister on 18 December 2024 to inform the legislative process for remaking the Rule, which will need to occur before the Rule sunsets on 1 October 2026. This report outlines the Review's final findings and recommendations, and is structured as follows:
- ▶ Chapter 2 provides a historical overview of the WPA;
 - ▶ Chapter 3 summarises the coexistence framework;
 - ▶ Chapter 4 examines national security, economic, and cultural developments in the WPA since the last review in 2018;
 - ▶ Chapter 5 outlines the Review's key findings and recommendations;
 - ▶ Chapter 6 presents the updated coexistence principles; and
 - ▶ Chapter 7 highlights future issues.



Example of landscape in the
Woomera Prohibited Area



Chapter 2:

The Woomera Prohibited Area's history and context

- 2.1 The WPA is located in South Australia approximately 450 kilometres north-west of Adelaide. It is vast and remote, with a land mass of about 122,000 square kilometres, roughly the size of England. The word 'Woomera' comes from the Eora people and refers to a device that extends the distance a spear can be thrown.¹
- 2.2 First Nations peoples' cultural connection to Country in the WPA dates back thousands of years. The Maralinga Tjarutja and Anangu Pitjantjatjara Yankunytjatjara (APY) people hold almost 30 per cent of the land in the west of the WPA as freehold title granted under South Australian legislation.² The Antakirinja Matu-Yankunytjatjara (AMY), Arabana, Gawler Ranges and Kokatha people hold native title over areas in the WPA.
- 2.3 Pastoralists have long used the WPA for cattle and sheep grazing. There are 26 pastoral stations covering 56 per cent of the WPA. Most pastoral leases are held by large pastoral businesses, one is held by Defence, with the remaining held by small and medium sized family-run businesses or Aboriginal Corporations. Sheep and cattle are the main livestock in the WPA, and are protected by a 2,150 km long Dog Fence stretching eastwards from the Great Australian Bight to the New South Wales border.³

1 Australian Government. 'Coexistence in the Woomera Prohibited Area, 2018 Review', p.14, <https://www.defence.gov.au/sites/default/files/2024-07/WPA-Review-2018-Coexistence-in-the-Woomera-Prohibited-Area.pdf>

2 Department of Defence. 'History of the Woomera Prohibited Area', <https://www.defence.gov.au/bases-locations/sa/woomera/about>

3 BDO EconSearch. 'Economic Analysis of the South Australian Dog Fence', 21 December 2018, p.1

- 2.4 The WPA holds significant economic potential. Geoscience Australia assesses the WPA contains major known mineral deposits and lies immediately adjacent to other world class deposits hosted in similar geology, making it particularly attractive for further mineral exploration. It covers approximately 24 per cent of the Gawler Craton, one of Australia's and the world's most endowed mineral provinces. It has a demonstrated and predicted prospectivity for many base and precious metals, including copper, gold, silver, rare-earth elements, iron, titanium, zirconium, uranium and nickel. The WPA contains known coal reserves, has high potential for future coal resources, as well as potential for petroleum accumulations. The WPA is also prospective for low carbon energy sources such as wind, solar, hydrogen and geothermal, though these are not unique to the WPA. While a highly prospective area, the minerals available in the WPA are not exclusive to the WPA region, with other Australian geological provinces containing significant geological components and undiscovered mineral resources.
- 2.5 The WPA has supported Australia's national security since 1947, when the Australian Government declared the WPA a prohibited area. During this period, the United Kingdom and Australia formed the Anglo-Australian Joint Project, which included a flagship project to establish a new range for testing long-range missiles. The WPA continued to be important for national security during the Cold War, becoming a sought after location for testing space rockets from 1957. At its peak, it boasted the second most rocket launches in the world after the National Aeronautics and Space Administration's (NASA) facilities at Cape Canaveral in Florida.
- 2.6 From 1953 to 1963, Maralinga and Emu Field were used for British nuclear testing. A Royal Commission in 1985 found the testing authorities had been negligent in considering the safety and welfare of First Nations groups, and recommended rehabilitating the test sites to allow unrestricted access by the traditional owners.⁴ Remediation activities occurred from 1996 to 2000, and Maralinga was formally returned to its traditional owners in November 2009.⁵ In 2014, the land known as 'Section 400' – i.e. the location of the testing sites - was excised from the WPA following a request from the Maralinga Tjarutja people.⁶
- 2.7 Woomera Village is the local township located on Kokatha Country. Its population peaked in 1964, reaching more than 6,000 people.⁷ It currently has a population of around 200 people, primarily ADF members, support staff and their families.⁸

4 J.R. McClelland. *Royal Commission into British Nuclear Tests in Australia, Parliamentary paper (Australian Parliament); 1985, no. 483*

5 National Library Australia. "Defining Moments: Maralinga", <https://www.nma.gov.au/defining-moments/resources/maralinga#:~:text=The%20testing%20took%20place%20from,returned%20to%20its%20Aboriginal%20owners>

6 Department of Defence. 'Minister for Defence and Minister for Indigenous Affairs – Joint Media Release – Part of Maralinga Lands excised for traditional owners at Woomera.', 3 June 2014, <https://www.minister.defence.gov.au/media-releases/2014-06-03/minister-defence-and-minister-indigenous-affairs-joint-media-release-part-maralinga-lands-excised-traditional-owners-woomera>

7 Peter Morton. *Fire Across the Desert: Woomera and the Anglo-Australian Project 1946-1980, 1989*, p.213

8 Australian Government. 'Coexistence in the Woomera Prohibited Area 2018 Review', 2018, p.2,

- 2.8 In 2015, Woomera was designated a formal Royal Australian Air Force (RAAF) Base. Defence's test and evaluation capability is formally known as the Woomera Range Complex, encompassing the WPA, the Woomera Test Range and the Nurrungar Test Range. Principal capabilities include a fully instrumented air weapons range, demolition ranges, live firing ranges and target areas for both aircraft and artillery.
- 2.9 Important public transport infrastructure also passes through the WPA. The Tarcoola to Darwin rail line and the Stuart Highway are vital arteries connecting the Northern Territory and South Australia, and are crucial for transporting food, agricultural, mining and retail products. The Olympic Dam Highway passes Woomera Village en route to Roxby Downs. The Anne Beadell Highway crosses northwest WPA from Coober Pedy to Laverton. Aircraft can access two sealed airstrips – at the Prominent Hill and Challenger mines – as well as several unsealed dirt strips and there is an emergency landing strip on the Stuart Highway used by the Royal Flying Doctor Service.
- 2.10 More recently, the WPA has become a destination for research and tourism. Researchers from academia and industry access the WPA to conduct geological surveys, meteorological research and science and innovation activities. Bush Heritage Australia, for example, uses Bon Bon station to support research and environmental conservation. Four-wheel driving is a popular tourist activity in the WPA. Mt Eba attracts tourists looking to visit the geographical centre of South Australia as well as experience homestead living, and the Ghan train passes through the WPA on the Darwin-Tarcoola line. The WPA also attracts tourists visiting Roxby Downs and Cooper Pedy. Tourist attractions within Woomera Village include the Woomera Missile Park and Museum, the Woomera Heritage and Visitor Information Centre and the ELDO Hotel. Tourists also visit Lake Hart, which is a salt lake situated west of Woomera Village.

2010 Review

- 2.11 In response to growing economic potential from the WPA's mineral deposits and high commodity prices, the Australian Government commissioned Dr Allan Hawke AC to conduct a review into the WPA in 2010. His task was to analyse Australia's short and long-term national security and economic interests in the WPA and make recommendations to enable the WPA's best use in the national interest.⁹

⁹ Australian Government. 'Review into Security and Economic Interests in the Woomera Prohibited Area Terms of Reference', 6 May 2010, <https://www.defence.gov.au/sites/default/files/2024-07/2010-Review-Terms-of-Reference.pdf>

- 2.12 The 2010 review found the WPA remained important for providing Defence a test and evaluation capability, but the resources contained within the WPA also offered significant economic potential to South Australia.¹⁰ The review also found:
- ▶ Defence and the South Australian Government should have shared responsibility for the WPA due to Defence's status as the primary user and because the majority of the WPA is located on South Australian Crown land;
 - ▶ Defence should control access to maximise opportunities for non-Defence users to operate in the area;
 - ▶ A time-share model would be the best way to balance competing requirements, with non-Defence users excluded from Defence high use areas and admitted to periodic or infrequent Defence use areas;
 - ▶ Access should be controlled via a permit system for all new users while retaining extant access authorities for existing non-Defence users (referred herein as 'legacy users');
 - ▶ Governance arrangements should be established to oversee coexistence; and
 - ▶ A directorate should be created to provide policy and administrative support.
- 2.13 The 2010 review developed principles to provide high-level guidance on the expected behaviours from stakeholders under the coexistence framework. The principles seek to provide clarity and certainty to all users by reflecting Defence's status as the primary user, emphasising other users need to be accommodated wherever possible, and reinforcing the need to maintain strong stakeholder relationships. In 2014, the Australian Government passed legislation to give effect to the review's recommendations, culminating in the Rule. Further detail on the Rule and the broader coexistence framework is included in Chapter 3.

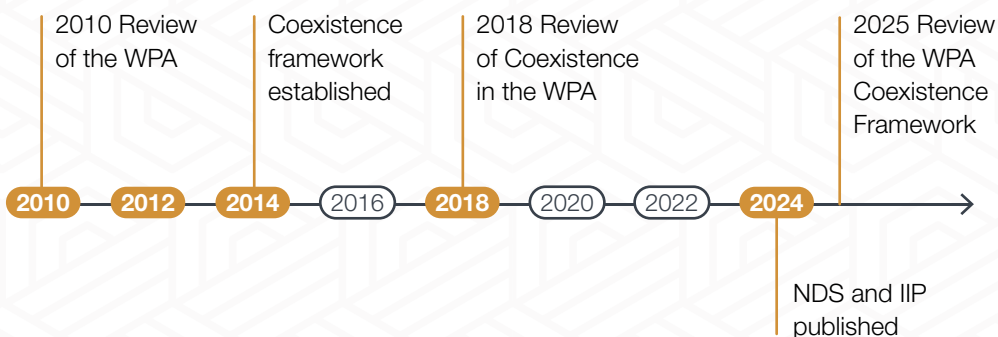
2018 Review

- 2.14 In 2018, the Australian Government commissioned Dr Gordon de Brouwer PSM to review the coexistence framework and its effectiveness. The Terms of Reference directed Dr de Brouwer to achieve a better balance between maintaining Defence primacy and maximising economic opportunities for non-Defence users.¹¹
- 2.15 The strategic environment had changed dramatically in the four years since coexistence had been established. A key security concern at the time was the threat posed by espionage and foreign interference. The review also observed the WPA had not lived up to its economic potential, but assessed growing global demand for copper would lead to higher commodity prices. The review also elevated the importance of cultural interests in the coexistence framework in recognition of the improving economic and social prospects for First Nations groups arising from increased national recognition and rights for First Nations peoples.

¹⁰ Australian Government. 'Review of the Woomera Prohibited Area Final Report', 4 February 2011, p.i <https://www.defence.gov.au/sites/default/files/2024-07/2010%20WoomeraFinalReport.pdf>

¹¹ Op cit. Australian Government. 'Coexistence in the Woomera Prohibited Area, 2018 Review', p.9-10,

- 2.16 The review concluded coexistence was functioning soundly and recommended staying the course. It reaffirmed Defence's status as the primary user and recommended balancing Defence's needs with other stakeholder requirements. The review also recommended:
- ▶ making zoning arrangements more flexible, including a potential gridded system for the green zone;
 - ▶ allowing access to the red zone to analyse the resource potential in the Gawler Craton area;
 - ▶ strengthening security arrangements to protect against the threat posed by espionage and foreign interference, including by introducing foreign investment considerations into permit application assessments;
 - ▶ increasing general security awareness and better regulating technologies;
 - ▶ strengthening stakeholder relationships and governance arrangements by prioritising First Nations engagement, reaffirming Defence's support for coexistence publicly and getting the Advisory Board more involved in strategic issues management; and
 - ▶ implementing a digital permit system.
- 2.17 Three recommendations agreed to by the Australian Government from the 2018 review remain outstanding, which are discussed in more detail in Chapter 4 and 5:
- ▶ exploring a more flexible grid-based arrangement for the green zone;
 - ▶ continuing the Gawler Craton geological and economic analysis; and
 - ▶ modernising coexistence administration, including through a digitised permit system.



Defence and Maralinga
Tjarutja (MT) People signing of
Cooperation Agreement



Chapter 3:

The coexistence framework

- 3.1 The coexistence framework comprises legislative, governance and regulatory arrangements, which together enable stakeholders to access the WPA for national security, economic and cultural purposes.

Legislative arrangements

- 3.2 The legislative arrangements underpinning the coexistence framework include the *Defence Act 1903*, the *Defence Force Regulations 1952* (since repealed, but the authority it provided legacy users is preserved under the *Defence Regulations 2016*) and the Rule.

The Defence Act

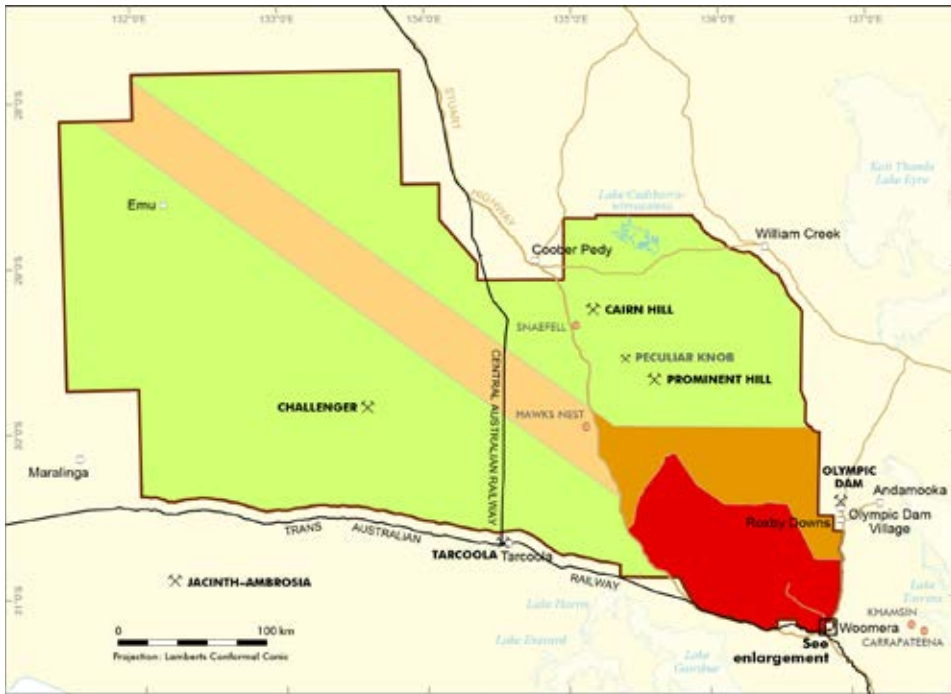
- 3.3 Section 72TA of Part VIB of the *Defence Act 1903* provides the Rule may prescribe an area as the WPA, intended for testing war materiel. Section 72TB of the *Defence Act 1903* lists the legacy users with existing permission, which include traditional owners and Native Title holders, pastoral lease holders, South Australian government representatives, and the Tarcoola to Darwin railway operator. Section 72TP authorises the Minister for Defence to make, by legislative instrument and with the Industry Minister's agreement, rules for the WPA.

The Defence Force Regulations

- 3.4 Legacy users who held authority to enter or remain in the WPA under Section 35 of the *Defence Force Regulations 1952* are regulated by the terms in their original permissions (if those permissions were in place before the commencement of Part VIB of the *Defence Act 1903*) and are not subject to the Rule. Although the *Defence Force Regulations 1952* have been repealed, the authorities it provided users are preserved by Section 87 of the *Defence Regulations 2016*.

The Woomera Prohibited Area Rule 2014

- 3.5 The Rule is the primary mechanism enabling coexistence. It regulates who can use the WPA, and how, with all new users requiring a permit to access the WPA. Individuals and companies may request permits for resource exploration and production, tourism, opal mining, research, environmental and other purposes.
- 3.6 The Rule also describes how Defence must use and manage the WPA to enable coexistence. Section 6 of the Rule divides the WPA into four zones (as below) and sets the maximum exclusion periods for each zone. Section 8 provides Defence continuous use of the red zone; up to 140 days use of amber zone 1; up to 70 days use of amber zone 2; and up to 56 days use of the green zone. The Rule mandates Defence use the WPA in blocks of up to 7 days (e.g. for amber zone 1, Defence may exclude other users for 20 blocks of up to 7 days to a total of 140 days). These blocks may be scheduled sequentially, but when an exclusion period ceases, the Rule requires a break in Defence use of at least 6 weeks for the amber zones and 3 months for the green zone.



Woomera Prohibited Area (WPA)

WPA access zones

- Defence Continuous Use Zone (Red Zone)
12 months exclusive Defence access
- Defence Periodic Use Zone 1 (Amber Zone 1)
140 days exclusive Defence access
- Defence Periodic Use Zone 2 (Amber Zone 2 (corridor))
70 days exclusive Defence access
- Defence Infrequent Use Zone (Green Zone)
Up to 56 days exclusive Defence access

 Woomera Village Standing Permission Area

Major mines and development projects

- ⊗ Major mine
- ⊗ Mine under care and maintenance
- Mineral development project
- Locality

Enlargement



- 3.7 Under the Rule, Defence is obligated to provide permit holders with written notice of an exclusion period. For the amber zones, written notice must be provided 'at least 3 months prior to the beginning of the financial year in which the exclusion period occurs'. For green zone use, the Rule requires Defence give resource production permit holders six months' notice, and remaining stakeholders 21 days' notice. Defence promulgates exclusion notices via emails sent to stakeholders, notifications uploaded to the Defence website, and a legislative instrument uploaded on the Federal Register of Legislation. The Rule also provides Defence powers to enforce compliance by permit holders, including the ability to issue infringements and demerit points.

Governance arrangements

- 3.8 A Memorandum of Understanding (MoU) establishes Defence and the South Australian government's roles and responsibilities under the coexistence framework.¹² The MoU requires the Department of Industry, Science and Resources (DISR) to provide specialist advice to both parties.
- 3.9 An Advisory Board oversees the coexistence framework.¹³ The Hon. Amanda Vanstone AO is the current Board Chair and Ms Andrea Slattery is the Deputy Chair. The Board includes ex-officio members at the SES Band 3 and 3 Star level from Defence, DISR and the South Australian Government. Under its Terms of Reference, the Advisory Board is required to meet at least twice a year. In 2024, the Advisory Board met on two occasions.
- 3.10 The Chief of Air Force (CAF) is the Defence Capability Manager for the Woomera Test Range and is responsible for its preparedness and operations. Air Force Headquarters convenes a biannual Program Steering Group for the Woomera Range Complex, which comprises senior Defence stakeholders, to provide strategic guidance and de-conflict Defence activities.

Regulatory arrangements

- 3.11 Defence, through the Woomera Prohibited Area Coordination Office (WPACO) and the Air Warfare Centre, is responsible for administering the coexistence framework. WPACO administers the permit system, manages exclusion periods in collaboration with the Air Warfare Centre and provides secretariat support to the Advisory Board. The Air Warfare Centre, through the Woomera Test Range (the Range), de-conflicts Defence activities with non-Defence users' activities, notifies exclusion periods internally, responds to compensation claims, conducts compliance checks, and regulates technologies.

¹² Memorandum of Understanding between the Commonwealth of Australia and the State of South Australia Regarding the Woomera Prohibited Area Coexistence Arrangements, <https://www.defence.gov.au/sites/default/files/2020-10/MOU%20regarding%20WPA%20coexistence%20arrangements.pdf>

¹³ Department of Defence. "Woomera Prohibited Area Advisory Board", <https://www.defence.gov.au/bases-locations/sa/woomera/management/advisory-board>

Hypersonic testing at the Woomera Prohibited Area



Chapter 4:

What's changed since 2018?

- 4.1 Since the coexistence framework was reviewed in 2018, national and global trends have introduced additional complexity into the strategic environment, making it more difficult to sustain coexistence.

National security interests

- 4.2 On 17 April 2024, the Australian Government released the *2024 National Defence Strategy* (NDS).¹⁴ It describes how Australia's strategic circumstances have continued to deteriorate and that Australia now faces its most complex and challenging environment since the Second World War. Strategic competition between the United States and China is now the defining feature of Australia's strategic environment and is likely to have the greatest impact on Australia's security. Alongside this competition, countries continue military modernisation without providing adequate assurances about intent, which creates tension. Technological innovations are forcing countries to rethink defence strategies, with new technologies neutralising previous advantages provided by characteristics such as geography. Other security risks, such as climate change and grey-zone activities, add to this complexity.
- 4.3 The NDS outlines a new whole-of-government and whole-of-nation approach to meet these challenges, referred to as National Defence. Under National Defence, the ADF will transition from a balanced force designed for a range of contingencies to an integrated, focused force designed to address Australia's most significant strategic risks. Defence's primary contribution is a new 'strategy of denial', which aims to strengthen Australia's ability to withstand coercion and contribute to collective deterrence efforts. The strategy hinges on enhancing the ADF's range and lethality to build the capability to hold an adversary at risk at greater distance from Australia's shores.

¹⁴ Australian Government. *National Defence Strategy*. <https://www.defence.gov.au/about/strategic-planning/2024-national-defence-strategy-2024-integrated-investment-program>

- 4.4 The Australian Government is accelerating capability acquisition to strengthen the ADF's deterrence.¹⁵ The *2024 Integrated Investment Plan* (IIP) includes \$28-\$35 billion to develop and enhance Australia's targeting and long-range strike capabilities. This includes capabilities such as Tomahawks for Navy, High Mobility Artillery Rocket Systems (HIMARS) for Army, and hypersonic air-launched weapons for the Air Force. Recognising the risk posed by fragile supply chains, the Australian Government has committed to develop a sovereign Guided Weapons and Explosive Ordnance (GWEO) enterprise to ensure access to ordnance needed in a conflict. The Government will invest \$16-\$21 billion in Australia's GWEO enterprise over the next decade, creating an increase in demand for test and evaluation services to 2031-32. The IIP also includes \$27-\$36 billion for space, cyber and electronic warfare capabilities to improve situational awareness and respond to threats effectively and decisively.
- 4.5 The WPA is an ideal location for testing these new capabilities. Its vast geography and remote location enable activities over long distances, and its quiet electromagnetic environment reduces interference between Defence's space, cyber and electronic warfare capabilities and civilian technologies. International partners are also seeking to leverage the WPA's potential, including for testing AUKUS capabilities, long-range missiles and other complex weapons systems.
- 4.6 Reflecting the WPA's increasing importance as a strategic asset, Defence is investing in significant infrastructure upgrades to the Woomera Range Complex. The redevelopment will improve supporting infrastructure, which currently lacks redundancy and is prone to disruption due to the WPA's isolated location. RAAF Base Woomera will be redeveloped to include a new headquarters, a new ordnance loading area, and upgrades to infrastructure such as sewage and drainage systems, electricity and roads. The redevelopment of the Woomera Training Range will also include new facilities for preparation and storage of explosive ordnance.

¹⁵ Australian Government. *2024 Integrated Investment Program*, <https://www.defence.gov.au/about/strategic-planning/2024-national-defence-strategy-2024-integrated-investment-program>

Economic interests

- 4.7 The resource sector continues to maintain a significant presence in the WPA. Between 2019 and 2024, Defence administered 42 new permits related to resource exploration and production (see Figures 3 and 4 in Attachment D). There are currently three mines in operation, two mines in care and maintenance and one mine earmarked for development. The Prominent Hill mine operated by BHP is a significant operation producing high-grade copper, with an estimated life span to 2044 as of September 2023.¹⁶ The Peculiar Knob iron ore mine, operated by Southern Iron, is expected to cease operations in 2025-26.¹⁷ Buzzard, operated by Peak Iron, is the newest iron ore mine and employs approximately 160 full time staff. The Challenger and Cairn Hill mines went into care and maintenance in 2018 and 2023 respectively. Peak Iron has earmarked the Hawks Nest area for development due to the potential prospectivity for magnetite deposits. There are currently 164 exploration leases held by 45 mineral exploration companies.¹⁸ As at 30 June 2024, resources companies operating in the WPA had contributed almost \$430 million in royalty receipts to the South Australian Government since 2014.¹⁹
- 4.8 Global demand for copper is anticipated to grow significantly over the coming decades, with resource companies looking to maintain, and in some cases increase, their presence in the WPA. BHP's purchase of OZ Minerals in 2023 demonstrates the value it attributes to the WPA's resource potential. Prominent Hill mine is a key mine in BHP Copper South Australia's program to establish a multi-mine copper province encompassing the Olympic Dam, Oak Dam and Carrapateena mines. BHP is exploring options to grow Copper South Australia's production by more than 500 kilotonnes per annum.²⁰
- 4.9 The South Australian Government continues efforts to analyse the Gawler Craton. In 2023, the South Australian Department for Energy and Mining (SA DEM) commissioned Scyne Advisory to provide an updated resource prospectivity analysis and an economic assessment. It incorporated new data sets from recent surveying and mapping activities such as the Gawler Craton Airborne Survey (GCAS) and Gawler Phase 2: mineral systems mapping project (GP2).

16 OZ Minerals. 'PEPR Compliance Report 2023 Prominent Hill ML6228 and Associated Tenements', 30 September 2023, p.15

17 Government of South Australia. '2024 Review of the Woomera Prohibited Area Coexistence Framework: Submission from the Government of South Australia to the Commonwealth Government, Department of Defence, September 2024, p.14

18 Op cit. Government of South Australia. September 2024, p.11

19 Department of Defence. 'Woomera Prohibited Area Advisory Board Annual Report

20 BHP. 'Annual Report 2024', 2024, p.5

- 4.10 Global demand for critical minerals, strategic materials and energy is expected to rise significantly over the coming years to support the transition to net zero emissions and to develop modern technologies, including Defence capabilities. Australia is looking to capitalise on this growing demand as a global supplier and processor for mineral commodities and critical minerals. Australia's Critical Minerals Strategy outlines the Australian Government's intent to create more resilient supply chains, build Australia's sovereign capability in mineral processing, and supply critical minerals to countries transitioning to net zero emissions. The Australian Government's 2024-25 Budget announced the Resourcing Australia's Prosperity initiative to accelerate the discovery of critical minerals and other resources. Under the initiative, Geoscience Australia will conduct a comprehensive mapping of Australia's natural resources, which will improve knowledge of Australia's resource potential.²¹
- 4.11 The move to a net zero economy is driving significant changes in South Australia, and this has implications for the WPA. The South Australian Government launched its State Prosperity Project to unlock the full potential of renewable energy, critical minerals and green manufacturing. The Green Iron and Steel Strategy seeks to decarbonise steel production by leveraging the state's magnetite resources and renewable energy.²² This is driving the South Australian Government's interest in the magnetite resources located within the WPA. Under the Northern Water project, the South Australian Government plans to develop a sustainable commercial water source to unlock economic growth in the industries and regions critical to achieving net zero targets. The proposed pipeline runs through the Standing Permission area within the Woomera Village, and the Office of Northern Water Delivery is in discussion with Defence on the potential for a future Stage 2 offtake agreement to deliver a sustainable water supply to the WPA.
- 4.12 The pastoral industry remains important for the South Australian economy, contributing approximately \$226 million annually.²³ The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) estimates the gross value of livestock and livestock products in the WPA was \$40.6 million in 2022-23. ABARES forecasts the gross value of livestock production will increase in 2024-25, driven by higher prices for beef, sheep and lambs. ABARES farm data shows WPA incomes have been recovering in recent years following the 2019-20 drought. ABARES estimates WPA farms had an average cash income of \$318,200 in 2022-23, which is slightly lower than the average over the 10 years prior (\$320,000). The South Australian Government is planning to improve the South Australian Dog Fence protecting the \$4.3 billion pastoral industry.

²¹ Department of Industry, Science and Resources. 'Investments to map Australian resources that will power our future prosperity', 16 May 2024, <https://www.industry.gov.au/news/investments-map-australian-resources-will-power-our-future-prosperity>

²² Op cit. Government of South Australia, September 2024, p.10

²³ Op cit. Government of South Australia, September 2024, p.17

- 4.13 New businesses have started operating or are looking to operate in the WPA. The Mount Eba Station operates an eco-tourism business, offering tourists the opportunity to experience homestead living at a working sheep and cattle station. Southern Launch, a company offering space launch services, is currently exploring options to access the WPA as a landing and collection site for its operations conducted from its Koonibba Test Range, which is the largest commercial rocket testing facility in the southern hemisphere.
- 4.14 The number of stakeholders accessing the WPA using standing permissions is also increasing. There are currently an average of 12 Aurizon trains operating each week, as well as seven to eight trains for the resources sector and four trains for tourist services. Aurizon expects these numbers to increase over the coming years, increasing traffic on the Tarcoola-Darwin rail line. Tourist numbers have fluctuated (see Figure 5 in Attachment D), but the general trend indicates increased visitation to the WPA is likely over the coming years. On average, Defence issues 393 tourist permits annually.
- 4.15 There is sustained appetite for opal and precious stone mining in the Coober Pedy Proclaimed Precious Stones Field. Opal and precious stone mining permits have steadily increased since 2019 by an average of 47 per cent year-on-year, now accounting for 13 per cent of permits issued in the period (see Figure 6 in Attachment D).

Cultural interests

- 4.16 After having being separated from their lands when the WPA was established in 1947, First Nations groups are strengthening their connection to Country and pursuing new economic activity. For example, the Kokatha Aboriginal Corporation is mapping Native Title boundaries and key cultural sites, developing the Purple Downs and Roxby Downs pastoral stations, and providing education and employment opportunities for their community. The Maralinga Tjarutja Aboriginal Corporation continues to build awareness about its community's history by providing guided tours on the atomic trials conducted in the 1950s and 1960s, as well as focusing on uplifting education levels among its younger generation as a means to create new economic opportunities. Similarly, the AMY Aboriginal Corporation is addressing barriers to training and employment, as well as retention rates in its community. It is also building its presence in the resources sector. It wholly owns Anangu Mining and has a 51 per cent share of Stony Desert Mining Services, which currently holds a contract to undertake crushing operations at the Prominent Hill mine.²⁴

²⁴ Antakirinja Matu-Yankunytjatjara (AMY) Aboriginal Corporation. 'AMY Group Businesses', <https://amyac.com.au/businesses/>

- 4.17 In line with the 2018 review's recommendation, the Advisory Board has increased its engagement with First Nations groups. The Chair and Deputy Chair of the Advisory Board met with each First Nations group across 2022-2023. In July 2024, the Advisory Board agreed to develop a First Nations Engagement Strategy, underpinned by principles recognising the WPA's continuing connection and cultural significance and the need for shared decision-making on matters impacting First Nations communities.²⁵ Defence is developing targeted strategies to tailor consultation to the needs of each First Nations group. Similarly, Defence has continued to seek additional touchpoints with First Nations communities, attending the Maralinga Indigenous Protected Area (IPA) Committee, the Coober Pedy NAIDOC celebrations, the 10-year anniversary of the Kokatha Aboriginal Corporation Consent Determination and conducting WPA range tours for First Nations groups and associated bodies (such as the Clontarf Foundation).
- 4.18 Cultural heritage in the WPA remains a focus. Defence developed the WPA Heritage Management Plan (HMP) with the six First Nations groups whose Native Title or Freehold lands overlap with the WPA. The HMP identifies WPA sites with cultural significance and outlines plans for preservation.²⁶ Defence is developing individual HMPs for each First Nations group, containing specific cultural information. The Advisory Board also endorsed the Maralinga Tjarutja IPA proposal in December 2023.²⁷ An IPA is an area of Country managed by First Nations groups in accordance with Traditional Owners' objectives. It is a voluntary agreement for land and cultural conservation between First Nations groups and the Australian Government.
- 4.19 The Regional Compliance Officer (RCO) program is fledgling. The program seeks to recruit people from local First Nation communities as part-time uniformed reserve members who contribute to the Compliance Monitoring framework. RCOs provide knowledge of Country, culture and heritage, and assist with administration and general maintenance. A recruitment process is ongoing for three RCO positions.
- 4.20 In 2021, the Advisory Board agreed to leverage Defence's Indigenous Liaison Officer (ILO) program to support improved engagement with First Nations groups. The ILO program employs people from local First Nations communities as Air Force uniformed members. ILOs represent their local community interests, implement cultural initiatives, provide cultural awareness training and promote First Nations culture across Defence.
- 4.21 DISR is progressing major contracts and other preparatory activities to further remediate Maralinga Tjarutja lands in consultation with Traditional Owners via the Maralinga Council. DISR is also developing the Maralinga Lands Strategic Plan in close collaboration with the Maralinga Tjarutja community, which will capture and prioritise land use objectives for the next three to five years.

25 Department of Defence. 'WPA Advisory Board Meeting Minutes July 2024', 10 July 2024, <https://www.defence.gov.au/sites/default/files/2024-12/WoomeraProhibitedAreaAdvisoryBoardMeeting-July2024.pdf>

26 Department of Defence. 'Aboriginal and Cultural Heritage', <https://www.defence.gov.au/bases-locations/sa/woomera/about/aboriginal-cultural-heritage>

27 Department of Defence. 'WPA Advisory Board Meeting Minutes December 2023, 01 December 2023', <https://www.defence.gov.au/sites/default/files/2024-11/WoomeraProhibitedAreaAdvisoryBoardMeetingMinutesDecember2023.pdf>

Royal Australian Air Force Compliance Monitoring Team personnel from the Air Force Test Ranges Squadron, Flight Sergeant Stuart Meddings and Regional Compliance Officer Corporal Joey Hull.



Compliance Monitoring
Team engaging the
Cooper Pedy community



Chapter 5:

Key findings and recommendations

- 5.1 Overall, I assess coexistence has been working well since it was established in 2014. Defence has worked hard to minimise disruptions to stakeholders and maintain constructive working relationships to sustain a viable coexistence framework. Nevertheless, as Defence increases its testing and evaluation to deliver the new and advanced capabilities in the IIP, the coexistence framework is likely to come under more pressure. Coexistence remains viable, but the framework requires modernising to reflect Australia's contemporary strategic environment.

Balancing coexistence requirements

- 5.2 There is an inherent tension in the coexistence framework. The framework exists to balance Australia's national interests, but each stakeholder group has different, and at times competing, requirements. Non-Defence users operating in the WPA rely on certainty to maintain operations and maximise benefits. Mining is a continuous operation. Effective mineral exploration requires consolidated blocks of time to undertake drilling – a complex task requiring significant investment, planning and coordination. Shearing, crutching and getting livestock to market at the right time is critical for meaningful economic returns for pastoralists. Interruptions to rail movements can delay resource exports or food arriving in Darwin from Adelaide. And First Nations groups often conduct cultural business over set periods. In contrast, Defence requires flexibility to conduct its testing and experimentation, which is intrinsically unpredictable and uncertain. Unfavourable weather patterns, as well as technical and logistical issues can impact Defence activities.

- 5.3 When coexistence was conceived, the national interest was characterised by high commodity prices and a more stable strategic environment. In this context, coexistence was designed to deliver certainty over flexibility. The ongoing deterioration in Australia's strategic circumstances leave me in no doubt that, although economic and cultural uses remain important, there can be no diminution of Defence as the primary user in the interests of national security. As the primary user, Defence should have the flexibility it needs to meet its operational capability requirements. Without it, Defence risks being unable to fulfil its core mission to defend Australia and its national interests. Coexistence should therefore be modernised to suit the contemporary environment by enabling more flexible Defence use.
- 5.4 In the spirit of coexistence, any increase in Defence use must be accompanied by continued efforts to impact non-Defence users as few times as necessary, for minimal duration, and with minimum disruption. Stakeholders speak positively about interactions with the Range and WPACO in day-to-day activities, which shows Defence works to minimise impacts on non-Defence users. But this best practice needs to be codified in the coexistence framework. Defence must remain a good neighbour and provide assurances to stakeholders. For example, notifying 'non-Defence use' windows - i.e. periods in which Defence will not be conducting tests - would assist non-Defence users with forward planning, and should be included in Defence's ongoing de-confliction activities.

Recommendation 1: As the primary user, Defence should be afforded more flexible access so it can meet its increasing test and evaluation requirements.

Recommendation 2: In return for increased flexibility, Defence should be required to impact non-Defence users as few times as necessary, for minimal duration, with minimum disruption, including by:

- ▶ implementing processes, structures and incentives to drive better internal planning, prioritisation and flexibility; and
- ▶ notifying 'non-Defence use' windows to stakeholders to enable forward planning and provide confidence for economic and cultural activities.

Using the WPA more flexibly

- 5.5 Defence's allocated testing days, as well as current zoning arrangements and notification requirements, are inhibiting its ability to meet testing and evaluation requirements. Amending these provisions will ensure the Rule is fit for purpose.

Allocation of Defence use days

- 5.6 The strategic environment and the capabilities in the IIP are driving a significant increase in Defence demand for WPA use. Forecasts indicate Defence's requirements far exceed its current allocations, particularly in the green zone. As the primary user, Defence's needs should be met. Increasing Defence's allocation in the green zone to 70 days will help meet forecast requirements and should be set as a new baseline.
- 5.7 To future-proof the coexistence framework, the Rule should include a provision to surge beyond 70 days when in the national interest. This would support capability requirements if there was a further deterioration in Australia's strategic environment. Such action would generate additional impacts on non-Defence users, and should only be used in limited circumstances to meet a specific requirement. Given this high threshold, this decision should be made by the Minister for Defence. Noting the likely impact on non-Defence users' access, the Minister for Defence should consult the South Australian Government prior to any decision to increase beyond 70 days. Approval should also be via a disallowable instrument to ensure parliamentary scrutiny.

Recommendation 3: Increase the prescribed total number of days for Defence green zone use from 56 to 70, with provision for the Minister for Defence to approve additional Defence use – to a maximum of 100 days per annum – 'in the national interest'. Ministerial authority should be employed in consultation with the South Australian Government and via a disallowable legislative instrument.

Zoning arrangements

- 5.8 The term 'exclusion period' does not appropriately reflect a modern coexistence model. In practice, Defence use rarely results in total exclusion for the scheduled activity periods. Defence often only excludes users from part of a zone, and only for hours rather than an entire day or week. Given the Rule's purpose is to regulate Defence use in the WPA, it would be much more accurate to refer to 'Defence use periods'. This terminology also reinforces Defence as the primary user.

- 5.9 Any Defence use in the green zone currently counts towards its allocation of 56 days. Allowing Defence to use any part of the green zone for the legislated number of days would better spread Defence's impact across the WPA, and facilitate increased capability testing to achieve NDS objectives. The Advisory Board endorsed the 2018 review's proposal for a flexible green zone model, but it was not implemented due to the need for legislative amendment. Stakeholders broadly support the concept, and appropriate legislative changes should be made to enable implementation. Close engagement by Defence with non-Defence users will be necessary to understand stakeholders' business logistics and supply chains, and ensure individual businesses or stakeholders are not inadvertently disadvantaged across multiple closures.
- 5.10 Defence is also required to conduct tests in blocks of up to seven days, which inhibits Defence from maximising its use. In the green zone, Defence receives eight periods of up to seven days each financial year. If a testing activity takes longer than seven days to conduct, then it consumes an additional period from Defence's allocation, which can result in Defence relinquishing some of its allocated days. For example, a ten-day testing activity in the green zone consumes two seven-day periods, resulting in a loss of four testing days. Removing the requirement to conduct tests in block periods will enable Defence to more efficiently use its full allocation.
- 5.11 Mandated breaks also inhibit Defence use. Currently, there must be a six-week break between non-consecutive tests in the amber zones and a three-month break in the green zone. This results in Defence only being able to use the green zone four times a year. These breaks do not make sense under a flexible green zone model. Reducing mandated breaks to six weeks across all zones will simplify the framework and enable more efficient green zone use, noting Defence should continue to condense its activities wherever possible to reduce the impacts on other users.
- 5.12 The WPA's zoning arrangements do not reflect modern use. Contemporary weapon systems require a larger safety footprint than is provided by the amber zone 2 corridor and Defence must also activate the green zone. This essentially renders amber zone 2 redundant. Defence has not activated amber zone 2 in isolation since the Rule was established in 2014. Given it no longer serves its intended purpose, amber zone 2 should be absorbed into the green zone to remove unnecessary complexity in the coexistence framework.

Recommendation 4: Modernise zoning arrangements by:

- ▶ amending the term 'Exclusion periods' (for the purposes of section 72TA of the *Defence Act 1903*) to 'Defence use periods' in the Rule to better reflect how Defence manages safety and security requirements to minimise the impact on other users;
- ▶ allowing Defence to close any part of the green zone for the prescribed number of days;
- ▶ removing the requirement to conduct Defence activities in blocks of up to 7 days and reducing mandated breaks between activities to 6 weeks; and
- ▶ abolishing amber zone 2 and absorbing it into the green zone.

Notification requirements

- 5.13 Amending notification requirements would also help simplify management of Defence use periods without increasing impact on non-Defence users. In the green zone, Defence must currently provide up to six months' notice to resource production companies and up to 21 days' notice for other non-Defence users. In the amber zones, Defence must provide written notice 'at least three months before the beginning of the financial year'. This can result in Defence having to notify stakeholders up to 15 months prior to an activity. This is impractical given the uncertainties involved in Defence testing activities, where external factors can force sudden changes to testing schedules. Stakeholders indicated three months' notice is sufficient to plan operations.
- 5.14 Defence is also required to promulgate exclusion periods publicly via a legislative instrument published on the Federal Register of Legislation. Publicly acknowledging when Defence will be testing sensitive capabilities has significant security implications. The long notification time provides adversaries with the opportunity to marshal resources and plan operations, while providing no practical benefit to WPA users. In my view, the strong relationships between WPA stakeholders make this measure redundant. However, Defence should continue to discreetly give as much notice as possible to non-Defence users to assist with operational planning.
- 5.15 The Rule provides the Minister of Defence authority to suspend standing permissions for security or safety, but is ambiguous as to how much notice is required. Defence uses standing permissions to allow stakeholders access to defined areas within the WPA – such as the Stuart Highway – without requiring a permit. This significantly reduces the burden to Defence and travellers accessing the WPA's main transport corridors. Stakeholders indicated 14 days' notice would allow sufficient time for individuals to make alternative travel arrangements.

Recommendation 5: Amend notification requirements by:

- ▶ reducing to a minimum of three months' notice for resource production permit holders in the amber and green zones;
- ▶ reducing to a minimum of three months' notice for all other permit holders in the amber zones (retaining the current requirement for 21 days' notice in the green zone);
- ▶ exploring options to either remove or minimise the promulgation of Defence use periods via the Federal Register of Legislation to mitigate the security risk associated with public notification; and
- ▶ allowing standing permissions to be suspended with 14 days' notice.

A more robust security framework is needed

- 5.16 The WPA is a target for sophisticated adversaries with both the means and the will to collect intelligence. While Defence is responsible for controlling access, it should not be solely responsible for maintaining the WPA's security. Successful coexistence requires a commitment by all users to contribute to the WPA's safety and security. Non-Defence users already alert Defence to any unusual activities observed. However, as Australia's strategic environment deteriorates, all stakeholders will need to make an even stronger contribution to security.

Fit and proper user requirements

- 5.17 The WPA is a privileged place to live, work and visit. Only professional and responsible individuals and commercial entities with the proven ability to fulfil safety and security obligations should be entitled to own, control or invest in operations in the WPA.
- 5.18 In addition to the Rule, other regulatory controls provide assurance about individuals and businesses interested in operating in the WPA. For example, SA DEM regulates all mining activity in South Australia, with applicants needing to demonstrate credible planning and the ability to conduct mining activity to receive a licence for mineral exploration or development. Similarly, the South Australian Pastoral Board manages pastoral leases and can apply conditions, such as maintaining good land management, only using the lease for pastoral purposes and recognising Indigenous rights. The Foreign Investment Review Board assesses all foreign investment proposals, and all researchers in the WPA need to be sponsored by a higher education institute registered under the Tertiary Education Quality and Standards Agency and the Higher Education Standards Framework.
- 5.19 Defence should consider introducing additional controls requiring individuals and businesses to demonstrate fit and proper credentials. One possible control could be to require businesses to have memberships with relevant industry bodies, such as the South Australian Chamber of Mines and Energy (SACOME) or the Association of Mining and Exploration Companies (AMEC) for the mining industry. Industry bodies like these have minimum requirements to become a member, such as having good governance and proven professional conduct. These additional measures should supplement the existing controls provided in the Rule. Ultimately, Defence remains responsible for making assessments on whether to approve access requests.
- 5.20 'Fit and proper' user requirements for operating in the WPA should be made publicly available by Defence and, where possible, applied at the first pass to doing business in the WPA (e.g. when pastoral or mining leases are sought). Clear guidance – and its early application – will provide business owners and investors certainty on who is likely to receive permission to operate in the WPA and save potential investors time and money.

Recommendation 6: Defence should strengthen mechanisms to ensure individuals or entities seeking to own, control or invest in business activity in the WPA are professional, responsible and experienced individuals or commercial entities with sufficient governance and resources to meet security and regulatory obligations.

Increasing oversight of who is in the WPA

- 5.21 Upholding safety and security is difficult without knowing who is in the WPA at any given time. Permit holders seeking access to the WPA must submit an Approved Persons form, which if approved, is valid for a two-year period. An approved applicant must provide intended access dates to the Woomera Test Range. However, there is no mechanism informing Defence exactly when or where the individual has entered or exited the WPA. Defence also needs an equivalent capability for legacy authorisation holders or their visitors, as not all permissions require advice to Defence on access dates. Users indicating times and locations for accessing the WPA via a simple 'check-in' app would provide real time data on individual movements. Defence could leverage existing Commonwealth and/or State government systems developed during the pandemic to fulfil this purpose.
- 5.22 Third party entities could seek to access the WPA by leveraging legacy users' permissions. The access conditions for legacy users set out in the Defence Regulations exist to preserve legacy users' ability to continue activities, such as pastoral operations or maintaining connection to Country for First Nations groups. These permissions should not be leveraged by third party entities to avoid permit requirements. The Rule was established to ensure all new users obtain a permit before gaining access the WPA. The permit system may also need to be re-examined to ensure there is an appropriate category to capture contemporary economic activities.

Recommendation 7: Enhance Defence's oversight of who is in the WPA by:

- ▶ implementing a generic notification requirement for entry to the WPA; and
- ▶ ensuring there is an appropriate permit category available for new economic activity in the WPA.

Strengthening Defence's ability to control access

- 5.23 Defence needs more authority to control access in the WPA. The Minister is required to approve a permit request unless satisfied doing so would prejudice security or the applicant is considered unlikely to comply with permit conditions. This sets a very high bar for refusing, suspending or revoking access, and places the burden of proof on Defence. This situation is not appropriate for an area as sensitive as the WPA. Permit approval criteria should be re-examined to ensure Defence has sufficient scope to refuse access on security grounds.

- 5.24 Defence's ability to control access will also be enhanced if it is provided more time to assess complex approved person requests. The Rule currently stipulates Defence must assess approved person applications within 20 business days. While five business days should be sufficient for standard applications, Defence should have more time to assess more complex applications to allow for thorough investigation and consideration.
- 5.25 Defence should not have to substantiate its decisions to applicants when it refuses, suspends or revokes access to the WPA. This requirement could prejudice sensitive national security information, as well as undermine Australia's international relationships. The reasons for decisions should be able to be withheld from applicants on security grounds and only provided to the Administrative Review Tribunal to inform a review decision.
- 5.26 Strengthening Defence's powers alone will not deter poor practice, Defence needs to also demonstrate it is serious about compliance. Defence has not issued any infringements or demerit points in the last eight years. While harmonious coexistence should not be undermined by heavy-handed enforcement, Defence should strengthen compliance activities and keep better records of warnings, incidents and mediations to inform risk profiles and permit decision-making.

Recommendation 8: Strengthen Defence's ability to control access by:

- ▶ providing the Minister for Defence greater scope to refuse, suspend or cancel a permit on security grounds, placing the onus on permit applicants to prove access will not prejudice security (consistent with approved persons permits), and reducing thresholds for refusing, revoking or cancelling permits.
- ▶ allowing Defence to extend processing timeframes for an additional 60 business days for complex permit applications, and the Minister to withhold information used to inform a decision where disclosure is deemed prejudicial to national security.

Recommendation 9: Defence should demonstrate renewed commitment to compliance and security in the WPA.

More agile regulation of technologies

- 5.27 Defence needs a more agile way to regulate technologies in the WPA. Technology is vital to business operations in the WPA, with non-Defence users currently using technologies such as cameras, autonomous systems and lightweight drones. However, malign actors could also use these technologies to collect information and intelligence. The WPA's regulatory framework needs to enable non-Defence users to operate innovative technologies, while retaining Defence's ability to restrict technologies that could interfere with safety and security. The Rule currently specifies the technologies users must seek approval to operate, including uncrewed aerial systems, structures more than 7.5 metres high, firearms and explosives. However, the Rule is not an efficient way to regulate technologies or keep pace with technological innovation as it is only reconsidered every ten years. An equally robust and more agile approach is to regulate technologies via a separate and simpler legislative instrument.

Recommendation 10: Provide the Minister for Defence authority to regulate technologies via a legislative instrument.

Coexistence relies on strong stakeholder relationships

- 5.28 While Defence has worked hard to minimise impact on stakeholders to date, pressure will likely intensify as it increases its testing activities. Effective coexistence will require a commitment by all stakeholders to work collaboratively. As a good neighbour, Defence should be proactive in managing stakeholder issues.

Remediation and compensation

- 5.29 Non-Defence users indicated Defence can be slow to repair damage it has caused to properties. Businesses in the WPA should build coexistence into operating models, but if Defence is removing people from homes or damaging infrastructure, it should compensate promptly. It is therefore imperative for Defence to develop timely remediation plans and be proactive in compensating users.
- 5.30 Some non-Defence users also indicated reluctance to accept compensation payments on the basis they are perceived as 'government handouts'. However, coexistence brings unique operational limitations and this should be recognised and fairly compensated. Increasing Defence use will result in non-Defence users seeking compensation more regularly. Defence should move to a more proactive, customer-centric approach to tactical compensation. Using innocuous terminology, such as a 'coexistence payment', would also help address stakeholder concerns about engaging with the process.

Recommendation 11: Defence should be more proactive in its remediation and compensation for non-Defence users impacted by Defence use by:

- ▶ developing remediation plans for all Defence activities prior to execution to assist with the timely reparations for damage incurred; and
- ▶ developing a proactive 'coexistence payment', calculated by Defence to pre-determine anticipated entitlements for users.

First Nations engagement

- 5.31 Engagement between Defence and First Nations groups is becoming more consistent and there has been positive progress on key cultural policies, such as developing a Heritage Management Plan and an Indigenous Engagement Strategy. However, more work needs to be done on creating new economic opportunities for First Nations groups. The RCO and ILO programs have ongoing recruitment issues, with both programs failing to meet intended recruitment targets. Defence should prioritise working with First Nations groups to diagnose the factors driving the poor outcomes for these two programs. Given First Nations groups' focus on diversifying to new economic activities, Defence should also explore what other support it could provide, in addition to the RCO and ILO programs.

Recommendation 12: Defence should enhance economic opportunities for First Nations groups in the WPA, where possible, including by strengthening the Regional Compliance Officer and Indigenous Liaison Officer programs.

Educational outreach

- 5.32 Increased education and awareness is required across all WPA users to build understanding and drive a shared purpose. Most non-Defence users recognise the WPA's strategic importance and understand how to operate within the coexistence framework. Nonetheless, further work could be done to highlight the need for increasing Defence use, how this will impact coexistence, and any new obligations this will create. During consultations, it was striking how little some senior stakeholders not engaging in day-to-day activities knew about coexistence and its obligations. While minimal understanding at the strategic level speaks to successful tactical management, it also underscores the need for more educational outreach from Defence to non-Defence stakeholders.
- 5.33 Educational outreach also needs to target Defence stakeholders. The Range works hard to develop and maintain a workable activity schedule to meet coexistence requirements, but some Defence personnel are not engaging as flexibly as the framework demands. This behaviour is contrary to coexistence, makes the Range's job more difficult and risks damaging stakeholder relationships. All Defence stakeholders with activities in the WPA need to understand the unique operating environment and work to maintain coexistence.

Recommendation 13: Defence should conduct regular education and awareness activities with internal and external stakeholders to educate on Defence's needs and drive a shared purpose.

Governance arrangements need strengthening

- 5.34 While strong stakeholder relationships should underpin coexistence, the WPA also needs effective governance arrangements to manage emerging problems. Currently, the only dispute mechanism available to stakeholders is to review permit decisions through the Minister for Defence and the Administrative Review Tribunal. There is no mechanism for managing day-to-day WPA issues. As a result, Defence and non-Defence users at the operational and strategic levels rarely engage to identify/discuss strategic risks and build the relationships needed in times of tension. A new engagement mechanism should be established for operational and strategic stakeholders, chaired by Defence and the South Australian Government at an appropriate level, and be responsible for identifying and reporting any coexistence issues and tensions to the Advisory Board.
- 5.35 Some stakeholders expressed interest in representation on the Advisory Board as a way to improve management of WPA issues. The Review considered these views and concluded the Advisory Board's current terms of reference remain broadly suitable, with the South Australian and Commonwealth Governments determining their most appropriate ex-officio members. However, the Advisory Board should develop and maintain a risk register to monitor strategic risks and manage any emerging coexistence tensions.
- 5.36 The MoU between Defence and South Australia needs updating to take into account the Review's findings and recommendations. A key outcome should be to codify planning and communication arrangements to enable flexible access for Defence, while providing other stakeholders sufficient certainty.

Recommendation 14: Strengthen governance arrangements by:

- ▶ establishing stakeholder forums with operational and strategic stakeholders to support escalation pathways for issues management;
- ▶ increasing the WPA Advisory Board's role in managing coexistence tensions and strategic risks; and
- ▶ updating the Memorandum of Understanding between the Commonwealth and the South Australian Government to ensure consistency with this Review's principles and recommendations.

Regulatory burden can be streamlined for all users

- 5.37 The legislative and regulatory frameworks governing coexistence are complex and burdensome. There is opportunity to streamline and reduce the overheads of operating in the WPA for all users.

Removing inefficiencies in the permit system

- 5.38 Defence administered 5380 access permissions between 2019 and 2024 (see Figure 10 in Attachment D). Defence grants access permission to individuals for a two-year term. With the proposed changes to ensure only high calibre businesses operate in the WPA, it is reasonable to extend the term of these permissions from two to five years. This will benefit all users by reducing how often stakeholders have to submit applications and the associated Defence processing. The current requirement is for Defence to process requests for access within 20 business days. Requiring Defence to process standard requests within five business days, while leaving scope for Defence to extend the processing time for more complex assessments would be more appropriate.
- 5.39 Individuals working across multiple areas in the WPA – e.g. Peculiar Knob and Hawks Nest – are currently required to gain separate access permissions for each location. This is unnecessary. Permits should be people-centric; with access automatically accredited to all parent company/companies tenements. This will significantly reduce permit applications and the associated administrative requirements.
- 5.40 The Rule allows ADF and APS personnel to enter the WPA without formal permission, but requires a Minister's permission to be granted for all other users, including Defence contractors and/or industry personnel. As a result, Defence is currently issuing 77 Minister's permissions annually on average (see Figure 12 in Attachment D), including for individuals conducting day-to-day Defence business, such as range management and/or testing. Minister's permissions should not be needed for these activities, noting these personnel are already subject to standard Defence access controls.

- 5.41 Stakeholders seek an easier user experience with the permit system. The current system is causing significant burden to stakeholders and was the most common critique during consultations. Historically, stakeholders were required to submit access requests via email, with physically completed forms provided to the Range and WPACO. The 2018 review sought to address this problem by recommending modernising permit system administration, including through digital systems. Defence has explored multiple options, including leveraging existing systems, but none have progressed to the implementation phase. WPACO implemented smartforms as an interim measure and this received positive feedback from stakeholders. Defence advises it now intends to use the Enterprise Reform Program rollout as a vehicle for developing a digital system for managing permits. A digital system for the WPA is essential and should be implemented as a priority, but it need not be a gold-plated solution. Defence should consider leveraging existing Commonwealth systems developed during the pandemic.

Recommendation 15: Reduce the regulatory burden on all users by:

- ▶ streamlining approved person applications by processing within five business days (extended consideration may occur for complex applications); granting permission for up to 5 years; and allowing individuals to be accredited to multiple locations in the WPA;
- ▶ applying standing permissions for persons escorted by ADF/APS personnel for Defence purposes to Defence establishments in the WPA; and
- ▶ leveraging existing Commonwealth or South Australian Government systems, Defence to implement digital systems to strengthen safety and security, including for:
 - registering and monitoring WPA access, and
 - permit applications and management.

Ensuring consistency across permits, permissions and deeds

- 5.42 Providing consistency across the various permits, permissions and deeds will also reduce complexity and burden in the coexistence framework. Any changes made to the Rule will not apply to legacy users without replicating terms across relevant sub agreements. This creates confusion and potential vulnerabilities in the legislative framework. I explored streamlining the legislative framework and centralising all users under the Rule, but in my view the benefits do not warrant the additional legislative and engagement burden. Instead, the Review's principles and relevant recommendations should be consistently applied across relevant mechanisms where possible.

Recommendation 16: To the extent practical, Defence should apply consistent requirements for all permits, permissions and deeds.

Advisory Board
visit to Woomera



Chapter 6:

An updated principles framework

- 6.1 The Review has consolidated its findings and recommendations to develop an updated principles framework, designed to provide stakeholders with high-level guidance on how coexistence should operate in practice to deliver the modern coexistence envisaged by the Review.

Coexistence principles to drive helpful and respectful collaboration, underpinned by simple and transparent structures and processes.

1. The WPA is a unique strategic asset. Coexistence must acknowledge Defence is the WPA's primary user and requires flexibility to achieve its objectives.
 - a. Non-Defence users acknowledge and accept Defence's rights to control access.
 - b. The needs of others should be accommodated without unduly compromising Defence activities and/or security.
2. Defence will seek to minimise its impact on non-Defence users.
 - a. Provide as much notice, clarity and certainty as possible for non-Defence users.
 - b. Conduct extensive planning to deconflict and support the objectives of all users.
 - c. Refine Defence use to the critical period an activity is being conducted.
 - d. Explore options for stakeholders during Defence use periods, from reduced activity arrangements, to safe zones, or full evacuation of impacted area.
3. Access is founded on trust: all WPA users must be mindful of their obligations.
 - a. All users will operate in accordance with coexistence policy and procedures.
 - b. Safety and security in the WPA is all users' responsibility.
 - c. All users should enable coexistence through innovative business practices and the responsible use of technology.
4. Effective stakeholder engagement is critical to coexistence.
 - a. Regular local engagement must be maintained to enable flexibility.
 - b. Formal engagement mechanisms must complement regular local engagement to inform decisionmaking.
 - c. Issues should be raised and discussed early, with any conflicts managed through existing governance arrangements and at the lowest levels wherever possible.
5. Coexistence should involve the minimum regulatory burden necessary to achieve informed decision-making and uphold safety and security.

BHP's Prominent Hill
copper processing



Chapter 7:

Future issues

Regular reviews are beneficial

- 7.1 The coexistence framework is in place to balance different, and sometimes competing, national security, economic and cultural interests. These interests are not static and require constant adjustment in response to shifts in the strategic environment. Regular reviews ensure the coexistence framework remains contemporary and appropriately calibrated to Australia's national interest. It would be prudent to re-examine coexistence in 2030, which would allow sufficient time to implement this Review, understand its impacts, and make informed judgements to re-balance interests.

Recommendation 17: Review the coexistence framework in 2030 to ensure it remains fit for purpose.

Access to the red zone

- 7.2 Access to the red zone is likely to be a key consideration for the next review. Stakeholders requested the Review explore access to the red zone for resource exploration and production on the basis there is potentially nationally and globally significant economic potential. The Rule currently prohibits access to the red zone for these purposes to preserve Defence use in the area. There is no doubt the WPA holds significant economic potential, although currently the full potential is unclear. Since 2018, new data gained through aerial surveys has deepened our knowledge of the WPA's resource and economic potential, including for additional resources such as critical minerals. Analysis of the Gawler Craton, including in the red zone, should continue.

- 7.3 Red zone analysis should occur via non-intrusive means in the first instance, as any on the ground access would cause significant disruption to Defence activities. At a time when Defence requirements are increasing, such disruptions would be inconsistent with national security interests. Non-intrusive technologies have improved, enabling significantly advanced geological mapping data. Building off previous surveys, the South Australian Discovery Mapping Project aims to compile a near real-time and high quality database of the state's geological resources. This project will further improve understanding of the WPA's resource potential. However, given the limits to the effectiveness of non-intrusive methods, intrusive methods (such as drilling) should be able to occur at times and in ways suitable to Defence. It would be prudent for the Australian Government (preferably Geoscience Australia) and the South Australian Government to work in partnership on any red zone exploration. Improved data will help inform subsequent discussions on the balance of national interest and determine whether further on the ground red zone access is required.

Recommendation 18: The Australian Government and South Australian Government should work in partnership to understand the resource and economic potential within the red zone, using non-intrusive methods in the first instance.

Some improvements are dependent on updates to the Defence Act 1903

- 7.4 While not an urgent requirement, parts of the *Defence Act 1903* can be modernised to support better outcomes in the WPA. Defence currently has no power to remove individuals accessing the WPA without a permit – i.e. trespassers. Due to the sensitive nature of activities conducted at the WPA, and the deterioration in Australia's strategic circumstances, Defence should have the power to warn, infringe and/or remove any person accessing the WPA. Providing Defence these powers requires legislative amendment.
- 7.5 The *Defence Act 1903* states the WPA can only be used for 'the purposes of testing war materiel'. The term 'war materiel' is an antiquated term that no longer appropriately reflects modern technologies and capabilities. It would be prudent to modernise the terminology in relevant legislation to reflect the contemporary uses of the WPA.

Recommendation 19: When the *Defence Act 1903* is next reviewed, it should be updated to:

- ▶ provide Defence with necessary powers to enforce WPA safety and security requirements, including the power to warn, infringe and/or remove any person accessing the WPA without permission; and
- ▶ modernise language defining the WPA's purpose from 'testing war materiel' to better reflect modern military capabilities and requirements.

The National Advanced Surface to Air Missile System fires an AIM-120 Advanced Medium Range Air to Air Missile during it's first ever Australian live-fire at Woomera Test Range in South Australia on 14 November 2023.



No.77 Squadron in flight during a test at Woomera



Attachments

Attachment A: Terms of reference

Context

1. The Woomera Prohibited Area (WPA) is a key national asset, critical to the development, test and evaluation of advanced defence capabilities. Its overarching legislative and governing framework includes:
 - a. *Defence Act 1903*: authorises use of the WPA for testing of war materiel;
 - b. *WPA Rule 2014*: regulates most third-party access to the WPA;
 - c. *Defence Force Regulations 1952*: sets out historical access arrangements for traditional owners and native title holders, pastoral lease holders, railway authorities, and a limited number of mining operators; and
 - d. WPA coexistence governance arrangements (Memorandum of Understanding between the Commonwealth of Australia and South Australian Government and the WPA Advisory Board).
2. The WPA Rule and WPA governance arrangements together form the 'coexistence framework'. This recognises that while Defence requirements for the testing and evaluation of military systems are given precedence within the WPA, the area is also important for pastoral activity, resource exploration and production, Aboriginal native title and cultural heritage, and other activities such as tourism and scientific research.

Scope

1. The review will assess the current WPA coexistence framework to determine whether it remains fit for purpose in the current strategic environment. It will consider national security, economic and cultural perspectives, and make recommendations to balance competing views in the national interest, including to:
 - a. inform remaking of the WPA Rule before it sunsets on 1 October 2026; and
 - b. update coexistence governance arrangements.

2. In making these recommendations, the review should acknowledge the precedence of Defence's use to advance strategic priorities and capability development to protect our national security, and opportunities to minimise regulatory burden and costs for third-party users.

Key tasks

1. The review should make qualitative and quantitative assessments of the balance of national interests over the short and medium (10-year) term, including but not limited to:
 - a. the WPA's contribution to current and future Defence capability, including the financial and other benefits deriving from Australia's ability to share knowledge and technology with allies, particularly in light of new and emerging technologies, and the subsequent value of the WPA to the US Alliance and other key international relationships;
 - b. anticipated future Defence needs in the WPA, in particular any potential changes in frequency and scope of activity;
 - c. current and future potential economic value of mineral deposits and other economic activities in the WPA, including potential impacts on employment and government revenues, and use of emerging technologies;
 - d. the extent to which mining and economic activity is compatible with Defence use of the WPA, and any inherent limits to future coexistence, including issues posed by foreign ownership or control; and
 - e. appropriate coexistence governance arrangements, including the ongoing role of the WPA Advisory Board, and the Memorandum of Understanding between the Commonwealth of Australia and South Australian Government.
2. The review should consider lessons learnt from the 2010-11 and 2018 WPA reviews, including implementation of their recommendations.

Timeframe

1. The review should be finalised by the end of Q1 2025, with a final date to be negotiated with the review lead. Interim findings related to re-making the Rule should be provided by December 2024.

Attachment B: List of stakeholders consulted

The organisations consulted, listed in alphabetical order, were:

- Agile Mining Services
- Antakirinja Matu-Yankunytjatjara Aboriginal Corporation
- Association of Mining and Exploration Companies
- Aurizon Bulk Central
- Australian Security Intelligence Organisation
- Australian Signals Directorate
- Australian Space Agency
- Australian Submarine Agency
- Barton Gold
- BHP
- Civil Aviation Safety Authority
- Commonwealth Scientific and Industrial Research Organisation
- Coondambo Station
- Cu-River (and representatives Eyre Advisory Services)
- Defence South Australia
- Department of Defence
- Department of Finance
- Department of Foreign Affairs and Trade
- Department of Home Affairs
- Department of Industry, Science and Resources
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Department of the Prime Minister and Cabinet
- Geoscience Australia
- Ingomar Station
- Jumbuck Pastoral
- Kokatha Aboriginal Corporation
- Maralinga Tjarutja Aboriginal Corporation
- Minerals Council of Australia
- Mt Vivian Station
- National Indigenous Australians Agency
- Peak Iron Mines
- Roxby Downs Council
- South Australian Chamber of Mines and Energy
- South Australian Department of Energy and Mining
- South Australian Department of Environment and Water
- South Australian Department of Primary Industries and Regions
- Southern Launch
- The Treasury

The individuals consulted, listed in alphabetical order, were:

- Dr Gordon de Brouwer PSM, Australian Public Service Commissioner
- Mr Steve Grzeskowiak
- The Hon. Andrew Hastie MP, Shadow Minister for Defence
- The Hon. Madeleine King MP, Minister for Resources and Minister for Northern Australia
- The Hon. Tom Koutsantonis MP, South Australian Minister for Infrastructure and Transport and Minister for Energy and Mining
- The Hon. Richard Marles MP, Deputy Prime Minister and Minister for Defence
- The Hon. Stephen Mullighan MP, South Australian Treasurer, Minister for Defence and Space Industries and Minister for Police
- Ms Andrea Slattery, Deputy Chair of the Woomera Prohibited Area Advisory Board
- The Hon. Vincent Tarzia, Leader of the South Australian Opposition
- The Hon. Amanda Vanstone AO, Chair of the Woomera Prohibited Area Advisory Board

Attachment C: List of submissions

The submissions received, listed in alphabetical order, were from:

- Association of Mining and Exploration Companies
- Australian Conservation Foundation
- Driver Bus Lines
- Extract of Classified Defence Position
- Friends of the Earth Adelaide
- Government of South Australia
- Sarah Isaacs
- Michele Madigan
- Julie Marlow
- Marmota Ltd
- Annie McGovern OAM
- David Noonan
- Nova Systems
- Paupiyala Tjarutja Aboriginal Corporation
- South Australian Chamber of Mines and Energy

I received permission to publish 13 of the 15 submissions, which are available on the Defence website: <https://www.defence.gov.au/about/reviews-inquiries/review-woomera-prohibited-area-coexistence-framework>

Attachment D: WPA trends from 2019-2024

Figure 1: Total Permits (2019-2024)²⁸

Defence administered 2,332 permits between 2019 and 2024. There was a noticeable drop in permits in 2020 and 2021 due to reduced tourism during the pandemic.

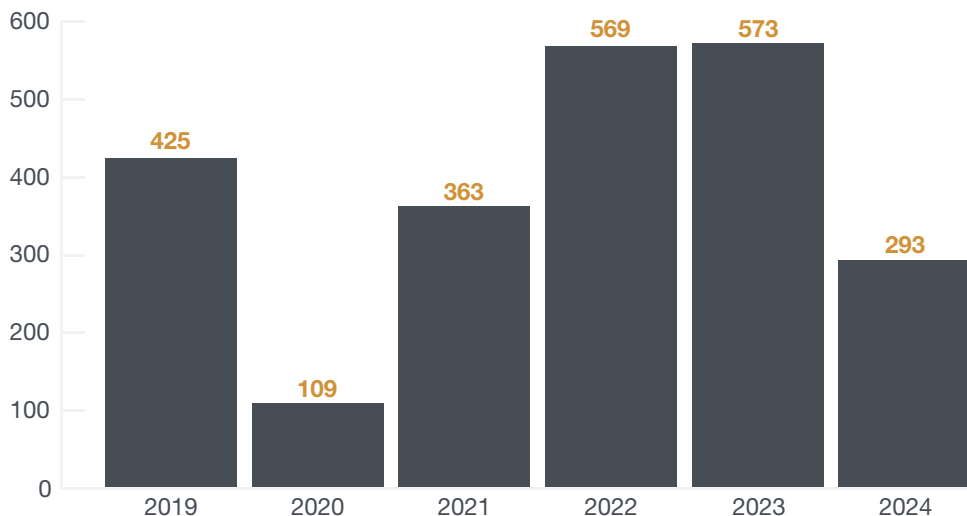
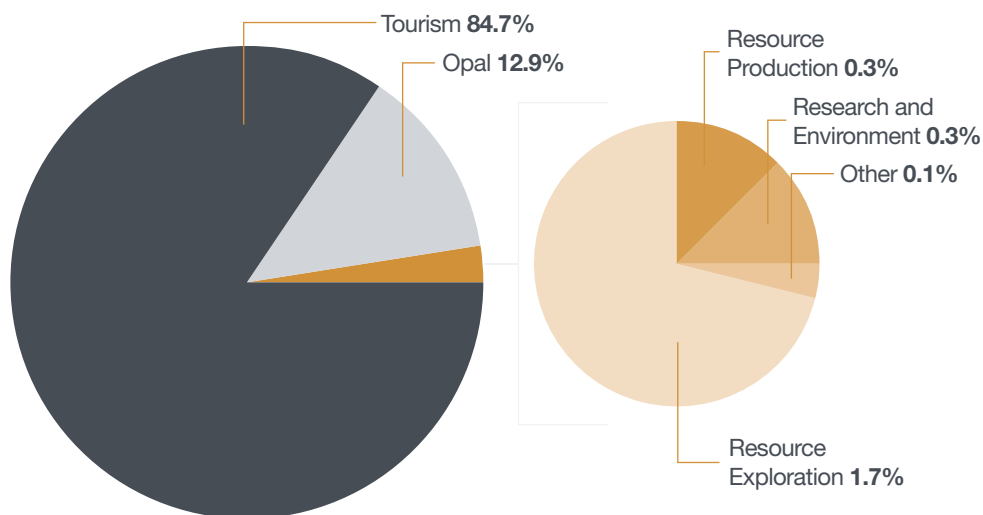


Figure 2: Total Permits (2019-2024)

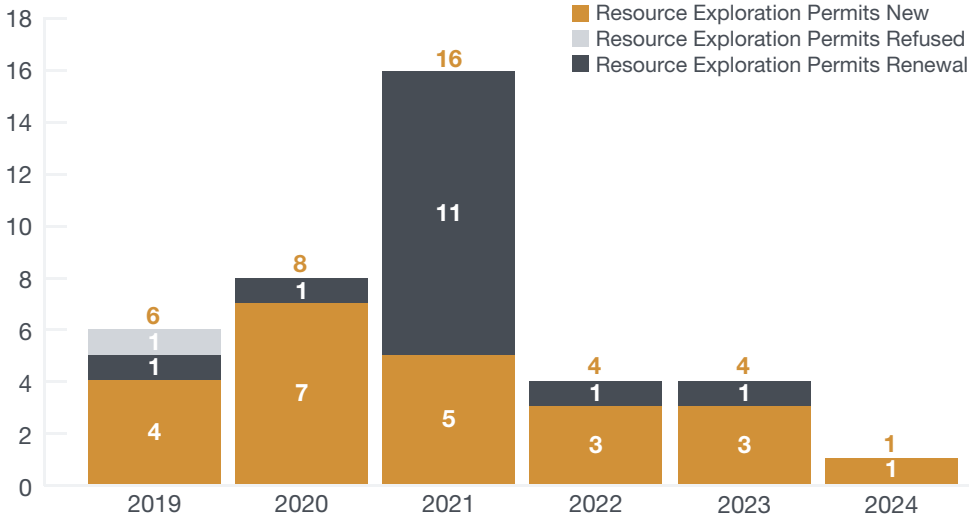
The majority of permits administered by Defence were for tourism (84.7 per cent). The more complex permits (i.e. resource exploration/production, research and environment, and other permits) made up approximately 2 per cent of total permits.



²⁸ 'Total permits' does not include approved persons permissions, escorted persons notifications or ministers permissions.

Figure 3: Resource Exploration Permits (2019-2024)

Defence administered 39 resource exploration permits between 2019 and 2024, including 23 new permits and 15 renewals. New permits peaked in 2020 due to high commodity prices at the time, but decreased from 2021 onwards. Permit renewals peaked in 2021 as initial permits from 2014 expired after seven years. Defence only refused one resource exploration permit since 2019.

**Figure 4: Resource Production Permits (2019-2024)**

Resource production permits are rare. Defence administered three Resource Production Permits between 2019 and 2024 for new mines/operations.

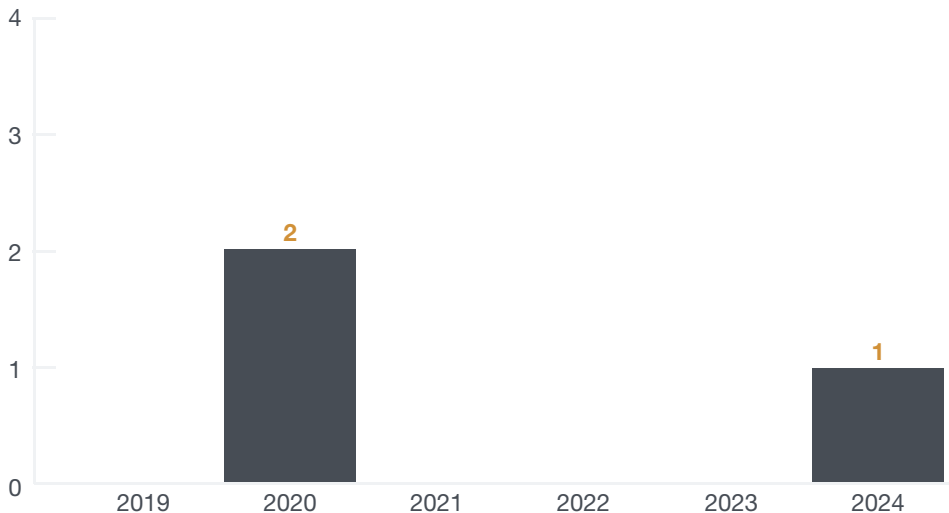
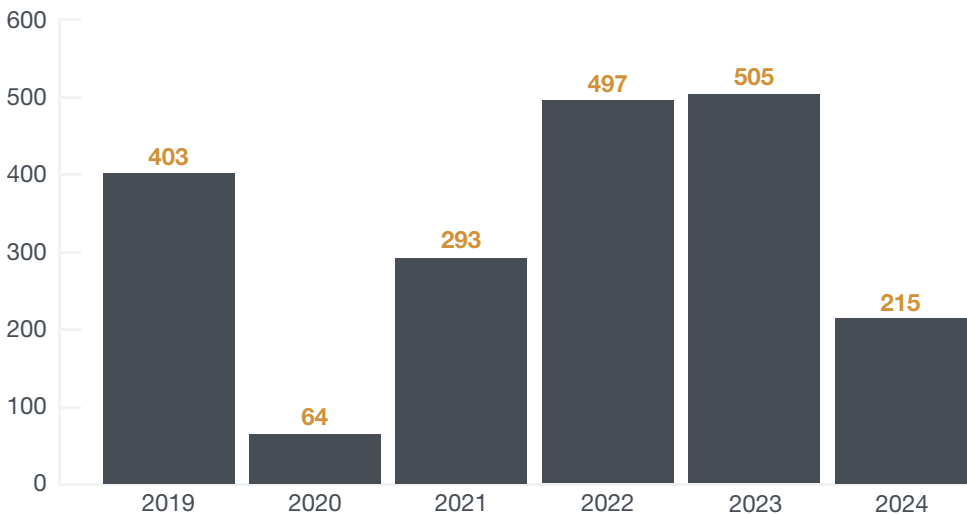


Figure 5: Tourist permits (2019-2024)

Defence administered 1977 tourist permits between 2019 and 2024. The data shows decreases in tourists during 2020 (due to pandemic-related restrictions) and 2024 (likely due to poor weather in Western Australia). Defence did not refuse any tourist permits within the six-year timeframe.

**Figure 6: Opal and Precious Stones Permits (2019-2024)**

Defence administered 301 opal and precious stone permits between 2019 and 2024. These permits steadily increased over six years, by an average of 47 per cent year-on-year. Defence did not refuse any opal and precious stone permits.

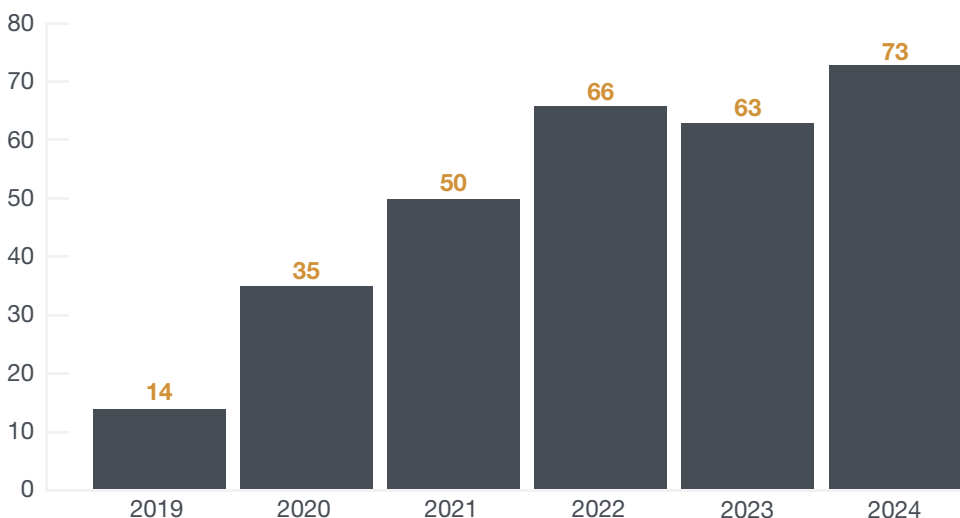
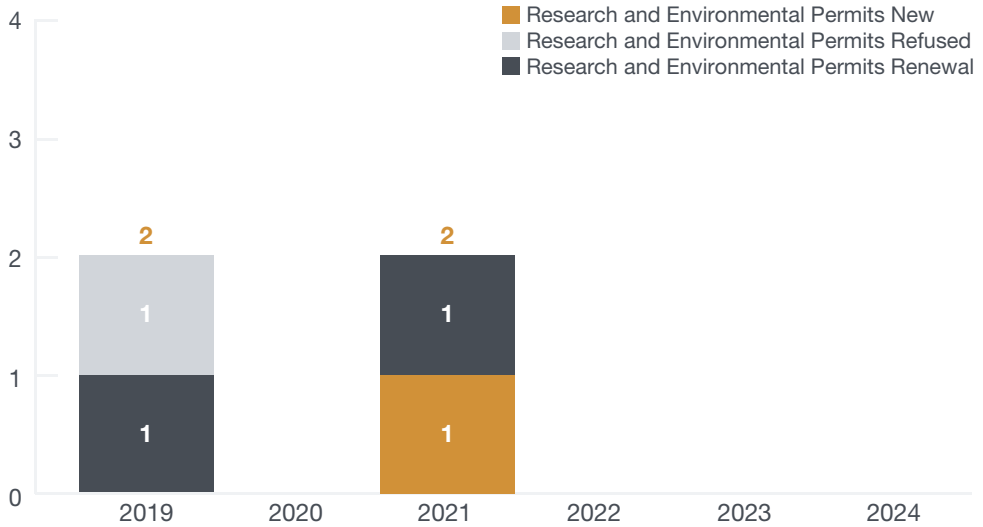


Figure 7: Research and Environmental Permits (2019-2024)

Defence administered four research and environmental permit requests between 2019 and 2024. Defence issued one new permit, approved two renewals and refused one permit.

**Figure 8: Other Purpose Permits (2019-2024)**

Defence administered and approved three other purpose permits between 2019 and 2024. Other purpose permits are for businesses/individuals requiring ongoing access to the WPA for activities not covered by a specific permit category (e.g. roadside construction contractors). Other purpose permits are the least common administered by Defence.

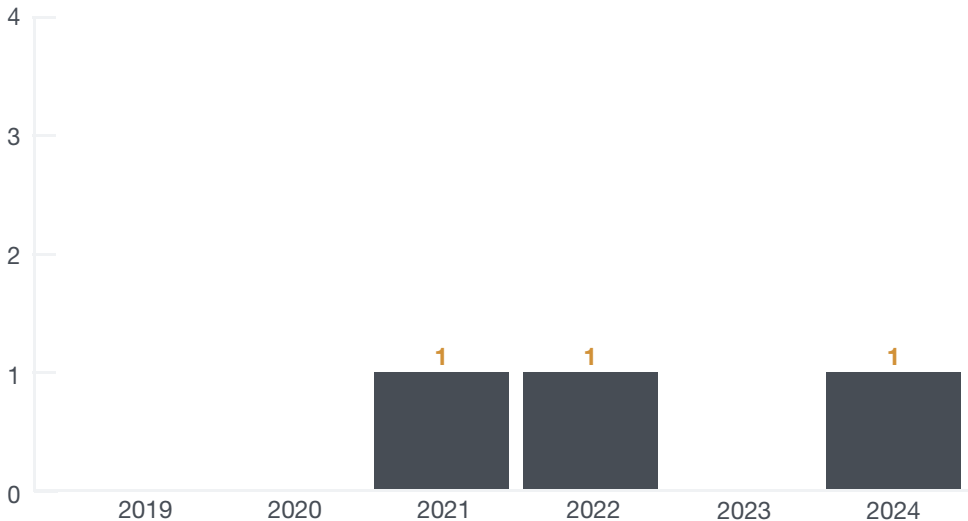
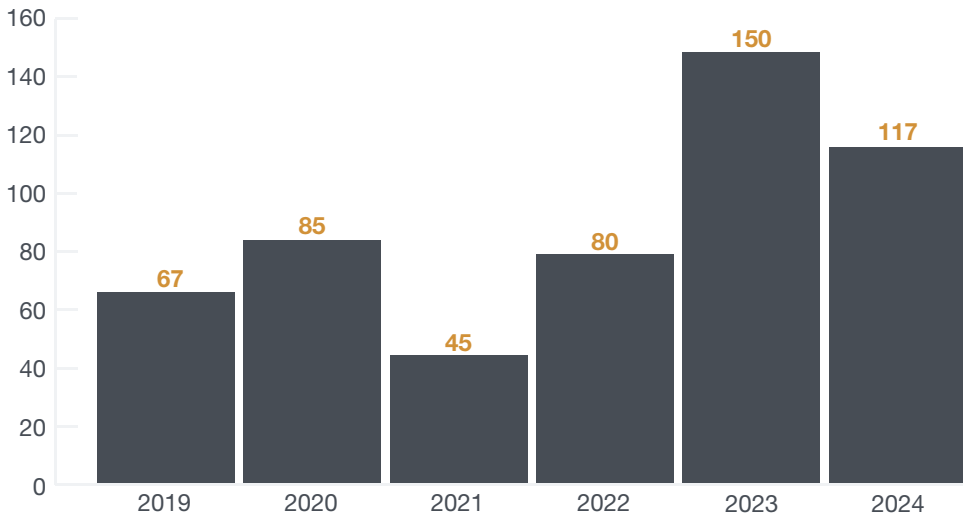


Figure 9: Range patrol days (2019-2024)

The Range's Compliance Monitoring Team (CMT) conducted 544 patrols between 2019 and 2024, averaging 90 patrols per year. Compared to the previous four years, CMT patrols increased in 2023 and 2024. During the last six-year period, zero infringements were issued to non-compliant users in the WPA.

**Figure 10: Approved Persons (2019-2024)**

Defence approved 5380 persons to access the Woomera Prohibited Area between 2019 and 2024. Defence did not refuse any approved persons requests between 2019 and 2024.

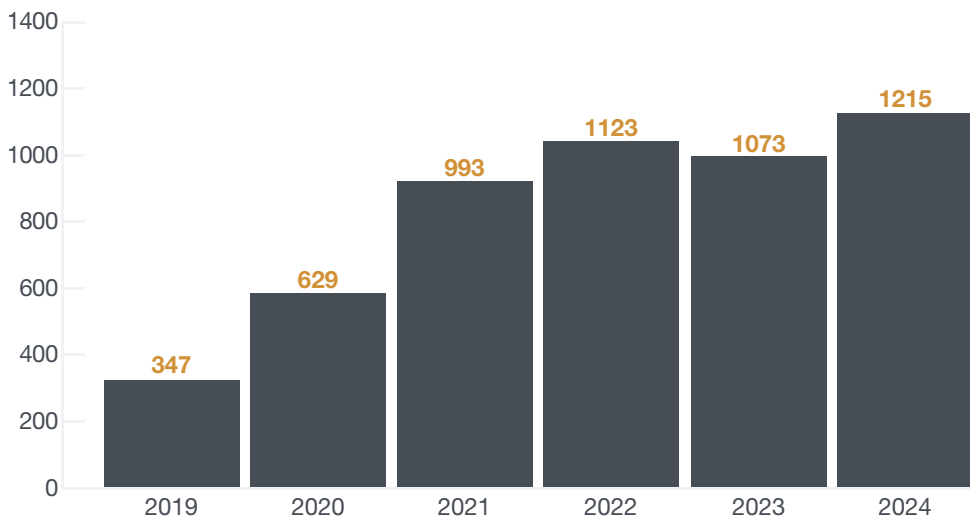
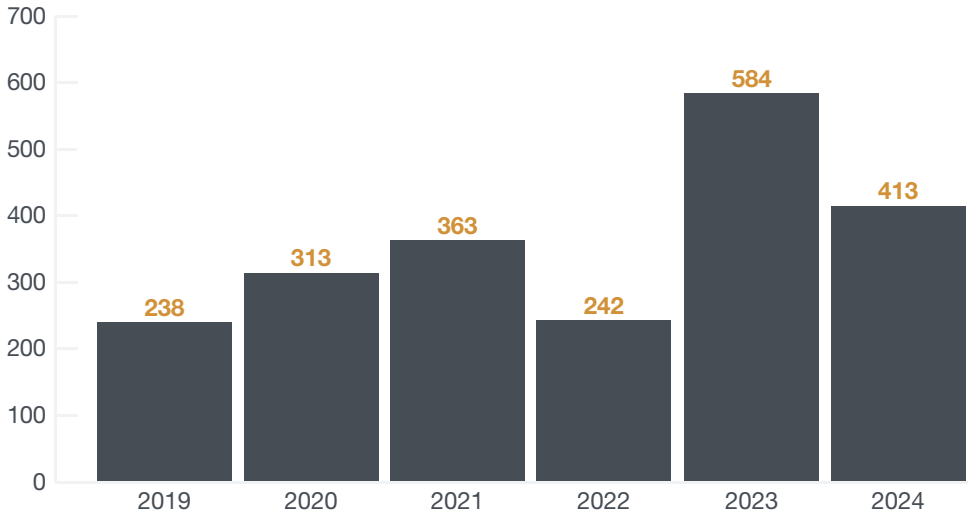


Figure 11: Escorted Persons notifications (2019-2024)

Defence received 2153 escorted persons notifications between 2019 and 2024, averaging 359 notifications per year.

**Figure 12: Minister's Permissions (2019-2024)**

The Minister's permissions issued each year remained relatively stable, with an average of 77 Minister's Permissions issued between 2019 and 2024. Around 80 per cent of Minister's Permissions were determined to be simple cases, administered by the Range. The remaining ~20 per cent were complex cases, administered by the Woomera Prohibited Area Coordination Office.

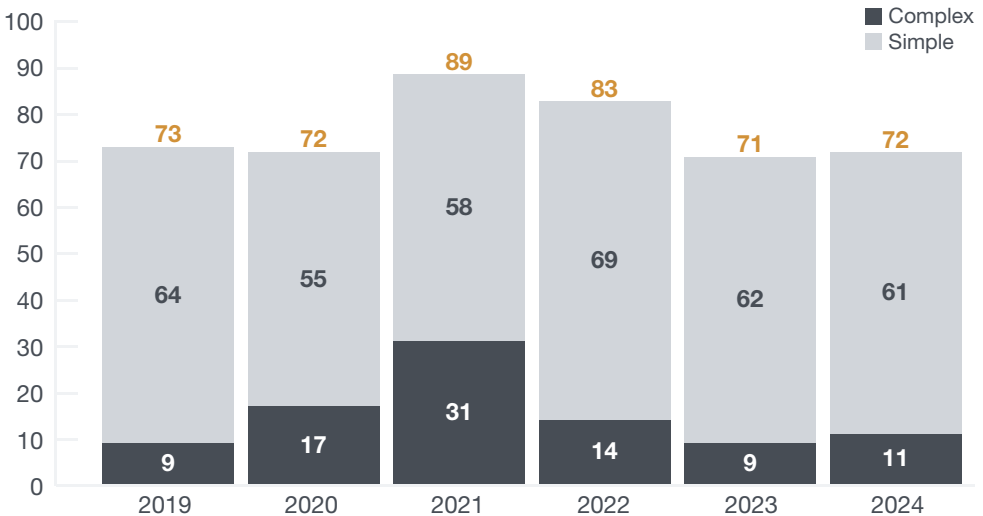


Figure 13: Tourist access by vehicles and individuals (2019-2024)

1977 vehicles and 3620 individuals received tourism permits to access the WPA between 2019 and 2024.

