



**Australian Government**  
**Department of Defence**  
Corporate Services &  
Infrastructure Group

**Air Commodore B.E. Plenty**  
Director General  
Headquarters Joint Operations  
Command Project  
BP-G-C081  
Department of Defence  
**CANBERRA ACT 2600**  
[brian.plenty@defence.gov.au](mailto:brian.plenty@defence.gov.au)

Tel: 02 6266 8568  
Fax: 02 6266 8499

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**Ms Vivienne Courto**  
Inquiry Secretary  
Parliamentary Standing Committee on Public Works  
Parliament House  
CANBERRA ACT 2600

Dear Ms Courto

**HEADQUARTERS JOINT OPERATIONS COMMAND PROJECT  
RESPONSE TO PWC SUBMISSION FROM MR ROBERT HYLES**

Thank you for the opportunity to comment on the submission dated 26 May 2004 from Mr Robert Hyles, business partner and co-owner of Woodlands, Bungendore NSW. The new Headquarters Joint Operations Command is to be situated on a 220 ha portion of Woodlands.

Defence acknowledges the cooperation and support received from the Hyles' since the announcement of Woodlands as the preferred site for the Headquarters project in October 2001.

The following paragraphs provide responses to the issues raised by Mr Hyles in his submission.

**Financial Costs**

On 11 December 2002, Mr Hyles was notified of the appointment of authorized persons under section 9 of the *Land Acquisition Act* 1989 (Cth) for the purpose of entry upon and inspection of Woodlands by Defence, its personnel and consultants. The purpose of the appointment was to enable Defence, and its consultants, to undertake initial inspections and surveys of a number of site options within Woodlands. Since that notification, Defence, and its consultants, have undertaken a number of inspections, surveys and some initial engineering studies of the site options, culminating the selection of the preferred site. Additional surveys have subsequently been undertaken at the selected site as part of the development of the Draft Environmental Impact Statement and resultant Supplementary Report.

The owners of Woodlands have sought compensation under the *Land Acquisition Act* for the disruption caused by the required access, including meeting with and speaking to Defence personnel, dealing with media, considering and discussing the project and general inconvenience.

The Australian Government Solicitor has been commissioned by Defence to provide legal advice in relation to the land acquisition process. The Australian Government Solicitor has been, and remains, in contact with Mr Hyles' legal representative to provide advice in the

preparation of compensation claims. Under the *Land Acquisition Act*, the affected landowner(s) has entitlements for payment of compensation claims for costs and losses associated with the land acquisition process irrespective of the outcome of the acquisition process.

### **Entry onto Woodlands**

Following advice from Mr Hyles that unauthorised visits to the site by consultants engaged by Defence had occurred, Defence developed a protocol for access to Woodlands, and other land associated with the project. The protocol has been distributed to all Defence personnel and consultants involved in the project. Defence is committed to maintaining a strong relationship with the Hyles'.

### **Secondary Access Route**

The Draft Environmental Impact Statement provided for the secondary access road to be located on the south side of the Queanbeyan to Goulbourn rail line, within the existing rail corridor. A subsequent survey has determined that there is insufficient space for the secondary access road within some parts of the southern side of the corridor due to the position of the rail line. Defence is investigating a range of options for the secondary access route, including locating the route immediately to the south of the rail corridor.

### **Delays in answering questions**

Defence acknowledges that a formal response to Mr Hyles' submission to the Draft Environmental Impact Statement in late 2003 is still outstanding. Those matters that relate to the Draft Environmental Impact Statement are being addressed in the Supplementary Report to the Draft Environmental Impact Statement, which is being finalised by a consultant external to Defence for submission to the Minister for Environment and Heritage. The completion of the Supplementary Report has been prolonged by the need to undertake additional surveys and studies, and is anticipated to be ready for submission in June 2004. Other matters raised by Mr Hyles are being answered separately.

Defence is committed to continuing the community consultation process, including the establishment of a Community Consultative Working Group as stated in the Draft Environmental Impact Statement. A representative from the Hyles family would be welcomed on that Working Group. Defence will be writing soon to key stakeholders about the project Community Consultative Working Group.

Yours sincerely

*Original signed on 8 June 2004*

**B.E. PLENTY**

Air Commodore

Director General Headquarters Joint Operations Command Project

June 2004