

LOCAL GOVERNMENT — DENMARK HERITAGE RAILWAY PRECINCT LEASE

851. Mr P.J. Rundle to the Minister for Lands:

I refer to the decision by the Shire of Denmark to cancel a Heritage precinct reserve lease to the Denmark Lions Club and to extend the reserve lease to the Kwoorabup Nature School over the same land, and I ask:

- (a) Can you confirm you are required to make a decision to support or otherwise the decision made by the Shire of Denmark;
- (b) Are you aware the site in question could be contaminated with dangerous products given it was formerly the site of a train terminal and ash pit;
- (c) Given you are required to make a decision on this site, will you be seeking advice from the Department of Water and Environmental Regulation in respect to possible site contamination issues;
- (d) Will you also be seeking advice from the Department of Education in respect to the suitability of the site for a school, given the physical limits of the site, the likelihood of contamination risk to children and the apparent fire risk of the site;
- (e) Will you also be seeking advice from the Department of Planning with regards to the location of a vulnerable use (school) within a bushfire zone with a high fuel loading surrounding the site;
- (f) Who is responsible for managing the risk associated with potential contamination of what is a crown lease vested with the Shire of Denmark; and
- (g) What responsibility does the State Government have in ensuring sites identified as having the potential for contamination, are managed appropriately.?

Mr J.N. Carey replied:

- (a)–(f) The Shire of Denmark (Shire), as the management body, has full care, control and management of Reserve 30277 (Reserve), on which the Kwoorabup Nature School is located. It is the responsibility of the Shire as the management body of the Reserve to address contamination and planning issues on its managed reserves.

The Shire decides which entities it will lease the Reserve to. The Minister for Lands' role in providing approval under section 18 of the *Land Administration Act 1997* is to ensure such leases are consistent with the reserve purpose and management order conditions.

- (g) The Department of Water and Environmental Regulation regulates contaminated sites under the *Contaminated Sites Act 2003 (Act)* and the *Contaminated Sites Regulations 2006*. The Shire as the management body for the reserve is responsible for managing the site and investigating any possible contamination and potential causes under the Act.