



Our ref: D0904657
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Principal Research Officer
Community Development and Justice Standing Committee
Parliament House
PERTH WA 6000

Dear Dr Gordon

INSIDE AUSTRALIA PROJECT AT LAKE BALLARD SHIRE OF MENZIES

The Department of Regional Development and Lands (RDL) was requested to provide a submission in relation to the above inquiry by the Chair of the Standing Committee, Hon Alannah MacTiernan MLA on 24 August 2009. RDL is a newly created Department effective as of 1 July 2009. The information provided relates to actions undertaken by the former Department of Local Government and Regional Development (DLGRD) and the State Land Services unit (now part of RDL but previously the Department for Planning and Infrastructure) .

In early 2004, the Shire of Menzies submitted three applications to the DLGRD totalling \$75,000 for funding under the Communities Facilities Grants Program (CFGP) to contribute towards the following components of the 'Inside Australia' Exhibition at Lake Ballard:

1. Visitor Facilities at Lake Ballard;
2. Signage and Interpretation at the Lake Ballard/Gormley Statues; and
3. Site plan and installation of bollards at Lake Ballard/ Gormley Statues

On 22 September 2004, the then Minister for Local Government and Regional Development, Hon Ljiljana Ravlich MLC, wrote to the Shire of Menzies advising it that funding of \$55,000 (including GST) had been approved for the first two projects, however it would not be available until the start of the 2005/06 financial year. The third was not approved as it did not meet the CFGP funding criteria.

On 12 May 2006 the Shire wrote to the DLGRD requesting that the CFGP funds be allowed to be carried over into the 2006-07 financial year and DLGRD responded by approving an extension until 31 December 2006. The Shire later requested another extension until 31 March 2007 which was also approved. However, when the Shire sought a third extension on 29 August 2007, DLGRD declined.

There has been no further communication concerning the project since then with either the old DLGRD or RDL and consequently, the allocation was cancelled.

The Inside Australia Exhibition on Lake Ballard initially operated under a licence under section 91 of the *Land Administration Act 1997* (LAA) to the University of Western Australia negotiated with the State Land Services Business unit. The Shire of Menzies was granted a further short term licence that permitted the Shire to manage the exhibition while action progressed to grant long term tenure under the provisions of the LAA. The licence to the Shire commenced 1 January 2006 for a term of eighteen months.

The long term tenure proposal needed to be subjected to the future act, full right to negotiate provisions of the *Native Title Act 1993* (NTA). The Notice of Intention to Take all interests under the LAA and NTA to enable reservation of the exhibition site was advertised in July 2005. As part of the negotiation process the Shire of Menzies, the Goldfields Land and Sea Council and the native title claimants developed a joint management structure for the proposed reserve, including a plan for the management of the reserve.

The Taking of all interests to enable the reservation of the site for the purpose of "Sculptures-Landscape Exhibition Site" was completed on 18 May 2007. The grant of the Management Order over Reserve 49153 was delayed until the body formed to manage the reserve; the Lake Ballard Association (LBA) had been incorporated. The incorporation of the Association was finalised on 12 June 2007. The Management Order under the LAA was granted to the LBA on 31 July 2007.

I trust this advice is of assistance to the Standing Committee. If you require any further information please contact Ms Cecelia Smith, A/Manager Executive Services, Department of Regional Development and Lands on telephone 9217 1639.

Yours sincerely



Paul Rosair
A/DIRECTOR GENERAL

16 September 2009