

LEGISLATIVE COUNCIL
Question on notice

22 JUN 2011

Tuesday, 12 April 2011

3828. Hon Robin Chapple to the Parliamentary Secretary representing the Minister for Lands.

I refer to Sutherland Road East in Kalgoorlie Boulder, and newspaper articles entitled 'Govt may rule on road', dated 27 November 2010, another article entitled 'time to stop talking', dated 2 December 2010, which both appeared in the Kalgoorlie Miner newspaper, and question on notice No. 3249 asked on 2 December 2010, and ask -

(1) Given that the Minister has acknowledged that the above referred to road has been a safety concern for many years, will the Minister direct and ensure that the ungazetted and undedicated section of Sutherland Road east is closed immediately to facilitate further drilling and open pit mining of the area which contains significant gold mineralization/resources referred to above in the newspaper article dated 2 December 2010?

(2) If no to (1), why not?

(3) If yes to (1), when will this occur?

(4) In the event that the Minister decides that the above referred to road is to remain open, will the Minister direct or ensure that legally binding conditions are imposed which clearly eliminate any dust problems and safety concerns by ensuring that it is bitumised?

(5) If no to (4), why not?

(6) If yes to (4), when will this occur?

(7) Does the Minister support immediately closing Sutherland Road East given that it has been a safety concern along with dust issues for residents and users of the road for many years?

(8) If no to (7) why not?

(9) Will the Minister quote the advice received from the Department of Mines and Petroleum referred to in the answer for part (1) of question on notice No. 3249, of 2 December 2010?

(10) If no to (9), why not?

Answer

BSB

(1) No.

(2) The *Land Administration Act 1997* (LAA) empowers the Minister for Lands to close a road only where the local government requests the Minister to close the road, in accordance with section 58 of the LAA.

(3) Not applicable.

(4) No.

(5) Whether the road is to remain open is not a matter for decision by the Minister for Lands, unless and until the City of Kalgoorlie - Boulder requests closure of the road in accordance with section 58 of the LAA. As an "otherwise unvested facility" within the meaning of that term under the *Local Government Act 1995*, the City of Kalgoorlie - Boulder is responsible for controlling and managing the road, including imposing any conditions.

(6) Not applicable.

(7) As the City of Kalgoorlie - Boulder is responsible for controlling and managing the road, this is not a matter for decision by the Minister for Lands, unless and until the City of Kalgoorlie - Boulder requests closure of the road in accordance with section 58 of the LAA.

(8) Answered by (7).

(9) The Department of Mines and Petroleum does not support the proposal for the dedication of Sutherland Road East.

(10) Not applicable.