



Michael Daley MP

Member for Maroubra

The Hon. Gary Gray AO MP
Special Minister of State
House of Representatives
Parliament House
CANBERRA ACT 2600

Dear Minister *Gray*
Malabar Headland

Firstly can I thank you on behalf of the community for your efforts in assisting, the Hon. Peter Garrett, our Federal Member and our community in securing the handover of Lots 2 and 4 of Malabar Headland for use for future generations as a national park. This is a very significant achievement and members of the local community, who have worked for many years towards this goal, are very gratified by this outcome to date.

I am concerned however with certain recent developments in respect of the "Rifle Range" segment of the Malabar Headland, formerly known as Lot 1 and now designated as Lot 101.

As you know, the site was formerly a tip which was largely unregulated for over 20 years. It is reported to contain around 1.6 billion cubic metres of landfill ("the Landfill").

The commitment of Federal and State Labor, supported unanimously by Randwick City Councillors over the last almost two decades is to see Lot 101 too, handed over by the Commonwealth for use as public open space.

I welcome the fact that our Federal Labor Government agrees with this and is in the process of honouring that commitment.

The future management and handover of Lot 101 should be viewed and managed strategically. It is my belief that the manner and extent of the remediation of the Landfill should, by necessity, be the driver of the timing of the handover of Lot 101. Obviously, the more comprehensive the remediation required, the more expensive the process will be and the longer it will take.

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I understand that a Remediation Action Plan is currently underway. Obviously until this plan is finalised, no determination can be made about the manner and extent of the remediation.

I am concerned therefore, that on 21 April 2011 termination notices were issued to four of six of the licensed users of the Malabar Headland.

If the Remediation Action Plan in respect of Lot 101 has not been completed and neither a scope of works nor a timeframe have been settled upon, (let alone any consideration of the issue of funding) why is it necessary at this time to evict longstanding tenants? It may be many years indeed before a sod is turned on Lot 101 in connection with remediation works.

The eviction of the Malabar Riding School is of particular concern to our community. It is a unique venture on a unique site that serves the interests of not only our local community but people from all over the Sydney Region. It is arguably the last place in the Sydney basin that schoolchildren and families can enjoy an interaction with horses without incurring costs that would be prohibitive.

Many local children and families enjoy working with and around the riding school and the horses. For many, it is their introduction to what turns about to be a life-long involvement with horses. A good number end up working at Randwick Racecourse, only a short distance away. In addition, the Malabar Riding School runs programmes with underprivileged youth and disabled children from all over NSW, all year. The loss of these programmes would be most unfortunate.

Many members of the community has asked me to request of you that the termination notice for Malabar Riding School be withdrawn pending the finalisation of the Remediation Action Plan and that if the riding school needs to be temporarily relocated pending certain works, that the Federal Government facilitates and assists with such relocation within the Malabar Headland.

I am advised that the termination notices were issued purportedly for mounting health and safety issues at Lot 101. Precisely what are these concerns? Certainly they have not been communicated to the community in any detail at all. This has led to community speculation about contamination issues and dangers to the community.

Community concern includes issues relating to asbestos. I note that the *Facilities Management Plan Part 1*, prepared by Coffey for the Commonwealth around 2005,

notes that apart from asbestos present in several of the buildings on site as well as surface shards of asbestos on the north western corner, 450 bore holes drilled on Lot 101 disclosed no presence of asbestos. Could you clarify details relating to presence of asbestos on the Malabar Headland site please.

I have been advised that *Facilities Management Plan Part 2* provides further detail in respect of this issue but despite several requests on behalf of the community I have not been able to obtain a copy of this document from the Commonwealth Government of the day. Would you be kind enough to forward me a copy of this document or alternatively advise how I might obtain a copy.

In order to allay community fears, I have been in contact with Peter Garrett's office in an effort to arrange an on-site meeting with community representatives and officers from the Department of Finance and Deregulation and ComCare. Your assistance in facilitating such a meeting would be greatly appreciated.

In addition, I would ask that the community be genuinely consulted on a regular and ongoing basis in respect of the future plans for the Malabar Headland by officers of all relevant Commonwealth Government departments. Many members of our local community are passionate about this area and are the repositories of a wealth of history and knowledge about the entire site. The *Friends of Malabar Headland* are an example.

I understand that an Interagency Group, chaired by Randwick City Council, under the auspices of the Department of Finance and Deregulation, exists and meets intermittently. Perhaps its membership could be widened to include representatives and members of the local community and be used as a vehicle for such community discussion.

Once again, thank you for your efforts to date.

Given the time frames that are at play in respect of several of these issues, your earliest response would be appreciated.

Yours sincerely



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