

Western Australia

Tamala Park Land Transfer Bill 2001

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Western Australia

LEGISLATIVE ASSEMBLY

Tamala Park Land Transfer Bill 2001

A Bill for

**An Act to transfer certain shares in land at Tamala Park to the
Towns of Cambridge, Victoria Park and Vincent.**

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Tamala Park Land Transfer Act 2001*.

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. Interpretation

5 In this Act, unless the contrary intention appears —

“**Registrar of Titles**” means the Registrar of Titles appointed under the *Transfer of Land Act 1893*;

10 “**Tamala Park land**” means lot 17 on plan 12488 and being the whole of the land comprised in Certificate of Title Volume 2202 Folio 113.

4. Portions of the City of Perth’s share of Tamala Park land transferred

15 (1) One quarter of the City of Perth’s share of the Tamala Park land is, by force of this section, transferred to the Town of Cambridge as a tenant in common.

(2) One quarter of the City of Perth’s share of the Tamala Park land is, by force of this section, transferred to the Town of Victoria Park as a tenant in common.

20 (3) One quarter of the City of Perth’s share of the Tamala Park land is, by force of this section, transferred to the Town of Vincent as a tenant in common.

25 (4) The transfers effected by subsections (1), (2) and (3) are subject to the limitations, interests, encumbrances and notifications noted on the certificate of title of the Tamala Park land on 10 April 2001 but free of all other encumbrances.

5. Registrar of Titles to register transfers

(1) The Registrar of Titles is to register the transfers effected by section 4.

(2) Section 242 of the *Transfer of Land Act 1893* does not apply to the transfers effected by section 4.

(3) For the purposes of subsection (1), the Registrar of Titles may dispense with the production of the duplicate certificate of title for the Tamala Park land.

6. Transfers to be for no consideration

(1) The transfers effected by section 4 are for no consideration.

(2) The City of Perth is not entitled to be compensated in respect of the transfers effected by section 4.

7. Stamp duty exemption

The transfers effected by section 4 are exempt from duty under the *Stamp Act 1921*.

8. Certain agreements prohibited

(1) In the period beginning on 7 May 2001 and ending immediately before the transfers effected by section 4 are registered, the City of Perth must not —

(a) deal with the City of Perth's share in the Tamala Park land; or

(b) enter into any agreement that creates, effects, cancels or alters any interest in, or that otherwise affects or relates to, the City of Perth's share in the Tamala Park land,

without the prior written approval of the Minister.

(2) A dealing or agreement entered into in contravention of subsection (1) is void.

9. Legal proceedings precluded

No proceedings seeking the grant of any relief or remedy in the nature of certiorari, mandamus or prohibition, or the grant of any declaration or injunction, may be brought against a person

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in respect of the operation of this Act or any act, matter or thing effected, required or permitted by this Act.

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