# Submission to Parliament AN under Sections 42(4) of the Land Administration Act 1997

## PROPOSAL

Submission No: 11/2008

Submitted by the

Minister for Lands



WESTERN AUSTRALIA Laid on the Table of the Legislative Assembly

2 5 NOV 2008

This paper should not be removed from the Chamber

# SUBMISSION TO PARLIAMENT UNDER SECTIONS 42(4), 44(1) OR 45(4) OF THE LAND ADMINISTRATION ACT 1997

The proposal detailed in this report is required by the above provisions to be laid before each House of Parliament.

Section 43 of the Land Administration Act 1997 provides as follows:43(1) If, after a proposal is laid before each House of Parliament under Sections
42(4), 44(1) or 45(4) notice of a resolution disallowing the proposal —

- (a) is not given in either House of Parliament within 14 sitting days of that House after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission may be implemented by order after the last day of the later of those periods of 14 sitting days;
- (b) is given in either or both of the Houses of Parliament within 14 sitting days of that House, or each of those Houses, after the proposal was laid before it, but that resolution is not lost in that House or each of those Houses within 30 sitting days after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission lapses; or
- (c) is given in either or both of the Houses of Parliament within 14 sitting days of that House, or each of those Houses, after the proposal was laid before it, but that resolution is lost in that House or each of those Houses within 30 sitting days after the proposal was laid before it, the proposed reduction, excision, cancellation, change, grant or permission may be implemented by order after that loss or after the later of those losses, as the case requires.
- (2) It does not matter whether or not a number of sitting days referred to in subsection (1) or some of them occur during
  - (a) the same session of Parliament; or
  - (b) the same Parliament.

as that in which the relevant proposal is laid before the House of Parliament concerned.

The proposal set out in this report is accordingly tabled in this House on this 101k day of November 2008.

HON BRENDON GRYLLS MLA MINISTER FOR LANDS

(or his representative in the Legislative Council)

### EXCISION OF PORTION OF CLASS A RESERVE 45409 (BOLD PARK) UNDER SECTION 42(4) OF LAND ADMINISTRATION ACT 1997 (LAA)

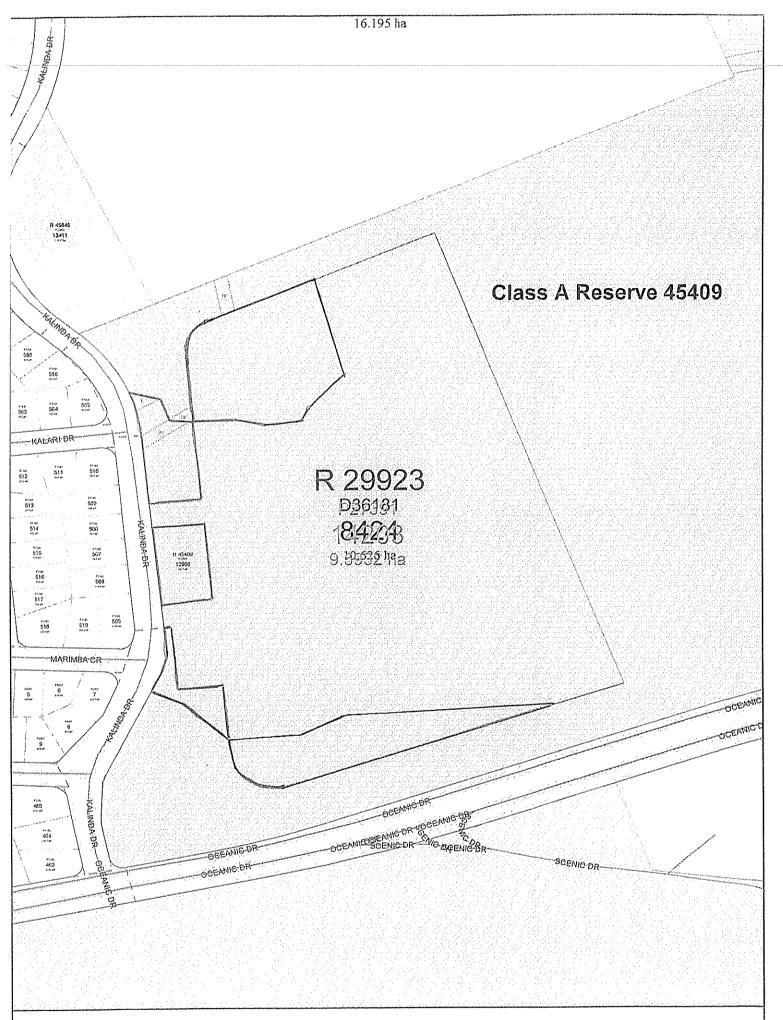
The Botanic Gardens and Parks Authority has completed negotiations with the Department of Education and Training (DET) to rationalise the boundaries of Class A Reserve 45409 Park and Reserve 29923 High School Site. The proposal will involve the excision of portion of Class A Reserve 45409 shown bordered red on Annexure 1 and the inclusion of portions of Reserve 29923 bordered blue on Annexure 1. To depict these boundaries, Deposited Plan 27391 has been prepared and is attached as Annexure 2.

The proposal was advertised in the West Australian newspaper in accordance with sections 42(5) of the LAA on 27 August 2007. At the conclusion of the period for comments/objections, which is not less than thirty days, no comments or objections were received. A copy of the advertisement is attached (Annexure 3).

As Reserve 45409 has Class A status, it is necessary to obtain the approval of both Houses of Parliament to the excision.

ELECTORAL DISTRICT OF CHURCHLANDS NORTH METROPOLITAN REGION TOWN OF CAMBRIDGE

#### ANNEXURE 1



: 1:2809 (Geographical) Scale

MGA : SW=383628.3E,6465494.4N Zone 50 / NE=384174.0E,6466366.2N Zone 50 Lat/Long : 115°46'07.706", -31°56'25.913" / 115°46'28.860", -31°55'57.804" H 263mm by W 198mm

Printed: 14:40 Fri 5/Oct/2007

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Kerry Ryan Tel: 0426 9379 kerry.ryan@dsc.wa.gov.au

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EXTRACTS OF ORDERS FOR TAKING LAND LAND ADMINISTRATION ACT 1997 (SECTION 178(1)(B)(II) AND (C) OR (2)(D))

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DESIGNATION GENERAL DEPARTMENT FOR PLANNING AND R - RASTRUCTURE

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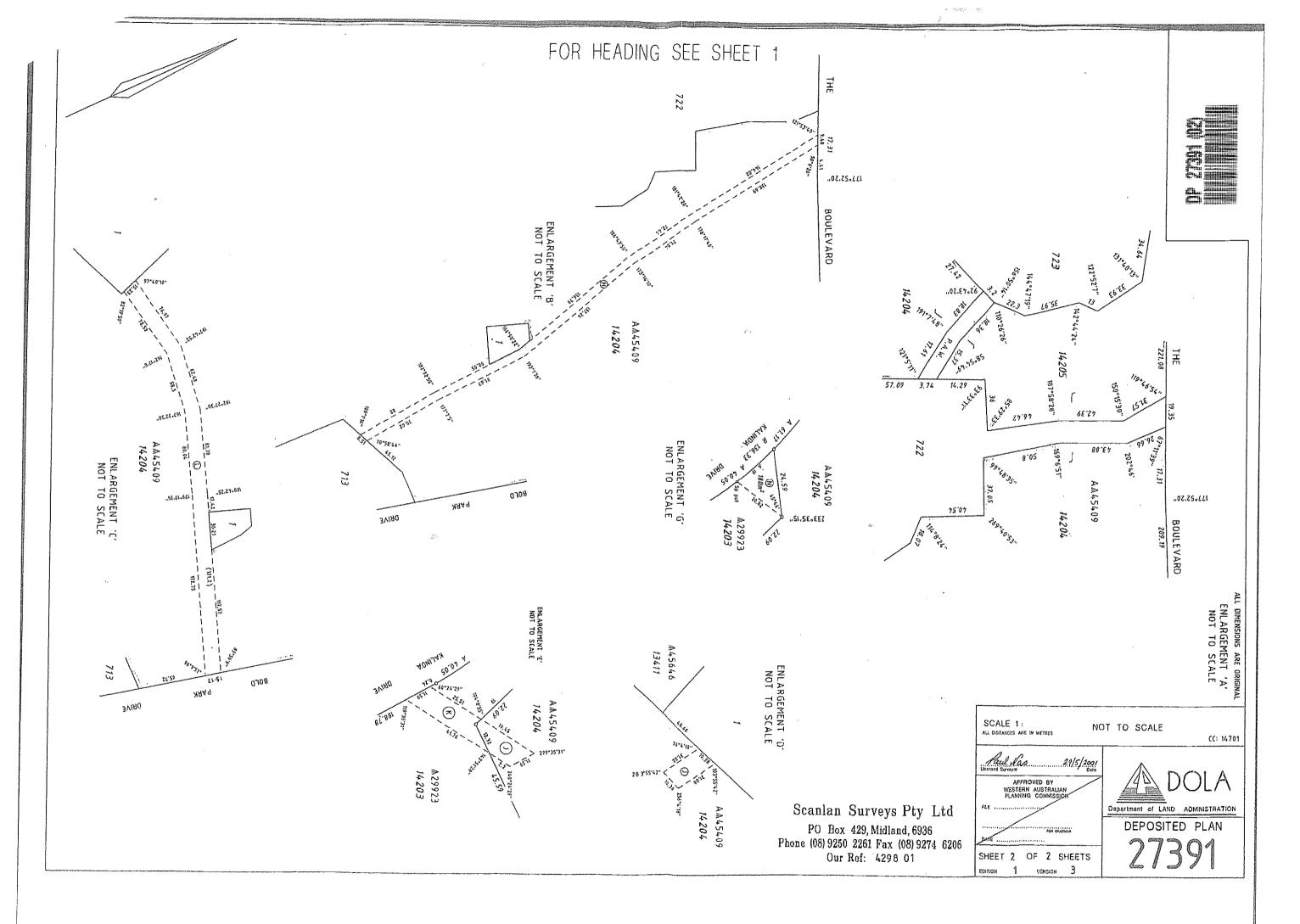
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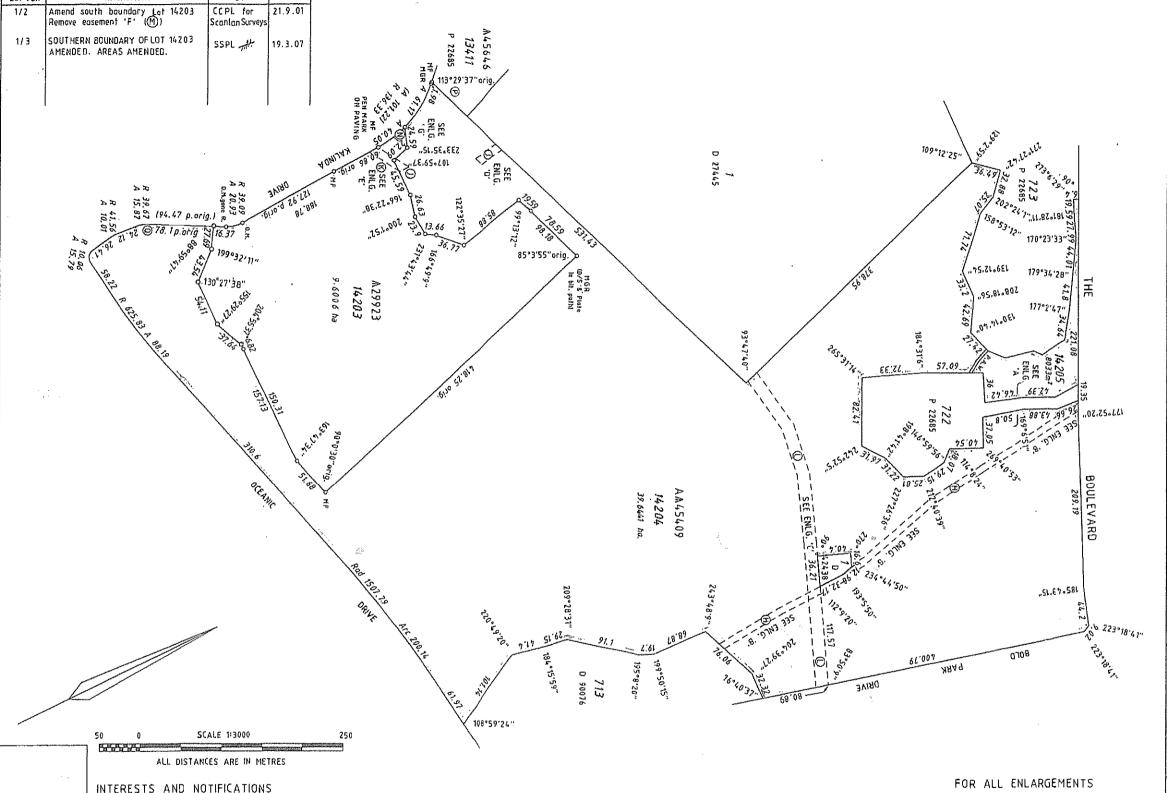
#### **ANNEXURE 2**

#### ANNEXURE 3



ED/VER

AMENDMENT



INTERESTS AND NOTIFICATIONS

DATE

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
⊕ SHEET 2	EASEMENT		16852/1962	LOCATION 14204	MINISTER OF WATER SUPPLY SEWERAGE AND DRAINAGE	
① SHEET 2	EASEMENT		A 257413	LOCATION 14 204	METROPOLITAN WATER SUPPLY SEWERAGE AND DRAINAGE BOARD	
® SHEET 2	EASEMENT		A 257413	LOCATION 14203	METROPOLITAN WATER SUPPLY SEWERAGE AND DRAINAGE BOARD	
© SHEET 2	EASEMENT		A 562417	LOCATION 14204	SEE DOCUMENT	
® SHEET 2	EASEMENT	SEC 14% OF L.A.A.	THIS PLAN	LOCATION 14203	BOTANIC GARDENS AND PARKS AUTHORITY	

SEE SHEET 2 OF 2

ALL DIMENSIONS CLOCKWISE BETWEEN P & @ ARE ORIGINAL

LOT	FORMER TENURE	ON PLAN/DIA	Certificate of Title
14203	Pt LOC. 8424 Pt LOC. 12966	D 36181 P 22685	3111/272
14204	Pt LOC, 8424 Pt LOC, 12966	D 36181 P 22685	3111/272
14205	P) LOC. 12966	P 22685	3111/272

 TYPE	CROWN	
PURPOSE	SUBDIVISION	
PI AN OF		

LOTS 14203 - 14205 (inc.) AND EASEMENTS

DISTRICT TOWNSITE	SWAN	EARLY ISSUE NO	
	2464/963 V2 CITY BEACH	FORMER TENURE	
LOCAL AUTHORITY  TOWN OF CAMBRIDGE		SEE SCHEDULE	
INDEX PUBLIC	ON BG34 (2) 08.26 BG34 (2) 08.27	<u>FIELD ВООК</u> 8 4939 85641	
SCALE 1:		0ur Ref: 4298/01 CC: 14701	

SURVEYOR'S CERTIFICATE - Reg 54 PAUL NAS

this plan of survey is a correct representation of the survey and/or calculations from measurements recorded in the field book lodged for the purpases of this plan and that it compiles with the relevant written law's li-rulation to which it is lodged.

SURVEY FIRM	Scanlan Surveys PO Box 429, Midlar Phone (08) 9250 2281 Fax	ıd, 6936
LODGED	TYPE OF VALIDATION	APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION
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IN ORDER FOR DEALINGS

- EASEMENT DOCUMENTATION (SEC 144 LAA)

HISPECTOR OF PLANS & SVRYEYS / AUTHORIZED LAND OFFICER APPROVED

ASPECTOR OF PLANS & SURVEYS / AUTHORIZED LAND OFFICER

Department of LAND ADMINISTRATION

DEPOSITED PLAN

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