

**Submission to Parliament
under section 42(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 05/2022

**Submitted by the
Minister for Lands**

on 14 of December 2022

**SUBMISSION TO PARLIAMENT
UNDER SECTIONS 42(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 section 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; or*
- (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 the period of 14 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 14 day of December 2022


**HON. JOHN CAREY MLA
MINISTER FOR LANDS
(or his representative in the Legislative Council)**

EXCISION FROM CLASS 'A' RESERVE 24703 UNDER SECTION 42(4) OF THE *LAND ADMINISTRATION ACT 1997 (LAA)*

Class 'A' Reserve 24703, located on the corner of Moss and Marmion Streets in East Fremantle (Attachment 1), is set aside for the purpose of 'Recreation East Fremantle Oval'. The Reserve is managed by the Town of East Fremantle (Town), with power to lease or licence for any term not exceeding 50 years, subject to the Minister for Lands' consent.

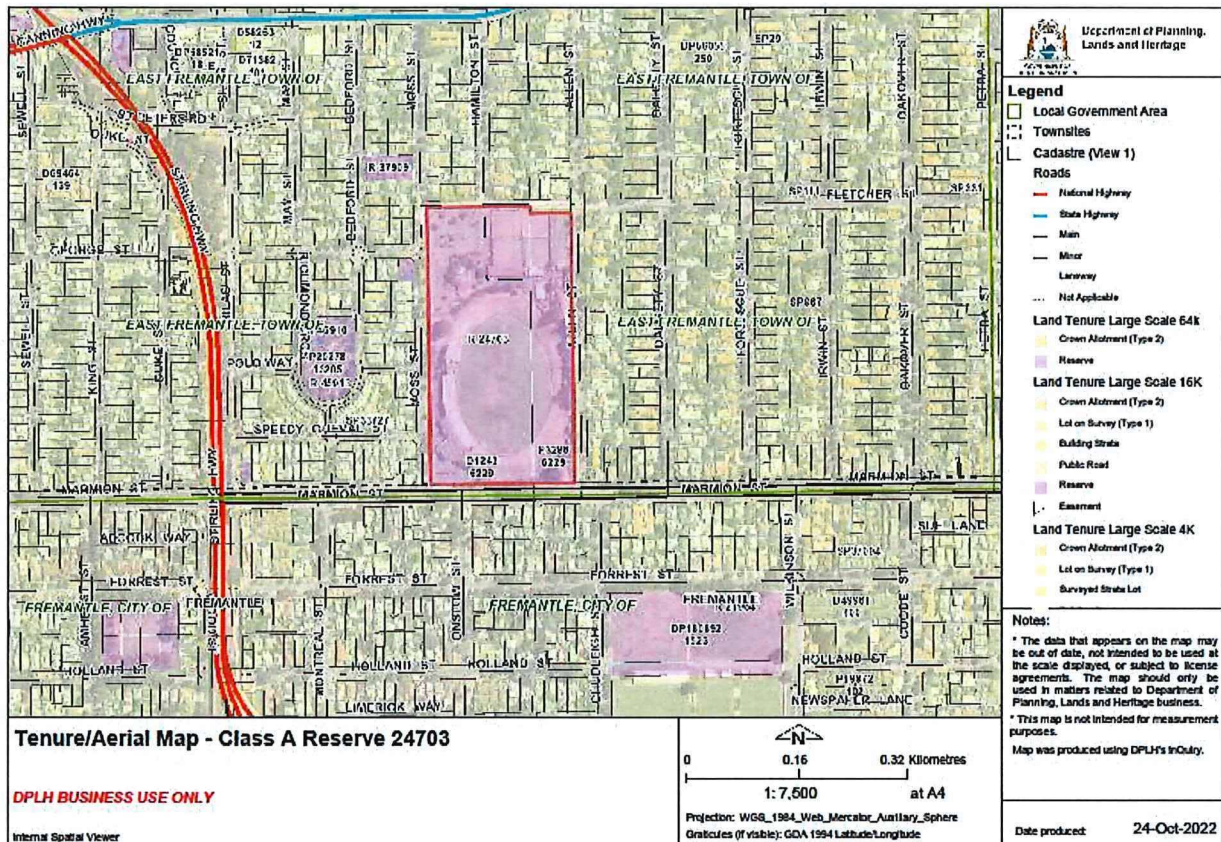
The Town has requested that the purpose of Class 'A' Reserve 24703 is changed to 'Recreation and Community Purpose' to permit a wider range of uses. The proposed amendment will facilitate the \$26 million East Fremantle Oval Precinct redevelopment, which proposes to deliver an integrated community, sport and leisure precinct within the Town, contributing to the overall economic and social benefits of the region

In accordance with section 42(5) of the *Land Administration Act 1997 (LAA)*, the proposal was advertised in *The West Australian* newspaper on 23 September 2022 (Attachment 2). At the conclusion of the designated period for comments, no comments or objections were received.

As Reserve 24703 has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve per section 42(4) of the LAA.

**ELECTORAL DISTRICT OF BICTON
SOUTH METROPOLITAN REGION
TOWN OF EAST FREMANTLE**

Attachment 1





Government of Western Australia
Department of Planning, Lands and Heritage

CLASS "A" RESERVE 24703 – Town of East Fremantle, East Fremantle Oval
LAND ADMINISTRATION ACT 1997 (LAA)

I, the Honourable John Carey MLA, Minister for Lands, give notice pursuant to section 42(5) of the *Land Administration Act 1997 (LAA)*, that it is intended to act in relation to Class "A" Reserve 24703, known as East Fremantle Oval.

The Town of East Fremantle has requested to change the purpose of Class "A" Reserve 24703, being Lot 6229 on Diagram 1243 & Lot 6229 on Plan 3286, to "Recreation & Community Purpose" to permit a wider range of uses for the proposed East Fremantle Oval Precinct redevelopment.

Prior to proceeding with this action, you have the opportunity to provide comments on the proposal within 30 days of the publication of this notice. To enable your comments to be taken into account or to arrange a viewing of the relevant plans, please contact Brandon John by email Brandon.John@dplh.wa.gov.au or the Department of Planning, Lands and Heritage, Locked Bag 2506, Perth WA 6001 or telephone (08) 6552 4470, quoting the following reference numbers:

File No. 00972-1901 Case No. 2101754

HON JOHN CAREY MLA
MINISTER FOR LANDS