

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

PROPOSAL

Submission No: 05/2023

**Submitted by the
Minister for Lands**

on 19TH of July 20 23

**SUBMISSION TO PARLIAMENT
UNDER SECTION 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 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.....^{19th} day of^{July}.....2023

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

EXCISION FROM CLASS 'A' RESERVE 21036 UNDER SECTION 42(4) OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class 'A' Reserve 21036, being Harvey Road Park, is set aside for the purpose of 'Parklands' and managed by the City of Subiaco.

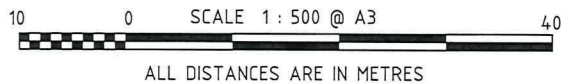
The City is seeking to align land tenure with the Metropolitan Region Scheme by excising a 454 m² portion of the Reserve for dedication as part of the Aberdare Road reserve, as shown on the attached.

In accordance with section 42(5) of the *Land Administration Act 1997* (LAA), the proposal was advertised in *The West Australian* newspaper on 8 February 2023. At the conclusion of the designated period for comments, no comments or objections were received.

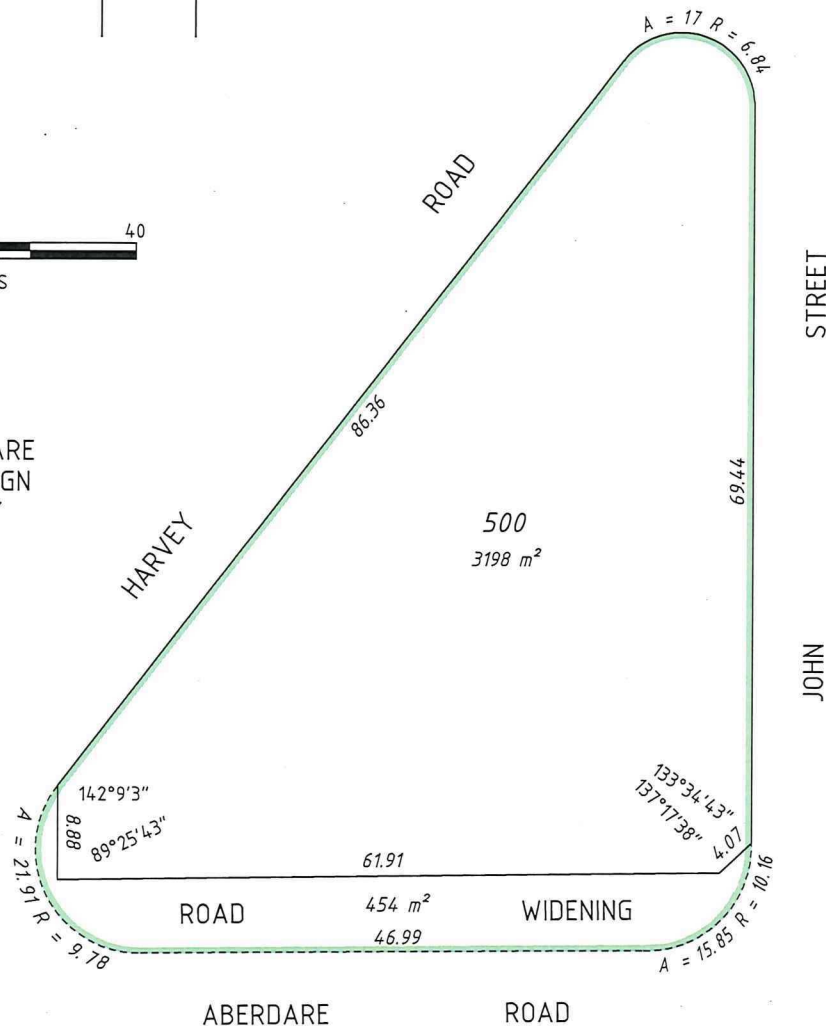
As Reserve 21036 has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve per section 42(4) of the LAA.

**ELECTORAL DISTRICT OF NEDLANDS
NORTH METROPOLITAN REGION
CITY OF SUBIACO**

VERSION	AMENDMENT	AUTHORISED BY	DATE



DIMENSIONS OF ROAD WIDENING ARE
BASED ON CITY OF SUBIACO DESIGN
AND ARE SUBJECT TO SURVEY



HORIZON

SURVEYS

Ph 9387 8226 Mob 0407 08 00 73
Unit 2, 14 Jersey St, Jolimont WA 6014
Our Ref:

TYPE	CROWN	SSA - NO
PURPOSE	SUBDIVISION	
PLAN OF	LOT 500 AND ROAD WIDENING	
FORMER TENURE	LOT 700 ON DP 205114 LR3015/38	
LOCAL AUTHORITY	CITY OF SUBIACO	
LOCALITY	SHENTON PARK	
DoL FILE	09234-1913	
FIELD RECORD		
SURVEYOR'S CERTIFICATE - Reg 54	I, hereby certify that this plan is accurate and is a correct representation of the - (a) survey; and/or (b) calculations from measurements recorded in the field records, (delete if inapplicable) undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.	
LICENSED SURVEYOR	DATE	
LODGED		
DATE	FEE PAID	ASSESS No.
I.S.C.		
EXAMINED	DATE	
WESTERN AUSTRALIAN PLANNING COMMISSION	File	
EXEMPT FROM WAPC APPROVAL		
DELEGATED UNDER S.16 P & D Act 2009	DATE	
SUBJECT TO	IN ORDER FOR DEALINGS	
FOR INSPECTOR OF PLANS AND SURVEYS	DATE	
APPROVED		
INSPECTOR OF PLANS AND SURVEYS	DATE	
<div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div>GOVERNMENT OF WESTERN AUSTRALIA</div></div></div> <div><div></div><div>Landgate</div></div>		

INTERESTS AND NOTIFICATIONS						
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS