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

PROPOSAL

Submission No: 10/2012

Submitted by the Minister for Lands

on ................... of .................................... 20 ............
(day) (month) (year)
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............ day of ................................2012

HON BRENDON GRYLLS MLA
Minister for Lands
(or his representative in the Legislative Council)
CANCELLATION OF CLASS A RESERVE 24331 TO FACILITATE THE REDEVELOPMENT OF THE MANNING COMMUNITY HUB UNDER SECTION 42(4) OF LAND ADMINISTRATION ACT 1997 (LAA)

Class A Reserve 24331 is reserved for the purpose of “Hall Site, Community Health Centre and Recreation Act 11-1978" vested with the City of South Perth (City) with the power to lease.

It is proposed to cancel the reserve and dispose of 6441 square metres shown as Lot 502 at Annexure 1 to the City. The balance of the land depicted as Lot 501 is to be set aside as ‘Community Purposes’ reserve with management in favour of the City.

The proposal will facilitate the redevelopment of the Manning Community Hub (MCH) which has been in decline for many years and been identified by the council as a strategic priority for urban regeneration and redevelopment. The Council’s vision is for the Manning Community Hub to become an attractive, vibrant and sustainable local centre with a mix of new community and commercial development that will also lead to a greater densification in the surrounding vicinity.

Comprehensive community consultation has been undertaken by the City resulting in an overwhelming level of positive support. Letters of support have also been received from local members Hon John McGrath MLA, Hon Lynn MacLaren MLA and Hon Nick Goiran MLC.

The City subsequently considered the request and passed a resolution at its council meeting of 24 May 2012, approving the proposal.

The proposal was published in The West Australian newspaper in accordance with section 42(5) of the LAA on 28 March 2012. At the conclusion of the 30 day period, for comments/objections, no objections were received and submissions received were supportive of the proposal.

As Reserve 24331 has Class A status, it is necessary to obtain the approval of both Houses of Parliament to cancel the reserve.
NOTES
1. True cadastral boundary position is subject to re-establishment survey.
2. Dimensions, areas and offsets are subject to cadastral survey.