Submission to Parliament under Schedule 2 Sections 14(5) and 6 of the Land Administration Act 1997

PROPOSAL

Submission No: 3/2018

Submitted by the
Minister for Lands

on ................... of ................................ 20 ...........
(day) (month) (year)
SUBMISSION TO PARLIAMENT
UNDER SCHEDULE 2 SECTION 14(5) AND (6)
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.

Schedule 2 Section 14(5) and 6 of the Land Administration Act 1997 allows for the treatment of ‘B’ class reserves in the following manner:

14(5) A reserve classified as of class ‘B’ under section 31 of the repealed Act and remaining so classified immediately before the appointed day remains so classified as if the repealed Act had not been repealed until that reserve ceases to be so classified, or is cancelled, in accordance with the repealed Act.

(6) For the purposes of subclause (5), section 31(2) of the repealed Act is to be constructed as if that section –

(a) enabled the Minister to cancel a reserve referred to in that subclause by order made under this Act; and
(b) required the Minister to present a special report under the proviso to that section following that cancellation.

The repealed Act being the Land Act 1933, the special report is to be presented to both Houses of Parliament within 14 days from the cancellation, if Parliament is then in session, and if not, within 14 days after the commencement of the next session.

The proposal set out in this report is accordingly tabled in this House on this 29th day of November 2018

HON RITA SAFFIOTI MLA
MINISTER FOR LANDS
(or her representative in the Legislative Council)
CANCELLATION OF CLASS ‘B’ RESERVE 5659

It is proposed to cancel Class ‘B’ Reserve 5659 to create a new reserve for the purpose of ‘Recreation, Museum, Cultural Community Centre, Carpark and Café’ to facilitate the Claremont Museum Redevelopment.

Reserve 5659 was created and classified as a Class ‘C’ Public Reserve under section 39 of the repealed Land Act 1898 on 21 April 1899. This reserve was initially set aside for the designated purpose of ‘Police’. The classification of this Reserve was later amended to Class ‘B’ under the repealed Permanent Reserves Act 1899 as published in the Government Gazette on 25 May 1900. On 5 October 1973, the Reserve was amended to ‘Civic Purposes and Museum’ with a management order issued in favour of the Town of Claremont, as published in the Government Gazette pursuant to section 33 of the repealed Land Act 1933.

Tabling is required as specified under the provisions of Schedule 2 Section 14(6)(b) of the Land Administration Act 1997.

ELECTORAL DISTRICT OF COTTESLOE
NORTH METROPOLITAN REGION
TOWN OF CLAREMONT