



Hon David Templeman MLA
Minister for Local Government; Heritage; Culture and the Arts

Our Ref: 66-02250

Hon Matthew Swinbourn MLC
Chair – Standing Committee on Environment and Public Affairs
env@parliament.wa.gov.au

Dear Mr Swinbourn

Thank you for your correspondence dated 17 August 2017 requesting my comment on Petition No 002 – Proposal to sell Midland Recreation Ground Reserve.

The petitioner expresses concern about the sale of a land package to a developer without going to public tender.

Section 3.58 of the *Local Government Act 1995* prescribes the requirements that apply where a local government wishes to dispose of property. Such disposal can be by public auction, public tender, or by a process known as 'private treaty'. Such disposal by other than public auction or tender requires a prescribed process that includes public notice of the disposition and for submissions to be considered. The public notice is to include the names of all parties concerned, the consideration to be received and the market value of the land proposed for disposition. In cases where certain land transactions are involved of a commercial nature, the local government is to prepare a business plan which is to be made available to the public, including State-wide public notice.

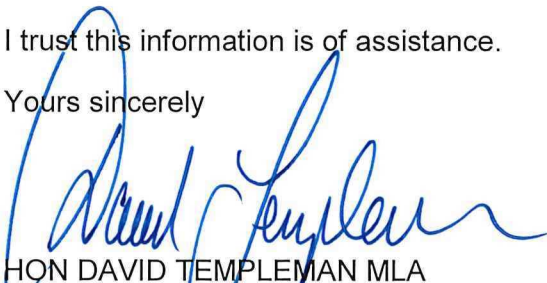
The disposal of land referred to by the petitioner is in relation to Lot 4, The Avenue, Midland – a 4,254m² area of vacant freehold land that is owned by the City of Swan and included in the overall area covered by the Midland Oval Redevelopment Master Plan. I am advised that the Master Plan was approved by resolution of the City of Swan council in November 2015, and that the City had prepared and made available a business plan in August 2015, which included the required information related to the proposed sale of Lot 4 by private treaty.

The Department of Local Government, Sport and Cultural Industries has not been notified of any concerns or complaints related to the City's disposal of Lot 4 by private treaty, as proposed by the City in 2015.

I understand that public consultation related to the Midland Oval Redevelopment Master Plan has been undertaken since 2015, and that various amendments were subsequently made to the Plan prior to its final adoption by the City council on 30 January 2017.

I trust this information is of assistance.

Yours sincerely



HON DAVID TEMPLEMAN MLA
MINISTER FOR LOCAL GOVERNMENT;
HERITAGE; CULTURE AND THE ARTS

7 SEP 2017