

**CLAUSE 17 - RELINQUISH MANAGEMENT OVER PART OF THE KALOOGELGUY RESERVE**

**FILE: A9-17,2475 AOP REFERENCE: 5.2 ATTACHMENT: YES  
(UNDER SEPARATE COVER)**

**AUTHOR: *Director of Planning & Environmental Services, Garry Ryman***

**Purpose**

The purpose of this report is to consider a request from Crown Lands – Far West Area for Council to relinquish management part of Kaloogelguy Reserve (R81797).

**Background**

The reason for the request is that Crown Lands – Far West considers it appropriate for the Department of Planning and Environment to formally manage part of the subject reserve while the Department is actively undertaking an extensive clean-up of asbestos material within the area.

The Department will then have full care, control and management of the specified area of the reserve. A map outlining the area and Lots/DPs that the Department wishes to manage is provided as an attachment to this report.

**Issues**

The project involving the clean-up of asbestos material from part of the reserve is being managed (and funded) by the Department and it is submitted that it is appropriate for Council to hand over management of the land to the Department.

**Legal Situation**

Pursuant to s 377 of the *Local Government Act 1993* the request for Council to relinquish management over part of the Kaloogelguy Reserve is considered to be a surrender of an interest in land by Council and therefore a matter which cannot be delegated to the General Manager.

## **RECOMMENDATION**

- 1. That Council relinquishes its management over part of the Kaloogelguy Reserve R81797, as identified below, in favour of the Department of Planning and Environment.**

<b><u>Lot</u></b>	<b><u>Deposited Plan</u></b>	<b><u>Whole/Part</u></b>
7316	1170625	Part
7305	1170298	Part
211	755649	Whole
217-220	755649	Whole
213-216	755649	Whole
209-212	755649	Whole
205-208	755649	Whole
223-228	755649	Whole
106	755649	Whole
109-111	755649	Whole
119-120	755649	Whole
229-232	755649	Whole
7017	1024190	Whole
98	755649	Whole
303	755649	Whole
100	755649	Whole
7306	1170298	Whole
7318	1170625	Whole
304	755649	Whole
7327	1171075	Whole
295	755649	Whole