

**Submission to Parliament
under sections 45(2)(a), 45(2)(d) & 45(4)
of the Land Administration Act 1997**

PROPOSAL

Submission No: 7/2011

**Submitted by the
Minister for Lands**

**on of 2011.
(day) (month) (year)**

**SUBMISSION TO PARLIAMENT
UNDER SECTIONS 45(2)(A), 45(2)(D) & 45(4)
OF THE LAND ADMINISTRATION ACT 1997**

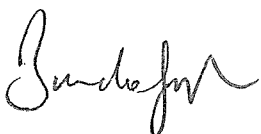
The proposal detailed in this report is required by the above provisions to be laid before each House of Parliament.

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 of2011.



HON BRENDON GRYLLES, MLA
Minister for Lands
(or his representative in the Legislative Council)

REALIGNMENT OF CHESTER PASS ROAD BY AMENDMENT TO CLASS A RESERVE 14792, STIRLING RANGE NATIONAL PARK, UNDER SECTIONS 45(2)(A), 45(2)(D) & 45(4) OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class A Reserve 14792 is set aside for the purpose of "National Park" (the reserve) with management in favour of the National Parks Authority of Western Australia, now the Conservation Commission of Western Australia. A plan showing the situation is at Annexure 1.

On 19 January 2009, the Department of Environment and Conservation approached the former Department for Planning and Infrastructure regarding the inclusion of the redundant portion of Chester Pass Road into the reserve, managed by the Conservation Commission of Western Australia. To formalise the current alignment of Chester Pass Road, it is proposed to excise portion of the reserve to be dedicated for road widening.

To support the reserve amendment and road dedication Deposited Plan 66438 was prepared. The reserve is to be redescribed to include Lots 500 and 501 on Deposited Plan 66438 in lieu of Lot 6956. A copy of Deposited Plan 66438 is at Annexure 2.

In accordance with section 45(5) of the LAA, the proposal was advertised in *The West Australian* newspaper on 10 November 2010. A copy of the advertisement is at Annexure 3. At the conclusion of the period for comments and objections, no submissions had been received. The Member for Wagin and each Member of the Agriculture Region were advised of this proposal and no responses were received.

As the reserve has Class A status, it is necessary to obtain the approval of both Houses of Parliament to the proposed excision of the land from the reserve.

**ELECTORAL DISTRICT OF EYRE
MINING AND PASTORAL REGION
SHIRE OF ESPERANCE**

ANNEXURE 1



R 14792
PLANT LOC
300

R 14792
PLANT LOC
6956

R 14792
PLANT LOC
300

TOOLBRUNUP RD

CHESTER PASS RD

J
J
J
J

Scale : 1:5000 (MGA)
MGA : SW=600888.702,6192261.907 Zone 50 / NE=601895.974,6193575.593 Zone 50
Lat/Long : -34°24'22.185", 118°05'51.769" / -34°23'39.187", 118°06'30.655" H 263mm by W 202mm

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ANNEXURE 2

ANNEXURE 3



Government of Western Australia
Department of Regional Development and Lands

NOTICE OF INTENTION TO CANCEL CLASS "A" RESERVE 23952
Land Administration Act 1997

I, Brendon John Grylls, MLA, Minister for Lands, hereby give notice in accordance with the provisions of Section 42(4)(c) of the *Land Administration Act 1997*, that I intend to cancel Class "A" Reserve 23952, in Medina, which is set apart for "Recreation" and managed by the Town of Kwinana.

The proposal is to cancel Class "A" Reserve 23952, for the purpose of disposing of the land with proceeds to fund the "Revitalisation of the Kwinana Town Centre", which has been approved by Cabinet. Lot M 440 is shown on Deposited Plan 206093 and comprises an area of 5,400 square metres, as shown on the said plan.

You have 30 days to make a submission.

For additional information please contact Neville Watson at the Department of Regional Development and Lands, telephone (08) 9347 5103.

HON BRENDON GRYLLES MLA
MINISTER FOR LANDS

NOTICE OF INTENTION TO EXCISE LAND FROM CLASS "A" RESERVE 23959
Land Administration Act 1997

I, Brendon John Grylls, MLA, Minister for Lands, hereby give notice in accordance with the provisions of Section 42(4)(a) of the *Land Administration Act 1997*, that I intend to amend Class "A" Reserve 23959, in Medina, which is set apart for "Recreation" and managed by the Town of Kwinana.

The proposal is to excise Lot M 1078 from Class "A" Reserve 23959, for the purpose of disposing of the land with proceeds to fund the "Revitalisation of the Kwinana Town Centre", which has been approved by Cabinet. Lot M 1078 is shown on Diagram 80270 and comprises an area of 2,169 square metres, as shown on the said plan. The balance land in the reserve, being Lot M 41 on Deposited Plan 205092, comprising 4,820 square metres, will remain as Class "A" Reserve 23959.

You have 30 days to make a submission.

For additional information please contact Neville Watson at the Department of Regional Development and Lands, telephone (08) 9347 5103.

HON BRENDON GRYLLES MLA
MINISTER FOR LANDS

NOTICE OF INTENTION TO AMEND CLASS A RESERVE 14792
Land Administration Act 1997

I, the Honourable Brendon John Grylls MLA, Minister for Lands, hereby give notice in accordance with the provisions of section 45(5) of the *Land Administration Act 1997*, that I intend to add Crown land and excise land for road dedication in relation to Class A Reserve 14792 "National Park" (reserve), located in the Shire of Gnowangup.

It is proposed to add the portion of redundant Chester Pass Road, shown as Lot 502 on Deposited Plan 65438, into the area of the reserve and to formalise the existing alignment of Chester Pass Road, it is proposed to excise portion of the reserve to be dedicated for road widening, shown as Road Widening on Deposited Plan 65438.

The reserve will be redesignated to comprise Lots 500 and 501 in lieu of Lot 6955, as shown on Deposited Plan 65438. The reserve is to now comprise a total of 1884.9593 hectares.

You have 30 days to make a submission.

For additional information please contact Dean Crothers at the Department of Regional Development and Lands, telephone (08) 9347 5048.

HON BRENDON GRYLLES MLA
MINISTER FOR LANDS

NOTICE OF INTENTION TO TAKE INTERESTS IN LAND TO CONFER INTERESTS UNDER WRITTEN LAW AND TO COMPULSORILY ACQUIRE NATIVE TITLE RIGHTS AND INTERESTS
NATIVE TITLE ACT 1993 (C/T) SECTION 29

I, the Honourable Brendon John Grylls MLA, Minister for Lands HEREBY GIVE NOTICE in accordance with Section 170 of the *Land Administration Act 1997* (LAA) that it is proposed to take those interests in the land described in the Schedule for the purposes specified. AND for and on behalf of the State of Western Australia HEREBY GIVE NOTICE in accordance with Section 29 of the *Native Title Act 1993* (as amended) (NTA), that any native title rights and interests in the land described in the Schedule are to be compulsorily acquired for the purposes specified. It is proposed to grant the estates, interests and rights specified in the Schedule in respect of the land described in the Schedule as authorised by Order(s) issued under Section 165 of the LAA.

SCHEDULE

LAND DESCRIPTION: 1. Part Portion of Lot 19 on Deposited Plan 236153 shown as Lot 578 on Deposited Plan 68605 (Volume 3139 Folio 618 Area: 61,1781 hectares); 2. Part Portion of Lot 19 on Deposited Plan 236153 shown as Lot 579 on Deposited Plan 68605 Volume 3139 Folio 618 Area: 17,6163 hectares **PLAN/DIAGRAM:** Deposited Plans 236153 and 68605 **LAND SITUATED IN:** Shire of Wyndham-East Kimberley **NATURE OF INTERESTS TO BE TAKEN:** All registered and unregistered interests (including any native title rights and interests) in the land under the heading "Land Description" other than interests of the Crown. **PURPOSE OF PROPOSED GRANT FOR WHICH THE LAND IS PROPOSED TO BE DESIGNATED:** Issue of Crown Leases for "Tourism Purposes" and "Workshop and Retail Facilities". **PROPOSED DISPOSITION/GRANT:** To grant Crown Leases for "Tourism Purposes" and "Workshop and Retail Facilities" over Lots 578 and 579 on Deposited Plan 68605, in accordance with Section 79 of the *Land Administration Act 1997*. **REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT:** Land has been identified as suitable for the purposes. **DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED:** 6 March 2011 **RDL FILE:** 00746-2009-01RO **RDL REF:** 032276

PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: RDL, Midland Square, Midland, 6056. **FOR FURTHER INFORMATION CONTACT:** Cody Rampant, Department of Regional Development and Lands, PO Box 630, Kununurra 6743 or by telephoning (08) 9168 0606. **OBJECTIONS IN WRITING MAY BE LODGED:** Persons having or claiming any interests in any parcel of land specified above may, under Section 175 of the LAA, lodge an objection in writing to the proposed taking with the Department of Regional Development and Lands, PO Box 630, Kununurra WA 6743 OR Midland Square, Midland no later than 24 February 2011.

MINISTER'S CONSENT TO TRANSACTIONS AFFECTING, AND IMPROVEMENTS TO, THE LAND: A person may not enter into a transaction in relation to the above land without obtaining the prior consent in writing of the Minister for Lands, except as provided in Section 172(7) of the LAA. Any transaction entered into without prior consent is void in accordance with Section 172(3) of the LAA. An application for consent must be in accordance with Section 172(5) of the LAA. Under Section 173 of the LAA, a person must not cause the building or making of any improvement to the land to be commenced or continued except with the approval in writing of the Minister for Lands. **NATURE OF THE ACT:** In respect of the land described in the Schedule, is the compulsory acquisition of the interests in the land including any native title rights and interests to grant estates, interests, rights, powers or privileges in, over, or in relation to that land under written law for the purpose specified and ancillary and incidental purposes. **NOTIFICATION DAY:** The notification day is 24 November 2010. **NATIVE TITLE PARTIES:** Under Section 30 of the NTA, persons have until 3 months after the notification day to take certain steps to become native title parties in relation to the notice. The 3 month period closes on 24 February 2011. Any person who is or becomes a native title party is entitled to the negotiation and procedural rights provided in Part 2 Division 3 Subdivision P of the NTA. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue Perth or GPO Box 9973 Perth WA 6001 telephone (08) 9269 7272. Dated 4 November 2010.

HON BRENDON GRYLLES
MINISTER FOR LANDS

NOTICE OF INTENTION TO TAKE INTERESTS IN LAND TO CONFER INTERESTS UNDER WRITTEN LAW AND TO COMPULSORILY ACQUIRE NATIVE TITLE RIGHTS AND INTERESTS
NATIVE TITLE ACT 1993 (C/T) SECTION 29

I, the Honourable Brendon John Grylls MLA, Minister for Lands HEREBY GIVE NOTICE in accordance with Section 170 of the *Land Administration Act 1997* (LAA) that it is proposed to take those interests in the land described in the Schedule for the purposes specified. AND for and on behalf of the State of Western Australia HEREBY GIVE NOTICE in accordance with Section 29 of the *Native Title Act 1993* (as amended) (NTA), that any native title rights and interests in the land described in the Schedule are to be compulsorily acquired for the purposes specified. It is proposed to grant the estates, interests and rights specified in the Schedule in respect of the land described in the Schedule as authorised by Order(s) issued under Section 165 of the LAA.

SCHEDULE

LAND DESCRIPTION: Whole Lot 501 on Deposited Plan 43239, being portion of State Forest 22 Volume 0000 Folio 000 Area: 6446 square metres **LAND SITUATED IN:** Shire of Serpentine-Jarrahdale **NATURE OF INTERESTS TO BE TAKEN:** All Registered and unregistered interests (including any native title rights and interests) under the heading "description of Land" other than interests of the Crown **PURPOSE OF PROPOSED GRANT FOR WHICH THE LAND IS PROPOSED TO BE DESIGNATED:** Sole PROPOSED DISPOSITION/GRANT: Freehold **REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT:** Land exchange DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED: 1 June 2010 **DPI FILE:** 00850-1995-01PO **DPI REF:** 950951

PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: RDL, Midland Square, Midland, 6056. **FOR FURTHER INFORMATION CONTACT:** Tom Edwards, Department of Regional Development and Lands, PO Box 1575, Midland 6936 or by telephoning (08) 9347 5057. **OBJECTIONS IN WRITING MAY BE LODGED:** Persons having or claiming any interests in any parcel of land specified above may, under Section 175 of the LAA, lodge an objection in writing to the proposed taking with the Department of Regional Development and Lands, PO Box 1575, Midland 6936 OR

Midland Square, Midland no later than 24 February 2011. **MINISTER'S CONSENT TO TRANSACTIONS AFFECTING, AND IMPROVEMENTS TO, THE LAND:** A person may not enter into a transaction in relation to the above land without obtaining the prior consent in writing of the Minister for Lands, except as provided in Section 172(7) of the LAA. Any transaction entered into without prior consent is void in accordance with Section 172(3) of the LAA. An application for consent must be in accordance with Section 172(5) of the LAA. Under Section 173 of the LAA, a person must not cause the building or making of any improvement to the land to be commenced or continued except with the approval in writing of the Minister for Lands.

NATURE OF THE ACT: In respect of the land described in the Schedule, is the compulsory acquisition of the interests in the land including any native title rights and interests to grant estates, interests, rights, powers or privileges in, over, or in relation to that land under written law for the purpose specified and ancillary and incidental purposes. **NOTIFICATION DAY:** The notification day is 24 November 2010. **NATIVE TITLE PARTIES:** Under Section 30 of the NTA, persons have until 3 months after the notification day to take certain steps to become native title parties in relation to the notice. The 3 month period closes on 24 February 2011. Any person who is or becomes a native title party is entitled to the negotiation and procedural rights provided in Part 2 Division 3 Subdivision P of the NTA. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue Perth or GPO Box 9973 Perth WA 6001 telephone (08) 9269 7272. Dated 19 October 2010.

HON BRENDON GRYLLES MLA
MINISTER FOR LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (c) or (2)(d))

The taking of the land/interests in land in the schedule below has been ordered by the Minister for Lands in accordance with sections 177 and 178 of the *Land Administration Act 1997*. Such order(s) has/have been registered by the Registrar of Titles, with registration number(s) stated in the schedule. Extract(s) of such order(s) follow:

Local Government	Taking Purpose	Land Description	Plan	Registration No of Order	Job Number / Reference
Donnybrook-Balingup (Shire of)	Road, required by the Main Roads WA as the acquiring authority for the purposes of section 161 of the Land Administration Act 1997.	Portion of Lot 3 on Plan 1724 shown as Lot 300 on Deposited Plan 63788 Portion of Lot 4 on Plan 1724 shown as Lot 301 on Deposited Plan 63788	DP 63788	L482493	092133 01853- 1989-02RO

Local Government	Taking Purpose	Land Description	Plan	Registration No of Order	Job Number / Reference
Donnybrook-Balingup (Shire of)	Access, required by the Shire of Donnybrook - Balingup as the acquiring authority for the purposes of section 161 of the Land Administration Act 1997.	Portion of Lot 200 on Deposited Plan 63788 shown as Lot 500 on Deposited Plan 67876 Portion of Lot 201 on Deposited Plan 63788 shown as Lot 501 on Deposited Plan 67876	DP67876	L482495	092133 01853- 1989-02RO

Further details can be obtained from Cherylanne Forrest, Department of Regional Development and Lands, 8th Floor Bunbury Tower, 61 Victoria Street, Bunbury 6230 Telephone (08) 9791 0837. Dated 4 October 2010.

DIRECTOR GENERAL
DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (c) or (2)(d))

The taking of the land/interests in land in the schedule below has been ordered by the Minister for Lands in accordance with sections 177 and 178 of the *Land Administration Act 1997*. Such order has been registered by the Registrar of Titles, with registration number stated in the schedule. Extract of such order follows:

Local Government	Taking Purpose	Land Description	Registration Number of Order	Job Number / Reference
Broomhill-Tambellup (Shire of)	Subdivisional Development including the provision of services such as Water, Power, Sewer, Roads for Residential Purposes.	Lot 150 on Deposited Plan 223140 Lot 152 on Deposited Plan 223140 Lot 167 on Deposited Plan 223140 Lot 158 on Deposited Plan 223140 Lot 159 on Deposited Plan 223140 Lot 160 on Deposited Plan 223140 Lot 164 on Deposited Plan 223140 Lot 165 on Deposited Plan 223140 Lot 166 on Deposited Plan 223140 Lot 167 on Deposited Plan 223140 Lot 169 on Deposited Plan 223140 Lot 254 on Deposited Plan 224165 Lot 259 on Deposited Plan 224165 Lot 260 on Deposited Plan 224165 Lot 270 on Deposited Plan 224165	L469227	071028 01757- 1897-04RO

Further details can be obtained from Janice Leeman, Department of Regional Development and Lands, PO Box 1575 Midland 6936 or Midland Square, Midland Tel (08) 9347 5045. Dated 19 October 2010.

DIRECTOR GENERAL
DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (c) or (2)(d))

The taking of the land/interests in land in the schedule below has been ordered by the Minister for Lands in accordance with sections 177 and 178 of the *Land Administration Act 1997*. Such order(s) has/have been registered by the Registrar of Titles, with registration number(s) stated in the schedule. Extract(s) of such order(s) follow:

Local Government	Taking Purpose	Land Description	Deposited Plan	Registration No of Order	Job Number / Reference
Carnarvon (Shire of)	Lease of land.	Part of Lot 416 on Deposited Plan 239011 shown as Lot 0000 on Deposited Plan 52557	239011 52557	L470375	041476 01619- 2001-05RO

Further details can be obtained from Lily Sutomo, Department of Regional Development and Lands, PO Box 1575 Midland 6936 or Midland Square, Midland Tel (08) 9347 5169. Dated 19 October 2010.

HON BRENDON GRYLLES MLA
MINISTER FOR LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (c) or (2)(d))

The taking of the land/interests in land in the schedule below has been ordered by the Minister for Lands in accordance with sections 177 and 178 of the *Land Administration Act 1997*. Such order(s) has/have been registered by the Registrar of Titles, with registration number(s) stated in the schedule. Extract(s) of such order(s) follow:

Local Government	Taking Purpose	Land Description	Plan	Registration No of Order	Job Number / Reference
Cranbrook (Shire of)	Reservation for the Purpose of "Use and Benefit of the Shire of Cranbrook - Industrial Development".	Lot 278 on Deposited Plan 185431 Lot 279 on Deposited Plan 185431 Lot 284 on Deposited Plan 185431 Lot 285 on Deposited Plan 185431 Lot 286 on Deposited Plan 185431 Lot 313 on Deposited Plan 220988	Deposited Plan 185431 & 220988	L 471432	080979 03750-1881- 02RO

Further details can be obtained from Kim Allison, Department of Regional Development and Lands, PO Box 1575 Midland 6936 or Midland Square, Midland Tel (08) 93475047. Dated 19 October 2010.

DIRECTOR GENERAL
DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

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