

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

PROPOSAL

Submission No: 6/2012

**Submitted by the
Minister for Lands**

on of 2012
(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.

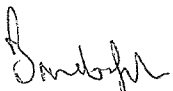
Section 43 of the *Land Administration Act 1997* provides as follows:

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 of2012



**HON BRENDON GRYLLES MLA
MINISTER FOR LANDS
(or his representative in the Legislative Council)**

**AMENDMENT TO CLASS A RESERVE 27575 UNDER SECTION 42(4)(b)
OF LAND ADMINISTRATION ACT 1997 (LAA)**

It is proposed to excise an area from Class 'A' Reserve 27575 to facilitate the widening of Hester Avenue, Neerabup. Reserve 27575 is set aside for the purpose of "National Park" with a Management Order issued in favour of the Conservation Commission since its creation in 1965.

The proposal will allow the City of Wanneroo (City) to upgrade Hester Avenue to provide safer access to Wanneroo Road as part of the Commonwealth Government's Nation Building Program – Black Spot Program. The upgrade work will include the installation of traffic signals, a protected right-turn lane and will require some clearing of native vegetation. There has been a lot of publicity to expedite the widening of Hester Avenue as it is considered to be a dangerous intersection.

The widening of Hester Avenue requires the excision and dedication of portion of Reserve 27575 as shown at Annexure 1 and further identified as Lot 590 on Deposited Plan 69319. The extension will involve the excision of 0.5406 hectares from the reserve which currently comprises 943.5024 hectares. To offset the portion of land excised from the National Park, the Minister for Environment has agreed to the inclusion of 1.7032 hectares of unallocated Crown land described as Lot 600 on Deposited Plan 43171 into Reserve 27575.

The City has advertised the proposed excision within *The West Australian* and sign posted the area, no comments or objections were received from the public. In addition the Department of Regional Development and Lands published the proposal in *The West Australian* newspaper in accordance with section 42(5) of the LAA on 18 January 2012. A copy of the advertisement is shown at Annexure 2. At the conclusion of the period for comments/objections, no submissions were received.

The Member for Mindarie, the Member for Wanneroo and each member from the North Metropolitan Region have been notified of the proposal.

As Reserve 27575 has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to excise a portion for road.

**ELECTORAL DISTRICT OF BUTLER
NORTH METROPOLITAN REGION
CITY OF WANNEROO**

ANNEXURE 1



R 27575
P219820
12903
82.705 ha

UCL
P217813
11533
25.023 ha

P39405
601
2.9344 ha

P39405
602
2.7705 ha

D53227
44
5.6995 ha

D53227
43
5.2229 ha

P8548
27
9.4028 ha

Scale : 1:5892 (Geographical)
MGA : SW=380044.7E,6493954.0N Zone 50 / NE=381188.8E,6495777.6N Zone 50
Lat/Long : 115°44'03.865", -31°41'00.444" / 115°44'48.109", -31°40'01.654" H 263mm by W 198mm

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ANNEXURE 2



Government of Western Australia
Department of Regional Development and Lands

NOTICE OF INTENTION TO AMEND CLASS 'A' RESERVE 43690
Land Administration Act 1997

I, the Hon Brendon John Grylls, M.L.A., Minister for Lands, hereby give notice in accordance with the provisions of Section 45(4) and (5) of the *Land Administration Act 1997*, that I intend to amend Class 'A' Reserve 43690 which is situated in the City of Mandurah.

The reserve is to be amended to exclude land to enable the dedication of the extension of Grandart Court to meet Dampier Avenue Esplanade.

Any comments regarding this proposal should be forwarded to State Land Services, south West, Department of Regional Development and Lands, Post Office Box 1143 West Perth WA 6872 within 30 days from the date of this advertisement.

For additional information please contact Lynda Martin at the Department of Regional Development and Lands, telephone (08) 6552 4619.

HON BRENDON GRYLLOS M.L.A.
MINISTER FOR LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (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
Bruce Rock (Shire of)	Sale to adjoining landowner	Lot 84 on Deposited Plan 54532	L797059	O41652 01239-1934-02RO

Further details can be obtained from Ryan Atison, Acting State Land Officer, State Land Services, Department of Regional Development and Lands, Gordon Stephenson House, 140 William Street, Perth Western Australia 6000 Tel (08) 6552 4654. Dated this 18th January 2012.

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (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
Bruce Rock (Shire of)	Sale of land.	Lot 450 on Deposited Plan 214223 Lot 431 on Deposited Plan 214223 Lot 433 on Deposited Plan 214223 Lot 434 on Deposited Plan 214223 Lot 435 on Deposited Plan 214223 Lot 436 on Deposited Plan 214223 Lot 437 on Deposited Plan 214223 Lot 438 on Deposited Plan 214223 Lot 439 on Deposited Plan 214223 Lot 440 on Deposited Plan 214223	L797062	O81350 O6993-1912-05RO

Further details can be obtained from Ryan Atison, Acting State Land Officer, State Land Services, Department of Regional Development and Lands, Gordon Stephenson House, 140 William Street, Perth Western Australia 6000 Tel (08) 6552 4654.

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (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
Wongan-Ballou (Shire of)	To grant conditional purchase leases.	Lot 11 on Deposited Plan 154340 Lot 12 on Deposited Plan 154340 Lot 28 on Deposited Plan 154340 Lot 30 on Deposited Plan 154340	L797054	O84331 O0571-1851-02RO

Further details can be obtained from Ryan Atison, Acting State Land Officer, State Land Services, Department of Regional Development and Lands, Gordon Stephenson House, 140 William Street, Perth Western Australia 6000 Tel (08) 6552 4654. Dated this 18th January 2012.

HON BRENDON GRYLLOS M.L.A.
MINISTER FOR LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (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	Registration Number of Order	Job Number / Reference
Wanneroo (City of)	For inclusion into adjoining Class 'A' Nesarup National Park Reserve 27575.	Lot 600 on Deposited Plan 43171 Deposited Plan 43171	L826579	100635 02103-1993-10RO

Further details can be obtained from Rebecca Federsen, State Land Officer, State Land Services, Department of Regional Development and Lands, PO Box 1143, West Perth WA 6872 or Gordon Stephenson House, 140 William Street, Perth WA 6000, Telephone (08) 6552 4642.

Dated this 10th day of January 2012

TERRY REDMAN M.L.A.
MINISTER FOR LANDS

File No. 02103-1993

NOTICE OF INTENTION TO AMEND CLASS 'A' RESERVE 27575
Land Administration Act 1997

I, Terry Redman, M.L.A., Minister for Lands, hereby give notice in accordance with the provisions of Section 45(2) and (4) of the *Land Administration Act 1997*, that I intend to amend Class 'A' Reserve 27575 set aside for the purpose of 'National Park', which is situated in the City of Wanneroo.

The reserve is to be amended to exclude 0.5678 hectares of land for Road Widening and include 1.7032 hectares of land to offset the loss of land from the National Park. The area of the Reserve will ultimately be increased from about 943.5024 to about 944.6378 hectares, accordingly.

You have 30 days to make a submission.

For additional information please contact Rebecca Federsen at the Department of Regional Development and Lands, telephone (08) 6552 4642.

TERRY REDMAN M.L.A.
MINISTER FOR LANDS

EXTRACTS OF ORDERS FOR TAKING LAND
LAND ADMINISTRATION ACT 1997
(Section 178(1)(b)(i) and (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
Esperance (Shire of)	Residential	Lot 600 on Deposited Plan 54359 Lot 436 on Deposited Plan 209919 Deposited Plan 54359 & Deposited Plan 20991	L826534	O54603 51039-2005-02RO

Further details can be obtained from Shannon Atord State Land Services, Department of Regional Development and Lands, Level 2 140 William Street Perth 6000, Tel (08) 65524661.

Dated this 12 day of December 2011

MINISTER FOR LANDS
DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

NOTICE OF INTENTION
To Take Interests in Land to Confer Interests under Written Law
LAND ADMINISTRATION ACT 1997
NATIVE TITLE ACT 1993 (NTA)
(Section 24MD (6A) & (6B))

I, the Honourable Brendon John Grylls M.L.A., Minister for Lands HEREBY GIVE NOTICE in accordance with Section 170 of the *Land Administration Act 1997* (LAA) and Section 24MD(6A) of the *Native Title Act 1993* (as amended) (NTA) that it is proposed to take those interests specified in respect of each parcel of land described under each heading of PARCEL OF LAND for the purposes specified in respect of that land.

AND for and on behalf of the State of Western Australia HEREBY GIVE NOTICE in accordance with Section 24MD(6B) of the NTA that any native title rights and interests in respect of each parcel of land described under each heading PARCEL OF LAND are to be compulsorily acquired for the purposes specified in respect of that land.

It is proposed to grant the estates, interests and rights specified below in respect of each parcel of land as authorised by Order(s) issued under Section 165 of the LAA.

SCHEDULE

PARCEL OF LAND 1:
LAND DESCRIPTION: 1. Whole Lot 705 on Deposited Plan 127055 Volume 3052 Folio 931 Area: 1567 square metres; 2. Whole Lot 557 on Deposited Plan 127055 Volume 3105 Folio 42 Area: 1595 square metres
PLAN/DIAGRAM: Deposited Plan 127055
LAND SITUATED IN: Shire of Yagan
NATURE OF INTERESTS TO BE TAKEN: All rights and interests (including any Native Title rights and interests) in the land 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: Sale
PROPOSED DISPOSITION/GRANT: It is proposed to sell Lots 705 and 557 on Deposited Plan 127055 by assignment to the owner of adjoining freehold Lot 705 on Deposited Plan 127055.
REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT: The land adjoins freehold Lot 705 and is deemed suitable.
DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED: 1 March 2012
DPI FILE: 07162-1900-02RO DPI REF: 091625

FOR ALL PARCELS OF LAND:

PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: Department of Regional Development and Lands, Level 2, 140 William Street, Perth WA.

FOR FURTHER INFORMATION CONTACT: Kerrie Bridger, State Land Officer, State Land Services, Department of Regional Development and Lands, PO Box 1143, West Perth WA 6872 or by telephone (08) 6552 4692.

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 1143, West Perth WA 6872 or Level 2, 140 William Street, Perth no later than 18 March 2012.

HON BRENDON GRYLLOS M.L.A.
MINISTER FOR LANDS

Native title parties: Any registered native title claimant or registered native title body corporate may object in accordance with Section 24MD(6B)(c) of the NTA to the doing of the act, within 2 months after the notification, so far as it affects their registered native title rights and interests. The 2 month period closes on 18 March 2012. Under Section 175 of the LAA, an objection in writing is to be lodged with the Department of Regional Development and Lands, PO Box 1143, West Perth WA 6872 or Level 2, 140 William Street, Perth.

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 each parcel of land described, 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.

Dated this 16th day of January 2012.

HON BRENDON GRYLLOS M.L.A.
MINISTER FOR LANDS

File No. 02429-2003/2

NOTICE OF INTENTION TO AMEND CLASS 'A' RESERVE 42473
Land Administration Act 1997

I, Brendon John Grylls, M.L.A., Minister for Lands, hereby give notice in accordance with the provisions of Section 45(4) of the *Land Administration Act 1997*, that I intend to amend Class 'A' Reserve 42473 'National Park' which is situated in the Shire of Manjimup.

The proposal is to exclude 624m² from Reserve 42473 to enable dedication as public road in exchange for 719m² which will be excised from freehold Lot 7489 and included therein, increasing the area to 678.3272 hectares.

You have 30 days to make a submission.

For additional information please contact Cherylene Forrest at the Department of Regional Development and Lands, telephone (08) 9791 0837.