

**Submission to Parliament
under Sections 44(1)
of the *Land Administration Act 1997***

PROPOSAL

Submission No:9/2012

**Submitted by the
Minister for Lands**

on of 2012
(day) (month) (year)

**SUBMISSION TO PARLIAMENT
UNDER SECTIONS 44(1) (a)
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.

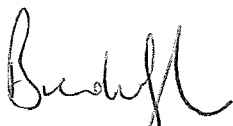
Section 43 of the Land Administration Act 1997 provides as follows:-

43(1) If, after a proposal is laid before each House of Parliament under Sections 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)**

TO FACILITATE THE UNIVERSITY OF WESTERN AUSTRALIA (UWA) (ALBANY CENTRE) PROPOSED EXTENSIONS, TWO EASEMENTS ARE REQUIRED OVER CLASS A RESERVE 19466, PURSUANT TO SECTION 144 OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class A Reserve 19466 is set aside for the purpose of "Parks and Gardens" with a management order in the favour of the City of Albany.

The proposal is to grant two easements over the subject land to facilitate the proposed construction of extensions to UWA's existing science building (located on adjoining Reserve 48532). To meet additional power requirements Western Power is required to install a new transformer site to be located on Reserve 19466 for which an easement is required.

The City's grant of planning consent requires the relocation of an existing overland flood path that extends into Reserve 19466, to formalise tenure for these drainage works an easement is required.

Deposited Plan 73377 has been prepared for the purpose of registering the easements against the reserve land. A copy of Deposited Plan 73377 is at Annexure 1. All other statutory requirements to facilitate the grant and registration of the easements have been complied with.

In accordance with section 44(2) of the LAA, the proposal was advertised in the West Australian newspaper on 8 February 2012. By the end of the thirty (30) day period for receipt of comments from the public, no comments or objections were received. A copy of the advertisement is at Annexure 2.

As Reserve 19466 has Class 'A' status, it is necessary to have the proposal to grant the easements tabled in both Houses of Parliament, under section 44(1)(a) of the LAA.

**ELECTORAL DISTRICT OF ALBANY
SOUTH WEST REGION
CITY OF ALBANY**

PUBLIC NOTICES



Government of Western Australia
Department of Regional Development and Lands

**NOTICE OF INTENTION
TO TAKE INTERESTS IN LAND TO CONFER INTERESTS UNDER WRITTEN LAW
LAND ADMINISTRATION ACT 1997 (WA) SECTION 170
AND TO COMPULSORILY ACQUIRE NATIVE TITLE RIGHTS AND INTERESTS
NATIVE TITLE ACT 1993 (C/T/H) 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

PARCEL OF LAND NO 1: LAND DESCRIPTION: Portion of Lot 586 on Deposited Plan 69550 depicted as part Lot 689 on Deposited Plan 72903 Volume 3116 Folio 488 Area: 88.29 hectares. **PLAN/DIAGRAM:** Deposited Plans 69550 and 72903. **LAND SITUATED IN:** Shire of Carnarvon. **NATURE OF INTERESTS TO BE TAKEN:** All registered and unregistered rights and 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:** Inclusion into adjoining Lease L113983. **PROPOSED DISPOSITION/GRANT:** Inclusion portion of Lot 586 into Special Aquaculture Lease. **REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT:** The Lessee of Gascoyne Localist 387 wishes to expand his Aquaculture facility. **DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED:** 1 March 2012. **RDL FILE:** 02926-1986-0390 **RDL REF:** 100709

PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: RDL, 140 William St, Perth, 6000. **FOR FURTHER INFORMATION CONTACT:** Lily Sutomo, State Lands Mid West, Department of Regional Development and Lands, PO Box 1143, West Perth 6872 or by telephoning (08) 6552 4616. **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 6872 OR 140 William St, Perth no later than 22 May 2012.

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(8) 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 22 February 2012.

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 22 May 2012.

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 this 16th Day of January in the year 2012

HON BRENDON GRYLLS MLA
MINISTER FOR LANDS

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

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) 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 the 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

LAND DESCRIPTION: 1. Whole Lot 28 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 965 square metres; 2. Whole Lot 29 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 3. Whole Lot 30 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 4. Whole Lot 31 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 5. Whole Lot 32 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 6. Whole Lot 33 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 7. Whole Lot 34 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 8. Whole Lot 35 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 971 square metres; 9. Whole Lot 36 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 830 square metres; 10. Whole Lot 37 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 918 Area: 978 square metres; 11. Whole Lot 38 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 862 square metres; 12. Whole Lot 39 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 971 square metres; 13. Whole Lot 40 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 971 square metres; 14. Whole Lot 41 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 971 square metres; 15. Whole Lot 42 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 971 square metres; 16. Whole Lot 43 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 971 square metres; 17. Whole Lot 44 on Deposited Plan 211523, Being Unallocated Crown Land Volume 3006 Folio 920 Area: 965 square metres

LAND SITUATED IN: Shire of Dandaragan

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 the interests of the Crown.

PURPOSE OF PROPOSED GRANT FOR WHICH THE LAND IS PROPOSED TO BE DESIGNATED: Sale

PROPOSED DISPOSITION/GRANT: Fee simple

REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT: Due to the shortage of residential land in the Badgingarra Township, it is proposed to make these lots to Landcorp to enable the development of the land for "Residential Purposes". These lots have been identified as being suitable parcels of land for residential development.

DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED: 21 DecemBer 2012

RDL FILE: 00523-1955-0290 **RDL REF:** 103801

HON BRENDON GRYLLS MLA
MINISTER FOR LANDS

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 6000.

FOR FURTHER INFORMATION CONTACT: Horace Graham, State Land Officer State Land Services, Department of Regional Development and Lands, PO Box 1143 West Perth WA 6872 or by telephoning (08) 6552 4580

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, WA 6000 no later than 08 April 2012.

NATIVE TITLE PARTIES: Any registered native title claimant or registered native title body corporate may object in accordance with Section 24MD(6B)(d) 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 08 April 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, WA 6000.

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(8) 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 30th day of November 2011

HON BRENDON GRYLLS 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 DBNGP Land Access Minister, pursuant to a delegation under section 158(da) and in accordance with sections 177 and 178 of the Land Administration Act 1997. Such an order has been registered by the Registrar of Titles, with the registration number stated in the schedule. An extract of such an order follows:

Taking Purpose: State corridor rights to the DBNGP Land Access Minister under the provisions of the Dampler to Bunbury Pipeline Act 1997.

Local Government	Land Description	Portion of Deposited Plan	Registration Number of Order
Shire of Waroona	Lot 799 on DP135702	38998	L807035

Further details can be obtained from Sandra Sautzer, Infrastructure Corridors, State Land Services, Department of Regional Development and Lands, PO Box 1143, West Perth WA 6872 Tel (08) 65524659. If a copy of the registered order is all that is required, please contact the Customer Services Branch at Landgate on (08) 9273 7333.

HON BRENDON GRYLLS MLA
DBNGP LAND ACCESS MINISTER

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

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) 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 any 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.

LAND DESCRIPTION: Part Lot 47 on Deposited Plan 72899 Volume 0000 Folio 000 Area: 3.015 hectares. **PLAN:** Plan 72899. **LAND SITUATED IN:** Shire of Jerramungup. **NATURE OF INTERESTS TO BE TAKEN:** All registered and unregistered interests (including any native title rights and interests) in the land under the heading "Description of Land" other than the interest of the Crown. **PURPOSE OF PROPOSED GRANT FOR WHICH THE LAND IS PROPOSED TO BE DESIGNATED:** Reservation for "Recreation" purposes. **PROPOSED DISPOSITION/GRANT:** Part Lot 47 on Deposited Plan 72899. **REASON WHY THE LAND IS SUITABLE FOR, OR IS NEEDED FOR, THE PROPOSED GRANT:** Encroachment. **DATE FROM WHICH LAND IS LIKELY TO BE REQUIRED:** 1 May 2012. **DPI FILE:** 01964-1982-0190 **DPI REF:** 091830

FOR ALL PARCELS OF LAND: PLAN OF LAND TO BE TAKEN MAY BE INSPECTED AT: Department of Regional Development and Lands, 140 William Street, Perth WA, 6000.

FOR FURTHER INFORMATION CONTACT: Ben Ravan, Assistant State Land Officer, State Land Services, Department of Regional Development and Lands, PO Box 1143, West Perth WA 6872 or by telephoning (08) 6552 4782.

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 6872 or 140 William St, Perth no later than 10 April 2012.

Native title parties: Any registered native title claimant or registered native title body corporate may object in accordance with Section 24MD(6B)(d) 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 10 April 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 6872 or 140 William St, 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(8) 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 day of 20

HON BRENDON GRYLLS MLA
MINISTER FOR LANDS

**File No. 02155-1994
NOTICE OF INTENTION TO GRANT AN EASEMENT IN RELATION TO CLASS "A" RESERVE 19466
LAND ADMINISTRATION ACT 1997(LAA)**

I, Brendon John Grylls, MLA, Minister for Regional Development and Lands, hereby give notice in accordance with the provisions of Section 44(2) of the Land Administration Act 1997, that I intend to grant 2 easements in relation to Class "A" Reserve 19466 set apart for "Parks and Gardens", which is situated in the City of Albany.

Pursuant to Section 44(1)(a) easements are required for the purposes of a transformer and drainage. Easements are to be granted to Western Power and the City of Albany as surveyed on Deposited Plan 75377.

For additional information please contact Terri Newman at the Department of Regional Development and Lands, telephone (08) 6552 4663

BRENDON GRYLLS MLA
MINISTER FOR REGIONAL DEVELOPMENT AND LANDS