

**Submission to Parliament
under Sections 42(3) (a) & 45(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 05/2012

**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 of 2012



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

EXCISION FROM CLASS 'A' RESERVE 42473 UNDER SECTIONS 45(4) AND 42(3) (a) OF THE LAND ADMINISTRATION ACT 1997

Class 'A' Reserve 42473 located in Pemberton is set aside for the purpose of 'National Park' and vested in the Conservation Commission of Western Australia pursuant to section 7 of the *Conservation and Land Management Act 1984*.

It is proposed to:

1. excise from Reserve 42473 the portion shown shaded red on Annexure 1; and
2. include into Reserve 42473 the land shown shaded blue on Annexure 1.

The land in 1 will be dedicated as public road to facilitate the future subdivision of land in adjoining Lots 11286 and 7489. In exchange for that outcome the landowners have agreed to transfer to the State the land in 2. The exchange has been negotiated specifically so that the subdivision of the freehold land meets Western Australian Planning Commission guidelines for Planning for Bushfire Protection.

Annexure 2 shows the excision land in relationship to surrounding properties.

The proposal was published in The West Australian newspaper in accordance with section 45(5) of the *Land Administration Act 1997* (LAA) on 18 January 2012. There were no submissions received during the required thirty day advertising period. The Shire of Manjimup and the Department of Environment and Conservation support the excision. Under section 45(2) of the LAA the Minister for Environment has consented to the proposed excision.

As Reserve 42473 has Class 'A' status, the proposal is tabled under sections 42(3) (a) and 45(4) of the LAA.

**ELECTORAL DISTRICT OF BLACKWOOD-STIRLING
SOUTH WEST REGION
SHIRE OF MANJIMUP**

ANNEXURE 1

ANNEXURE 2

