

**Submission to Parliament
under Section 45(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 7/2015

**Submitted by the
Minister for Lands**

on 10 of December 20 15....
(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...^{10th} day of December 2015



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS (or his representative in the Legislative Council)

**PROPOSAL TO GRANT AN EASEMENT OVER PORTION OF
CLASS A RESERVE 31444 UNDER SECTION 44(1) OF THE
LAND ADMINISTRATION ACT 1997 (LAA)**

Class A Reserve 31444 "Conservation of Flora and Fauna", is managed by the Conservation Commission of Western Australia.

In 2009, the Department of Water initiated a move to formalise access by plantation owners from their properties to bores in the bed of the Gascoyne River. Where the water pipelines cross Crown land, easements have been granted. One of these pipelines crosses a portion of Class A Reserve 31444 at an area known as Chinaman Pool. A plan showing the route of the pipeline and proposed easement to be granted pursuant to section 144 of the LAA, is at Annexure 1.

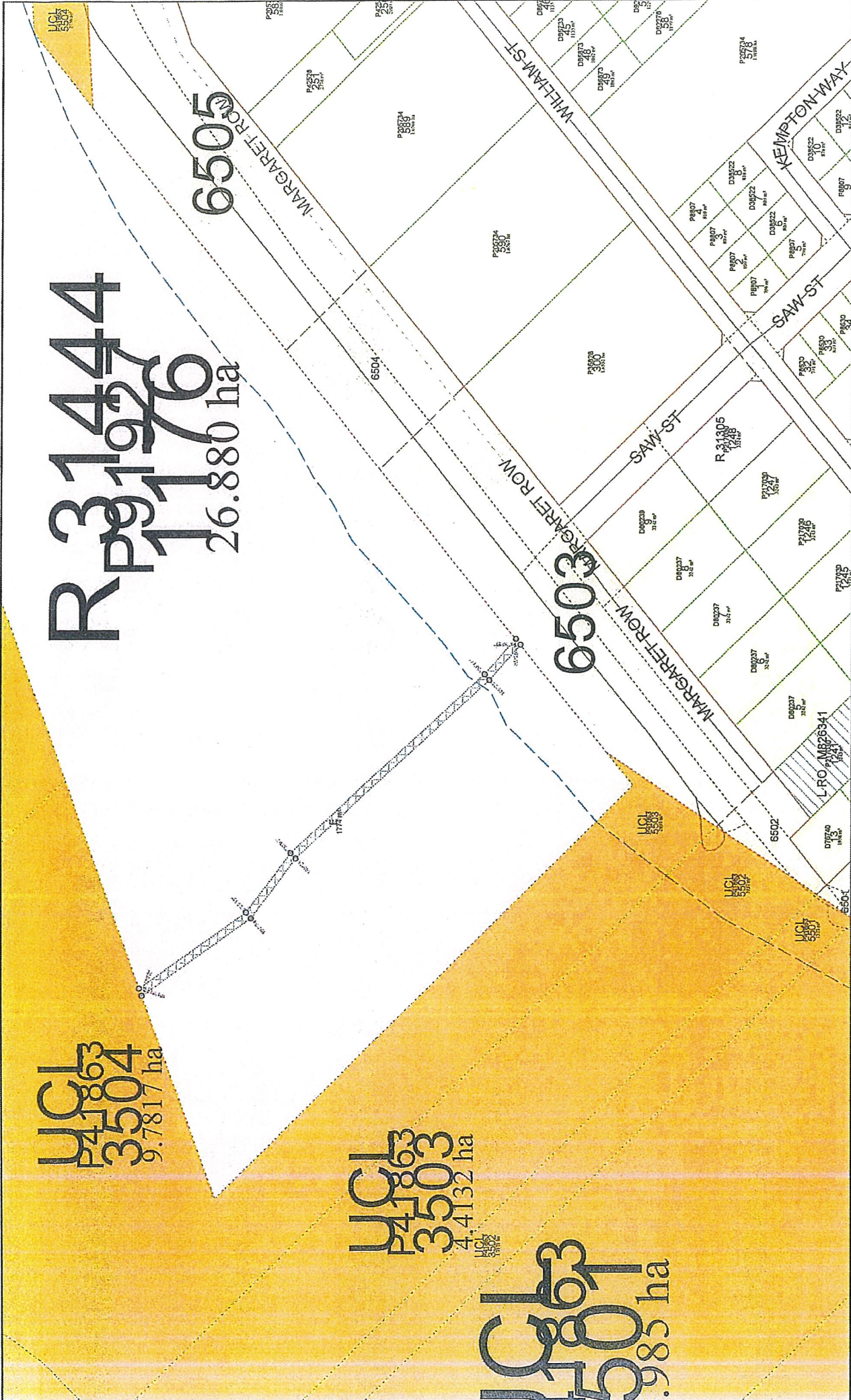
The Conservation Commission of Western Australia has no objections to the grant of the proposed easement (Annexure 2).

The water pipeline has been in use for many years and the grant of the proposed easement will formalise the occupation of portion of Class A Reserve 31444.

In accordance with section 44(2) of the LAA, the proposal was advertised in The West Australian newspaper on 15 June 2015. At the conclusion of the 30 day period for comments, no objections or submissions had been received. A copy of the approved advertisement is at Annexure 3.

**ELECTORAL DISTRICT OF NORTH WEST CENTRAL
MINING AND PASTORAL REGION
SHIRE OF CARNARVON**

ANNEXURE 1



Scale : 1:3169 (Geographical)
MGA : SW=769483.4E, 7247358.4N Zone 49 / NE=770410.1E, 7247951.7N Zone 49
Lat/Long : 113°40'01.222", -24°51'54.115" / 113°40'33.795", -24°51'34.258" H 176mm by W 288mm

Printed : 12:00 Tue 29/Sep/2015
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ANNEXURE 2



Government of Western Australia
Department of Environment and Conservation

Your ref:
Our ref: CRN2001F056V01
Enquiries: Steve Toole
Phone: 08 9941 3754
Fax: 08 9941 1801
Email: stephen.toole@dec.wa.gov.au

Mr Ross McKernan
PO BOX 108
Carnarvon
WA 6701

Dear Ross

Agreement for access through Chinamans Pool Nature Reserve - 31444

Further to your discussion with Operations Manager Steve Toole relating to concerns about ongoing access through Chinamans Pool Nature Reserve (31444) for the purpose of maintaining pipeline infrastructure that services your plantation located at Lot 309 William Street, East Carnarvon.

This letter outlines the background and conditions under which the Department of Environment and Conservation (DEC) is prepared to allow you continued access.

The Reserve comprises of 26.9ha and is vested as an A class nature reserve with the Conservation Commission of Western Australia. It is managed by the DEC for conservation of flora and fauna.

The DEC understands that the plantation, located at the above address, is owned by you and was in operation prior to the Reserve being vested. Also that in 2002 permission was granted by DEC (previously the Department of Conservation and Land Management) to you to bury a pipeline and electrical cable allowing water to be drawn from the adjoining Gascoyne River in order to service your plantation. Our records indicate that this original proposal was supported by the Shire of Carnarvon and Ghull Working Group.

Continued access through the Reserve for maintenance of the existing pipeline and electrical cable is granted subject to you agreeing, in writing, to the following conditions:

1. All work is to be restricted to the current alignment and area of disturbance as identified on the attached plan (Attachment A) and is approximately 330m long x 15m wide.
2. Adjoining native vegetation is not to be damaged or disturbed in any way.
3. Measures are to be taken in order to mitigate soil erosion along the alignment.
4. Area is to be kept free of rubbish.
5. Standard of maintenance work must comply with relevant statutory regulations.

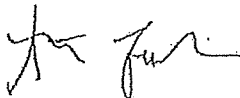
Any breach of the above conditions will result in cancellation of the agreement.

Carnarvon Local Office
63 Olivia Tee Carnarvon Western Australia 6701
Phone (08) 9941 3754 Fax (08) 9941 1801
Postal Address: PO Box 600 Carnarvon Western Australia 6701

This agreement is not transferable to future owners of your property. It is advisable that potential owners contact a DEC officer at either Carmarvon or Geraldton for advice about this matter.

The DEC is to be indemnified against any claims that may arise out of your use of the pipeline.
If you agree to these conditions please provide written confirmation and forward to the DEC,
PO Box 500, Carmarvon, 6701.

Yours sincerely



for David Rose
District Manager
Geraldton District

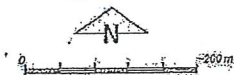
8 July 2011

Cadastro - DLI

- ☐ Fecund
- ☐ Crown Reserve
- ☐ State Forest / Timber Reserve
- ☐ Indig Park
- ☐ Crownless (cont)

- ☐ Lease/Renters
- ☐ Lease on State Forest / Timber Renter
- ☐ Public Roads
- ☐ Unallocated Crown Land
- ☐ Yeller
- ☒ Local Government Authorities - PL

Will Groundwater Sites,
Other - non DoW

DWAID Groundwater
Subarea - DOW

Scale 1:7607

(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: budonk
Prepared for:
Date: 8/30/2011 12:56:42 PM

Information derived from this map should be confirmed with the data listed as acknowledged by the agency acronym in the legend.



Government of Western Australia
Department of Water

Y/A Origin Copy 12/22

*Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.

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Public Notices

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Dining
out this
weekend?

GOVERNMENT OF Western Australia
Department of Environment Regulation

NOTIFICATION OF APPLICATIONS RECEIVED FOR CLEARING PERMITS AND AVOIDANCE
MEASURES FOR PUBLIC SLAMMING AND CHARGES FOR THE USE OF INTEREST

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RELAXATION: ANTI-
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FALLS AND STRETCHES
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THE OFFICE TO A
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West of Western Australia
13-22-84

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Department of Western Australia

ALL DONATIONS RECEIVED FOR THE NATIONAL LIBRARY AND ARCHIVES WILL BE FOR THE PRESIDENT JOHN F. KENNEDY LIBRARY AND ARCHIVES.

INTERVIEW

of Seattle's recent residents from Fort Ransom (1890-1917) by Prof. Lloyd Fredlund, Spokane, Wash.

1. *How many times have you been in a fight with a friend or family member in the last 12 months?*
 2. *How many times have you been in a fight with a friend or family member in the last 6 months?*
 3. *How many times have you been in a fight with a friend or family member in the last 3 months?*
 4. *How many times have you been in a fight with a friend or family member in the last 1 month?*
 5. *How many times have you been in a fight with a friend or family member in the last 2 weeks?*
 6. *How many times have you been in a fight with a friend or family member in the last 1 week?*
 7. *How many times have you been in a fight with a friend or family member in the last 3 days?*
 8. *How many times have you been in a fight with a friend or family member in the last 24 hours?*

WORK AFTER 1942. LICENSE AND NOTICE ISSUED, FEELING REMOVED OR
BLINDING AND AVAILABLE FOR CUBIC AREA.