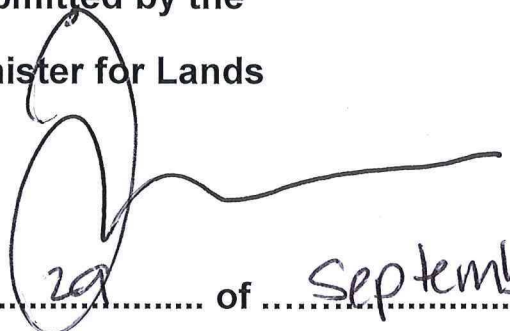


**Submission to Parliament
under section 45(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 04/2022

Submitted by the
Minister for Lands


on of 2022

**SUBMISSION TO PARLIAMENT
UNDER SECTION 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 29 day of September 2022


HON JOHN CAREY MLA
MINISTER FOR LANDS
(or his representative in the Legislative Council)

EXCISION FROM CLASS A RESERVE 23043 UNDER SECTION 45(4) OF THE LAND ADMINISTRATION ACT 1997

Class A Reserve 23043 is set aside for the purpose of 'Preservation, Recreation and Parkland' and is managed by the Shire of Esperance.

It is proposed to amend the purpose of this reserve to 'Preservation, Recreation, Parkland and Pet Cemetery' and to excise a 2,680 square metre portion to widen South Coast Highway and the northern portion of Telegraph Rd, shown on Deposited Plan 411491 (Attachment 1).

In accordance with section 45(5) of the *Land Administration Act 1997* (LAA), the proposal was advertised in *The West Australian* newspaper on 14 October 2021 (Attachment 2). At the conclusion of the designated period for comments, no comments or objections were received.

As Reserve 23043 has Class A status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve as pursuant to section 45(4) of the Act.

**ELECTORAL DISTRICT OF MOORE
AGRICULTURAL REGION
SHIRE OF VICTORIA PLAINS**

Attachment 1

Deposited Plan 411491

LANDGATE USE ONLY. COPY OF ORIGINAL. NOT TO SCALE

Retrieved: 8/07/2022 8:46 AM Page: 1

VER.	AMENDMENT	AUTHORISED BY	DATE

ESPERANCE SURVEYS
PO BOX 855
ESPERANCE WA 6450
PH/FAX (08) 90 715551
EMAIL g.thomas@esperancesurveys.com.au

SCALE: 1:5000 @ A2
ALL DISTANCES ARE IN METRES

LOT	FORMER TENURE	ON PLAN/TA	TITLE
752 & 754	LOT 704	DP 230269	LR 31457942
752 & 755	LOT 1543	DP 172236	LR 31457943

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS

TYPE	CROWN	S.S.A. NO.
PURPOSE	SUBDIVISION	
PLAN OF LOTS 754 AND 755 AND ROAD WIDENINGS (LOTS 752 AND 753)		
FORMER TENURE:	SEE TABLE	
LOCAL AUTHORITY:	SHIRE OF ESPERANCE	
LOCALITY:	MONJUNGUP	
D.O.L. FILE	00114-1950	
FIELD RECORD	FR 181114	
SURVEYOR'S CERTIFICATE - REG 54 I, Gregory William Thomas, hereby certify that this plan is accurate and is a correct representation of the: (a) survey; and/or (b) calculations from measurements recorded in the field records of this survey. I undertake for the purposes of this plan and that it complies with the relevant section 12(1) in relation to which it is lodged. Greg Thomas 2019.07.29 15:23:33 +0800		
LICENSED SURVEYOR	DATE	
LODGED		
DATE	FEE PAID	ASSESS No.
I.S.C.		
SG	EXAMINED	22 Aug-19 DATE
WESTERN AUSTRALIAN PLANNING COMMISSION		
FILE		
EXEMPT FROM WAPC APPROVAL		
Delegated under s 116 PWD Act 2015 DATE		
IN ORDER FOR DEALINGS		
SUBJECT TO		
FOR INSPECTION OF PLANS AND SURVEYS DATE		
APPROVED		
INSPECTOR OF PLANS AND SURVEYS DATE		
G. H. Licensed Surveyors Act 1999		
DEPOSITED PLAN 411491 SHEET 1 OF 1 SHEETS VERSION 1		

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Retrieved: 8/07/2022 8:46 AM Page: 2

FOR HEADING SEE SHEET 1
FOR INTERESTS AND NOTIFICATIONS SEE SHEET 1

ESPERANCE SURVEYS
PO BOX 855
ESPERANCE WA 6450
PH/FAX (08) 90 715551
EMAIL g.thomas@esperancesurveys.com.au

SCALE: 1:1000 @ A2
ALL DISTANCES ARE IN METRES

Held by LANDGATE in DIGITAL FORMAT ONLY

Greg Thomas 2019.07.29 15:24:05 +0800 LICENSED SURVEYOR DATE
DEPOSITED PLAN 411491 SHEET 2 OF 2 SHEETS VERSION 1

THURSDAY, OCTOBER 14, 2021 51

PUBLIC NOTICES



Government of Western Australia
Department of Planning, Lands and Heritage

CLASS "A" RESERVE 23043 – WITHIN THE SHIRE OF ESPERANCE LAND ADMINISTRATION ACT 1997 (LAA)

I, the Honourable Dr Antonio De Paulo Buti MLA, Minister for Lands, give notice pursuant to section 42(5) of the *Land Administration Act 1997*, that it is intended to act in relation to Class "A" Reserve 23043.

It is proposed to change the purpose of Reserve 23043 to "Preservation, Recreation, Parkland and Pet Cemetery" and to excise less than a 0.5 hectare portion, being 0.268 hectares for dedication of Telegraph Road.

Reserve 23043 is located 8 kilometres north west from Esperance town centre, being Lot 704 on Plan 230209, Lot 1943 on Plan 175235 and Lot 2065 on Plan 217961.

Prior to proceeding with this action, you have the opportunity to provide comments on the proposal within 30 days of the publication of this notice. To enable your comments to be taken into account or to arrange a viewing of the relevant plans, please contact Kieran Panizza by email on kieran.panizza@dph.wa.gov.au or the Department of Planning, Lands and Heritage, Locked Bag 2506 Perth WA 6001 or telephone (08) 6552 4429, quoting the following reference numbers:

File No. 00114-1950

Case No. 182198 and 2001152

MINISTER FOR LANDS

DPLH_4781