

Western Australia

## **Burrup Peninsula (Crown Land) Bill 2002**

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Western Australia

LEGISLATIVE COUNCIL

*(Hon Robin Chapple)*

**Burrup Peninsula (Crown Land) Bill 2002**

**A Bill for**

**An Act to make certain proposals for the use of Crown land on the Burrup Peninsula subject to the consent of both Houses of Parliament.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Burrup Peninsula (Crown Land) Act 2002*.

**2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**3. Definitions**

5 In this Act —

“**Burrup Peninsula**” is all land located within latitude 20°31’ - 21°41’ and longitude 116°44’ - 116°52’;

“**Crown land**” has the meaning it is given in section 3 of the *Land Administration Act 1997*;

10 “**land**” has the meaning it is given in section 3 of the *Land Administration Act 1997*;

“**Minister**” is the minister of the Crown in whom the administration of the *Land Administration Act 1997* is vested by the Governor;

15 “**proposal**” is a fully detailed and costed project to establish, maintain and operate, on land subject to this Act, any plant or equipment solely or primarily intended for use in producing, processing, storing or treating petro-chemicals including any derivative;

20 **4. Application and exception**

This Act applies to all Crown land within the Burrup Peninsula other than Crown land on which, when this Act comes into operation, there exists plant and equipment whose use, or intended use when commissioned, would require approval as a proposal.

**5. Proposals contingent on parliamentary approval**

(1) The Minister is to cause a proposal, a statement describing the rights, title, or interest that the Minister intends to grant or create in or over the relevant land and a copy of the instruments necessary for that purpose, and any agreement described in

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subsection (2), to be laid before each House of Parliament within 6 sitting days of each House after the day on which the Minister gave formal notice to the proponents of that intent.

- 5 (2) Subsection (1) also applies to any agreement imposing or creating an obligation or liability on the State Government with respect to the proposal.
- 10 (3) An instrument described in subsection (1) has effect, and a proposal may be implemented, if each House passes a resolution in the same session approving the proposal. If the question expressing approval of the proposal passes either House in the negative, the proposal lapses but may be re-submitted, with or without amendment, in accordance with the rules and orders of that House.
- 15 (4) Where a question under subsection (3) is unresolved in either House when Parliament is prorogued the proposal lapses but may be re-submitted in a subsequent session.

**6. Proposals not severable**

20 Without limiting any amendment or substitution permitted under the rules and orders of a House, a proposal must be approved in the form in which it was laid and cannot be severed so that part only is approved or approval is given subject to conditions imposed by a House.

