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

PROPOSAL

Submission No: 11/2012

Submitted by the Minister for Lands

on .................. of .................................. 20 ...........

(day) (month) (year)
SUBMISSION TO PARLIAMENT
UNDER SECTIONS 44(1)
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) 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 GRYLLS MLA
MINISTER FOR LANDS
(or his representative in the Legislative Council)
EXCISION FROM CLASS A RESERVE 24913, PROPOSED AMENDMENT OF ROUTE FOR PREVIOUSLY APPROVED POWER AND ACCESS EASEMENTS, PURSUANT TO SECTION 144 OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class A Reserve 24913 is set aside for the purpose of “Parklands and Recreation” with a management order in favour of the Shire of Denmark.

Parliament previously approved power and access easement routes to service the proposed Denmark Windfarm on Wilson Headland near Denmark, described on Deposited Plan 66809 version 1, (refer to Annexure 1). Western Power (WP) and Denmark Community Windfarm Ltd (DCW) have requested approval of more suitable easement routes.

Due to access difficulties for machinery and equipment, WP and DCW have requested amended easement routes as shown on the new version of Deposited Plan 66809 (Annexure 2). The 1 metre power easement will be within the 20 metre access easement.

In accordance with section 42(5) of the LAA, the proposal to amend the easement routes was advertised in the West Australian on 23 May 2012. At the conclusion 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 3.

As Reserve 24913 has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the WP access easements, under section 44(1)(a) of the LAA.

ELECTORAL DISTRICT OF BLACKWOOD-STIRLING
SOUTH WEST REGION
SHIRE OF DENMARK
PROPOSED EXCISION FROM A CLASS RESERVE 24913 AND EASEMENTS

LOCALITY: OCEAN BEACH

PROPOSED WINDFARM LEASE
52.7860ha

LOCALITY INSET

Pt Walton

PROPOSED 5 METRE WIDE UNDERGROUND POWER EASEMENT
2890m²

LOCALITY INSET

Pt Walton

PROPOSED 20 METRE WIDE ACCESS EASEMENT
1.914 ha

LOCALITY INSET

Pt Walton

PROPOSED 5 METRE WIDE UNDERGROUND POWER EASEMENT
2890m²

LOCALITY INSET

Pt Walton

Type: CROWN
Purpose: STATUTORY

Plan of

Subject to survey
Not for alienation purposes

Landgate - Carbanning Date 10-02-2010

Survey Firm

NOT TO SCALE

All Distances are in Metres

All Distances are in Metres

Scale 1:5000

Subject to Survey
Not for Alienation Purposes

LOADED

DATE

10/02/2010

N/A

ASSESS No.

N/A

LEGAL COMPONENT

CERTIFIED CORRECT

Manager - W. Appleby

Deposited Plan

66809

Sheet 1 of 1 Version 1
ANNEXURE 3
NOTICE OF INTENTION TO AMEND CLASS A RESERVE 24953

ADELAIDE, 18 July 2012

The Honorable John Grylls MLA, Minister for Lands hereby gives notice in accordance with Section 2(1) of the Land Administration Act 1997 (LAA) that it is intended to cancel the following Notice(s) of Intention.


The reserve is to be amended to include Lot 1464 as surveyed on Deposited Plan 160119, its area being recalculated and increased from 2.8834 hectares to 3.2198 hectares, accordingly.

Dated this 17th day of April 2012

I, the Honourable Brandon John Grylls MLA, Minister for Lands HEREBY GIVE NOTICE in accordance with Section 170 of the Land Administration Act 1997 (LAA), that an application has been received by the Minister for Lands for planning purposes in terms of Section 129A(3) of the LAA. The application is intended to include Lot 1464 on Deposited Plan 160119 and is scheduled for consideration by the Minister for Lands within six months of the date of giving the notice.

The easement routes are shown on version 4 of Deposited Plan 66809.

Shire of Denmark by amending the previously advertised lobations of the proposed access easement and underground power easement.

Increase the area from 340.1238 hectares to 360.8313 hectares with the addition of land contained in Lot 101 on Deposited Plan 28362 in accordance with Section 45(5) of the LAA.

Notice of Amendment to Deposited Plan 66809

The easement routes are shown on version 4 of Deposited Plan 66809.

Dated this 17th day of April 2012

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