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

PROPOSAL

Submission No: 6/2016

Submitted by the
Minister for Lands

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

HON TERRY REDMAN MLA
MINISTER FOR LANDS
EXCISION OF LAND FROM CLASS ‘A’ RESERVE 18735 UNDER SECTION 45(4) OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class A Reserve 18735 is set aside for “Water and Conservation of Flora and Fauna” purposes and is the subject a Management Order in favour of the Department of Water (DoW). It is proposed to excise a 4.6484ha portion of Graham Rock Road that currently traverses Class A Reserve 18735 to be dedicated as public road. That portion of Class A Reserve 18735 to be dedicated is identified as Lot 3174 on Deposited Plan 32316 (Annexure 1).

DoW has advised that Class A Reserve 18735 is surplus to requirements and subsequently, the Department of Parks and Wildlife (DPaW) was offered management of the land. DPaW declined and recommended that Reserve 18735 be managed by the Shire of Kondinin (Shire) for ‘Landscape Protection’. The Shire has accepted management of Reserve 18735 for “Landscape Protection” purposes.

Additionally, adjoining “Recreation” Reserve 21430 managed by the Shire was inspected and found to be covered in natural bushland of conservation value. The Shire has requested that the whole of Reserve 21430 (12.138ha) is cancelled and amalgamated into Reserve 18735. A Smartplan and an aerial map of the subject land are attached (Annexure 2).

In accordance with section 42(5) of the LAA, the proposal was advertised in The West Australian newspaper on 3 August 2016. At the conclusion of the thirty day notification period, no objections and/or enquiries were received.

As Reserve 18735 has a Class ‘A’ status, it is necessary to obtain the approval of both Houses of Parliament to the proposed excision from the Reserve.

ELECTORAL DISTRICT OF CENTRAL WHEATBELT
AGRICULTURAL REGION
SHIRE OF KONDININ
EDNER AMENDMENT BY SIGNATURE DATE APPROVED

Authorized Land Moor Data

TYPE CROWN
PURPOSE SUBDIVISION

PLAN OF ---""""---

LOT 3173 & ROAD (LOT 3174)

DISTRICT ROE DOLA FILE 1056935 & 4702924
TOWNSITE
LOCAL AUTHORITY SHIRE OF KONDININ
LOCALITY
FORMER TENURE N.

ROE LOC 821
INDEX LAKE O'CONNOR 923

SCALE:
ALL DISTANCES ARE IN METRES

SUBJECT TO SURVEY
NOT FOR ALIENATION PURPOSES

LODED DATE 8.6.92
TYPE OF VALIDATION PLAN AWER

SURVEY FIRM DOLA - AS GREEN - 7/6/2002
LEGAL COMPONENT

IN ORDER FOR DEALINGS

DEPOSITED PLAN
FOR AUTHORIZED LAND OFFICER DATE
APPROVED

AUTHORIZED LAND OFFICER DATE

DEPARTMENT OF LAND ADMINISTRATION

32316

SHEET 1 OF 1
EDITION 1 VERSION 1
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