

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

PROPOSAL

Submission No: 05/2022

**Submitted by the
Minister for Lands**

on 25 of February 2022

**SUBMISSION TO PARLIAMENT
UNDER SECTIONS 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...²⁵..... day of^{February}.....2022

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

EXCISION FROM CLASS 'A' RESERVE 47884 UNDER 45(4) OF THE LAND ADMINISTRATION ACT 1997 (LAA)

Class 'A' Reserve 47884 (Midgegooroo National Park), is set aside for the purpose of 'National Park' and managed by the Department of Biodiversity, Conservation and Attractions (DBCA).


DBCA and the Water Corporation have requested for an excision from Class 'A' Reserve 47884. This request is part of a wider proposal to rationalise the tenure of the existing Canning Dam Road and McNess Drive. Once excised, the land will formally be dedicated as road under the care, control and management of the City of Armadale.

In accordance with 45(5) of the *Land Administration Act 1997* (Act), the proposal was advertised in *The West Australian* newspaper on 7 June 2021. At the conclusion of the designated period for comments, no comments or objections were received.

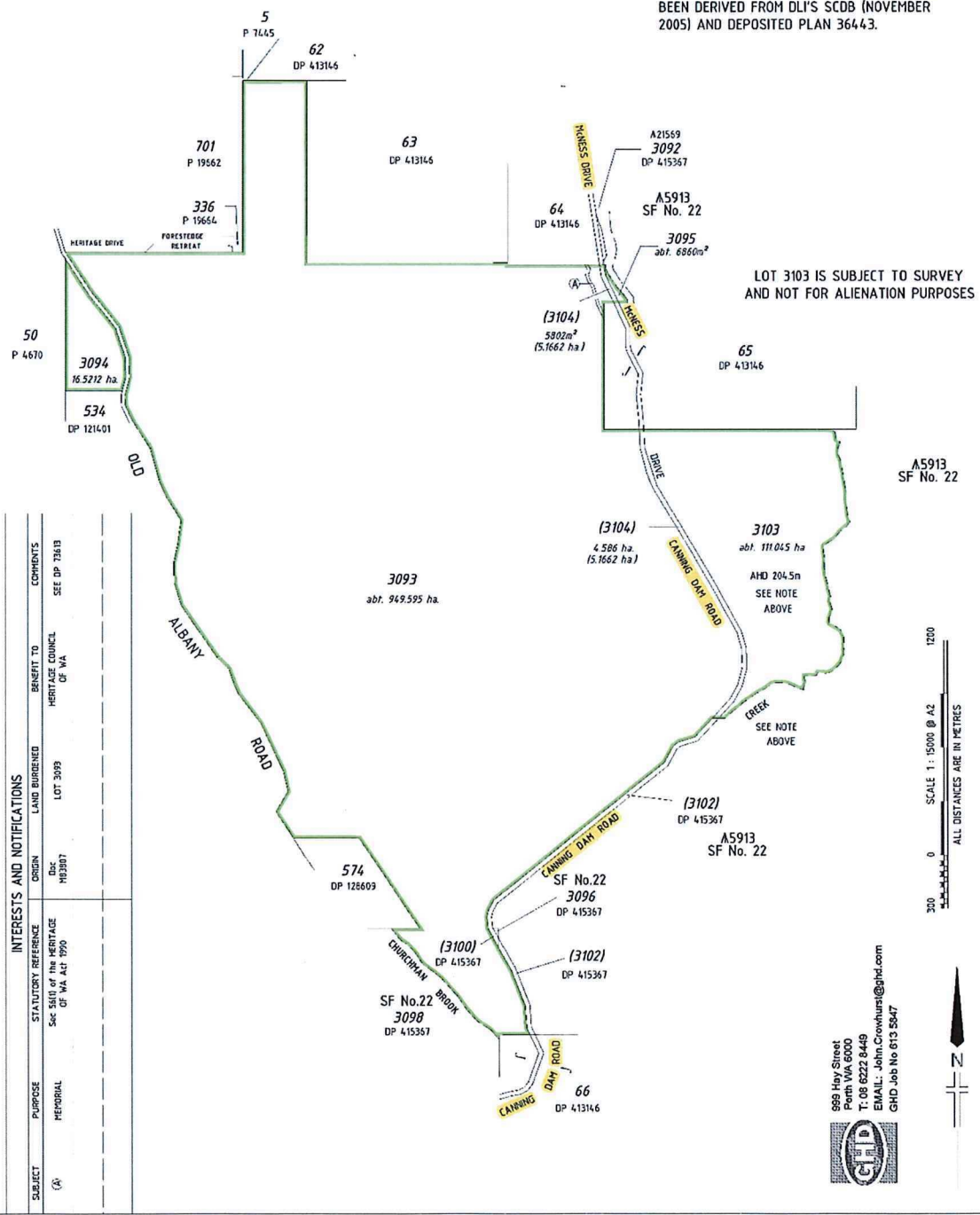
As Midgegooroo National Park is Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve per section 45(4) of the Act

**ELECTORAL DISTRICT OF ARMADALE
EAST METROPOLITAN REGION
CITY OF ARMADALE**

Att

TYPE	CROWN	S.S.A. NO
PURPOSE	SUBDIVISION	
PLAN OF		
LOTS 3093 - 3095, 3103 AND ROAD (LOT 3104)		
FORMER TENURE		
LOT 3089 ON DP 36443 LR 3134 / 938		
LOCAL AUTHORITY		
CITY OF ARMADALE		
LOCALITY		
ASHENDON, BEDFORDALE, ROLEYSTONE		
D.O.L. FILE		
926 / 989		
FIELD RECORD		
97635		
SURVEYOR'S CERTIFICATE - REG 54		
J.C. CROWHURST		
I 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 notes", and/or		
(c) "calculations (as applicable) undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.		
LICENSED SURVEYOR	DATE	
<i>J.C. Crowhurst</i>	27-May-19	
LOGGED		
2-Aug-19	DATE	ASSESS No.
I.S.C.		
EXAMINED	13-4-2021	DATE
WESTERN AUSTRALIAN PLANNING COMMISSION		
FILE EXEMPT FROM		
WAPC APPROVAL		
Delegated under s. 18 PD Act 2005		
DATE		
IN ORDER FOR DEALINGS		
SUBJECT TO		
Class A Reserve Action		
Dedication Action		
INSPECTOR OF PLANS AND SURVEYS	APPROVED	13-4-2021
DATE		
INSPECTOR OF PLANS AND SURVEYS (S. 18 Licensed Surveyor Act 1969)		
DATE		
		
DEPOSITED PLAN		
415366		
SHEET 1 OF 5 SHEETS		
VERSION 3		

NOTE : CHURCHMAN BROOK, "CREEK", "AHD 204.5m" AND CANNING RIVER BOUNDARIES HAVE BEEN DERIVED FROM DLI'S SCDB (NOVEMBER 2005) AND DEPOSITED PLAN 36443.



VER.	AMENDMENT	AUTHORISED BY	DATE
2	REMOVE Ssk 17 LAA MEMORIAL	DPLH	14/1/2021
3	PLAN EXAMINATION REQUIREMENTS	J.C. CROWHURST	6/4/2021

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(A)	MEMORIAL	Sec 55(1) of the HERITAGE Act 1990	Doc M13807	LOT 3093	HERITAGE COUNCIL OF WA	SEE DP 73413

INTERESTS AND NOTIFICATIONS

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 GHD Job No 612 5847



SCALE 1 : 15000 @ A2
 ALL DISTANCES ARE IN METRES



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