

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

# **PROPOSAL**

**Submission No: 02/2023**

**Submitted by the  
Minister for Lands**

on 2nd of AUGUST 20 23

**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 2nd day of August 2023

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

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

Class 'A' Reserve 47884, known as Midgegooroo National Park, is set aside for the purpose of 'National Park' and managed by the Conservation Commission of Western Australia.

Main Roads WA are seeking to rationalise the tenure over the constructed areas of Brookton Highway which do not align with the existing road as it is dedicated.

It is proposed to excise a total of 8.8315 hectares from Class 'A' Reserve 47884 as shown on Deposited Plan 67072 for subsequent dedication as road (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 7 December 2022. At the conclusion of the designated period for comments, one submission of comments or objections was received.

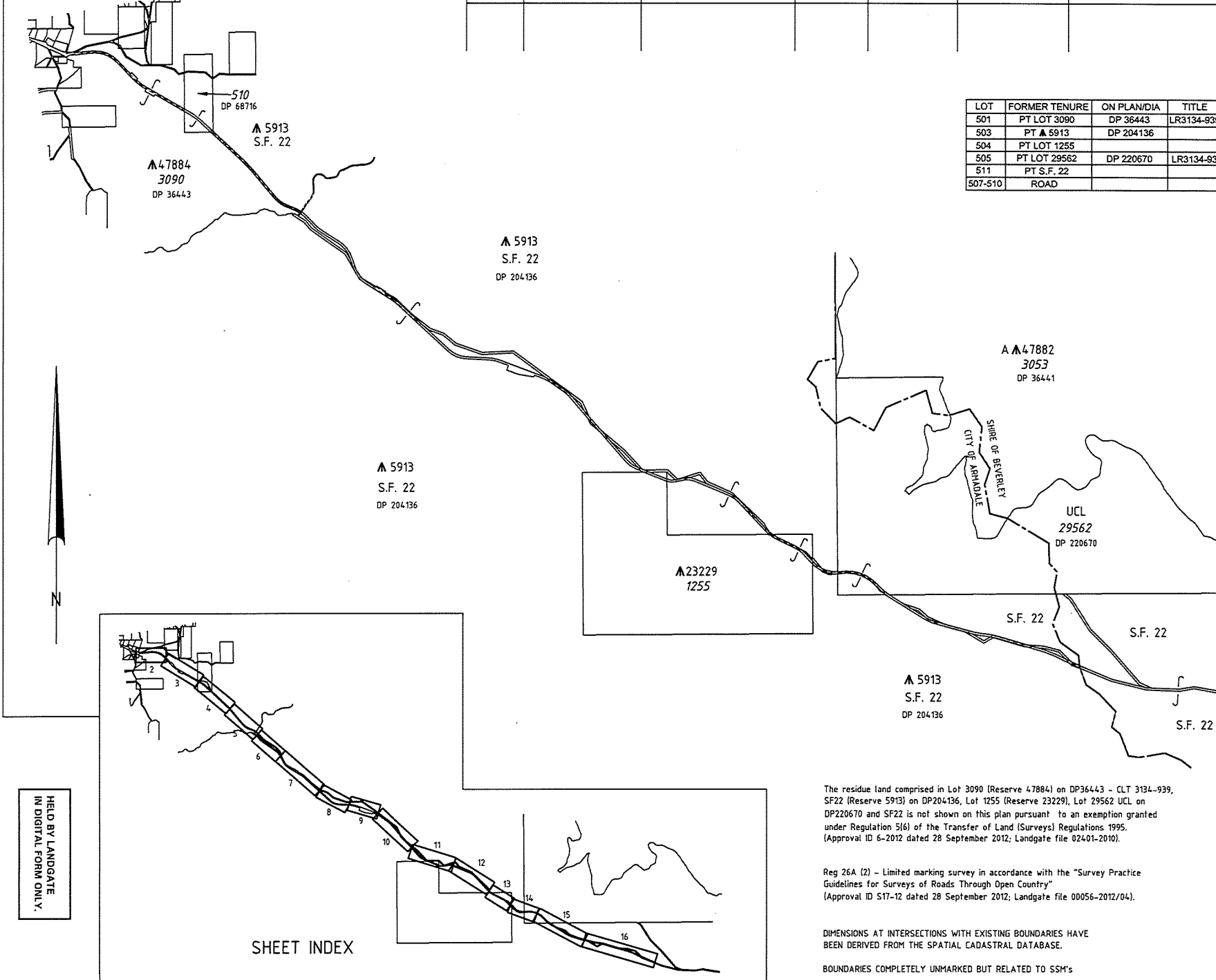
As Reserve 47884 has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the reserve per section 45(4) of the LAA.

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

VER.	AMENDMENT	AUTHORISED BY	DATE
2	LOTS 510 & 511 ADDED	N. BARTLETT	19/11/2010
3	AMEND LOTS 507 & 508 SHEET 13 AND AMEND AS PER FIELD BOOK	N. BARTLETT	3/02/2014
4	AUDIT REQUIREMENTS	N. BARTLETT	7/05/2014

INTERESTS AND NOTIFICATIONS						
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
	NON-EXTINGUISHMENT OF NATIVE TITLE	SECTIONS 24KA AND 238 OF THE NATIVE TITLE ACT		LOTS 501, 503, 504, 505 & 511		

LOT	FORMER TENURE	ON PLAN/DIA	TITLE
501	PT LOT 3090	DP 36443	LR3134-939
503	PT ▲ 5913	DP 204136	
504	PT LOT 1255		
505	PT LOT 29562	DP 220670	LR3134-935
511	PT S.F. 22		
507-510	ROAD		



TYPE CROWN	
PURPOSE SUBDIVISION	
PLAN OF	
ROADS & ROAD WIDENINGS (LOTS 501, 503, 504 & 505, 511) AND LOTS 507, 508, 509 & 510 (ROAD CLOSURES)	
DISTRICT AVON, CANNING & COCKBURN SOUND	SSA NO
TOWNSITE	FORMER TENURE
FILE 00365-2010	SEE TABLE
LOCAL AUTHORITY CITY OF ARMADALE, SHIRE OF BEVERLEY	FIELD BOOK
LOCALITY KARRAGULLEN, LESLEY & ASHENDON	
INDEX BG34(10) 6.2 KELMSCOTT (25) NE KELMSCOTT (25) SE BERAKING (25) SW	125896
SCALE: 1:50,000 AT A2 SIZE ALL DISTANCES ARE IN METRES	
SURVEYOR'S CERTIFICATE - Reg 54 I, NEIL BARTLETT do hereby certify that this plan is accurate and is a correct representation of the - (a) survey; and/or (b) calculations from measurements, undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged. (*) delete if inapplicable 4/11/2010 Licensed Surveyor Date	
SURVEY FIRM FUGRO SPATIAL SOLUTIONS Pty. Ltd. 18 PROWSE STREET WEST PERTH, W.A. 6005 TEL: (08) 9252 4100 FAX: (08) 9252 1775 PLAN 365601-1 (Rev4)	
LOGGED DATE 10-Nov-10	TYPE OF VALIDATION FULL AUDIT
FEE PAID N/A	LEGAL COMPONENT DJH
ASSESS N/A	DOCKET TRIM
	CERTIFIED CORRECT
	DELEGATED UNDER S10 P & O ACT 2005
IN ORDER FOR DEALINGS	
SUBJECT TO ROAD CLOSURES	
RESERVES ACTION	
AMEND SF	
DEDICATION	
20/5/14	
FOR INSPECTOR OF PLANS & SURVEYS / AUTHORISED LAND OFFICER DATE	
APPROVED REG. 26A	
INSPECTOR OF PLANS & SURVEYS / AUTHORISED LAND OFFICER DATE	
Landgate Western Australian Land Information Authority	
DEPOSITED PLAN	
67072	
SHEET 1	OF 16
VERSION 4	

The residue land comprised in Lot 3090 (Reserve 47884) on DP36443 - CLT 3134-939, SF22 (Reserve 5913) on DP204136, Lot 1255 (Reserve 23229), Lot 29562 UCL on DP220670 and SF22 is not shown on this plan pursuant to an exemption granted under Regulation 5(6) of the Transfer of Land (Surveys) Regulations 1995. (Approval ID 6-2012 dated 28 September 2012; Landgate file 02401-2010).

Reg 26A (2) - Limited marking survey in accordance with the "Survey Practice Guidelines for Surveys of Roads Through Open Country" (Approval ID S17-12 dated 28 September 2012; Landgate file 00056-2012/04).

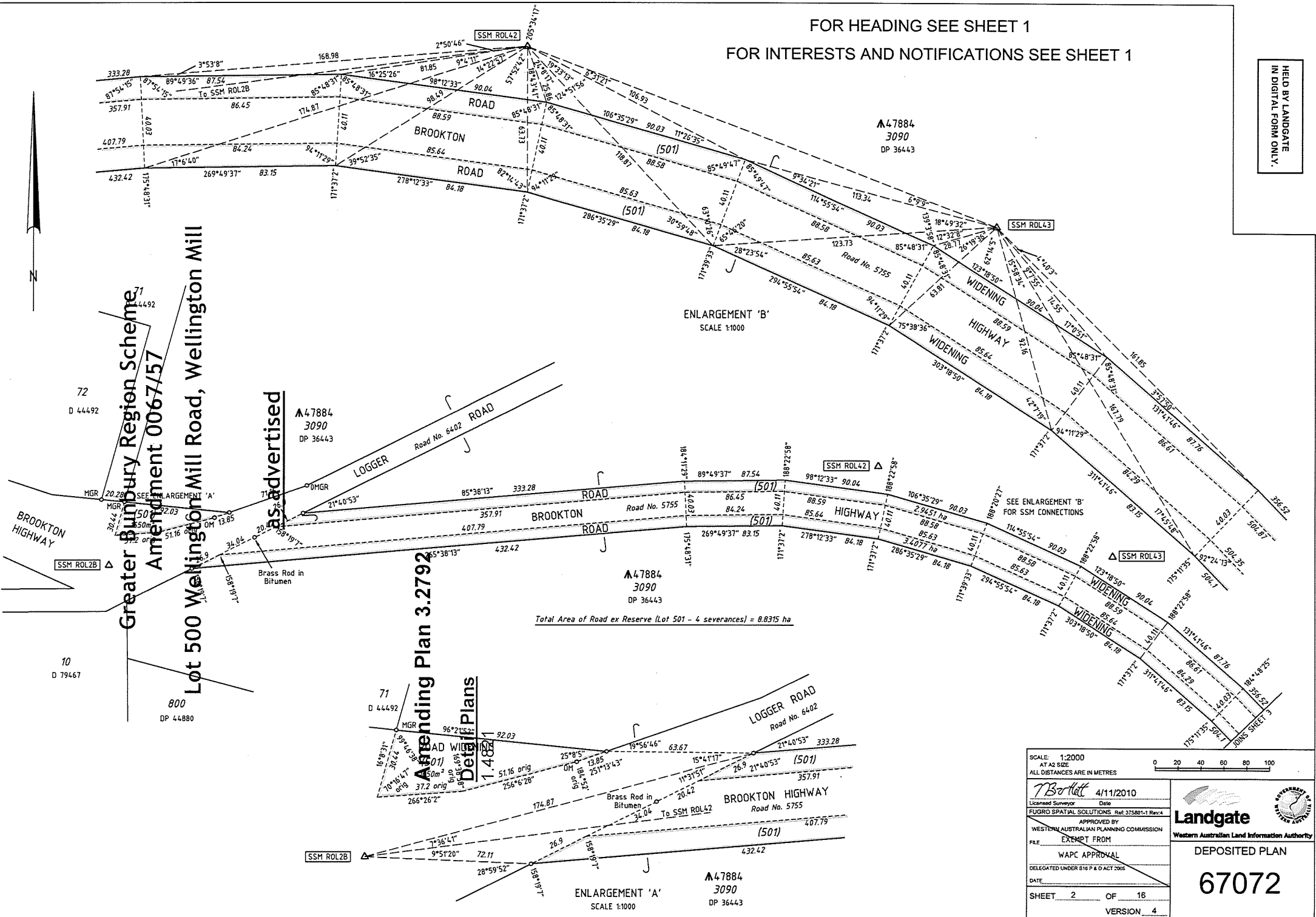
DIMENSIONS AT INTERSECTIONS WITH EXISTING BOUNDARIES HAVE BEEN DERIVED FROM THE SPATIAL CADASTRAL DATABASE.

BOUNDARIES COMPLETELY UNMARKED BUT RELATED TO SSM's

FIELD BY LANDGATE  
IN DIGITAL FORM ONLY.

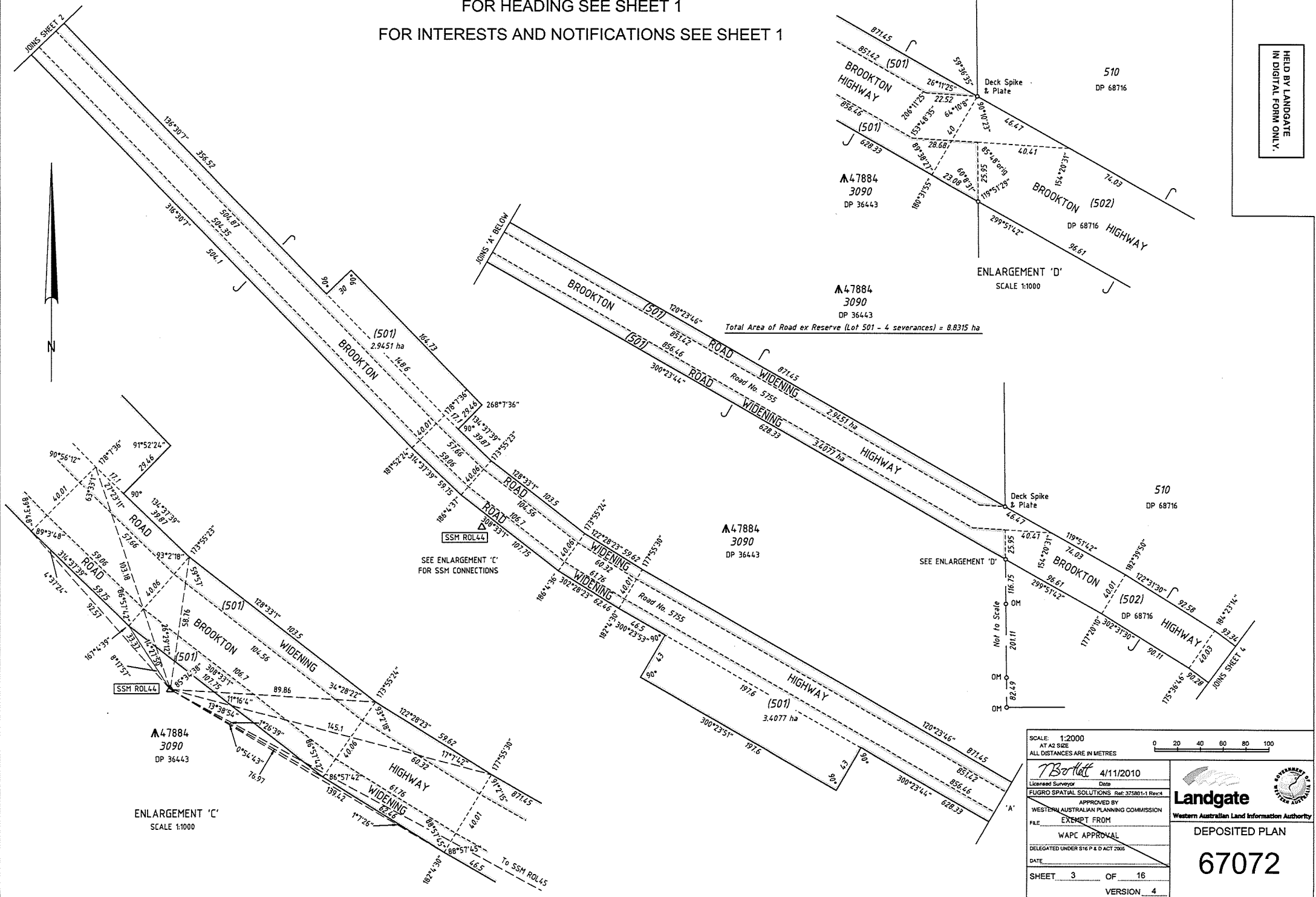
SHEET INDEX

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

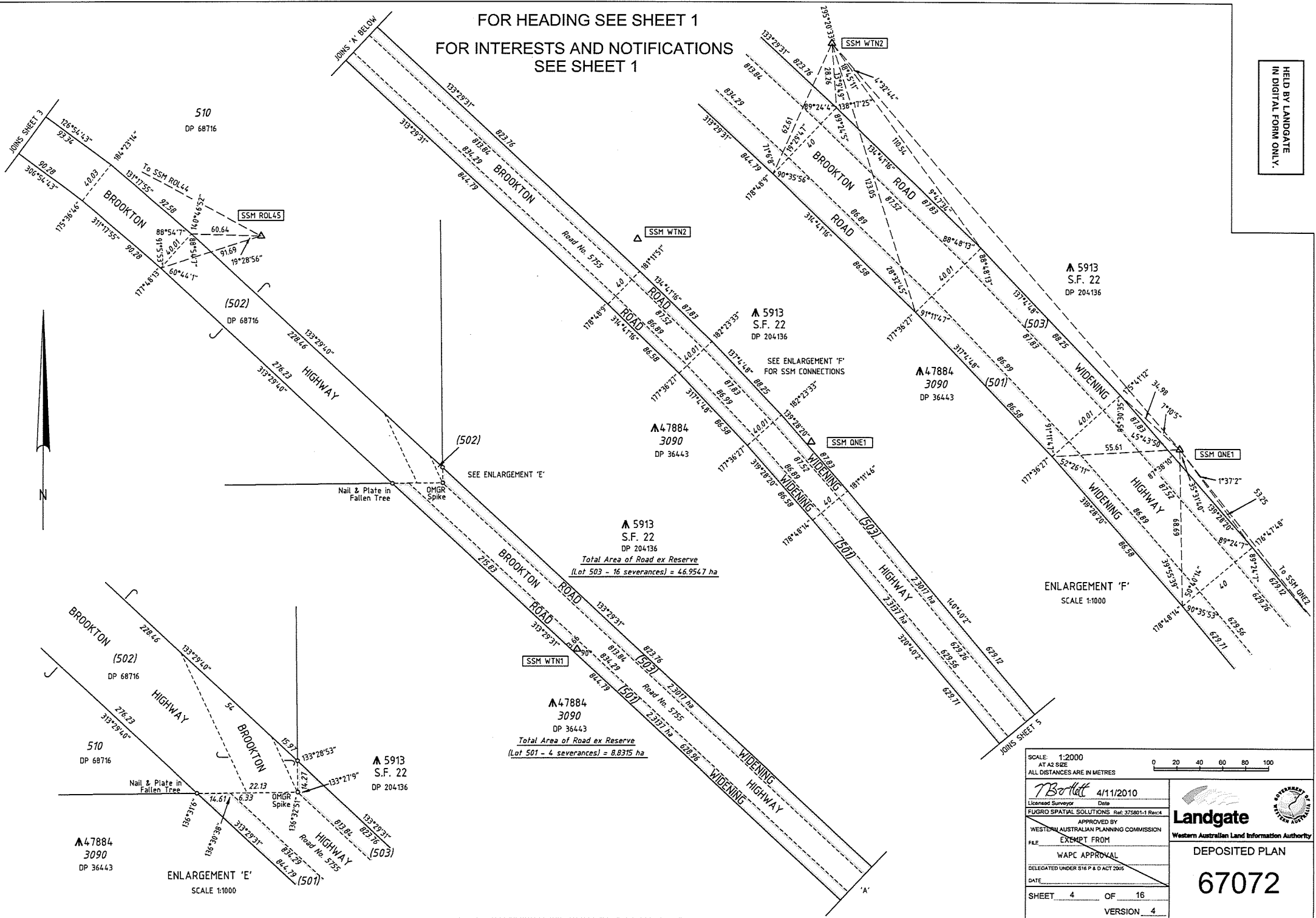
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SHEET 3 OF 16		VERSION 4	
Landgate Western Australian Land Information Authority		DEPOSITED PLAN <b>67072</b>	

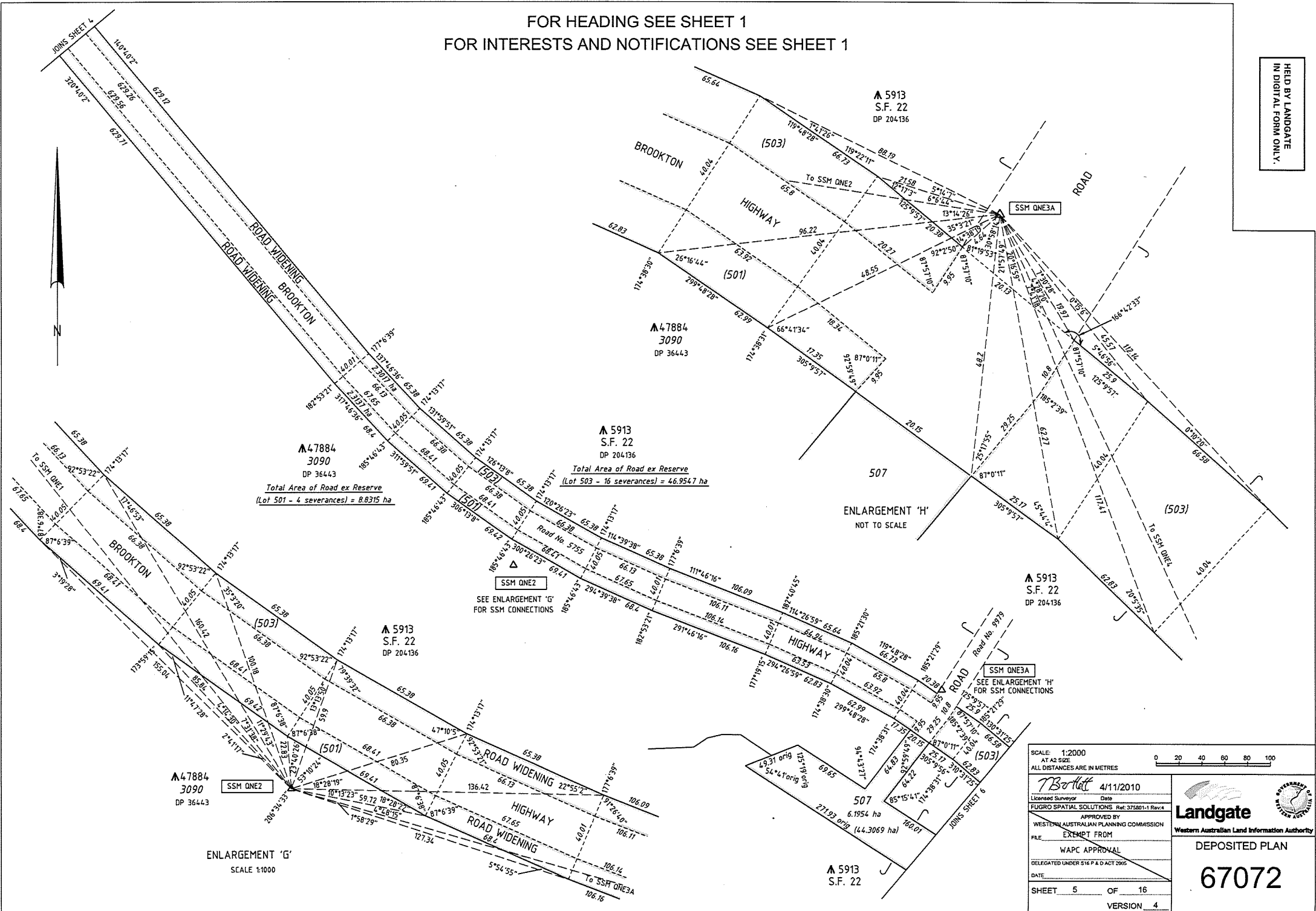
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SEE SHEET 1

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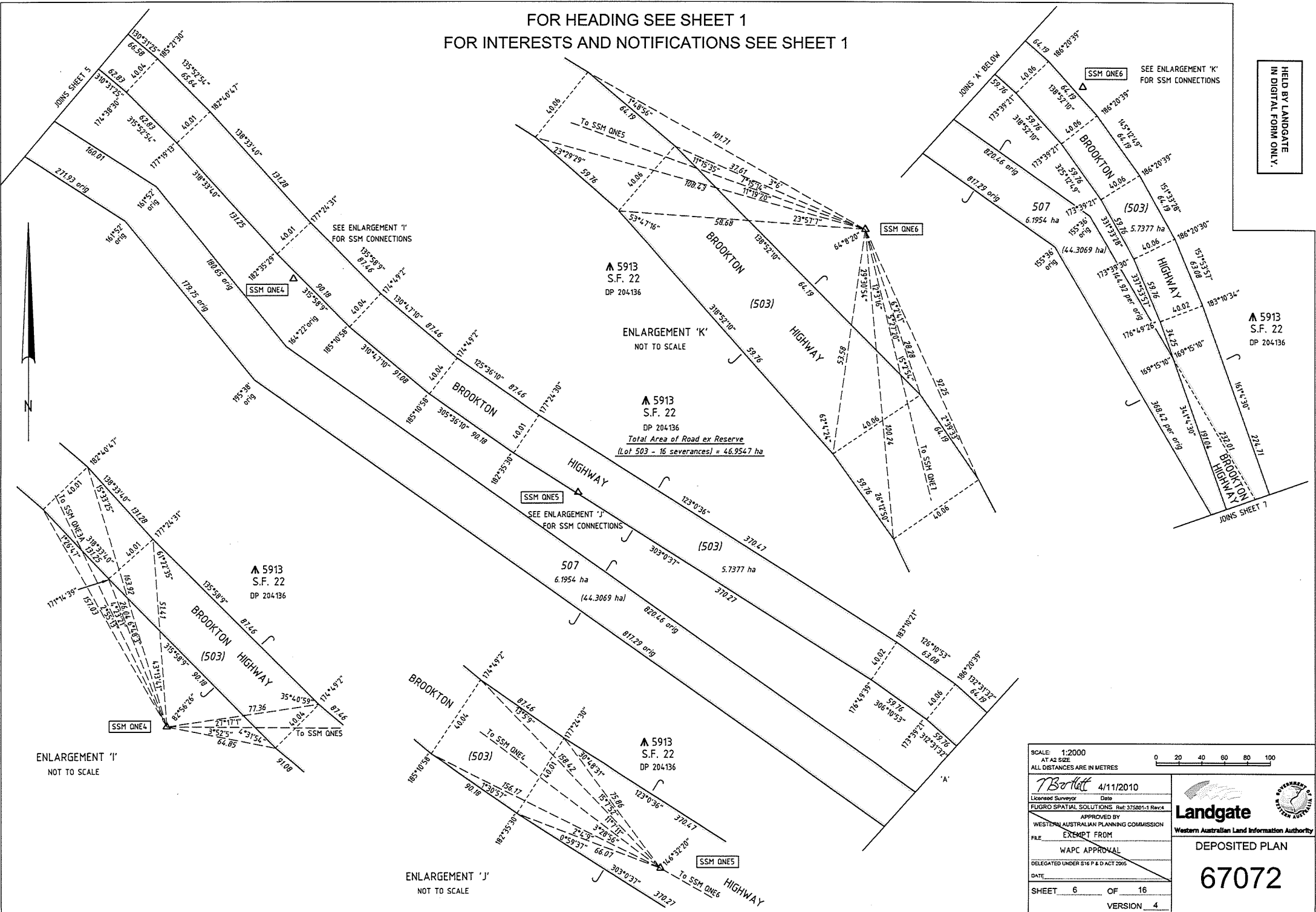
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7Borlett 4/11/2010 Date		Landgate Western Australian Land Information Authority	
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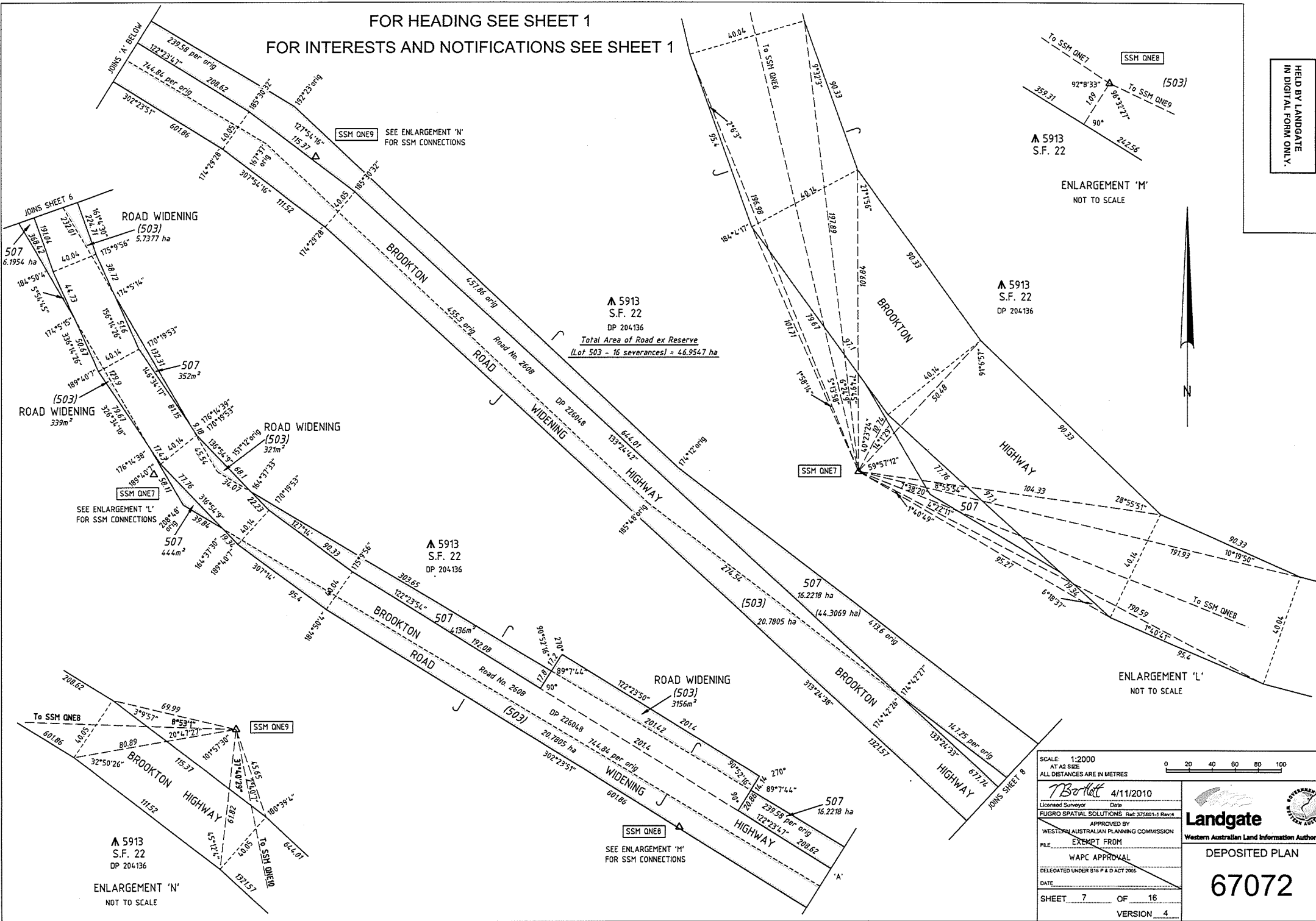


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FOR HEADING SEE SHEET 1  
FOR INTERESTS AND NOTIFICATIONS SEE SHEET 1

FIELD BY LANDGATE  
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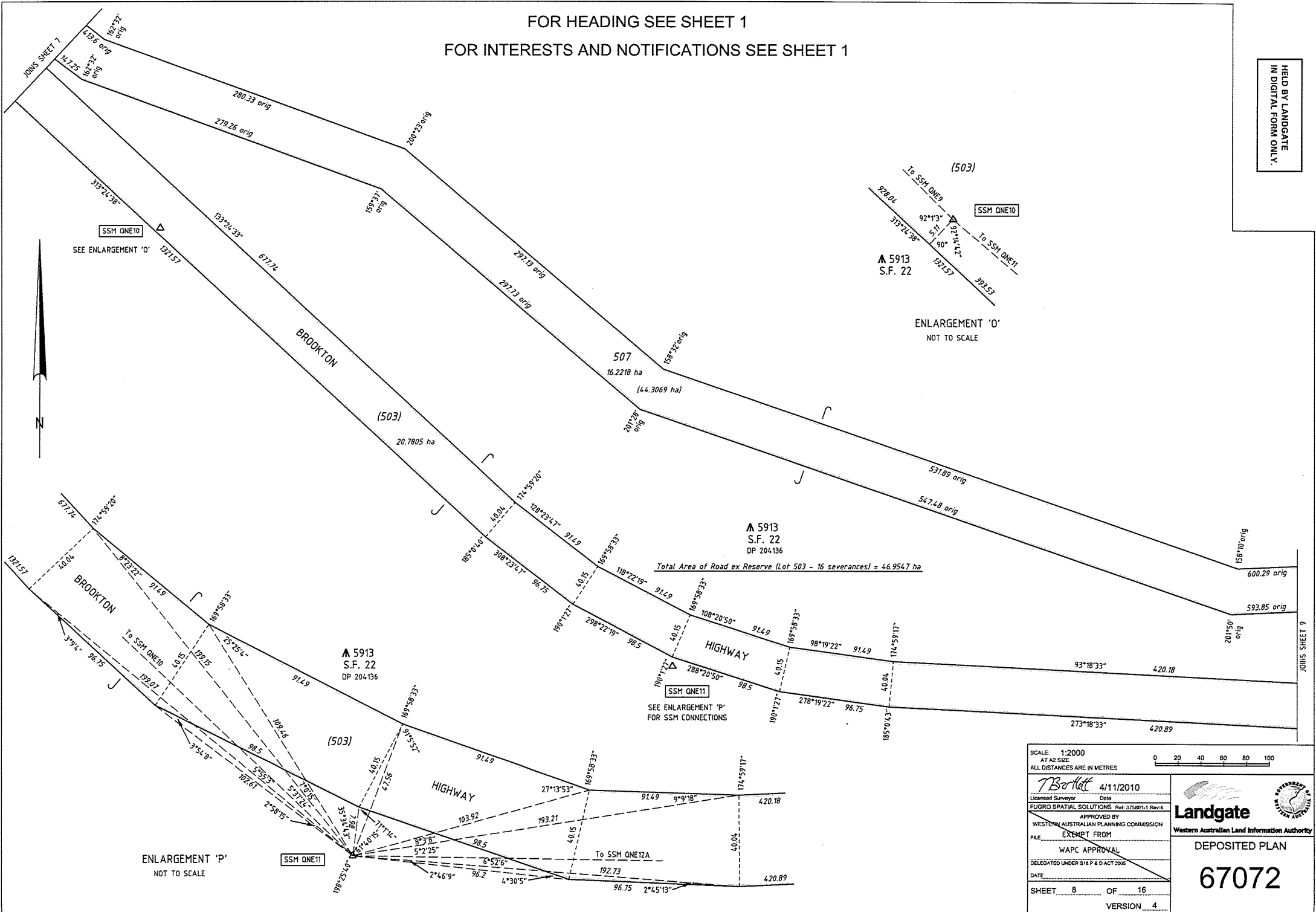
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AT AS SHOWN  
ALL DISTANCES ARE IN METRES

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**Boett** 4/11/2010  
Licensed Surveyor Date  
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APPROVED BY  
WESTERN AUSTRALIAN PLANNING COMMISSION  
EXEMPT FROM  
WAPC APPROVAL  
DELEGATED UNDER S16 P & D ACT 2005  
DATE:  
SHEET 7 OF 16  
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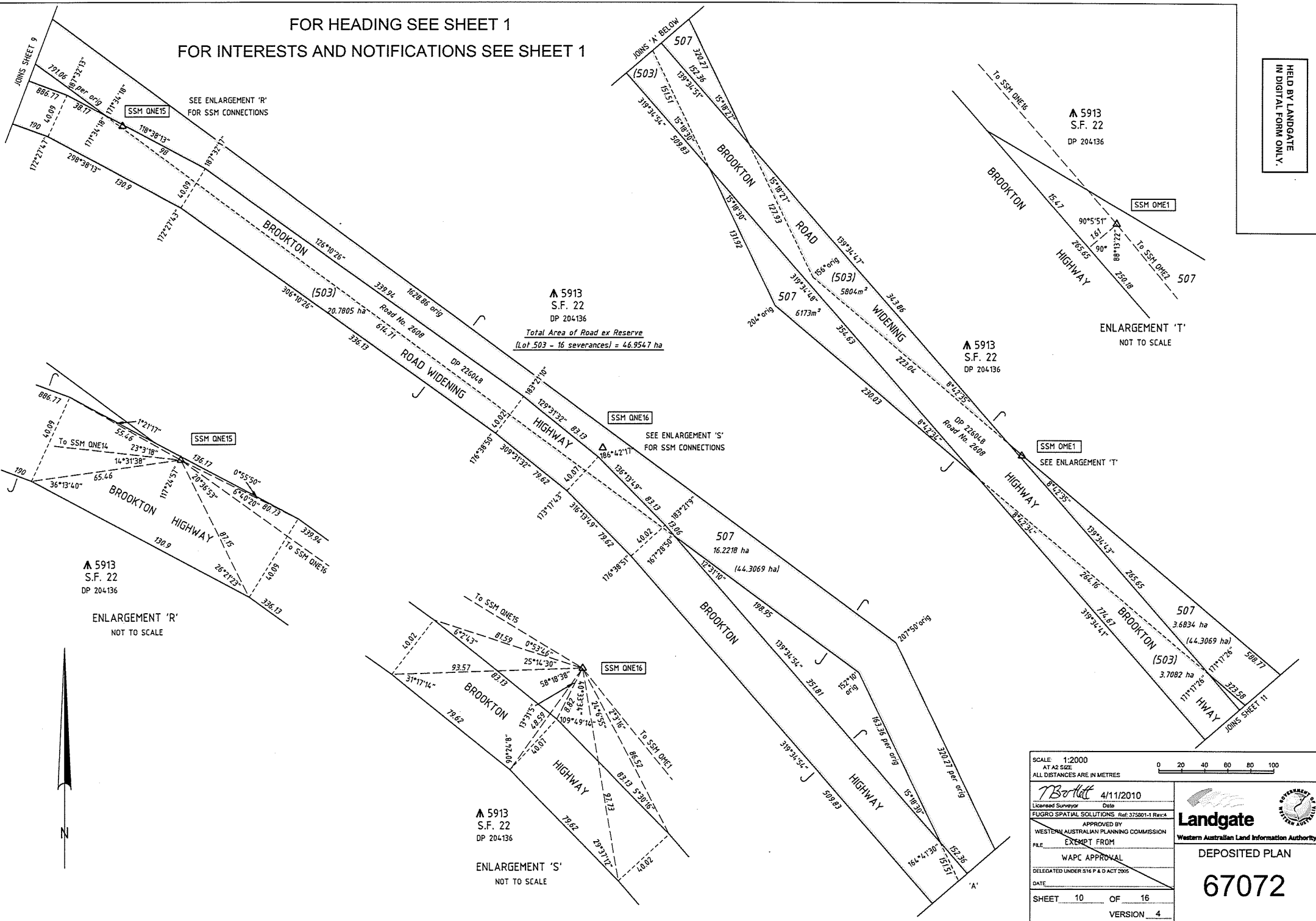
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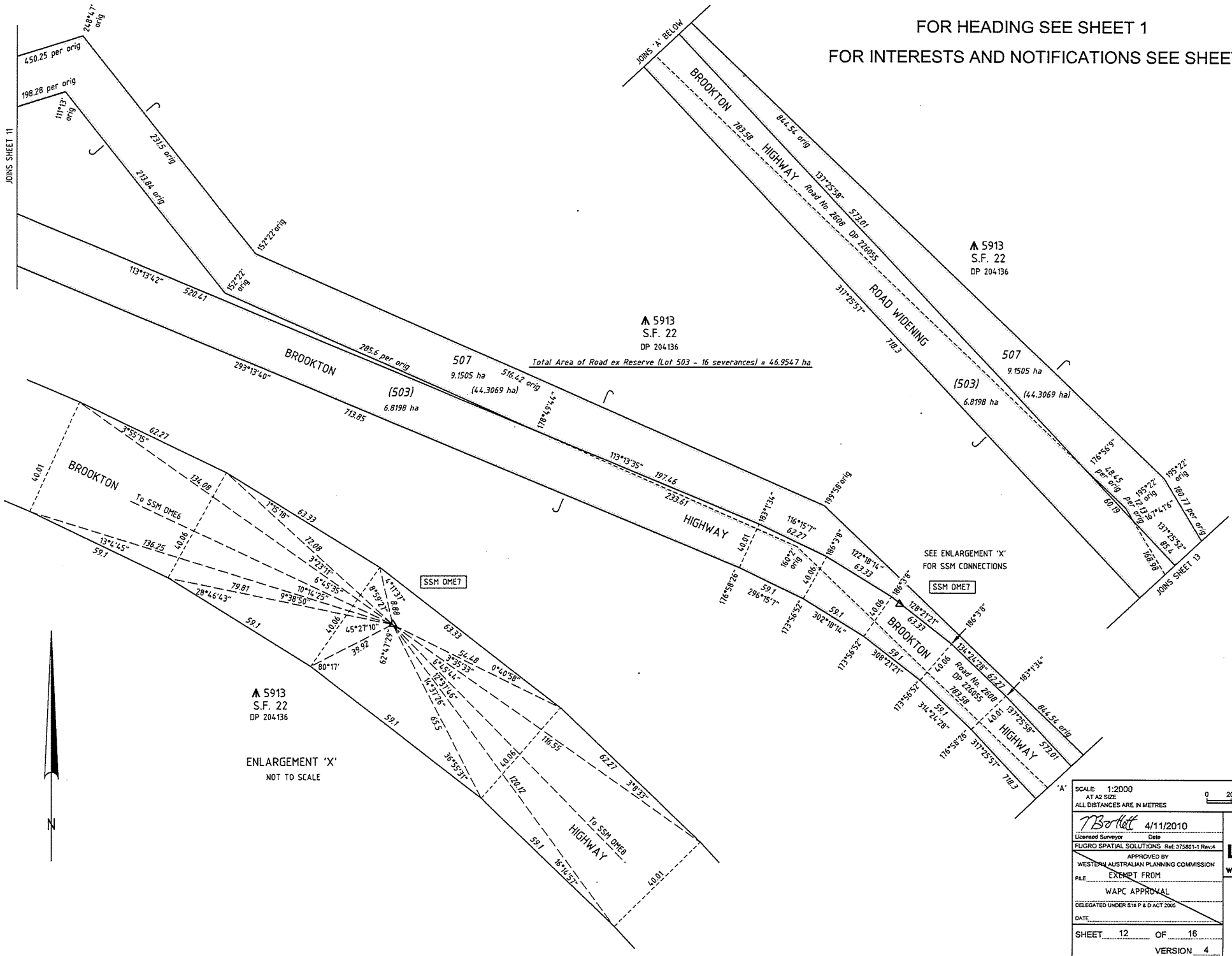
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ALL DISTANCES ARE IN METRES			
<i>T. Borllet</i> 4/11/2010 Licensed Surveyor Date		 	
FUGRO SPATIAL SOLUTIONS Ref: 375901-1 Rev:4		<b>Landgate</b> Western Australian Land Information Authority	
APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION EXEMPT FROM			
FILE _____ WAPC APPROVAL _____			
DELEGATED UNDER S16 P 4 & D ACT 2005 _____			
DATE _____			
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JOINS SHEET 11

FOR HEADING SEE SHEET 1  
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SCALE: 1:2000  
AT A2 SIZE  
ALL DISTANCES ARE IN METRES

0 20 40 60 80 100

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Western Australian Land Information Authority

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**WAPC APPROVAL**  
EXEMPT FROM  
DELEGATED UNDER S18 P & D ACT 2005

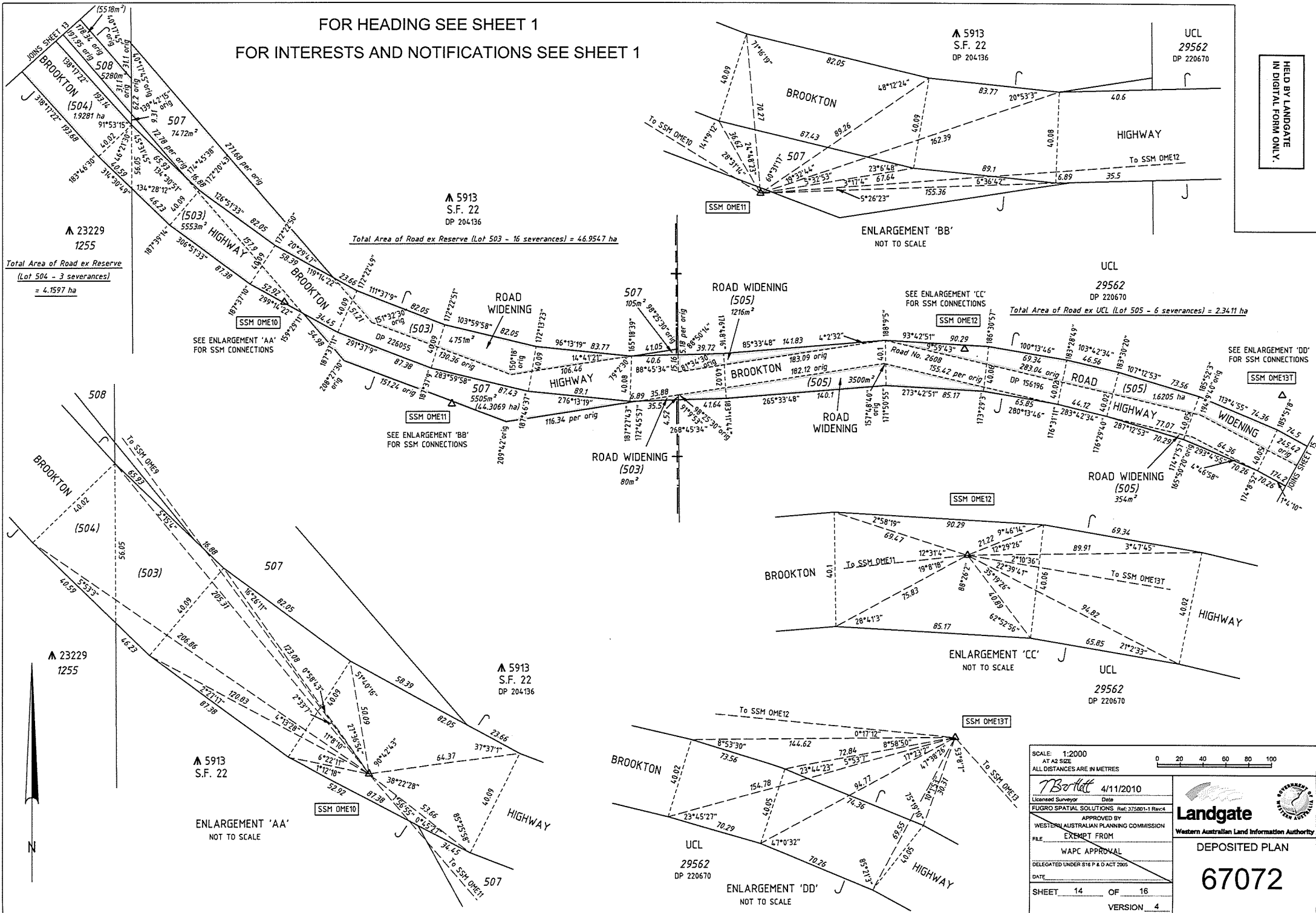
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VERSION 4

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Licensed Surveyor Date  
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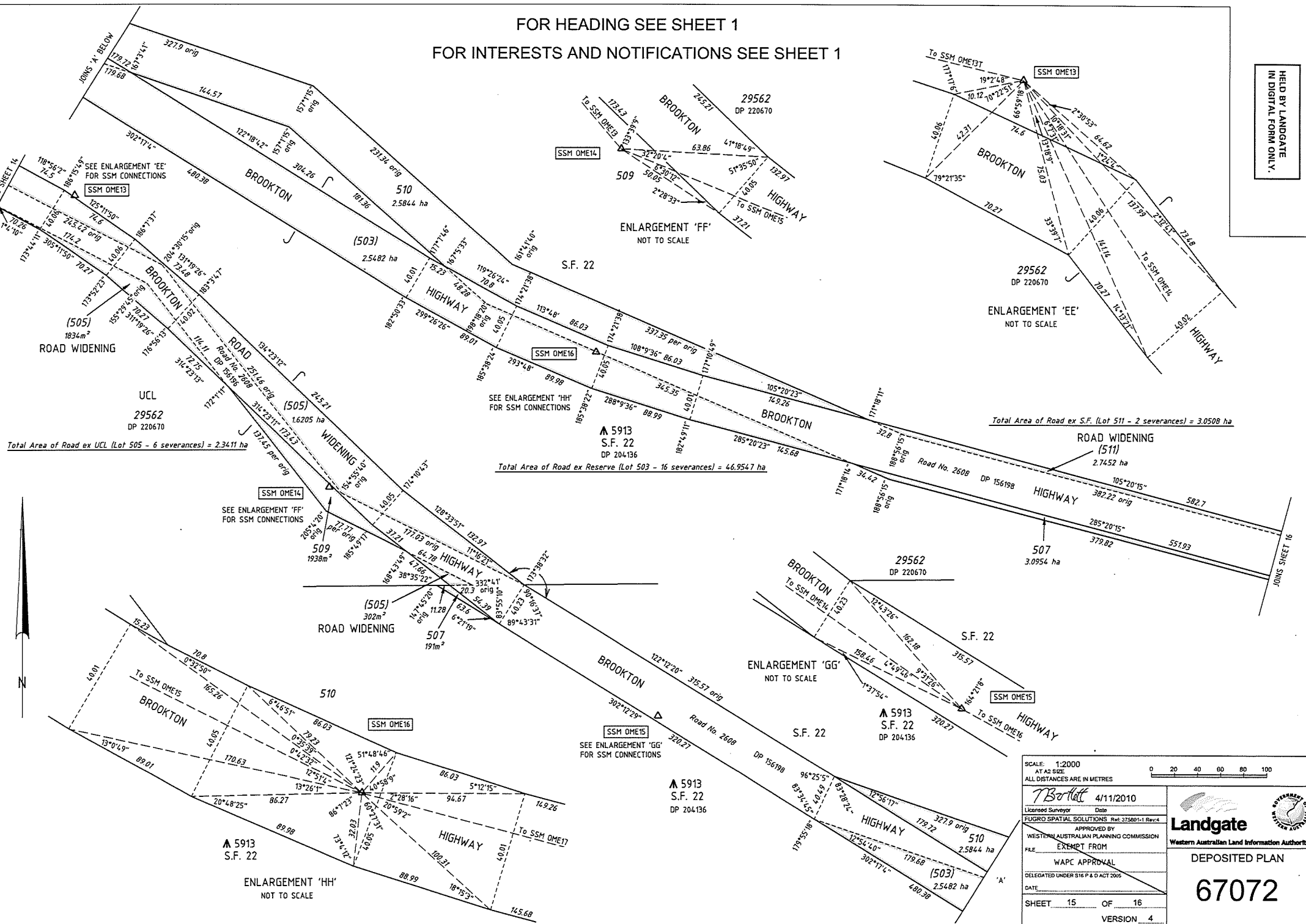




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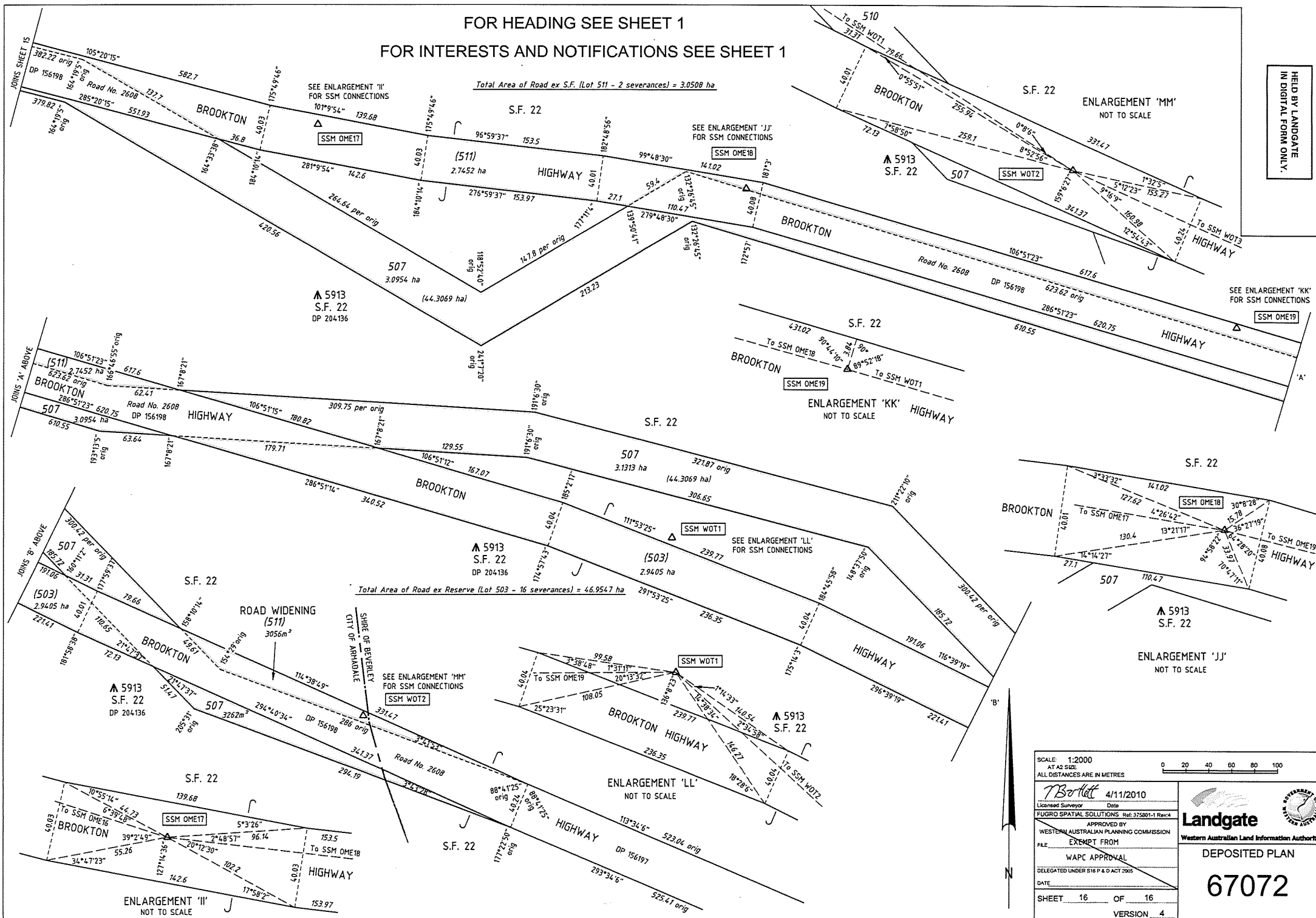


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