

**Submission to Parliament
under section 42(4)
of the *Land Administration Act 1997***

PROPOSAL

Submission No: 06/2023

**Submitted by the
Minister for Lands**

on 2nd of February 20 24

**SUBMISSION TO PARLIAMENT
UNDER SECTION 42(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 February 2024

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

PROPOSED EXCISION FROM CLASS 'A' RESERVE 12439 UNDER SECTION 42(4) OF THE LAND ADMINISTRATION ACT 1997 (LAA) – CITY OF WANNEROO

Class 'A' Reserve 12439 is set aside for the purpose of 'Recreation Act 43 – 1968' and managed by the City of Wanneroo.

The City is requesting to excise a 785 square metre portion of the Reserve (shaded green on Attachment 1) for amalgamation into adjoining Reserve 43792. The excision will rationalise the reserve boundaries to reflect the existing land use as the excision area contains the alfresco dining area of the Yanchep Beach Lagoon Café.

In accordance with section 42(5) of LAA, the proposal was advertised in *The West Australian* newspaper on 7 June 2023. At the conclusion of the designated period for comments, no comments or objections were received.

As the Reserve has Class 'A' status, it is necessary to obtain the approval of both Houses of Parliament to amend the Reserve per section 42(4) of the LAA.

**ELECTORAL DISTRICT OF WANNEROO
NORTH METROPOLITAN REGION
CITY OF WANNEROO**

Page 1 of 1

