

**RESERVES.**

8° Elizabeth II., No. LXXV.

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**No. 75 of 1959.**

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**AN ACT relating to certain Reserves and  
other Lands.***[Assented to 14th December, 1959.]*

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. This Act may be cited as the *Reserves Act, 1959.*

Reserve  
No. 11373  
at Albany.

2. (1) Reserve No. 11373, at Albany, classified as of Class "A" and set apart for the purpose of Educational Endowment and held in fee simple in trust

for the purpose by the Trustees of the Public Education Endowment in Certificate of Title Volume 884 Folio 90, is hereby cancelled.

(2) The land comprised in the said Certificate of Title is hereby revested in Her Majesty the Queen as of her former estate and is removed from the operation of the Transfer of Land Act, 1893, with the intention that it shall be reserved for the Albany High School Site.

3. (1) Reserve No. 873 at Arthur River, comprising Williams Location No. 11974, containing about forty acres, classified as of Class "A" and set apart for the purposes of Camping and Stopping Place, is hereby reduced by the excision of all that portion being—

Reserve  
No. 873 at  
Arthur  
River.

an area of six acres as surveyed and shown on Lands and Surveys Original Plan No. 8142 and comprising the portion on which a deviation of the Albany Highway has been constructed.

(2) The land comprised in the portion so excised shall be dedicated as a public road under the provisions of the Road Districts Act, 1919.

4. Reserve No. 11534 comprising Augusta Lot 16, classified as of Class "A" and set apart for the purpose of Park Lands and Recreation, is hereby cancelled with the intention that the land comprising the reserve may be included in a Town Planning Scheme being prepared for the Augusta-Margaret River Road Board which provides for the inclusion of Lot 16 in a subdivision for residential sites and a shopping area.

Reserve  
No. 11534  
at Augusta

5. Reserve No. 24653 comprising Augusta Lots 31, 38 and 405 containing an area of about seventeen acres two roods, classified as of Class "A" and set apart for the purpose of Recreation and Camping and vested in the Augusta-Margaret River Road Board, is hereby amended by the excision of the

Reserve  
No. 24653  
at Augusta.

portion comprising Augusta Lot 31, containing two acres two roods eight perches with the intention that the portion so excised may be included in a Town Planning Scheme being prepared for the Augusta-Margaret River Road Board, and may be disposed of for that purpose under the Land Act, 1933, in such manner as the Governor may approve.

Reserve  
No. 24033  
at Beverley.

6. (1) Reserve No. 24033, at Beverley, classified as of Class "A" and set apart for the purpose of Public Utility is hereby amended by the excision of all those portions comprising Beverley Lots 314 and 315 with the intention that the land so excised may be used for the purpose of Native Housing in such manner as the Governor may approve.

(2) The purpose of the remaining portion of the reserve is hereby altered to Recreation and Public Utility.

Reserve  
No. 11376 at  
Bridgetown.

7. (1) Reserve No. 11376 at Bridgetown classified as of Class "A," and set apart for the purpose of an Educational Endowment and held in trust for that purpose by the Trustees of the Public Education Endowment in Certificate of Title Volume 1049 Folio 294, is hereby amended by the excision of all those portions of Bridgetown Lot 645 containing a total area of four acres three roods and nineteen perches as surveyed and shown coloured green on Land Titles Office Plan No. 7197.

(2) The land comprised in the portion so excised is hereby revested in Her Majesty as of her former estate and is removed from the operation of the Transfer of Land Act, 1893, with the intention that it will be reserved for Water Supply purposes and vested in the Minister of Water Supply, Sewerage and Drainage.

Reserve  
No. 9719  
at Busselton

8. Reserve No. 9719, comprising Busselton Lot 268 of three acres, classified as of Class "A" and set apart for the purpose of Recreation and vested in

the Busselton Road Board in trust for that purpose is hereby amended by the excision of all that portion being—

an area of twenty-three and two-tenths perches situated in the north-eastern corner of the reserve which has been included by survey in Busselton Lot 342 as shown on Lands and Surveys Diagram No. 66087,

with the intention that the portion so excised will be included in a proposed reserve for the purpose of Tea Rooms Site which will be vested in the Busselton Road Board with power to lease.

9. Reserve No. 25087 comprising Swan Location 6562 containing three roods twenty-three and two-tenths perches, at Cloverdale, classified as of Class "A" and set apart for the purpose of recreation is hereby cancelled with the intention that portion of the land contained therein will again be reserved for recreation and classified as of Class "A" after provision has been made for a separate reserve for a Hallsite for the Boy Scouts Association involving an exchange of portion of Swan Location 6562 for portion of Swan Location 33 being Lot 633 on Land Titles Office Plan No. 7026.

Reserve  
No. 25087 at  
Cloverdale.

10. (1) Reserve No. 15513, at Denmark, classified as of Class "A" and set apart for the purposes of Recreation and Showground and vested in the Denmark Road Board in trust for those purposes is hereby amended by the excision of all that portion being—

Reserve  
No. 15513  
at Denmark.

- (a) the portions of Denmark Lots 182 and 196 now re-surveyed as Denmark Lots 915 to 932 inclusive containing an aggregate area of four acres and twenty-five perches;
- (b) the portion of Denmark Lots 182 and 129 containing an area of three acres one rood thirty-three perches as shown coloured dark brown and marked Road Widening on Lands and Surveys Original Plan No. 8192.

(2) The land comprised in the portion so excised is hereby revested in Her Majesty as of her former estate with the intention that the land comprised in Denmark Lots 915 to 932 inclusive will be made available for sale for residential sites under the provisions of the Land Act, 1933, under such terms and conditions as the Governor may approve.

(3) The land comprised in the portion coloured dark brown on Original Plan No. 8192 is hereby dedicated as a widening of Holling Road.

Reserve  
No. 20195 at  
Geraldton.

11. Reserve No. 20195, at Geraldton classified as of Class "A" and set apart for the purpose of Park and Recreation is hereby reduced by the excision of an area of thirty-two perches as contained in Geraldton Lot 1716 as surveyed and shown on Lands and Surveys Diagram No. 66335, with the intention that the portion so excised will be set apart as a separate reserve for Drainage purposes.

Reserve  
No. 22576 at  
Kalamunda.

12. (1) Reserve No. 22576, comprising Kalamunda Lot 372, classified as of Class "A" and set apart for the purposes of Public Park and Preservation of Natural Flora is hereby amended by the excision of all those portions being—

- (a) the portion now surveyed as Kalamunda Lot 422, containing one acre one rood thirty-six and three-tenths perches;
- (b) the portions comprising a total area of one acre and seventeen and nine-tenths perches as shown coloured dark brown on Lands and Surveys Original Plan No. 7441,

with the intention that Kalamunda Lot 422 will be set apart as a new reserve for the purposes of Picnic Ground and Parking Area, and the land coloured dark brown on Original Plan No. 7441 will be dedicated as public roads under the Road Districts Act, 1919.

13. All that portion of Class "A" Reserve No. 1720, King's Park, Perth, being the portion now surveyed as Perth Town Lot No. 801, containing nineteen and one-tenth perches, is hereby deemed lawfully vested under the provisions of section thirty-three of the Land Act, 1933, in The King's Park Board, a body corporate under the provisions of the Parks and Reserves Act, 1895-1955, in trust for the purpose of a Public Park, with power to lease Perth Town Lot 801 for the purpose of a Tearoom Site for any term not exceeding twenty-one years and under such terms and conditions as the Governor may approve.

Reserve  
No. 1720,  
King's Park,  
Perth.

14. Reserve No. 1720 King's Park, Perth, classified as of Class "A" and set apart for the purpose of "Public Park" and placed under the control of The King's Park Board, under the provisions of the Parks and Reserves Act, 1895, is hereby amended by the excision of all those portions being—

Reserve  
No. A. 1720  
King's Park,  
Perth.

the portions isolated from the main portion of the reserve by Park Road and Winthrop Avenue and comprising Perth Suburban Lot 490, containing one acre one rood four and two-tenths perches, and Swan Location 4883 containing one acre one rood one perch,

with the intention that, after providing for certain necessary widenings of Winthrop Avenue, the balance of the land will be reserved for University purposes and may be granted as for an estate in fee simple to the University of Western Australia, in trust for the purpose of the proposed new reserve, but subject to the expressed condition that no buildings or obstructions be erected on the land and that it shall be developed and maintained as garden areas.

15. (1) Reserve No. 24624, at Kwinana, comprising Cockburn Sound Location No. 1773 containing one acre and five-tenths perches and set apart

Reserve  
No. 24624  
at Kwinana.

for the purposes of Beacon Tower and Railway and vested in the Fremantle Harbour Trust is hereby amended by the excision of all that portion being—

the portion of Cockburn Sound Location 1773 north of a line parallel to and ninety and nine-tenths links distant from the south boundary of the location and comprising an area of two roods thirty-four and four-tenths perches.

(2) The land comprised in the portion so excised is hereby revested in Her Majesty as of her former estate with the intention that notwithstanding the provisions of the Land Act, 1933, or any other Act, or anything done by or under those Acts, the land so excised may be sold or otherwise dealt with by the Minister referred to in and under and subject to the provisions of section six of the Industrial Development (Kwinana Area) Act, 1952, as though the excised portion had been set apart, taken or resumed under the provisions of the said Act prior to the thirty-first day of December, one thousand nine hundred and fifty-three.

Reserves  
Nos. 1632  
and 1665 at  
Mosman  
Park.

16. Reserves Nos. 1632 and 1665 at Mosman Park, classified as of Class "A" and set apart for the purpose of Recreation and vested in the Mosman Park Road Board in trust for that purpose, are hereby cancelled with the intention that the land comprised therein will be included in two new reserves as follows—

- (a) Reserve No. 25466 comprising Mosman Park Lot 589, containing about sixty-seven acres and thirty perches to be classified as of Class "A" and set apart for the purpose of Recreation and vested in the Mosman Park Road Board with power to lease;
- (b) Reserve No. 25467 comprising Mosman Park Lot 590, containing about nine acres two roods and twenty-two perches to be set apart for the purpose of a Schoolsite.

17. Reserve No. 12086, classified as of Class "A" and set apart for the purpose of a Public Education Endowment, is hereby reduced by the excision of Northampton Lots 76 to 82 inclusive, comprising an aggregate area of six acres three roods twenty perches, being portion of the land comprised in Certificate of Title Volume 557 Folio 84, and the Trustees of the Public Education Endowment are hereby authorised to resubdivide the land and dispose of it for residential purposes freed and discharged of all trusts.

Reserve  
No. 12086 at  
Northampton.

18. Notwithstanding the provisions of section twelve of the Reserves Act, 1956, whereby on a date to be fixed by proclamation Class "A" Reserve No. 23124 at Perth was to have been vested in the City of Perth, in trust for the purpose of Vehicle Park and Gardens, the Reserve is hereby cancelled, with the intention that, after provision is made for certain road widenings and of a separate reserve for another purpose at the corner of William Street and Riverside Drive, the balance of the land will be included in the contiguous Class "A" Reserve No. 23123, which is to be amended to comprise the whole of the area being developed as a Vehicle Park and Gardens in the general plan for the riverside approaches to the Narrows Bridge.

Reserve  
No. 23124  
at Perth.

19. (1) Reserve No. 423, comprising portion of Perth Lot L.79 containing thirteen acres twenty-nine and two-tenths perches set apart for the purpose of Recreation Ground and held in fee simple in trust for that purpose by the City of Perth in Certificate of Title Volume 1056 Folio 644 is hereby amended by the excision of all that portion being—

Reserve  
No. 423,  
Esplanade,  
Perth.

the portion of Perth Lot L.79 comprising an area of nineteen and one-half perches, being a further truncation of the north-western corner of that lot for road widening purposes, commencing at a point on the north-western boundary of the lot situated sixty-five links south-westward from the present truncation



and extending two hundred and forty-two degrees thirty-two minutes for one chain forty-one and three-tenths links, thence two hundred and sixty-eight degrees ten minutes for one chain fifty and eight-tenths links to the north-eastern boundary of the lot thence north-westerly and south-westerly along the boundaries of the lot to the starting point.

(2) The land comprised in the portion so excised is hereby revested in Her Majesty as of her former estate and is removed from the operation of the Transfer of Land Act, 1893, with the intention that it will be dedicated as a widening of the intersection of William Street and the Esplanade.

Reserve  
No. 22365  
at Preston  
Point.

20. (1) Reserve No. 22365, at Preston Point classified as of Class "A," and set apart for the purpose of Park and Recreation and vested in the Mayor and Councillors of East Fremantle is hereby amended by the excision of an area of sixteen perches situated in the south-western corner of Swan Location 4881 and having a frontage of one chain to Preston Point Road.

(2) The land comprised in the portion so excised is hereby revested in Her Majesty as of her former estate with the intention that it will be identified as Swan Location 6799 and will be set apart as a reserve for the purpose of an Ejector Station Site to be vested in the Minister of Water Supply, Sewerage and Drainage.

Reserves  
Nos. 1575  
and 3234 at  
Southern  
Cross.

21. (1) Reserves Nos. 1575 and 3234 at Southern Cross classified as of Class "A" and set apart for the purpose of Recreation are hereby amended by the excision of the portions of the respective reserves being—

(a) from Reserve 1575, the portion of Southern Cross Lot 748 containing an area of two roods seventeen and nine-tenths perches as surveyed and shown on Lands and Surveys Original Plan No. 7144;

- (b) from Reserve 3234, the portions of Southern Cross Lots 746 and 753 containing an area of one rood and thirty-four perches as surveyed and shown on Lands and Surveys Original Plan No. 7144.

(2) The land comprised in the portions so excised is hereby dedicated as a Public Road under the provisions of the Road Districts Act, 1919, as portion of Spica Street, Southern Cross.

22. Reserve No. 14792, at Stirling Range, classified as of Class "A" and set apart for the purpose of a National Park, comprising a total area of about two hundred and seventy thousand acres is hereby amended by the excision of—

Reserve  
No. 14792 at  
Stirling  
Range.

all that portion of Reserve No. 14792, comprising an area of about eight hundred and forty-five acres subject to survey and provision of any necessary roads, commencing at the north-western corner of Plantagenet Location 5680 and extending north along the prolongation northerly of the western boundary of that location for a distance of about sixty-five chains to a line drawn in prolongation westerly of the southern boundary of Location 2502; thence easterly to and along the south boundaries of Locations 2502 and 2501 and onwards to a point due north of the north-east corner of Location 5680; thence south to that corner; thence west along the north boundary of Location 5680 to the starting point,

with the intention that the land so excised may be made available for selection or leasing under the provisions of the Land Act, 1933, in such manner as the Governor may approve.

23. The purpose of Reserve No. 7804 at Swanbourne, classified as of Class "A" and set apart for the purpose of Park and vested in the City of Nedlands, is hereby altered to Park and Recreation, with the intention that portion of the reserve may be leased for recreation purposes.

Reserve  
No. 7804 at  
Swanbourne.

Reserve  
No. 17406  
near  
Yealering

24. Reserve No. 17406, comprising Avon Location 12217, containing six acres and one perch and set apart for the purposes of Hall Site and Recreation and being—

the land comprised in Certificate of Title Volume 776 Folio 150, registered in the names of Alfred William Townsend, George Alfred Hickmott and Albert Leonard Barber as Trustees of the Nalder Memorial Hall,

is hereby cancelled and the land contained therein is hereby revested in Her Majesty as of her former estate and is removed from the operation of the Transfer of Land Act, 1893, with the intention that the land may be reserved or disposed of in such manner as the Governor may approve.

Reserves  
Nos. 22240  
and 22241  
at Perth.

25. (1) Reserve No. 22240, comprising Perth Lot S.36, of six acres three roods eighteen perches, classified as of Class "A" and set apart for the purpose of Public Buildings (Departmental Offices) under the authority of the Reserves (Government Domain) Act, 1940, is hereby reduced by the excision of portion containing two acres one rood fifteen and eight-tenths perches, comprising a strip of land two chains seventy links wide from its eastern end extending from Saint George's Terrace to Terrace Drive.

(2) Reserve No. 22241, comprising Perth Lot S.37, of three roods nineteen and two-tenths perches classified as of Class "A" and set apart for the purpose of a Public Road under the authority of the Reserves (Government Domain) Act, 1940, is hereby cancelled.

(3) The land comprised in cancelled Reserve No. 22241 and the portion excised from Reserve No. 22240 is hereby revested in Her Majesty as of her former estate with the intention that it may be disposed of by the Governor under the provisions

of the Land Act, 1933, at such prices and subject to such terms and conditions as he may approve for the following purposes:—

- (a) to make available to The Commonwealth of Australia for the purpose of Public Buildings Site (Taxation Department) an area of one acre two roods thirty-eight and four-tenths perches being a strip of land two chains wide extending from Saint George's Terrace to Terrace Drive which will include the whole of the land in cancelled Reserve 22241 and portion of the area excised from Reserve 22240;
- (b) to make available for another important purpose on the approval of the Governor under the provisions of the Land Act, 1933, an area of one acre one rood thirty-six and six-tenths perches being a strip of land one chain seventy links wide on the western side of the area described in (a) above.

(4) The proceeds of the sales of the land referred to in the preceding subsection shall be devoted solely for the purpose of the erection of new Public Buildings on the "Observatory Site" and shall not be credited to Consolidated Revenue.

26. (1) Reserve No. 1212, comprising Cottesloe Lot 96, set apart for Police purposes is hereby amended by the excision of all that portion being—

the portion on the eastern end of the reserve which is fenced off from the remainder of the reserve and is occupied by the old Claremont Police Station and Quarters, and comprising an area of about one rood ten perches.

(2) The land comprised in the portion so excised may be surveyed as a separate lot, the Crown Grant of which may be issued to the Federation of Western Australian Police and Citizens' Boys' Clubs Incorporated, free of any trust, but subject to the condition that the land shall not be used as a business site, and the Governor is hereby authorised to approve the said Crown Grant.

Reserve  
No. 1212 at  
Cottesloe.