

RESERVES.

3° and 4° GEO. VI., No. XXXIII.

No. 33 of 1939.**AN ACT relating to certain Reserves and other lands.**

[Assented to 16th December, 1939.]

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

Short title. 1. This Act may be cited as the *Reserves Act* (No. 3), 1939.

Pinjarra lot 34. 2. All that piece of land, being Pinjarra lot 34, granted to John Kynn McCatee, William Hymus and Robert Brodie (now all deceased), as Trustees of the Independent Order of Good Templars, for the furtherance of the cause of temperance, is hereby vested in His Majesty the King as of his former estate and may be disposed of as the Governor may think fit as Crown land under the provisions of the Land Act, 1933-1938.

Swan locations 2112 and 2511. 3. All that piece of land, being Swan location 2112, at Claremont, and being that area of land formerly portion of reserve "A" 4228, which by section one of the Act No. 57 of 1904 was dedicated to the purposes of a

municipal yard and electric light and power station, and all that piece of land, being Swan location 2511, at Claremont, and being that area of land formerly portion of reserve "A" 4228, which by section one of the Act No. 56 of 1909 was dedicated to municipal purposes, are hereby withdrawn, discharged, and released from the dedications aforesaid to the intent that both the said locations shall be reserved and set apart as a class "A" reserve for recreation purposes.

4. Notwithstanding anything to the contrary contained in section seven of the Reserves Act, 1934 (No. 44 of 1934), which re-vested all that piece of land, being reserve 3411 (Norseman town lot 49), in His Majesty to the intent that the said land might be granted to the Norseman Mechanics' Institute when incorporated as an association under the Associations Incorporation Act, 1895, the said land may be set apart as a reserve for the purposes of hall site, library, and local government purposes and be vested in Dundas Road Board under the provisions of Part III. of the Land Act, 1933-1938.

Reserve 3411
(Norseman
town lot 49).

5. All that piece of land, being Bunbury lot 226 and being part of reserve "A" 21917, set apart for park lands, is hereby excised from the said reserve and may be disposed of or reserved for any other purpose as the Governor may think fit as Crown land under the provisions of the Land Act, 1933-1938.

Reserve
"A" 21917.
Bunbury lot
226.

6. All that piece of land, being Corrigin lot 33, granted to James Dougan, Thomas Alexander Madill, and Charles Jose in trust for the purpose of a hall site (Anzac Memorial), may be sold by the said trustees to any person, and may be transferred to the purchaser freed and discharged from the said and any other trusts:

Corrigin
lot 33.

Provided that—

- (i) the proceeds of sale of the said land shall be used and applied by the said trustees to the payment of the existing debt owing in relation to the building erected on the said land; and
- (ii) any balance of the said proceeds of sale remaining after payment of the said debt shall be

paid to the Returned Sailors and Soldiers' Imperial League of Australia (W.A. Branch), Incorporated, as a donation to the Aged Sailors and Soldiers' Relief Fund.

Reserve
"A" 11385.

7. Reserve "A" 11385, at Geraldton, set apart and granted for educational endowment, is hereby amended by the excision therefrom of those pieces of land comprised in the truncated corners of the said reserve, more particularly described in the First Schedule to this Act, to the intent that the several pieces of land comprised in the truncated corners aforesaid shall be dedicated to the public as additions to the streets adjoining the same respectively under the provisions of the Municipal Corporations Act, 1906-1938.

Geraldton
town lot 938.

8. All that piece of land, being portion of Geraldton town lot 938, granted to the municipality of Geraldton in trust solely for municipal endowment, as surveyed and shown on deposited diagram 11156 as a truncation, containing five and six-tenths perches, is hereby excised from the said Geraldton town lot 938 and revested in His Majesty the King as of his former estate, to the intent that the said piece of land shall be dedicated to the public as an addition to Augustus street, Geraldton, under the provisions of the Municipal Corporations Act, 1906-1938.

Reserve
"A" 17375.

9. All that piece of land, being portion of reserve "A" 17375, for recreation at Crawley, and more particularly described in the Second Schedule to this Act, is hereby excised from the said reserve, to the intent that the said piece of land shall be included in the Riverside drive and be dedicated to the public as a public highway under the provisions of the Municipal Corporations Act, 1906-1938.

Reserve
"A" 11339.

10. (a) All that piece of land, being portion of reserve "A" 11339, at Wagin, set apart for the purposes of water supply and park, and more particularly described in the Third Schedule to this Act, is hereby excised from the said reserve, to the intent that it shall be reserved and set apart as a class "A" reserve for recreation; and

(b) All that piece of land, being portion of the said reserve "A" 11339 lying between the production south-westward of the north-western and south-eastern sides respectively of Thornton street, Wagin, is hereby excised from the said reserve, to the intent that the said piece of land shall be dedicated to the public as a public highway and extension of Thornton street aforesaid under the provisions of the Municipal Corporations Act, 1906-1938.

11. All that portion of Swan location 2123 (reserve 9397) granted to the Subiaco municipality in trust for the purpose of municipal endowment, situated westward and north-westward of the western and north-western alignment of Atkinson crescent and westward of the western alignment of Brown street, as shown on deposited plans 2869 and 2870, may be surrendered by the Subiaco municipality to the Crown freed and discharged from the said trust, to the intent that the land so surrendered may be dedicated to the purposes of the Workers' Homes Act, 1911.

Swan location
2123 (reserve
9397).

12. Cottesloe lot 163, held by the trustees for the time being of the Independent Order of Oddfellows Orphans' Home of Western Australia for the purposes of the said orphans' home, may be sold by the said trustees and transferred to the purchaser freed from the trust: Provided—

Cottesloe
lot 163.

- (1) that in the event of a sale being effected, the whole of the proceeds shall be invested by the trustees;
- (2) that only the income therefrom shall be used;
- (3) that seventy-five per cent. of the income shall be used for the purpose of assisting orphan or part orphan children and widows of members of the Independent Order of Oddfellows;
- (4) that twenty-five per cent. of the income shall be transferred quarterly to the Grand Lodge of the Independent Order of Oddfellows for the purpose of assisting aged members of the society.

13. (1) All that portion of Cockburn Sound location 839 held by the Fremantle city council as part of the Fremantle endowment lands and more particularly

Cockburn
Sound loca-
tion 839.

described in the Fourth Schedule to this Act, and all the estate and interest of the said Fremantle city council therein may be surrendered by the Fremantle city council to His Majesty the King.

(2) The said land, when so surrendered, shall vest in His Majesty as of his former estate, and shall be disposed of as follows, that is to say:—

- (a) A portion thereof, one chain in width, shall be dedicated a public road under the provisions of the Municipal Corporations Act, 1906-1938, as an extension southward of Paget street in the city of Fremantle; and
- (b) the remainder thereof shall be dedicated by the Governor to the purposes of the Workers' Homes Act, 1911.

FIRST SCHEDULE.

Portion of Geraldton town lot 635, containing 1 $\frac{3}{10}$ ths perches, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 639, containing 5/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 634, containing 1 $\frac{3}{10}$ ths perches, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 630, containing 5/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 711, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 655, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 652, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 651, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 648, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 623, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

Portion of Geraldton town lot 620, containing 8/10ths of a perch, as surveyed and shown on deposited diagram 11156.

SECOND SCHEDULE.

All that portion of "A" reserve 17375, containing 5 acres 1 rood and bounded by lines starting from the north-eastermost corner of Swan location 2885, and extending $81^{\circ} 26' 1''$ 1 chain $8 \frac{2}{10}$ links; thence $226^{\circ} 39' 2''$ 2 chains 85 links; thence $222^{\circ} 32' 2''$ 2 chains 77 links; thence 220° 14 min-

utes 2 chains 50 links; thence 216 degrees 32 minutes 2 chains 4 $\frac{7}{10}$ links; thence 213 degrees 48 minutes 2 chains; thence 211 degrees 12 minutes 2 chains; thence 208 degrees 30 minutes 2 chains; thence 201 degrees 16 minutes 2 chains; thence 197 degrees 53 minutes 2 chains; thence 193 degrees 42 minutes 2 chains; thence 189 degrees 38 minutes 2 chains; thence 177 degrees 53 minutes 2 chains; thence 173 degrees 31 minutes 2 chains; thence 175 degrees 34 minutes 2 chains 72 links; thence 180 degrees 1 minute 10 chains 20 links; thence 194 degrees 28 minutes 1 chain 85 links; thence 167 degrees 26 minutes 3 chains 48 $\frac{3}{10}$ links; thence 151 degrees 47 minutes 11 chains 41 $\frac{4}{10}$ links; thence 178 degrees 52 minutes 1 chain 78 $\frac{1}{10}$ links; thence 205 degrees 58 minutes 1 chain 97 $\frac{8}{10}$ links; thence 224 degrees 1 minute 1 chain 90 $\frac{1}{10}$ links; thence 242 degrees 5 minutes 8 chains 96 $\frac{9}{10}$ links; thence 222 degrees 54 minutes 7 chains 11 $\frac{6}{10}$ links; thence 359 degrees 53 minutes 1 chain 46 $\frac{5}{10}$ links; thence 42 degrees 54 minutes 1 chain 55 $\frac{2}{10}$ links to a tangent point of a circular curve, the bearing and distance of whose radius is 312 degrees 54 minutes 43 $\frac{2}{10}$ links from said tangent point; thence by said curve generally north-westerly 1 chain 0 $\frac{6}{10}$ links to another tangent point of the same curve; thence 269 degrees 42 minutes 74 links; thence 359 degrees 53 minutes 1 chain; thence 89 degrees 42 minutes 40 $\frac{8}{10}$ links; thence 87 degrees 23 minutes 56 $\frac{6}{10}$ links; thence 83 degrees 1 minute 50 links; thence 78 degrees 55 minutes 50 links; thence 74 degrees 50 minutes 50 links; thence 70 degrees 44 minutes 50 links; thence 66 degrees 39 minutes 50 links; thence 62 degrees 33 minutes 50 links; thence 58 degrees 11 minutes 56 $\frac{7}{10}$ links; thence 55 degrees 52 minutes 32 $\frac{5}{10}$ links; thence 56 degrees 19 minutes 65 $\frac{3}{10}$ links; thence 57 degrees 29 minutes 1 chain; thence 58 degrees 52 minutes 1 chain; thence 60 degrees 16 minutes 1 chain; thence 61 degrees 40 minutes 1 chain; thence 63 degrees 4 minutes 1 chain; thence 64 degrees 28 minutes 1 chain; thence 65 degrees 52 minutes 1 chain; thence 67 degrees 15 minutes 1 chain; thence 68 degrees 25 minutes 65 $\frac{3}{10}$ links; thence 64 degrees 32 minutes 45 $\frac{7}{10}$ links; thence 57 degrees 21 minutes 30 links; thence 51 degrees 39 minutes 30 links; thence 45 degrees 57 minutes 30 links; thence 40 degrees 15 minutes 30 links; thence 34 degrees 34 minutes 30 links; thence 28 degrees 52 minutes 30 links; thence 23 degrees 10 minutes 30 links; thence 17 degrees 20 minutes 30 links; thence 11 degrees 47 minutes 30 links; thence 6 degrees 5 minutes 30 links; thence 0 degrees 23 minutes 30 links; thence 354 degrees 42 minutes 30 links; thence 349 degrees 0 minutes 30 links; thence 343 degrees 17 minutes 30 links; thence 336 degrees 7 minutes 45 $\frac{7}{10}$ links; thence 331 degrees 46 minutes 12 chains 16 $\frac{4}{10}$ links; thence 334 degrees 15 minutes 50 links; thence 339 degrees 12 minutes 50 links; thence 344 degrees 9 minutes 50 links; thence 349 degrees 6 minutes 50 links; thence 354 degrees 3 minutes 50 links; thence 359 degrees 1 minute 50 links; thence 3 degrees 58 minutes 50 links; thence 8 degrees 55 minutes 50 links; thence 13 degrees 52 minutes 50 links; thence 18 degrees 35 minutes 45 $\frac{3}{10}$ links; thence 20 degrees 1 minute 22 $\frac{6}{10}$ links; thence 17 degrees 25 minutes 50 links; thence 13 degrees 49 minutes 50 links; thence 10 degrees 13 minutes 50 links; thence 6 degrees 38 minutes 50 links; thence 3 degrees 2 minutes 50 links; thence 359 degrees 26 minutes 50 links;

thence 357 degrees 38 minutes 12 chains 4 $\frac{8}{10}$ links; thence 359 degrees 6 minutes 1 chain 0 $\frac{1}{10}$ links; thence 2 degrees 3 minutes 1 chain; thence 5 degrees 0 minutes 1 chain; thence 7 degrees 56 minutes 1 chain; thence 10 degrees 53 minutes 1 chain; thence 13 degrees 49 minutes 1 chain; thence 16 degrees 46 minutes 1 chain; thence 19 degrees 42 minutes 1 chain; thence 22 degrees 34 minutes 94 $\frac{1}{10}$ links; thence 24 degrees 50 minutes 94 links; thence 26 degrees 38 minutes 94 links; thence 28 degrees 26 minutes 94 links; thence 30 degrees 14 minutes 94 links; thence 31 degrees 57 minutes 1 chain 23 $\frac{5}{10}$ links; thence 33 degrees 25 minutes 1 chain; thence 34 degrees 44 minutes 1 chain; thence 36 degrees 3 minutes 1 chain; thence 37 degrees 23 minutes 1 chain; thence 38 degrees 42 minutes 1 chain; thence 40 degrees 1 minute 1 chain; thence 41 degrees 20 minutes 1 chain; thence 42 degrees 39 minutes 1 chain; thence 43 degrees 58 minutes 1 chain; thence 45 degrees 17 minutes 1 chain; thence 46 degrees 36 minutes 1 chain; and thence 47 degrees 56 minutes 34 $\frac{5}{10}$ links to the starting point.

All bearings being true or thereabouts and distances more or less.

THIRD SCHEDULE.

All that portion of Wagin lot 576 bounded on the north-eastward and south-eastward respectively by lines starting from a point on the north-eastern boundary of the said lot in production south-westward of the north-western side of Thornton street, and extending north-westward along the south-western side of Unicorn street for a distance of 3 chains 65 links; and south-westward along the production of the north-western side of Thornton street for a distance of 2 chains, and by opposite boundaries parallel and equal.

FOURTH SCHEDULE.

All that portion of land bounded by lines starting from a point on the southern side of Lefroy road situate in the prolongation southerly of the eastern side of Carrington street and extending 89 degrees 16 minutes 7 chains 1 $\frac{6}{10}$ th links along the said southern side of Lefroy road; thence 179 degrees 10 minutes 10 chains; thence 269 degrees 16 minutes about 7 chains 1 $\frac{6}{10}$ th links to a point in prolongation southerly of the eastern side of Carrington street aforesaid and thence 359 degrees 10 minutes 10 chains to the starting point. Subject to survey.