

COLLIE RECREATION AND PARK LANDS.

22° GEO. V., No. I.

No. 1 of 1931.

AN ACT to vest portions of Reserve A7927 and Reserve B7945 in a Board, and for purposes incidental thereto.

[Assented to 24th June, 1931.]

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:—

1. This Act may be cited as the *Collie Recreation and Park Lands Act, 1931.* Short title.

2. This Act shall be administered by the Minister of the Crown charged with the administration of the Department of Lands and Surveys. Administration.

3. (1.) For the purposes of this Act there shall be a Board, which shall be a body corporate, under the name of the Collie Recreation and Park Lands Board (hereinafter referred to as "the Board"), with perpetual succession and a common seal, with power to hold real and personal property and to sue and be sued in its corporate name. Constitution of Board.

- (2.) The board shall consist of five members, namely, one person to be nominated by the Governor, and who shall be chairman, the mayor and a councillor of the municipality of Collie to be nominated by the council of such municipality, and the chairman and one member of the Collie road board to be nominated by such road board.

Nominations.

4. The nominations of the councillor and the member of the road board to be members of the board shall be made in writing by the council and the road board respectively, and shall be sent to the Minister.

Tenure of office.

5. The chairman of the board shall hold office during the pleasure of the Governor, and the remaining members during such time as they shall continue to hold the offices on the said municipal council and the said road board to which they have been respectively elected.

Board deemed to be a Board under the Parks and Reserves Act, 1895.

6. (1.) The board shall be deemed to be and to have all the powers of a board appointed under the Parks and Reserves Act, 1895, in addition to the powers hereby conferred.

Quorum.

(2.) At all meetings of the board three members shall form a quorum.

Reserves vested in the Board.

7. (1.) The lands described in the schedules to this Act, being portions respectively of reserve A7927 and reserve B7945, are hereby vested in the board for an estate in fee simple in trust for the purposes of recreation and park lands, but subject to this Act.

(2.) On the application in writing under the common seal of the board, the Registrar of Titles shall register the board as the proprietor in fee simple in possession of the lands hereby vested in the board, and issue a certificate of title accordingly.

(3.) The Order in Council made under section forty-three of the Land Act, 1898, whereby the lands hereby vested in the board were placed under the control of the Collie road board as a board of management, is hereby revoked.

Powers of Board.

8. The board is hereby authorised—

(a) to make and effect, construct and maintain such improvements and buildings on the lands hereby vested in the board as shall first be approved by the Minister;

(b) to let or demise the said lands, or any portion or portions thereof, or any buildings or improvements thereon, for any purposes not inconsistent with the said trust, at such rent, for such term, and subject to such conditions as the Board shall think fit: Provided that no lease shall be granted for a term exceeding three years without the consent of the Governor.

9. (1.) The board may, with the consent of the Governor and with the approval of four members of the board including the chairman, borrow money—

Power to borrow money.

- (a) for the improvement of the lands hereby vested in the board, and for the construction, erection and maintenance of buildings, works, and other improvements on the said lands;
- (b) to discharge the principal money of any loan previously raised by the board;
- (c) for any other purpose within the powers conferred by this Act.

(2.) Any moneys borrowed by the board under this section may be raised either by mortgage of the lands hereby vested in the board, or by the sale of debentures to be charged on the assets and revenue of the board, or partly by mortgage and partly by the sale of debentures as aforesaid.

(3.) Before any moneys are borrowed under this section the board shall submit a proposal in writing to the Minister for his approval, setting out the purposes for which the money is required, the security to be given, and particulars of the terms and conditions of such security, and the measures proposed to be taken by the board for the repayment of the moneys borrowed.

10. The board shall present to the Minister annually a financial statement certified by an auditor approved by the Minister, and a report of its proceedings and operations during that year.

Accounts, annual report, and financial statement.

THE FIRST SCHEDULE.

That part of class "A" reserve 7927, being all that portion of land bounded by lines starting from the southern corner of reserve 7685 and extending southerly (in prolongation of the eastern boundary of said reserve) to a point on the left bank of the Collie river; thence downward along said left bank to a point in the southern prolongation of the western boundary of aforesaid reserve; thence northerly to said boundary; and thence easterly and south-easterly along boundaries of said reserve to the starting point. (Plan 411C/40, E3.)

THE SECOND SCHEDULE.

That part of class "B" reserve 7945, being all that portion of land bounded by lines starting from the intersection of the north-eastern boundary of mineral lease No. 96 (Collie River Coal Mining District) with the left bank of the Collie river, and extending downward along said left bank to a point in the southern prolongation of the eastern side of a one and a half chain road extending along the eastern boundaries of reserves 7927 and 7685; thence northerly to and along said side of road to the north-eastern boundary of mineral lease 96 aforesaid; and thence south easterly along part of the latter boundary to the starting point.

That part of class "B" reserve 7945, being all that portion of land bounded by lines starting from a point on the easternmost boundary of Wellington location 1304 and situated 4 chains 80 links south from the north-easternmost corner of said location, and extending east and north along the southern and part of the eastern boundary of mineral lease 112 (Collie River Coal Mining District) to the northern boundary of mineral lease 108; thence east and south-westerly along the said northern and part of the south-eastern boundary of mineral lease 108 to the northern boundary of reserve 7685; thence westerly and southerly along part of the said northern and the western boundary of said reserve and onward along part of the western boundary of reserve 7927 to the left bank of the Collie river; thence downward along the said left bank to a point in the southern prolongation of the easternmost boundary of location 1304 aforesaid; and thence north to and along said boundary to the starting point.

Excluding all roads within such boundaries. (Plan 411C/40, E3.)