

RESERVES ACT 1996

(No. 32 of 1996)

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WESTERN AUSTRALIA

RESERVES ACT 1996

No. 32 of 1996

AN ACT to effect certain changes in respect of certain reserves and other land.

[Assented to 19 September 1996]

The Parliament of Western Australia enacts as follows:

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Reserves Act 1996*.

Commencement

2. This Act comes into operation on the day on which it receives the Royal Assent.

Interpretation

3. In this Act —

“**Authority**” means the National Parks and Nature Conservation Authority constituted under the *Conservation and Land Management Act 1984*.

Plans and diagrams

4. The plans and diagrams referred to in this Act are held by the Graphic Bank within the Department of Land Administration.

**PART 2 — ALTERATIONS TO AND CANCELLATIONS
OF RESERVES**

Reserve No. 4561 in the City of Armadale

5. Reserve No. 4561, classified as of Class A, comprising 498.440 2 hectares set apart for “Parklands” and vested in the City of Armadale, is amended by including an area of 0.998 5 hectares, being Canning Location 3895 as shown on Diagram No. 91837, so that the reserve comprises 499.438 7 hectares.

Reserve No. 23243 in the Shire of Boyup Brook

6. The classification as of Class A of Reserve No. 23243, comprising 3.321 0 hectares and set apart for “Hallsite”, is cancelled.

Reserve No. 15927 in the City of Bunbury

7. Reserve No. 15927, classified as of Class A, comprising 8.298 7 hectares or thereabouts, vested in, with a power to lease, and held in trust by, the City of Bunbury for the purposes of “Recreation and Parking”, is amended by excising an area of 1 985 square metres, shown as Bunbury Lot 759 on Diagram No. 91861, so that the reserve comprises 8.100 2 hectares or thereabouts.

Reserve No. 23000 in the Shire of Capel

8. Reserve No. 23000, classified as of Class A, comprising 136.437 8 hectares set apart for “Travellers Stopping Place and Caravan Park” and vested in the Shire of Capel, is amended by including an area of 1 513 square metres, shown as Wellington Location 5629 on Diagram No. 90968, so that the reserve comprises 136.589 1 hectares.

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Reserve No. 2218 in the Shire of Cranbrook

9. (1) Reserve No. 36196, classified as of Class C, comprising 10.865 6 hectares and set apart for “Gravel”, as shown on Diagram No. 83409, is cancelled.

(2) Reserve No. 2218, classified as of Class A, comprising 44.885 6 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including all that land described in subsection (1), so that the reserve comprises 55.751 2 hectares.

Reserve No. 36996 (D’Entrecasteaux National Park)

10. (1) All that portion of Nelson Location 7226 described in Certificate of Title Volume 1426 Folio 015 comprising 71.596 4 hectares is —

- (a) re-vested in Her Majesty as of Her former estate;
- (b) removed from the operation of the *Transfer of Land Act 1893*; and
- (c) constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(2) Reserve No. 36996, classified as of Class A, comprising 114 565.932 8 hectares or thereabouts, set apart for “National Park and Water” and vested in the Authority, is amended —

- (a) by excising an area of 368.061 5 hectares, being Locations 13471, 13472 and portions of Locations 13473 and 13474 as depicted on Reserve Plan No. 431;
- (b) by including an area of 39.405 3 hectares, described as Location 13481 on Miscellaneous Diagram No. 525; and

- (c) by redescribing the reserve to comprise those areas shown bordered red on Reserve Plan No. 367 (sheets 1 to 6 inclusive) and Miscellaneous Diagrams No. 309, 316 and 525,

so that the reserve comprises 115 447 hectares or thereabouts.

Reserve No. 24679 in the Shire of Gnowangerup

11. The classification as of Class A of Reserve No. 24679, comprising 2.425 6 hectares, described as Borden Lot 45 on Diagram No. 57158 and set apart for “Camping and Caravan Park”, is cancelled.

Reserve No. 23076 in the Shire of Kalamunda

12. (1) Reserve No. 43182, classified as of Class C, comprising 1.750 2 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is cancelled.

(2) The 5 618 square metres of land comprising Lot 35 on Plan No. 4742, described in Certificate of Title Volume 1241 Folio 542, is —

- (a) revested in Her Majesty as of Her former estate;
- (b) removed from the operation of the *Transfer of Land Act 1893*; and
- (c) constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(3) Reserve No. 23076, classified as of Class A, comprising 19.678 1 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including all that land described in subsections (1) and (2), so that the reserve comprises 21.990 1 hectares.

Reserve No. 25039 (Emu Hill Nature Reserve) in the Shire of Narembeen

13. Reserve No. 25039, classified as of Class A, formerly described as comprising 89.030 8 hectares or thereabouts but found on recalculation to comprise 61.695 9 hectares or thereabouts, set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including an area of 880 square metres, being Emu Hill Lot 74 (formerly Lot 15 on Plan No. 1711) so that the reserve comprises 61.783 9 hectares or thereabouts.

Reserves Nos. 34772 and 29977 in the Shire of Northam

14. (1) Reserve No. 34772, classified as of Class A, comprising 29.558 5 hectares or thereabouts and set apart for “Conservation of Flora and Fauna”, is cancelled.

(2) Reserve No. 29977, classified as of Class A, comprising 64.562 3 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including all that land described in subsection (1), so that the reserve comprises 94.120 8 hectares or thereabouts.

Reserve No. 29745 in the Shire of Perenjori

15. (1) Reserve No. 18625, classified as of Class C, comprising 4.046 9 hectares and set apart for “School Site”, is cancelled.

(2) Reserve No. 29745, classified as of Class A, comprising 148.200 3 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority is amended by including all that land described in subsection (1), so that the reserve comprises 152.247 2 hectares.

Reserve No. 15162 in the Shire of Plantagenet

16. Reserve No. 15162, classified as of Class A, comprising 58.329 6 hectares or thereabouts set apart for “Parklands” and vested in the Shire of Plantagenet is amended —

- (a) by excising an area of 5 200 square metres, being Plantagenet Location 7761 as shown on Plan No. 18597; and
- (b) by surveying the remaining reserve, following the excision in paragraph (a),

so that the reserve comprises 58.097 0 hectares, as shown on Plan No. 18597.

Reserve No. 24943 in the Shire of Plantagenet

17. The classification as of Class A of Reserve No. 24943, comprising 2.524 3 hectares and set apart for “Preservation of Flora”, is cancelled.

Reserve No. 18325 in the City of Stirling

18. Reserve No. 18325, classified as of Class A, comprising 163.370 0 hectares set apart for “Recreation” and vested in the City of Stirling with a power to lease, is amended by excising an area of 1.811 4 hectares, shown as Swan Location 11985 on Diagram No. 91590, so that the reserve comprises 161.558 6 hectares.

Reserve No. 39962 in the City of Stirling

19. (1) The 201 square metres of land comprising a part of Lot 6 on Diagram No. 15478 and being a portion of the land described in Certificate of Title Volume 1132 Folio 412 is —

- (a) re-vested in Her Majesty as of Her former estate;

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- (b) removed from the operation of the *Transfer of Land Act 1893*; and
- (c) constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(2) The 201 square metres of land referred to in subsection (1) is redescribed as North Beach Lot 715 as surveyed and shown bordered red on Diagram No. 91420.

(3) Reserve No. 39962, classified as of Class A, comprising 95.894 3 hectares, set apart for “Conservation of Flora and Fauna, and Passive Recreation” and vested in the City of Stirling, is amended by including 201 square metres being North Beach Lot 715, so that the reserve comprises 95.914 4 hectares.

Reserves Nos. 35291 and 33254 in the Shire of Toodyay

20. (1) Reserve No. 35291, classified as of Class A, comprising 4.628 4 hectares and set apart for “Conservation of Flora and Fauna”, is cancelled.

(2) Reserve No. 33254, classified as of Class A, comprising 9.473 1 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including all that land described in subsection (1), so that the reserve comprises 14.101 5 hectares.

Reserve No. 38924 in the Shire of Toodyay

21. Reserve No. 38924, classified as of Class A, comprising 931.578 3 hectares set apart for “Conservation of Flora and Fauna” and vested in the Authority, is amended by including an area of 1 784 square metres, shown as Avon Location 29096 on Diagram No. 91497, so that the reserve comprises 931.756 7 hectares.

Reserves Nos. 34606 and 29452 in the Shire of Ngannyatjarraku

22. (1) Reserve No. 34606, classified as of Class A, comprising 1 859 286 hectares or thereabouts (excluding roads) set apart for “Conservation of Flora and Fauna” and vested in the Authority, as shown on Reserve Diagram No. 84, is amended by excising an area comprising 16 422 hectares or thereabouts, so that the reserve comprises 1 842 864 hectares or thereabouts.

(2) Reserve No. 29452, classified as of Class A, comprising 4 144 hectares or thereabouts vested in the Aboriginal Lands Trust for “Use and Benefit of Aboriginal Inhabitants”, is amended by including all that land excised in subsection (1), so that the reserve comprises 20 566 hectares or thereabouts, shown as Milyuga Location 14 on Reserve Diagram No. 1303.