

WESTERN AUSTRALIA

RESERVES ACT 1994

(No. 16 of 1994)

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WESTERN AUSTRALIA

RESERVES ACT 1994

No. 16 of 1994

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

[Assented to 22 April 1994.]

The Parliament of Western Australia enacts as follows:

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Reserves Act 1994*.

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. 23850 in the Shire of Albany

5. (1) The purpose of Reserve No. 23850, classified as of Class A, formerly described as containing 348.029 7 hectares or thereabouts, but found on recalculation to contain 362.851 5 hectares, being Plantagenet Location 6023 on Diagram 90559, and set apart for "Recreation, Camping and Water" is changed to "Conservation of Flora and Fauna".

(2) Reserve No. 23850 is vested in the Authority.

**Closure of roads and amendment to Reserve No. 27107 in
the Shire of Albany**

6. (1) Reserve No. 26169, classified as of Class C, containing 4426 square metres and set apart for "Public Utility", is cancelled.

(2) All those portions of road shown coloured blue on Original Plan No. 17980, comprising 9901 square metres, are hereby closed and all rights of way over them shall hereby cease.

(3) The land contained in the portions of road closed by the operation of subsection (2) is constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(4) Reserve No. 27107, classified as of Class A, containing 2 131.649 2 hectares or thereabouts and set apart for "National Park" is amended —

(a) by excising areas totalling 1.326 3 hectares as shown coloured dark brown on Original Plan No. 17980;

- (b) by excising an area of 7.473 7 hectares, being Plantagenet Location 7691, as shown bordered pink on Diagram No. 90486;
- (c) by excising an area of 9342 square metres being part of the land shown in Diagram No. 90476;
- (d) by excising an area abutting the area referred to in paragraph (c) which is now shown as included in Plantagenet Location 7723 on Reserve Diagram No. 1105;
- (e) by including the land referred to in subsection (1);
- (f) by including the land contained in the portions of road closed by the operation of subsection (2);
- (g) by including a portion of closed road forming the south-eastern boundary of Plantagenet Location 4908 as shown surveyed on Original Plan No. 2455 (excluding the area of 63 square metres shown coloured dark brown on Original Plan No. 17980), and its extension south-westerly as shown surveyed on Diagram No. 44716;
- (h) by including an area of 2023 square metres of Crown land, being former Plantagenet Location 7135; and
- (i) by including the area of Crown land between the high and low water marks of the Oyster Harbour and Southern Ocean borders of the reserve,

so that the reserve is comprised of an area of 2 104.000 0 hectares or thereabouts, being Plantagenet Locations 7724 and 7726 as shown bordered pink on Reserve Plan No. 383.

Reserve No. 16412 in the Shire of Beverley

7. Reserve No. 16412, classified as of Class A, containing 60.702 8 hectares or thereabouts, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended by including an area of 4.782 9 hectares or thereabouts, being portions of closed road on the north-west boundary of the reserve, so that the reserve is comprised of an area of 65.485 7 hectares being Avon Location 29067 as shown bordered pink on Diagram No. 90711.

Reserve No. 21380 in the Shire of Bruce Rock

8. Reserve No. 21380, classified as of Class A, containing 4024 square metres, set apart for "Recreation" and vested in the Shire of Bruce Rock, is cancelled.

Reserve No. 24869 in the Shire of Carnarvon

9. Reserve No. 24869, classified as of Class A, containing 9 719.959 5 hectares or thereabouts, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended —

- (a) by excising an area of 820 square metres being that area of the reserve included in Gascoyne Location 402 on Diagram No. 88936; and
- (b) by excising an area of 663 square metres being that area of the reserve included in Gascoyne Location 403 on Diagram No. 89015,

so that the reserve is comprised of an area of 9 719.811 2 hectares or thereabouts.

Reserve No. 15214 in the Shire of Cranbrook

10. The purpose of Reserve No. 15214, classified as of Class A, containing 101.170 0 hectares, set apart for "Protection of Indigenous Flora" and vested in the Authority, is changed to "Conservation of Flora and Fauna".

Reserve No. 14376 in the Shire of Denmark

11. The classification as of Class A of Reserve No. 14376, containing 21.516 6 hectares or thereabouts, set apart for "Parklands" and vested in the Shire of Denmark, is cancelled.

Reserve No. 23156 in the Shire of Dowerin

12. (1) Reserve No. 23157, classified as of Class C, containing 24.258 4 hectares and set apart for "Water", is cancelled.

(2) Reserve No. 23156, classified as of Class A, containing 313.173 4 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended by including the area referred to in subsection (1) so that the reserve is comprised of an area of 337.431 8 hectares being Avon Locations 20118 and 20153.

Reserve No. 24364 in the Shire of Harvey

13. The classification as of Class A of Reserve No. 24364, containing 6227 square metres, set apart for "Water Supply" and vested in the Shire of Harvey, is cancelled.

Reserve No. 9286 in the City of Kalgoorlie/Boulder

14. The classification as of Class A of Reserve No. 9286, containing 20.029 2 hectares, set apart for "Water Supply" and vested in the Minister for Water Resources, is cancelled.

Reserve No. 30082 (Karijini National Park)

15. (1) Reserve No. 42165, classified as of Class C, containing 10 359.385 6 hectares or thereabouts as shown on Reserve Diagram No. 1090, set apart for "Conservation Park" and vested in the Authority, is cancelled.

(2) Reserve No. 41864, classified as of Class C, containing 5 998.400 0 hectares as shown on Reserve Diagram No. 984, set apart for "Conservation Park" and vested in the Authority, is cancelled.

(3) Reserve No. 30082, classified as of Class A, containing 606 597.000 0 hectares or thereabouts, set apart for "National Park" and vested in the Authority is amended —

- (a) by including the land referred to in subsection (1);
- (b) by including the land referred to in subsection (2); and
- (c) by including a portion of Crown land comprising 4 490.000 0 hectares, being Gregory Location 94 and Windell Location 133, as shown bordered pink on Miscellaneous Diagram No. 337,

so that the reserve is comprised of an area of 627 444.785 6 hectares or thereabouts.

Reserve No. 15061 in the Shire of Kojonup

16. The purpose of Reserve No. 15061, classified as of Class A, containing 16.187 4 hectares, set apart for "Preservation of Indigenous Flora" and vested in the Authority, is changed to "Conservation of Flora and Fauna".

Reserve No. 39422 in the Shire of Lake Grace

17. Reserve No. 39422, classified as of Class A, containing 40 104.502 5 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended by excising an area of 8.437 8 hectares, being Roe Location 3121 as shown bordered pink on Diagram No. 90620.

Reserve No. 24063 in the City of Melville

18. Reserve No. 24063 (Troy Park), classified as of Class A, containing 29.004 8 hectares, set apart for "Recreation" and vested in the City of Melville, is amended by excising an area of 570 square metres being Swan Location 11543, as shown bordered pink on Diagram No. 90126.

Reserve No. 900 in the Shire of Mingenew

19. (1) All that portion of land being Victoria Location 11141, comprising 111.995 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. 900, classified as of Class A, containing 641.838 9 hectares, set apart for "Preservation of Natural Features" and vested in the Mingenew Shire Council, is amended by including the land referred to in subsection (1), so that the reserve comprises 753.834 3 hectares.

(3) The vesting of Reserve No. 900, as amended by subsection (2), in the Mingenew Shire Council is revoked.

(4) The purpose of Reserve No. 900, as amended by subsection (2), is changed from "Preservation of Natural Features" to "Conservation Park".

Reserve No. 40476 in the Shire of Murray

20. (1) Reserve No. 19413, classified as of Class C, containing 38.630 8 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is cancelled.

(2) Reserve No. 40476, classified as of Class A, containing 31.067 9 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended by including the land referred to in subsection (1) so that the reserve is comprised of an area of 69.698 7 hectares, being Murray Locations 1846 and 549.

Reserve No. 24522 (Nambung National Park)

21. (1) Reserve No. 29149, classified as of Class C, containing 1 625.622 2 hectares or thereabouts, set apart for "National Park" and vested in the Authority, is cancelled.

(2) Reserve No. 28393, classified as of Class C, containing 12 782.914 1 hectares, set apart for "Preservation of Natural Formations (Pinnacles)" and vested in the Authority, is cancelled.

(3) Reserve No. 24522, classified as of Class A, containing 3 909.994 1 hectares or thereabouts, set apart for "National Park and Water" and vested in the Authority, is amended —

(a) by including the land referred to in subsection (1); and

(b) by including the land referred to in subsection (2),

so that the reserve is comprised of an area of 18 318.530 4 hectares or thereabouts, being Melbourne Locations 3953, 4048, 4056, 4126, 4127 and 4145, as shown bordered pink on Reserve Plan No. 380.

Reserve No. 11307 in the Town of Narrogin

22. The classification as of Class A of Reserve No. 11307, containing an area of 4151 square metres, set apart for "Parklands" and vested in the Town of Narrogin, is cancelled.

Reserve No. 24029 in the City of Nedlands

23. Reserve No. 24029, classified as of Class A, containing 7640 square metres, set apart for "Kindergarten, Infant Health Clinic, Children's Playground and Park", vested in the City of Nedlands, and shown bordered pink on Diagram 83807 is amended by excising an area of 20 square metres, being that area of land included in Swan Location 11682 bordered pink on Diagram 90839.

Reserve No. 35815 in the City of Perth

24. The classification as of Class A of Reserve No. 35815, containing 6.286 8 hectares, set apart for "Vehicle Park, Gardens and Bus Terminal" and jointly vested in the City of Perth and the Metropolitan (Perth) Passenger Transport Trust ("Transperth"), is cancelled.

Reserve No. 16346 in the Shire of Quairading

25. Reserve No. 16346, classified as of Class A, formerly described as containing 44.363 6 hectares or thereabouts but found on recalculation to contain 45.500 4 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended by including an area of 1.618 7 hectares, being former C Class Reserve No. 16345, so that the reserve is comprised of 47.119 1 hectares, being Avon Location 29084 as shown bordered pink on Diagram No. 91041.

Reserve No. 24204 in the City of Rockingham

26. (1) Reserve No. 42238, classified as of Class C, containing 2479 square metres, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is cancelled.

(2) Reserve No. 31893, classified as of Class A, containing 2900 square metres, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is cancelled.

(3) Reserve No. 42237, classified as of Class C, containing 844 square metres, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is cancelled.

(4) Reserve No. 31894, classified as of Class A, containing 2000 square metres, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is cancelled.

(5) Reserve No. 24204, classified as of Class A, containing 3.237 5 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Authority, is amended —

- (a) by including the land referred to in subsection (1);
- (b) by including the land referred to in subsection (2);
- (c) by including the land referred to in subsection (3); and
- (d) by including the land referred to in subsection (4),

so that the reserve is comprised of an area of 4.059 8 hectares.

Reserve No. 34607 (Rudall River National Park)

27. Reserve No. 34607, classified as of Class A, formerly described as containing 1 569 459.000 0 hectares or thereabouts but found on recalculation to contain 1 283 406.000 0 hectares or

thereabouts, set apart for "National Park" and vested in the Authority, is amended —

- (a) by excising 15 100.000 0 hectares from the north-western part of the reserve; and
- (b) by including 15 400.000 0 hectares on the western boundary of the reserve,

with the result that the reserve is now comprised of 1 283 706.000 0 hectares or thereabouts being Wanman Location 13, as shown bordered pink on Reserve Plan No. 382.

Reserve No. 5690 in the City of Subiaco

28. The classification as of Class A of Reserve No. 5690, containing 1797 square metres, set apart for "Police" and vested in the Commissioner of Police, is cancelled.

Reserve No. 25243 in the Shire of Woodanilling

29. The purpose of Reserve No. 25243, classified as of Class A, containing 33.065 3 hectares, set apart for "National Park" is changed to "Landscape Protection".

Reserve No. 27060 in the City of Stirling

30. The classification as of Class A of Reserve No. 27060, containing 4204 square metres, set apart for "Recreation" and vested in the City of Stirling, is cancelled.

Reserve No. 32559 in the City of Stirling

31. Reserve No. 32559, classified as of Class A, containing 121.921 3 hectares, set apart for "Conservation of Dunes, Education and Passive Recreation" and vested in the City of Stirling, is amended by excising an area of 1127 square metres, shown as Trigg Lot 12 on Diagram No. 91266.

Reserve No. 2851 in the City of Mandurah

32. The classification as of Class A of Reserve No. 2851, containing 116.121 1 hectares, set apart for "Recreation and Camping" and vested in the City of Mandurah, is cancelled.