

RESERVES AND ROAD CLOSURE.

No. 95 of 1972.

**AN ACT relating to certain Reserves and other lands
and to close a portion of road.**

[Assented to 4th December, 1972.]

BE 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:—

1. This Act may be cited as the *Reserves and Road Closure Act, 1972.* Short title.

2. (1) Reserve No. 18516 comprising Swan Location 3137, containing 1543 square metres, set apart for the purpose of "Hall Site (Memorial)", classified as of Class "A" and held in trust for that purpose under Certificate of Title Volume 1293 Folio 499 by The Returned Services League of Australia, W.A. Branch Incorporated is hereby cancelled.

Reserve No.
18516 at
South
Guildford.

(2) The land that is available from the reserve cancelled by the operation of subsection (1) of this section may be sold by The Returned Services League of Australia, W.A. Branch Incorporated for an estate in fee simple freed and discharged from all trusts but the whole of the proceeds from any such sale shall be applied to the War Veterans' Home at Mt. Lawley.

Reserve No.
7914 at
Collie.

3. (1) Reserve No. 7914 comprising Collie Lot 955, containing 1012 square metres, set apart for the purpose of "United Friendly Societies" and held under Crown Lease No. 2418/1915 (Lease No. 559/42 under the Land Act, 1898) for a term of nine hundred and ninety nine years by Edmund Watt Stuchbury, William Bartholomew O'Shea and Robert Llewellyn Williams as Trustees for the Friendly Societies Council of Collie solely for the purpose of a site for a hall in connection with that Council is hereby cancelled.

(2) Crown Lease No. 2418/1915 (Lease No. 559/42 under the Land Act, 1898) is hereby cancelled with the intention that the land comprised therein shall be set apart as a reserve for the purpose of "Hall Site" and vested in the Shire of Collie, for that purpose, with power to lease.

Reserve No.
9530 near
Minninup.

4. (1) Reserve No. 9530 comprising Stirling Estate Lots 141 and 142, containing 264.4620 hectares, set apart for the purpose of "State Forest", classified as of Class "A" and vested in the Minister for Mines is hereby cancelled.

(2) The land that is available from the reserve cancelled by the operation of subsection (1) of this section shall be dedicated as State forest under the provisions of the Forests Act, 1918.

Reserve No.
24435 at
Lake King.

5. (1) Reserve No. 24435 at Lake King, containing 90.2449 hectares, set apart for the purpose of "Townsite and Protection of Flora" and classified as

of Class "A" is hereby amended by excising all that portion situated southward from the northern boundary of Lake King Lot 38 and its prolongation eastward and the area of the reserve is reduced by 42.8967 hectares accordingly.

(2) The land excised by the operation of subsection (1) of this section shall be reserved again for the purpose of "Recreation and Golf Course".

6. (1) The purpose of Reserve No. 26270 comprising Wellington Location 4781, containing 14.8924 hectares, set apart for the purpose of "National Park", classified as of Class "A" and vested in the Shire of Harvey is hereby changed to "Conservation of Flora" and the Order in Council dated the 20th September, 1962 vesting the reserve in the Shire of Harvey to be held in trust for "a National Park" is hereby cancelled.

Reserve No.
26270 near
Australind.

(2) Reserve No. 26270 is hereby amended by excising—

- (a) the portion shown coloured dark brown on Lands and Surveys Diagram 75833; and
- (b) the portion shown bordered red on that Diagram,

and the area of the reserve is reduced to 10.3650 hectares accordingly.

(3) The land excised by the operation of subsection (2) of this section shall be dealt with in the following manner, that is to say—

- (a) that portion shown coloured dark brown on Lands and Surveys Diagram 75833 shall be dedicated as a public road;
- (b) that portion shown bordered red on that Diagram shall be included in Class "C" Reserve No. 26271.

Reserve No.
22057 adjoining
Yalgorup
National
Park.

7. The purpose of Reserve No. 22057 comprising Wellington Locations 4079, 4732 and 4926, containing 359.7655 hectares, classified as of Class "A" and vested in the National Parks Board of Western Australia is hereby changed from "Conservation of Flora and Fauna" to "National Park" and the Order in Council dated the 7th May, 1969 vesting the reserve in the National Parks Board of Western Australia to be held in trust for "Conservation of Flora and Fauna" is hereby cancelled.

Reserve No.
25036 at
Boulder.

8. (1) Reserve No. 25036 comprising Boulder Lots 660 and 1551, containing 57.9231 hectares, set apart for the purpose of "Recreation", classified as of Class "A" and vested in the Shire of Boulder is hereby amended by excising an area of 3.8319 hectares surveyed as Boulder Lot 3390.

(2) The land excised by the operation of subsection (1) of this section shall be reserved again for the purpose of "Caravan Park" and vested in the Shire of Boulder, for that purpose, with power to lease.

Reserve No.
9069 at
Goomalling.

9. (1) Reserve No. 9069 comprising Goomalling Lots 38 and 354, containing 9.0296 hectares, set apart for the purpose of "Recreation" and classified as of Class "A" is hereby amended by excising an area of 4047 square metres to be surveyed as Goomalling Lot 438.

(2) The land excised by the operation of subsection (1) of this section shall be reserved again for the purpose of "Homes for the Aged".

Reserve No.
24943 at
Mt. Barker.

10. (1) Reserve No. 24943 comprising Plantagenet Location 6172, containing 4.1430 hectares, set apart for the purpose of "Preservation of Flora" and classified as of Class "A" is hereby amended by excising all that portion situated eastward of the prolongation southward of the western boundary of Location 6173.

(2) The land excised by the operation of subsection (1) of this section shall be included in adjoining Reserve No. 11168 which is set apart for the purpose of "Stock Sale Yards".

11. (1) Reserve No. 27632 near Cocklebidy, containing 616 941.9071 hectares, set apart for the purpose of "Primitive Area for Preservation and Study of Flora, Fauna, Geological and Anthropological Features", classified as of Class "A" and vested in the Western Australian Wild Life Authority is hereby amended by excising those portions surveyed as Nurina Locations 8 and 9 on Lands and Surveys Original Plan 12000 and Diagram 75451 and the area of the reserve is reduced by 1.2070 hectares accordingly.

Reserve No.
27632 near
Cocklebidy.

(2) The land excised by the operation of subsection (1) of this section shall be sold to the Commonwealth of Australia under section 7 of the Land Act, 1933.

12. (1) All that portion of road in the City of Perth shown on Land Titles Office Plan 3642 as an extension of Hawthorn Street situated west of the western alignment of The Boulevarde, is hereby closed and all rights of way over it shall cease on and from the date of coming into operation of this Act.

Closure of
private road
at Mt.
Hawthorn.

(2) The land contained in the extension of Hawthorn Street that is closed by the operation of subsection (1) of this section, together with a strip of land 0.302 metres wide situated along the western end of that extension,—

- (a) is hereby vested in Her Majesty as of Her former estate and removed from the operation of the Transfer of Land Act, 1893; and
- (b) may be disposed of in such manner as the Governor may approve.

Reserve No.
9633 at
Mandurah.

13. (1) Reserve No. 9633 comprising Cockburn Sound Location 2047, containing 6.8797 hectares set apart for the purpose of "Recreation", classified as of Class "A" and vested in the Shire of Mandurah is hereby amended by excising an area of 1740 square metres surveyed as Cockburn Sound Location 2250.

(2) The land excised by the operation of subsection (1) of this section shall be reserved again for the purpose of "Sewerage Pumping Station".

Reserve No.
4561 at
Bedfordale.

14. (1) Reserve No. 4561 at Bedfordale, classified as of Class "A", set apart for "Parklands" and vested in the Shire of Armadale-Kelmscott is amended by excising an area of 1.3583 hectares being part of the land surveyed as Canning Location 2336 on Lands and Surveys Diagram 75321 and being additional to the area excised from the reserve by the operation of subsection (1) of section 18 of the Reserves Act, 1970.

(2) The Governor is authorised to grant the land excised by the operation of subsection (1) of this section to Guisepe Antonio Raschella and Nicola Vincenzo Raschella both of Bedfordale, Orchardists as a Crown Grant in the form of the Third Schedule to the Land Act, 1933 for the sum of one thousand nine hundred dollars such sum being additional to the purchase price of one thousand nine hundred dollars fixed by subsection (2) of section 18 of the Reserves Act, 1970 in respect of the portion of Reserve No. 4561 excised by the operation of subsection (1) of that section.

Reserve No.
23307 at
Wagerup.

15. (1) Reserve No. 23307 comprising Wellington Location 4618, containing 54.1040 hectares and set apart for the purpose of "National Park" is hereby amended by excising an aggregate area of 40.0196 hectares being those portions surveyed as Wellington Locations 5112 and 5126 and as a section of road on Lands and Surveys Diagram 80000 and the area of the reserve is reduced to 14.0844 hectares accordingly.

(2) Those portions of the land excised by the operation of subsection (1) of this section that are identified as Wellington Locations 5112 and 5126 shall be set apart as reserves for the purpose of "Sandpit" and vested, for that purpose, in the Shire of Harvey and the Main Roads Department respectively.

(3) That portion of the land excised by the operation of subsection (1) of this section that is surveyed as a road on Lands and Surveys Diagram 80000 shall be dedicated as a public road.

16. (1) Reserve No. 1167 containing about 23 hectares and set apart for "Park Lands" is hereby amended by excising an area of 8361 square metres surveyed as Wellington Location 5125 on Lands and Surveys Diagram 80001 and the area of the reserve is reduced to about 22 hectares accordingly.

Reserve No.
1167 near
Boyanup.

(2) The land excised by the operation of subsection (1) of this section shall be reserved for the purpose of "Radio Transceiver Base Station (Main Roads Department)".

17. (1) Reserve No. 2991 containing 156.6386 hectares, set apart for the purpose of "Resting Place for Travellers and Stock", classified as of Class "A" and vested in the Shire of Murray is hereby cancelled.

Reserves
Nos. 2991,
17037 and
23756 on
Harvey
Estuary.

(2) About 20 hectares of the land made available by the operation of subsection (1) of this section shall be reserved again for the purpose of "Recreation", proclaimed as of Class "A", and vested in the Shire of Murray for that purpose.

(3) Reserve No. 17037 comprising Murray Locations 733 and 1486, containing about 73 hectares, set apart for the purpose of "Camping", and classified as of Class "A" is hereby cancelled.

(4) The purpose of Reserve No. 23756 comprising Murray Locations 1487 and 1488, containing about 781 hectares and classified as of Class "A" is hereby changed from "Preservation of Flora and Fauna" to "Conservation of Flora and Fauna" and the reserve—

- (a) is hereby amended to include the land made available by the operation of subsection (3) of this section; and
- (b) shall be further amended by the inclusion of that portion of the land made available by the operation of subsection (1) of this section that remains after effect has been given to the provisions of subsection (2) of this section,

and its area shall be increased to about 990 hectares accordingly.
