

RESERVES.

No. 105 of 1970.

AN ACT relating to certain Reserves and other Lands.

[Assented to 8th December, 1970.]

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:—

Short title.

1. This Act may be cited as the *Reserves Act*, 1970.

Lot 2 of
Albany Lot
187.

2. The portion of Albany Lot 187, being Lot 2 on deposited diagram 10297 in the Office of Titles, held for an estate in fee simple by the Town of Albany in trust for the purpose of a Mechanics' Institute in Crown Grant enrolled as No. 2797, may

be sold and transferred by the Town of Albany to the Western Australian Fire Brigades Board for such consideration as the vendor may think fit, and when transferred the said land shall be held freed and discharged from the trust aforesaid.

3. (1) Reserve No. 24258 near Albany, comprising Plantagenet Locations 6111 and 6112, containing approximately eight thousand, nine hundred and eleven acres, classified as of Class "A", set apart for the purpose of "National Park and Recreation", and vested in the National Parks Board of Western Australia, is amended by excising an area of approximately thirty acres to be surveyed as Plantagenet Location 6678.

Reserve No.
24258 near
Albany.

(2) The Governor is authorised to grant a Conditional Purchase Lease of the land excised by the operation of subsection (1) of this section to John Peter Manoni of Albany and Ernest Albert Manoni of Albany under the provisions of section 53 of the Land Act, 1933.

4. (1) Reserve No. 17803 at Balingup, comprising Nelson Location 8147 and Balingup Lot 244, containing four acres two roods and fifteen perches, set apart for the purpose of "Rifle Range (Balingup Rifle Club)", and held in trust for that purpose, under Certificate of Title Volume 951 Folio 188, registered in the names of John Lytton Rose, Edmund Moore and William Morgan Jenkins as Trustees of the Balingup Rifle Club, is cancelled.

Reserve No.
17803 at
Balingup.

(2) The land available from the reserve that is cancelled by the operation of subsection (1) of this section is revested in Her Majesty, as of her former estate, and is removed from the operation of the Transfer of Land Act, 1893, with the intention that the Governor may dispose of any portion in accordance with the provisions of the Land Act, 1933.

5. (1) Reserve No. 10402 at Bayswater, comprising Lots 23 and 24 of Sub-Divisional Lot 32 of Swan Location U, containing one rood and one and six

Reserve No.
10402 at
Bayswater.

tenths perches, classified as of Class "A", set apart for the purpose of an "Observatory Site" is cancelled.

(2) The land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be set apart as a Reserve for a "Children's Playground".

Reserve No.
27678 at
Dinninup.

6. (1) Reserve No. 27678 at Dinninup, comprising Nelson Location 2532, containing thirty-four acres two roods ten perches, classified as of Class "A" set apart for the purpose of "Camping" is cancelled.

(2) The land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be made available for exchange purposes under section 8 of the Land Act, 1933, in such manner as the Governor may approve.

Reserve No.
24653 at
Flinders
Bay.

7. (1) Reserve No. 24653, at Flinders Bay comprising Augusta Lots 38 and 405, containing fourteen acres three roods eighteen perches, classified as of Class "A", set apart for the purpose of "Recreation and Camping", and vested in the Augusta-Margaret River Shire Council is amended by excising an area of five acres, to be surveyed as Augusta Lot 485.

(2) The land excised by the operation of subsection (1) of this section shall be reserved for the purpose of "Caravan Park" and vested in the Augusta-Margaret River Shire Council with power to lease for any period not exceeding twenty-one years.

Reserve No.
6066 at
Fremantle.

8. The Trustees for the time being of the Fremantle Public Cemetery Reserve No. 6066 are hereby authorised to lease for a period of twenty-five years from 1st January, 1971, that portion of Cockburn Sound Location 514 containing five acres bounded by lines commencing at the southeastern corner of Location 514 and extending westerly along the south boundary of that location for a distance of ten

chains; thence northerly through and parallel to the eastern boundary of the location for a distance of five chains; thence easterly through and parallel to the south boundary to the eastern boundary of the location; thence southerly along the eastern side of the location to the starting point, being part of the land comprised in Certificate of Title Volume 186 Folio 78.

9. (1) Reserve No. 7403 at North Fremantle, comprising North Fremantle Lot 224, containing one acre two roods, classified as of Class "A" set apart for the purpose of "Recreation" is cancelled.

Reserve No.
7403 at
North Fre-
mantle.

(2) Portion of the land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be made available for road purposes in connection with the construction of the Fremantle Eastern by-pass road and new traffic bridge. The balance of land shall be reserved again for such public purposes as the Governor may approve

10. The purpose of Reserve No. 12590 near Gnowangerup, comprising Plantagenet Location 6087, classified as of Class "A", containing about one hundred and twenty-six acres, is altered from "Resting Place and Protection of Flora" to "Conservation of Flora and Fauna".

Reserve No.
12590 near
Gnowan-
gerup.

11. (1) Reserve No. 7659 at Hopetoun, comprising Hopetoun Lot 117, containing eight acres and thirty-four perches, classified as of Class "A" set apart for the purpose of "Recreation" and vested and held in trust by Charles John Efford and Francis Hawthorne Stenike is cancelled.

Reserves Nos.
7659 and
10863 at
Hopetoun.

(2) Reserve No. 10863 at Hopetoun, comprising Hopetoun Lot 120, containing nine acres two roods and sixteen perches, classified as of Class "A", set apart for the purpose of "Recreation" and vested and held in trust by Charles John Efford and Francis Hawthorne Stenike is cancelled.

(3) The land available from the reserves that are cancelled by the operation of subsections (1) and (2) of this section shall, together with other land, be set apart for roads and a reserve for "Recreation", the reserve to be classified as of Class "A".

Reserve No.
16804 at
Korijekup
Estate near
Harvey.

12. The purpose of Reserve No. 16804, comprising Korijekup Estate Lot 198 classified as of Class "A", containing nine acres and one perch, is altered from "Public Utility" to "Picnic Area and Stopping Place".

Reserve No.
998 at Lake
Clifton.

13. (1) Reserve No. 998, at Lake Clifton, comprising Wellington Location 4630, containing fifty-five acres, three roods and twenty-nine perches, classified as of Class "A" set apart for the purpose of "Camping and Recreation" and vested in the National Parks Board of Western Australia, is cancelled.

(2) The land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be included in Reserve No. 11710, which is set apart for the purpose of "National Park" and classified as of Class "A".

Reserve No.
4486 at
Mundijong.

14. (1) Reserve No. 4486 at Mundijong, comprising Mundijong Lots 57, 166 and 167 containing sixteen acres and three roods, classified as of Class "A", set apart for the purpose of "Recreation" and vested in the Shire of Serpentine-Jarrahdale is amended by excising an area of about three acres surveyed as Mundijong Lot 167.

(2) The land excised by the operation of subsection (1) of this section shall be reserved for the purpose of "Hall Site and Municipal Buildings" with the intention that it be vested in the Shire of Serpentine-Jarrahdale.

Reserve No.
10523 at
Narrogin.

15. (1) Reserve No. 10523 at Narrogin, comprising Narrogin Lot 264, containing five acres and twenty-three perches, classified as of Class "A" and set apart for the purpose of "Civic Centre Site" is

amended by excising an area of one acre and one tenth perch, surveyed as Narrogin Lot 1579 and abutting roads and rights-of-way.

(2) The land excised by the operation of subsection (1) of this section shall, after provision of the roads and rights-of-way aforesaid, be granted to the Town of Narrogin in fee simple, in consideration of the transfer and surrender to the Crown by the Town of Narrogin of Narrogin Lot 46.

16. (1) Reserve No. 8909 at Yalup Brook comprising Harvey Agricultural Area Lot 185, containing one rood fifteen perches, set apart for the purpose of "Methodist Church of Australasia", and held in trust for the purpose of a Church site by Thomas Bird, Sir George Shenton, James Sykes Battye, Theophilus Rodda Lowe, James Pollitt Walton, Richard Watson Hardey, and William Burrige, for the Western Australian Conference of the Methodist Church of Australasia under Lease No. 365/42 granted under the Land Act, 1898 for a term of nine hundred and ninety-nine years is cancelled, with the intention that the Governor may dispose of the land therein in accordance with the provisions of the Land Act, 1933.

Reserve No.
8909 at
Yalup
Brook.

(2) Lease No. 365/42 granted under the Land Act, 1898 is cancelled.

17. (1) Reserve No. 20745 at Yanchep, comprising Swan Locations 3306 and 3307, containing one hundred and thirty-nine acres two roods four perches, classified as of Class "A" set apart for the purpose of "Park and Recreation" and vested in the National Parks Board of Western Australia with power to lease the whole or portion for any term not exceeding twenty-one years is cancelled.

Reserve No.
20745 at
Yanchep.

(2) The land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be included in the Yanchep National Park Reserve No. 9868, which is "A" Class, and set apart for the purpose of "Protection and Preservation of Caves and Flora and for Health and Pleasure Resort".

Reserve No.
4561 at
Bedforddale.

18. (1) Reserve No. 4561 at Bedforddale, classified as of Class "A", set apart for "Parklands" and vested in the Shire of Armadale-Kelmscott, is amended by excising an area of four acres one rood thirty-four perches, more or less, to be surveyed as Canning Location 2336.

(2) The Governor is authorised to grant the portion so excised to Guiseppa Antonio Raschella and Nicola Vincenzo Raschella, both of Bedforddale, Orchardists as a Crown Grant in the form of the Third Schedule to the Land Act, 1933, for a purchase price of one thousand nine hundred dollars.

Reserve Nos.
17214 and
17215 at
Latham.

19. (1) Reserve No. 17214, at Latham, comprising Latham Lot 37 and containing two roods, set apart for the purpose of a "Hall Site" and held in trust for that purpose in Certificate of Title Volume 1057 Folio 678 by Latham Agricultural Society Incorporated, of Latham, is cancelled.

(2) Reserve No. 17215, at Latham, comprising Latham Lots 34 and 35, containing thirty acres, set apart for the purpose of an "Agricultural Show Ground" and held in trust for that purpose in Certificate of Title Volume 1052 Folio 936 by Latham Agricultural Society Incorporated of Latham, is cancelled.

(3) The land available from the reserves that are cancelled by the operation of subsection (1) and subsection (2) of this section is revested in Her Majesty as of Her former estate and is removed from the operation of the Transfer of Land Act, 1893, to the intent that the land be reserved again for the purpose of recreation as the Governor may approve and vested in the Shire of Perenjori.

Reserve No.
27581 at
Mandurah.

20. The purpose of Class "A" Reserve No. 27581, comprising Murray Locations 1561 and 1562, is altered from "Recreation and Camping" to "Recreation".

21. The purpose of Class "A" Reserve No. 24482, comprising Plantagenet Location Numbers 2359, 3362, 6169 and adjoining lands, is altered from "Recreation and Camping" to "National Park".

Reserve No.
24482 at Will-
liam Bay.

22. (1) Reserve No. 11375 comprising Boulder Lots 2184 to 2191 (inclusive) and 2195 to 2202 (inclusive) and containing four acres, set apart for the purpose of "Educational Endowment" and held in fee simple in trust for that purpose by the Trustees of the Public Education Endowment in Certificate of Title Volume 557 Folio 188 is cancelled.

Reserve No.
11375 at
Boulder.

(2) Following the surrender to the Crown by the Trustees of the Public Education Endowment of the land contained in Certificate of Title Volume 557 Folio 188 pursuant to the provisions of subsection (1) of section 37A of the Land Act, 1933, to the intent that other lands be granted to the Trustees to be held in trust for the same purpose, the land available from the reserve that is cancelled by the operation of subsection (1) of this section shall be disposed of to the State Housing Commission in such manner as the Governor may approve.

23. (1) Reserve No. 30071, comprising Peawah Location 12 and De Witt Location 50 and containing three hundred and seventy two thousand four hundred and eighty three acres, more or less, classified as of Class "A", set apart for the purpose of "National Park" and vested in the National Parks Board of Western Australia, is amended by excising an area of three hundred and twenty acres, more or less, to be surveyed as De Witt Locations 61 and 62.

Reserve No.
30071 at
Chichester
Range.

(2) The Governor is authorised to grant leases of the land excised by the operation of subsection (1) of this section to Cliffs Western Australia Mining Company Proprietary Limited, Mitsui Iron Ore Development Proprietary Limited, Robe River Limited and Mount Enid Mining Proprietary Limited as tenants in common.