

RESERVES.

No. 87 of 1965.

AN ACT relating to certain Reserves and other Lands.

[Assented to 8th December, 1965.]

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, 1965*.

Reserve 24258
near Albany.

2. (1) Reserve No. 24258, near Albany, containing about nine thousand and forty-three acres, classified as of Class "A" and set apart for the purposes of "National Park and Recreation", is hereby amended by excising all that portion, containing about

twenty-five acres, bounded by lines starting from a point situate ten chains north from Survey Post 15, as shown on Lands and Surveys Original Plan Plantagenet 279, and extending south through that post and onward to the high water mark of the Southern Ocean, thence generally north-westerly, along that high water mark, to a point situate west from the starting point and thence east, to the starting point.

(2) The land comprised in the portion so excised shall be reserved for the purpose of a "Tourist Lookout" and be vested in the Shire of Albany, in trust, for that purpose.

3. (1) Reserve No. 24429, at Albany, classified as of Class "A" and set apart for the purpose of "Recreation", is hereby amended so as to comprise Albany Lot 1155, containing an area of three acres two roods thirty-three perches, as shown on Lands and Surveys Diagram No. 70718.

Reserve
No. 24429 at
Albany.

(2) The purpose of the reserve is changed to "Botanical Gardens", with the intention that the reserve be vested in the Town of Albany, in trust, for that purpose.

4. Reserve No. 26135, being Sussex Location 4302 and containing forty acres fourteen perches, classified as of Class "A" and set apart for the purpose of "Camping", and vested in the Shire of Augusta-Margaret River, in trust, for that purpose, is hereby cancelled, with the intention that the land be disposed of, in such manner as the Governor may approve, under the provisions of the Land Act, 1933.

Reserve
No. 26135
Arumvale.

5. Reserve No. 24089, at Bunbury, containing an area of one acre three roods one perch, classified as of Class "A" and set apart for the purpose of a "Children's Playground" and vested in the Town of

Reserve
No. 24089
Bunbury.

Bunbury, in trust, for that purpose, is hereby amended by excising an area of one rood twelve and three-tenths perches, as surveyed and shown on Lands and Surveys Diagram No. 62389, for the purpose of extending Henderson Street and of providing a truncation at the intersection of Little Street and Ecclestone Street.

Reserve
No. 6638 at
Fremantle.

6. Reserve No. 6638, at Fremantle, containing an area of one hundred and ninety-two acres three roods twenty-four perches, classified as of Class "A" and set apart for the purpose of "Park Lands", and vested in the City of Fremantle, in trust, for that purpose, is hereby amended by excising an area of two roods twenty and five-tenths perches, more or less, to be surveyed as Fremantle Lot 1909, with the intention that the excised land be set apart as a separate reserve for "Sewerage Purposes" and vested in the Metropolitan Water Supply, Sewerage and Drainage Board.

Reserve 20253
Houtman
Abrolhos
Islands.

7. The purpose of Class "A" Reserve, No. 20253, comprising the Houtman Abrolhos Islands, is hereby amended from "Public Recreation and Tourist Resort" to "Conservation of Flora and Fauna, Tourism and for purposes associated with the Fishing Industry", with the intention that the reserve be vested in the Minister for Fisheries and Fauna in trust for those purposes, in such manner as the Governor may approve.

Lot 63
Kondinin.

8. Notwithstanding the provisions of section three of the Reserves Act, 1928, as amended by section four of the Reserves Act, 1934, the Municipality of the Shire of Kondinin is hereby relieved of the obligation of applying the proceeds of the sale of Kondinin Lot 63 towards the erection of an agricultural hall and shire council office, on Kondinin Lot 19.

9. (1) Reserve No. 11759, near Margaret River, classified as of Class "A" and set apart for the purposes of "Park and Recreation", and vested in the Shire of Augusta-Margaret River, in trust, for those purposes, is hereby amended by—

Reserve
No. 11759
near
Margaret
River.

- (a) excising therefrom all that portion of land, containing four acres two roods two perches, bounded by lines, starting from the northernmost corner of the present reserve and extending southerly, seven chains fifty-one and eight-tenths links, along an eastern boundary of the reserve, thence two hundred and seventy-three degrees five minutes, twelve chains one and eight-tenths links to a corner in its northern boundary, a point on the southern side of Road Number 335, and thence north-easterly along that side, to the starting point; and
- (b) including therein all that portion of a closed road abutting the easternmost boundary of the reserve.

(2) The land comprised in the portion excised from the reserve may be added to Reserve No. 12298, set apart for the purpose of a "Cemetery", in such manner as the Governor may approve.

10. Reserve No. 25466, being Mosman Park Lot 589, containing sixty-seven acres and thirty perches, classified as of Class "A" and set apart for the purpose of "Recreation", and vested in the Town of Mosman Park, in trust, for that purpose, is hereby amended by excising two portions, namely—

Reserve
No. 25466 at
Mosman
Park.

- (a) a strip of land, one chain in width, on which is constructed a scenic road extending, generally, in a south-easterly and then in a south-westerly direction, from Marshall Street (Road No. 1043) to Fordham Street (Road No. 1038), together with such widenings and truncations as may be found necessary on survey; and

- (b) all that portion bounded, on its north-easterly side, by Marshall Street (Road No. 1043), on its south-easterly side, by a line in prolongation south-westward of the south-eastern boundary of Lot 7 of Mosman Park Suburban Lot 26 on Land Titles Office Diagram No. 7774, and, on its south-westerly side, by the one chain strip of land described in paragraph (a) of this section.

Reserve
No. 20378 at
Narembeen.

11. (1) Reserve No. 20378, at Narembeen, containing twenty-seven acres one rood twelve perches, classified as of Class "A" and set apart for the purposes of "Park and Children's Playground", and vested in the Shire of Narembeen in trust for that purpose, is hereby amended by excising all those portions, being—

- (a) that now surveyed as Avon Location 28268, containing three roods thirty-one and four-tenths perches; and
- (b) that now surveyed as Avon Location 28269, containing one acre and six-tenths perches,

as shown on Lands and Surveys Diagram No. 70835.

(2) The land comprised in the portions excised from the reserve by the operation of subsection (1) of this section may be reserved under the Land Act, 1933, in the following manner, that is to say, Avon Location 28268 as a "Swimming Pool" and Avon Location 28269 as a "Caravan Park", and both reserves may be vested in the Shire of Narembeen, in trust, for those purposes.

(3) The purpose of the balance of Reserve No. 20378 is hereby amended from "Park and Children's Playground" to "Recreation", with the intention that the reserve be vested, under the Land Act 1933, in the Shire of Narembeen, in trust, for the latter purpose.

12. Notwithstanding the provisions of section eighteen of the Reserves Act, 1964, the Governor is authorised, pursuant to the Land Act, 1933, to set apart the portion of Northam Town Lot 46, now designated as Northam Lot 342, containing an area of one rood, ten and four-tenths perches, as delineated and shown on Lands and Surveys Diagram 70622, as a Reserve, for the use and requirements of the Municipality of the Town of Northam, and to vest the reserve in that Municipality, with power to lease, for any purpose, the whole or any portion thereof, for any term not exceeding twenty-one years from the date of the lease, subject to the condition that the proceeds of any such lease be applied towards the provision of a Civic Building and Library at Northam.

Northam
Lot 342.

13. (1) Reserve No. 20091, near Wanneroo, containing about four hundred acres, classified as of Class "A" and set apart for the purpose of "Preservation of Flora and Fauna" and vested in the Shire of Wanneroo, in trust, for that purpose, is hereby amended by excising all that portion containing an area of two hundred and ten acres one rood and comprising Swan Locations 2528 and 2713 and that portion of Swan Location 3243 situated northward of a line in prolongation, eastward, of the southern boundary of Swan Location 2713.

Reserve
20091 near
Wanneroo.

(2) The land comprised in the portion excised from Reserve No. 20091 shall be set apart for the purpose of "Recreation".
