

RESERVES.

13^o Elizabeth II., No. CII.

No. 102 of 1964.

AN ACT relating to certain Reserves and other Lands.

[Assented to 23rd December, 1964.]

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*, 1964.

Reserve
No. 20956
Bayswater.

2. Reserve No. 20956, being Swan Location 3405 and containing three acres two roods and twenty-six perches, classified as of Class "A" and vested in the Shire of Bayswater, in trust, for the purpose of "Recreation", is hereby amended by excising the

portion containing two roods, seventeen and one-tenth perches, surveyed and shown on Land Titles Office Plan No. 7934, for inclusion in the Gosnells-Beechboro Controlled Access Road (Collier Road Diversion) for which authority is hereby given.

3. (1) Reserve No. 11376, at Bridgetown, classified as of Class "A" and set apart for the purpose of an Educational Endowment and held in trust for that purpose by the Trustees of the Public Education Endowment, is amended by excising all that portion comprised in Certificate of Title Volume 1049, Folio 295.

Reserve
No. 11376 at
Bridgetown.

(2) The land comprised in the portion so excised from the reserve may be disposed of by the Trustees of the Public Education Endowment, subject to the proceeds of the sale being invested in accordance with the provisions of the Public Education Endowment Act, 1909-1925.

4. Reserve No. 23081, being Bunbury Lot 366, containing two acres one rood seventeen perches, set apart for the purpose of a "Youth Hostel Site" and vested in the Country High School Hostels Authority, is hereby cancelled and the Governor is hereby authorised to issue a Crown Grant for that Lot to the Country High School Hostels Authority, freed and discharged of all trusts, with the intention that the property may be disposed of pursuant to the provisions of the Country High School Hostels Authority Act, 1960.

Reserve
No. 23081
Bunbury.

5. Reserve No. 24527, at Dinninup, classified as of Class "A" and set apart for the purpose of "Camping", is hereby cancelled, with the intention that Nelson Location No. 12407 as contained therein may be disposed of, in such manner as the Governor may approve, under the provisions of the Land Act, 1933.

Reserve
No. 24527
Dinninup.

6. (1) Reserve No. 11385, at Geraldton, classified as of Class "A" and set apart for the purpose of an Education Endowment and held in fee simple by

Reserve
No. 11385 at
Geraldton.

the Trustees of the Public Education Endowment, under Certificate of Title Volume 759, Folio 37, is hereby cancelled.

(2) Geraldton Lots 697, 698, 701, 702, 705, 706, 710 and 711, comprised in the Certificate of Title mentioned in subsection (1) of this section, are hereby revested in Her Majesty as of her former estate and are removed from the operation of the Transfer of Land Act, 1893.

(3) The land revested by the operation of subsection (2) of this section shall again be subdivided to provide for a diversion of Holland Street and a portion of the land, to be renumbered as Geraldton Lot No. 1934, shall thereafter be set apart as a separate reserve for a High School Hostel Site and shall be vested, for an estate in fee simple, in the Country High School Hostels Authority, in trust, for that purpose.

(4) The balance of the area again subdivided shall be renumbered as Geraldton Lots 1932 and 1933 and shall again be reserved for the purpose of an Education Endowment and shall be re-granted, for an estate in fee simple, in trust, for that purpose, to the Trustees of the Public Education Endowment.

Reserve
No. 22243
Geraldton.

7. (1) Reserve No. 22243, being Geraldton Lot 1219, containing two roods and seven perches, classified as of Class "A" and set apart for the purposes of "Park and Recreation" and vested in the Town of Geraldton, in trust, for those purposes, is hereby cancelled, with the intention that, after resurvey to provide a widening of Gregory Street and access to adjoining Reserve No. 21951, the balance of that Lot be set apart as a Reserve for a "Youth Centre" and that a Crown Grant, in trust, for that purpose, be issued to The Federation of Western Australian Police and Citizens' Youth Clubs (Inc.), under the provisions of section thirty-three of the Land Act, 1933.

8. (1) Reserve No. 23756, being Murray Location 1488, classified as of Class "A" and set apart for the purpose of "Preservation of Flora and Fauna", is hereby amended by excising two portions, namely—

Reserve
No. 23756
Harvey.

(a) a strip of land one chain in width, being 50 links on either side of the drain extending westerly, from the north-western corner of Murray Location 1503 to the Harvey Estuary, as a diversion of Drain Reserve No. 15028; and

(b) an area of about one acre, south of the existing fence, commencing at the north-western corner of Murray Location No. 1504 and extending easterly, in a direct line to a survey post on the west side of Drain Reserve No. 15028, opposite the north-eastern corner of Location 1503.

(2) The portion of Reserve No. 23756 excised by the operation of paragraph (a) of subsection (1) of this section shall, on completion of its survey, be included in Drainage Reserve No. 15028.

(3) The portion of Reserve No. 23756 excised by the operation of paragraph (b) of subsection (1) of this section shall be made available for sale to the registered proprietor of Murray Location 1504, under the provisions of the Land Act, 1933, in such manner as the Governor may approve.

9. (1) Reserve No. 6677, comprising portions of Katanning Lots 49 and 53, containing one acre, one rood, twenty-four and two tenths perches, set apart for the purpose of "Recreation" and held in trust for that purpose, under Crown Lease No. 495/1920, for a term of ninety-nine years, registered in the names of Robert Lawson Richardson, William Edgar Richmond and Alex Dixon Smith, as Trustees of the Katanning Tennis Club, is hereby cancelled.

Reserve
No. 6677
Katanning.

(2) Crown Lease No. 495/1920 (Section No. 648/42) is hereby cancelled and the land comprised therein is revested in Her Majesty as of her former estate, with the intention that it be reserved again

for the purpose of "Recreation" and vested in the Shire of Katanning, in trust, for that purpose, under the provisions of section thirty-three of the Land Act, 1933.

Reserve
No. 24435
Lake King.

10. (1) Reserve No. 24435, at Lake King, classified as of Class "A" and set apart for the purpose of "Protection of Flora", is hereby amended by excising all that portion being—

a rectangular area to be surveyed and to contain five acres, as Lake King Lot 38, having a frontage of ten chains to the southern side of the Ravensthorpe Road and a frontage of five chains to the eastern side of Road No. 9903.

(2) The portion so excised shall be reserved for the purpose of a Cemetery Site.

Reserve
No. 20211
Margaret
River.

11. Reserve No. 20211, being Sussex Location 1066 and containing five acres and two perches, classified as of Class "A" and set apart for the purpose of "Parking and Camping", is hereby cancelled, with the intention that the land may be made available for selection by the holder of adjoining land, in such manner as the Governor may approve.

Reserve
No. 24063 at
Attadale,
Town of
Melville.

12. (1) Reserve No. 24063, at Attadale, in the Town of Melville, comprising Swan Locations 5555, 5556 and 5557 and containing, in the aggregate, seventy acres, one rood and twenty-nine perches, classified as of Class "A" and set apart for the purpose of "Recreation" and vested in the Town of Melville, in trust, for that purpose, is hereby amended by excising Swan Location No. 5556, containing one acre, three roods and four perches.

(2) The land so excised may be disposed of to the owner, for the time being, of adjoining land, by way of exchange for an area of land of equivalent value surrendered by him to Her Majesty, and may, thereupon, be included in an area of land to be again subdivided.

(3) The land received by way of exchange and surrender, pursuant to subsection (2) of this section, shall be revested in Her Majesty, classified as of Class "A" and be set apart as a reserve for the purpose of "Recreation".

13. (1) Reserve No. 14803, at Merredin, classified as of Class "A" and set apart for the purposes of "Park Lands and Recreation", is hereby amended by excising all those portions being—

Reserve
No. 14803
Merredin.

- (a) that now surveyed as Merredin Lot 1119, containing two acres, one rood and seven and eight-tenths perches, or thereabouts, as shown on Lands and Surveys Diagram No. 70177;
- (b) that containing an area of about eleven and two-tenths perches and which has been included by survey in Merredin Lot 1112, as shown on Lands and Surveys Diagram No. 70176, being an adjustment of the area excised from the Reserve by the operation of section nine of the Reserves Act, 1960, for a separate reserve for the purpose of a "Sewerage Pumping Station"; and
- (c) that containing an area of about two roods thirty-four perches, comprising a strip of land fifty links in width, fronting King Street, commencing at the southern alignment of Duff Street and extending south two chains thirty-two and five-tenths links, to the northern boundary of the land previously excised from the reserve, as described in section nine of the Reserves Act, 1960, and re-commencing at the southern boundary of the same land fifty-three links south of its northern boundary and extending south to the north-western alignment of Great Eastern Highway, at the south-eastern corner of the reserve and being portion of the land shown coloured dark brown on Lands and Surveys Diagram No. 70176.

(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, Merredin Lot 1119 as a Caravan Park, Merredin Lot 1112 as a Sewerage Pumping Station Site and the portion described in paragraph (c) of subsection (1) of this section shall be included in King Street, as a road widening.

Reserve
No. 25866 at
Mount
Yokine.

14. (1) Reserve No. 25866, being Swan Location 7126, classified as of Class "A" and set apart for the purpose of "Golf Links", subject to the Mt. Yokine Land Acquisition Act, 1960, and leased to the Western Australian Golf Club (Inc.), for a term of forty years from 1st August, 1961, is hereby amended by excising all those portions being—

- (a) the portion now surveyed as Swan Location 7763, containing thirty-two perches;
- (b) the portion now surveyed as Swan Location 7765, containing sixteen perches;
- (c) the portion now surveyed as Swan Location 7764, containing one rood and thirty-three perches; and
- (d) the portion now surveyed as Swan Location 7836, containing twenty-six and three-tenths perches.

(2) The land comprised in the portions so excised from the reserve is hereby revested in Her Majesty as of her former estate, with the intention that they be set apart as separate reserves under the provisions of the Land Act, 1933, in the manner following—

- (a) Swan Locations 7763 and 7765 shall be reserved for "Drainage" purposes;
- (b) Swan Location 7764 shall be reserved for the purpose of "Public Recreation"; and
- (c) Swan Location 7836 shall be reserved for the purpose of a "Footway".

15. (1) Notwithstanding the provisions of the Narrogin Recreation Reserve Act, 1920, (Act No. 25 of 1920) and for the purpose of facilitating the creation of a Composite Class "A" Reserve for a "Greater Sports Ground", the following Reserves are hereby cancelled, namely—

Greater
Sports
Ground
Narrogin.

- (a) Reserve 14387, comprising Narrogin Lots 243 and 1131, containing twenty-seven acres and two perches, classified as of Class "A" and set apart for the purpose of "Recreation and Showground" and vested in the Town of Narrogin under section thirty-three of the Land Act, 1933-1963;
- (b) Reserve 9595, comprising Narrogin Lots 481 to 485, inclusive, and Lot 1132, containing sixteen acres two roods and one perch, classified as of Class "A" and set apart for the purpose of "Recreation"; and
- (c) Reserve 9360, comprising Narrogin Lots 497 and 498, containing five acres two roods and twenty-five perches, classified as of Class "A" and set apart for the purpose of "Recreation".

(2) The land comprised in Reserves 14387, 9595 and 9360 that have been cancelled by the operation of subsection (1) of this section is hereby revested in Her Majesty as of her former estate, with the intention that it be included in a composite new reserve, as provided by subsection (4) of this section.

(3) The land held in fee simple by the Town of Narrogin and which was acquired by the authority of Act No. 25 of 1920 for inclusion in the Narrogin Recreation Reserve, being—

- (a) portion of Williams Location 339 and being Lot 1 on Diagram No. 5609, the whole of the land comprised in Certificate of Title Volume 785, Folio 164, containing twenty-eight acres, one rood and twenty-one and eight-tenths perches;

- (b) Narrogin Lot 494, containing two acres three roods and thirty-six perches, comprised in Certificate of Title Volume 546, Folio 44;
- (c) Narrogin Lot 495, containing three acres and six perches, comprised in Certificate of Title Volume 477, Folio 81; and
- (d) Narrogin Lot 496, containing three acres and six perches, comprised in Certificate of Title Volume 789, Folio 108,

is hereby 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 it be included in a composite new reserve, as provided by subsection (4) of this section.

(4) The lands that have been revested in Her Majesty, by the operation of subsections (2) and (3) of this section, are hereby included in, and renumbered as, Narrogin Lot 1561, containing eighty-six acres, two roods and seventeen and eight-tenths perches, and is hereby classified as of Class "A" and set apart as Reserve No. 27330, for the purpose of "Greater Sports Ground".

(5) The Governor is authorised to vest the land mentioned in subsection (4) of this section in the municipality of the Town of Narrogin, in an estate in fee simple, in trust, for the purpose in that subsection mentioned, and to issue a Crown Grant, accordingly.

Reserve
No. 10523
Narrogin.

16. The purpose of Class "A" Reserve No. 10523, being Narrogin Lot 264, containing five acres and twenty-three perches, is hereby amended from "Park Lands" to "Civic Centre Site", with the intention that a Crown Grant for the reserve may be issued to the municipality of the Town of Narrogin, in trust, for that purpose which may include the allocation of sites for Municipal Offices, Public Library and Civic Buildings.

Reserve
No. 1669,
Nedlands.

17. (1) Reserve No. 1669, at Nedlands, classified as of Class "A" and set apart for the purpose of "Recreation" and vested in the City of Nedlands,

in trust, for that purpose, is hereby amended by excising the portion now surveyed as Melville Lot 203, containing thirty-five and two-tenths perches and shown on Lands and Surveys Diagram No. 70153.

(2) The land so excised from the Reserve may be reserved for the purpose of a "Kindergarten Site", to be vested in the City of Nedlands, in trust, for that purpose, in such manner as the Governor may approve.

18. All that portion of Northam Town Lot 46 on which is erected the Northam Mechanics Institute, being the portion of the land the subject of Enrolment No. 4485, conveyed to the Town of Northam by Conveyance dated the 15th day of January, 1963 and memorialised in the Registry of Deeds in Memorial Book XXV No. 1355, is hereby revested in Her Majesty as of her former estate, with the intention that the land be set apart as a Reserve, for the use and requirements of the Town of Northam and that a Crown Grant of the land be issued to the Town of Northam with authority to sell the land, free of trust, subject to the condition that the proceeds of any such sale be applied towards the provision of a Branch of the State Library at Northam, in a suitable building.

Revestment
of portion
Northam
Lot 46.

19. Reserve No. 24562, at Popanyinning, being Avon Location No. 27493, containing twenty-one acres one rood and twenty-nine perches, classified as of Class "A" and set apart for the purpose of "Stopping Place" is hereby cancelled, with the intention that the land be made available for selection, under conditional purchase conditions, under the provisions of the Land Act, 1933, in such manner as the Governor may approve.

Reserve
No. 24562
Popanyin-
ning.

20. (1) Reserve No. 9633, classified as of Class "A" and set apart for the purpose of "Recreation" and vested in the Shire of Mandurah, in trust, for

Reclassification of
Reserve
No. 9633 at
Mandurah.

that purpose, under the provisions of section thirty-three of the Land Act, 1933, is hereby re-classified as of Class "C", with the intention that the Governor in Council may amend the Reserve under the provisions of section thirty-seven of the Land Act, 1933, by excising a portion thereof to be set apart as a separate reserve for the purpose of "Site for Administrative and Civic Centre", and that the remaining portion of the Reserve, shall thereafter, be re-classified as of Class "A", by Proclamation.