

RESERVES AND LAND REVESTMENT ACT (No. 2) 1990

(No. 71 of 1990)

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RESERVES AND LAND REVESTMENT ACT (No. 2)

No. 71 of 1990

AN ACT relating to certain reserves and other land.

[Assented to 22 December 1990.]

The Parliament of Western Australia enacts as follows:

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Reserves and Land Revestment Act (No. 2) 1990*.

Commencement

2. (1) This Act, except section 15, shall come into operation on the day on which it receives the Royal Assent.

(2) Section 15 shall come into operation on such day as is fixed by proclamation.

Interpretation

3. In this Act—

“Authority” means the National Parks and Nature Conservation Authority constituted under the *Conservation and Land Management Act 1984*;

“Crown land” has the same meaning as it has in the *Land Act 1933*;

“Department” means the Department of Land Administration;

“Registrar of Titles” means the official appointed under section 7 of the *Transfer of Land Act 1893*.

Reserves are Class A

4. The reserves referred to in Part 2 are classified as of Class A.

Plans and diagrams

5. (1) The plans and diagrams referred to in Part 2 are held by the Graphic Bank Crown Surveys within the Department.

(2) The plans and diagrams referred to in the table to section 17 are held by the Graphic Bank Freehold Surveys within the Department.

PART 2—ALTERATIONS TO AND CANCELLATIONS OF RESERVES

Reserve No. 25705 in the Shire of Albany

6. (1) Reserve No. 25705—

(a) containing 60.637 1 hectares;

(b) set apart for “National Park (Flora)”; and

(c) vested in the Authority,

is amended by including an area of 202.417 6 hectares comprising most of Plantagenet Location 7661, as shown bordered pink on Plan No. 17479.

(2) The purpose of Reserve No. 25705, as amended by subsection (1), is changed to "Conservation of Flora and Fauna".

(3) For the purposes of section 7 (2) of the *Conservation and Land Management Act 1984*, the land referred to in subsection (1) is to be taken to be reserved under section 29 of the *Land Act 1933* for the purpose of the conservation of flora and fauna at the time when subsection (2) comes into operation.

Reserves Nos. 19144 and 19145 in the Shire of Carnarvon

7. The classifications as of Class A of—

- (a) Reserve No. 19144, containing 86.487 6 hectares or thereabouts; and
- (b) Reserve No. 19145, containing 78.096 9 hectares or thereabouts,

each set apart for "National Park" and vested in the Shire of Carnarvon, are cancelled.

Reserve No. 17375 at Crawley

8. Reserve No. 17375—

- (a) containing 20.565 2 hectares or thereabouts;
- (b) set apart for "Recreation"; and
- (c) vested in the Authority,

is amended by excising an area of 1.645 0 hectares or thereabouts, comprising part of Swan Location 11339 as shown bordered pink on Diagram No. 89582.

Reserve No. 26020 in the Shire of Katanning**9. Reserve No. 26020—**

- (a) containing 539.542 1 hectares;
- (b) set apart for “Conservation of Flora and Fauna”; and
- (c) vested in the Authority,

is amended by including—

- (d) an area of 114.161 8 hectares comprising Kojonup Location 9282; and
- (e) an area of 22.497 6 hectares comprising Kojonup Location 9270.

Reserve No. 10523 at Narrogin

10. (1) Reserve No. 10523, containing 1.412 6 hectares and held for an estate in fee simple by the Town of Narrogin on trust for the purpose of “Civic Centre Site”, is amended by excising an area of 179 square metres, as shown bordered green on Diagram No. 89629.

(2) The land excised by the operation of subsection (1)—

- (a) is revested in Her Majesty as of her former estate;
- (b) is removed from the operation of the *Transfer of Land Act 1893*; and
- (c) is constituted Crown land.

(3) The Registrar of Titles shall make such alterations in Certificate of Title Volume 1620 Folio 926 as are necessary because of the operation of this section.

Reserve No. 20610 in the Shire of Pingelly**11. (1) Reserve No. 20610—**

- (a) containing 4 804.293 4 hectares;
- (b) set apart for “Timber (Mallet) and Conservation of Flora and Fauna”; and
- (c) vested in the Authority,

is amended by including—

- (d) an area of 23.645 7 hectares comprising Avon Location 28943;
- (e) an area of 5.765 4 hectares comprising Avon Location 28944; and
- (f) an area of 10.805 6 hectares comprising Avon Location 28945.

(2) The purpose of Reserve No. 20610, as amended by subsection (1), is changed to “Conservation of Flora and Fauna”.

(3) For the purposes of section 7 (2) of the *Conservation and Land Management Act 1984*, the land referred to in subsection (1) is to be taken to be reserved under section 29 of the *Land Act 1933* for the purpose of the conservation of flora and fauna at the time when subsection (2) comes into operation.

Reserve No. 31737 in the Shire of Ravensthorpe**12. Reserve No. 31737—**

- (a) containing 286 931.000 0 hectares or thereabouts;
- (b) set apart for “National Park”; and
- (c) vested in the Authority,

is amended by including an area of 1 013.000 0 hectares or thereabouts comprising Oldfield Location 1471, as shown bordered pink on Diagram No. 89218.

Reserve No. 40156 in the Shire of Ravensthorpe

13. Reserve No. 40156—

- (a) containing 6 619.802 2 hectares;
- (b) set apart for “Conservation of Flora and Fauna”; and
- (c) vested in the Authority,

is amended by including—

- (d) an area of 402.207 5 hectares comprising Oldfield Location 1474;
- (e) an area of 140.137 9 hectares comprising Oldfield Location 1481;
- (f) an area of 178.872 3 hectares comprising Oldfield Location 1482; and
- (g) an area of 243.307 2 hectares comprising Oldfield Location 1486.

Reserve No. 20041 in the Shire of Tammin

14. (1) Reserve No. 20041—

- (a) containing 583.392 0 hectares;
- (b) set apart for “Protection of Indigenous Flora”; and
- (c) vested in the Authority,

is referred to in subsection (2) as “the subject reserve”.

(2) The purpose of the subject reserve is changed to "Conservation of Flora and Fauna".

(3) For the purposes of section 7 (2) of the *Conservation and Land Management Act 1984*, the land referred to in subsection (1) is to be taken to be reserved under section 29 of the *Land Act 1933* for the purpose of the conservation of flora and fauna at the time when subsection (2) comes into operation.

Reserve No. 30082 (Hamersley Range National Park)

15. Reserve No. 30082—

- (a) containing 617 346.978 3 hectares;
- (b) set apart for "National Park—Dales Gorge"; and
- (c) vested in the Authority,

is amended by excising—

- (d) an area of 9 305.382 8 hectares comprising Windell Location 121; and
- (e) an area of 3 951.649 1 hectares comprising Windell Location 122.

PART 3—REMOVAL OF TRUST

Hall site at South Perth

16. (1) Perth Lot 747, described in Certificate of Title Volume 1110 Folio 678, held for an estate in fee simple by The Returned Services League of Australia W.A. Branch (Incorporated) on trust that the land be held and used solely for the purpose of "Hallsite (R.S.S. and A.I.L.A)", is referred to in this section as "the subject land".

(2) The subject land is freed and discharged from the trust referred to in subsection (1).

(3) The subject land is vested, free of any consideration, in the City of South Perth for an estate in fee simple.

(4) The Registrar of Titles shall cancel the certificate of title referred to in subsection (1) and make out a new certificate of title in respect of the subject land in accordance with subsections (2) and (3).

PART 4—LAND REVESTMENT

Land revested in Her Majesty

17. (1) All the land specified in the table to this section—

- (a) is revested in Her Majesty as of her former estate;
- (b) is removed from the operation of the *Transfer of Land Act 1893*; and
- (c) is constituted Crown land.

(2) The reservation under section 20A of the *Town Planning and Development Act 1928* of the land specified in the table to this section is cancelled.

(3) Part VIIA of the *Land Act 1933* applies to land constituted Crown land under subsection (1) as if the land were land comprised in a road which is closed as being no longer required as a road.

TABLE

1. City of Armadale

- (1) The pedestrian accessway containing 260 square metres extending between Sapling Way and Elm Close, Westfield and bounded by Lots 234, 217, 218 and 233 on Plan No. 12730.
- (2) The pedestrian accessway containing 140 square metres off Dew Street, Forrestdale and situated between Lots 32 and 34 on Diagram No. 60143.
- (3) The pedestrian accessway containing 76 square metres off Kyogle Place, Armadale and bounded by Lots 693 and 692 on Plan No. 10547.

- (4) The pedestrian accessway containing 143 square metres off Becket Court, Kelmscott and situated between Lots 912 and 913 on Plan No. 12147.
- (5) The right of way containing 339 square metres along the southernmost eastern boundary of Pt Lot 37 of Canning Location 32 and being the whole of the land marked R.O.W. on Diagram No. 44895.
- (6) The pedestrian accessway containing 117 square metres off Woburn Way, Westfield and situated between Lots 721 and 722 on Plan No. 11218.
- (7) The pedestrian accessway containing 207 square metres between Townsend Street and Angelo Street, Armadale and extending along the southwestern boundaries of Lots 73 and 93 on Plan No. 9148.
- (8) The pedestrian accessway containing 109 square metres off Logpine Crescent, Westfield and situated between Lots 277 and 278 on Plan No. 12730.

2. City of Bayswater

The pedestrian accessway containing 234 square metres extending between Abingdon Street and Ivanac Place, Morley and bounded by Lots 47, 57, 58 and 46 on Plan No. 11684.

3. City of Cockburn

- (1) The pedestrian accessway containing 309 square metres extending between Leontes Way and Archidamus Road, Coolbellup and bounded by Lots 209, 210, 241 and 242 on Plan No. 8992 (1).
- (2) The pedestrian accessway containing 243 square metres extending between Treeby Street and Ebert Street, Coolbellup and bounded by Lots 339, 340, 441 and 440 on Plan No. 8232.

4. City of Gosnells

- (1) The pedestrian accessway containing 92 square metres off Shearwater Way, Gosnells and situated between Lots 63 and 64 on Plan No. 12921.
- (2) The pedestrian accessway containing 102 square metres off Boxworth Court, Huntingdale and situated between Lots 256 and 257 on Plan No. 12045.
- (3) The pedestrian accessway containing 59 square metres off Chase Court, Langford and situated between Lots 10 and 11 on Plan No. 11176.

- (4) The pedestrian accessway containing 64 square metres off Chase Court, Langford and situated between Lots 20 and 21 on Plan No. 11176.
- (5) The pedestrian accessway containing 59 square metres off Chase Court, Langford and situated between Lots 46 and 45 on Plan No. 11176.
- (6) The pedestrian accessway containing 59 square metres off Chase Court, Langford and situated between Lots 36 and 35 on Plan No. 11176.
- (7) The pedestrian accessway containing 47 square metres off Chase Court, Langford and situated between Lots 32 and 31 on Plan No. 11176.
- (8) The pedestrian accessway containing 59 square metres off Jeddo Court, Langford and situated between Lots 47 and 48 on Plan No. 11177.
- (9) The pedestrian accessway containing 59 square metres off Jeddo Court, Langford and situated between Lots 57 and 58 on Plan No. 11177.
- (10) The pedestrian accessway containing 59 square metres off Jeddo Court, Langford and situated between Lots 83 and 82 on Plan No. 11177.
- (11) The pedestrian accessway containing 59 square metres off Jeddo Court, Langford and situated between Lots 73 and 72 on Plan No. 11177.
- (12) The pedestrian accessway containing 204 square metres extending between Conifer Street and Radiata Street, Maddington and bounded by Lots 505, 520, 506 and 519 on Plan No. 11894.

5. Shire of Kalamunda

The pedestrian accessway containing 278 square metres off Rootes Road, Kalamunda and situated along the westernmost boundary of Lot 21 on Diagram No. 68267.

6. Town of Kwinana

- (1) The pedestrian accessway containing 288 square metres extending between Inkpen Way and Richard Place, Orelia and bounded by Lots 81, 80 and 88 on Plan No. 9293 and Lot 2 on Diagram No. 59130.
- (2) The pedestrian accessway containing 188 square metres extending between Varris Way and Menli Place, Orelia and situated between Lots 4 and 5 on Plan No. 13292.
- (3) The pedestrian accessway containing 30 square metres off Moysey Court, Parmelia and situated between Lots 155 and 156 on Diagram No. 68964.

- (4) The pedestrian accessway containing 162 square metres off Barron Way, Orelia and extending along the northeastern boundary of Lot 70 on Plan No. 9635.

7. City of Perth

The pedestrian accessway containing 915 square metres extending between Brodie-Hall Drive and Parker Place, Bentley and situated between Lots 25, 26 and 27 on Plan No. 15737.

8. City of Stirling

The pedestrian accessway containing 160 square metres off Landrail Road, Stirling and situated between Lots 21 and 22 on Plan No. 12291.

9. City of Wanneroo

- (1) The portion of pedestrian accessway containing 3 square metres off Vigilant Terrace, Ocean Reef and extending along the southeastern boundary of Lot 619 on Plan No. 16371.
- (2) The pedestrian accessway containing 138 square metres off Fenellia Crescent, Craigie and situated between Lots 800 and 670 on Plan No. 10771.
- (3) The pedestrian accessway containing 13 square metres off Butler Court, Joondalup and extending along the western boundary of Lot 855 on Diagram No. 76076.
- (4) The pedestrian accessway containing 6 square metres off Butler Court, Joondalup and extending along the western and westernmost southwestern boundaries of Lot 853 on Diagram No. 75649.
- (5) The pedestrian accessway containing 258 square metres extending between Cadogan Street and Jada Court, Kingsley and bounded by Lots 636, 637, 641 and 642 on Plan No. 13642.