

WESTERN AUSTRALIA

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# RESERVES AND LAND REVESTMENT ACT

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No. 67 of 1988

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**AN ACT relating to certain reserves and other land.**

*[Assented to 14 December 1988]*

The Parliament of Western Australia enacts as follows:

## **Short title**

**1.** This Act may be cited as the *Reserves and Land Revestment Act 1988*.

## **Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Diagrams and plans held by the  
Department of Land Administration**

3. In this Act all diagrams and plans referred to are held by the Department of Land Administration unless otherwise specified.

**Reserve No. 31737 north of Bremer Bay**

4. Reserve No. 31737, classified as of Class A, containing 234 379.732 9 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 52 551.385 3 hectares or thereabouts comprising all the Crown land within the area shown bordered red on sheet 3 of Reserve Plan No. 283.

**Reserve No. 39962 in the City of Stirling**

5. Reserve No. 39962, classified as of Class A, containing 95.791 1 hectares, set apart for "Conservation of Flora and Fauna, and Passive Recreation" and vested in the City of Stirling is hereby amended by including an area of 1 128 square metres comprising Waterman Lot 6 as shown bordered red on Diagram No. 88464.

**Reserve No. 25113 at Lake Magenta**

6. Reserve No. 25113, classified as of Class A, containing 94 170.348 9 hectares or thereabouts, set apart for "Conservation of Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 13 444.651 1 hectares or thereabouts so that Reserve No. 25113 is comprised of an area of 107 615 hectares or thereabouts as shown bordered red on Reserve Plan No. 280.

**Reserve No. 38924 in the Shire of Toodyay**

7. Reserve No. 38924, classified as of Class A, containing 930.690 3 hectares, set apart for "Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 8 880 square metres comprising Avon Location 28937 as shown bordered red on Diagram No. 88322.

**Reserve No. 27322 at Geraldton**

8. (1) Reserve No. 27322, classified as of Class A, containing 1.415 2 hectares and set apart for "Park and Recreation" is hereby amended by including an area of 1.292 1 hectares so that Reserve No. 27322 is comprised of an area of 2.707 3 hectares being Geraldton Lot 2873 as shown bordered red on Plan No. 16832.

(2) The purpose of Reserve No. 27322, as amended by subsection (1), is hereby changed to "Recreation and Foreshore Management".

**Reserve No. 25555 in the Shire of Pingelly**

9. Reserve No. 25555, classified as of Class A, containing 2 089.951 3 hectares, set apart for "Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by including—

- (a) an area of 114.201 8 hectares comprising Avon Location 28800 as shown bordered red on Plan No. 16377;
- (b) an area of 2 574 square metres comprising Avon Location 28801 as shown bordered red on Diagram No. 86950;
- (c) an area of 1.420 8 hectares comprising Avon Location 28802 as shown bordered red on Diagram No. 86950; and
- (d) an area of 3 931 square metres comprising Avon Location 28803 as shown bordered red on Diagram No. 86951.

**Reserve No. 37883 at Kununurra**

10. Reserve No. 37883, classified as of Class A, containing 1 817 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 250.93 hectares or thereabouts so that the reserve is comprised of Kununurra Lot 1636 as shown bordered red on Plan No. 16842.

**Reserve No. 24258 at Albany**

11. Reserve No. 24258, classified as of Class A, containing 3 862.003 8 hectares or thereabouts, set apart for "National Park and Recreation" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 19.093 0 hectares comprising Plantagenet Location 7640 on Diagram No. 88318.

**Reserve No. 10922 at Canal Rocks**

**12.** Reserve No. 10922, classified as of Class A, containing 139.204 4 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 28.635 8 hectares or thereabouts so that the reserve is comprised of an area of 167.840 2 hectares or thereabouts being—

- (a) Sussex Location 4783 as shown bordered red on Diagram No. 85972; and
- (b) Sussex Location 4834 as shown bordered red on Plan No. 16872.

**Reserve No. 15556 in the City of Cockburn**

**13.** Reserve No. 15556, classified as of Class A, containing 538.475 1 hectares, set apart for "Fauna Conservation and Research and Drainage" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 12.719 2 hectares or thereabouts comprising Cockburn Sound Location 2256.

**Reserve No. 32590 at Stokes Inlet**

**14.** Reserve No. 32590, classified as of Class A, containing 9 493.026 7 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 233.438 1 hectares comprising Oldfield Location 1464 as shown bordered red on Miscellaneous Diagram No. 137.

**Reserve No. 32376 at Augusta**

**15.** Reserve No. 32376, classified as of Class A, containing 1 639.712 6 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 1 299 square metres comprising Sussex Location 4815 as shown bordered red on Diagram No. 87388.

**Reserve No. 38333 at Millstream**

**16.** Reserve No. 38333, classified as of Class A, containing 48 676.187 4 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 16.187 4 hectares comprising DeWitt Location 181 as shown on Reserve Plan No. 223.

**Reserve No. 8731 at Lake Monger**

**17.** (1) Reserve No. 8731, classified as of Class A, containing 96.177 2 hectares and held for an estate in fee simple by the City of Perth upon trust for the purposes of Public Park and Recreation is hereby amended by excising an area of 8 549 square metres so that Reserve No. 8731 does not include any of the land comprising Swan Location 11071 as shown bordered red on Diagram No. 88514.

(2) The land excised by the operation of subsection (1) is hereby revested in Her Majesty as of Her former estate and removed from the operation of the *Transfer of Land Act 1893*, and is constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(3) The Registrar of Titles appointed under section 7 of the *Transfer of Land Act 1893* shall make such alterations in Certificate of Title Volume 668 Folio 49 as are necessary due to the operation of this section.

**Reserve No. 9286 at Kalgoorlie**

**18.** Reserve No. 9286, classified as of Class A, containing 23.097 5 hectares, set apart for "water supply" and vested in the Minister for Water Resources is hereby amended by excising an area of 3.068 3 hectares comprising Kalgoorlie Lot 4346 as shown bordered red on Diagram No. 88401.

**Reserve No. 17375 at Crawley**

**19.** Reserve No. 17375, classified as of Class A, containing 24.441 2 hectares, set apart for "Recreation" and vested in the National Parks and Nature Conservation Authority is hereby amended by excising an area of 3.876 0 hectares comprising Swan Location 11012 as shown bordered red on Diagram No. 88377.

**Reserve No. 36915, the Dampier Archipelago**

**20.** Reserve No. 36915, classified as of Class A, containing 4 435.400 0 hectares or thereabouts set apart for "Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by excising an area of 362 square metres comprising DeWitt Location 219 as shown bordered green on Diagram No. 87702.

**Reserve No. 23580 at Merredin**

**21.** Reserve No. 23580, classified as of Class A, containing 1 177.650 4 hectares, set apart for "Recreation and Parkland" and vested in the Shire of Merredin is hereby amended by excising an area of 16.919 hectares comprising Avon Location 28896 as shown bordered red on Diagram No. 88114.

**Reserve No. 8103 at Boulder**

**22.** Reserve No. 8103, classified as of Class A, containing 4.856 2 hectares, set apart for "Recreation" and vested in the Shire of Boulder is hereby cancelled.

**Reserve No. 17826 at Perth**

**23.** The purpose of Reserve No. 17826, classified as of Class A, containing 2.432 9 hectares, set apart for "Park and Gardens" and vested in the City of Perth is hereby changed to "Park, Gardens and Parking".

**Reserve No. 4561 at Bedfordale**

**24.** Reserve No. 4561, classified as of Class A, containing 452.686 9 hectares, set apart for "Park Lands" and vested in the City of Armadale is hereby amended—

(a) by excluding—

(i) an area of 1 hectare comprising Canning Location 3598 as shown bordered red on Plan No. 16929; and

(ii) an area of 3 606 square metres comprising Canning Location 3599 as shown bordered red on Plan No. 16929;

and

(b) by including an area of 46.902 0 hectares of vacant Crown land,

so that the reserve is comprised of Canning Location 3597 as shown bordered red on Plan No. 16929.

### **Reserve Nos. 1668 and 1624 at Nedlands**

25. (1) Reserve No. 1668, classified as of Class A, containing 14.072 0 hectares or thereabouts, set apart for "Recreation" and vested in the City of Nedlands is hereby amended by excising an area of 4.939 3 hectares so that the reserve is comprised of an area of 9.132 7 hectares being Swan Location 10693 as shown bordered brown on Diagram No. 87053.

(2) Reserve No. 1624, classified as of Class A, containing 3.510 7 hectares or thereabouts, set apart for "Recreation" and vested in the City of Nedlands is hereby amended by including the area excised from Reserve No. 1668 by subsection (1) so that Reserve No. 1624 is comprised of an area of 8.450 0 hectares being Swan Location 10694 as shown bordered red on Plan No. 16425.

(3) The purpose of Reserve No. 1624, as amended by subsection (2), is hereby changed to "Parkland and Recreation".

### **Reserve No. 12397 in the Shire of Brookton**

26. Reserve No. 12397, classified as of Class A, containing 10.453 5 hectares, set apart for the purpose of "Water" and vested in the Minister for Water Resources is amended by excising an area of 6.742 6 hectares so that the reserve is comprised of Avon Location 28942 as shown bordered red on Diagram No. 88385.

### **Reserve No. 18149 at Broome**

27. Crown Lease 9/1926 dated 30 December 1925, being a lease of Broome Lot 627 solely for the purposes of a site for a church, is hereby cancelled.

**Claremont fire station**

**28.** (1) In this section “the specified land” means—

- (a) Cottesloe Lot 331 held for an estate in fee simple by the Western Australian Fire Brigades Board upon trust that the land be used and held solely for Fire Brigade Purposes; and
- (b) Cottesloe Lot 182 held for an estate in fee simple by the Western Australian Fire Brigades Board upon trust that the land be used and held solely for the purposes of a Site for a Fire Station,

being all the land described in Certificate of Title Volume 1754 Folio 582 and Certificate of Title Volume 1754 Folio 581.

(2) That part of the specified land being Lot 1 on Diagram 71008 may be sold and transferred by the Western Australian Fire Brigades Board for such consideration as the Board may think fit, and that part of the land shall, when so transferred, be freed and discharged from the trusts referred to in subsection (1) and may be dealt with for an estate in fee simple accordingly.

(3) Upon the land referred to in subsection (2) being freed and discharged from the trusts referred to in subsection (1), the remainder of the specified land, being Lot 2 on Diagram 71008 shall be freed and discharged from the trusts referred to in subsection (1) and shall instead be hereafter held upon trust for the purpose of a Fire Station Site.

(4) The Registrar of Titles appointed under section 7 of the *Transfer of Land Act 1893* shall, upon delivery to him of the duplicates of the Certificates of Title referred to in subsection (1) registering a transfer, in accordance with subsection (2), of the land referred to in that subsection, cancel those Certificates of Title and make out new Certificates of Title in accordance with subsections (2) and (3).

(5) Section 4 of the *Reserves Act (No. 1) 1939* is repealed.

**Reserve No. 15860 at Bridgetown**

**29.** Reserve No. 15860, classified as of Class A, containing 1.076 1 hectares, set apart for “Park Lands and Recreation” and vested in the Shire of Bridgetown-Greenbushes is hereby amended by including an area of 3.593 9 hectares or thereabouts so that the reserve is comprised of an area of 4.670 0 hectares being Bridgetown Lot 894 as shown bordered red on Plan No. 16454.



**Reserve No. 24491 in the Shire of Dandaragan**

30. Reserve No. 24491, classified as of Class A, containing 39 975 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by—

- (a) excluding an area of 16.190 0 hectares being Victoria Location 11736 as shown bordered red on Diagram No. 88283; and
- (b) including an area of 16.190 0 hectares being Victoria Location 10359 as shown bordered red on Plan No. 6632.

**Reserve No. 35118 at Onslow**

31. Reserve No. 35118, classified as of Class A, containing 1 267.650 9 hectares or thereabouts, set apart for "Historical Site and Buildings" and vested in the Shire of West Pilbara is hereby amended by including an area of 20.487 2 hectares being Onslow Lot 699 as shown on Diagram No. 44045.

**Reserve No. 6627 at Lake Mealup**

32. Reserve No. 6627, classified as of Class A, containing 17.649 4 hectares, set apart for "Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by including an area of 19.424 9 hectares being Murray Location 1847 as shown on Diagram 18593.

**Reserve No. 18705 in the Shire of Manjimup**

33. Reserve No. 18705, classified as of Class A, containing 1 086.599 5 hectares, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by excising an area of 590 hectares or thereabouts shown coloured pink on Miscellaneous Plan No. 1657.

**Closure of roads and portions of road  
in the Shire of Manjimup**

34. (1) All those roads and portions of road in the Shire of Manjimup shown coloured blue on Miscellaneous Plan No. 1655 are hereby closed and all rights of way over those roads and portions of road shall cease on and from the coming into operation of this Act.

(2) The land contained in the roads and portions of road closed under subsection (1) may be disposed of in such manner as the Governor may approve.

### **Reserve No. 39825 at Jarrahdale**

**35.** The purpose of Reserve No. 39825, classified as of Class A, containing 3 727 hectares or thereabouts, set apart for "Conservation and the agreement defined in Section 2 of the *Alumina Refinery Agreement Act 1961*" and vested in the National Parks and Nature Conservation Authority is hereby changed to "National Park".

### **Reserve Nos. 17495 and 38881 at Windy Harbour**

**36.** (1) Reserve No. 17495, classified as of Class A, containing 680.199 6 hectares, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by excising an area of 98.940 0 hectares comprising Nelson Location 13304 as shown bordered red on Diagram No. 88657.

(2) Reserve No. 38881, classified as of Class A, containing 90.430 5 hectares, set apart for "Recreation, Camping, Caravan Park and Holiday Cottages" and vested in the Shire of Manjimup is hereby amended by including the area excised from Reserve No. 17495 by subsection (1).

### **Land revested in Her Majesty**

**37.** (1) All that land specified in the Table to this section is hereby revested in Her Majesty as of Her former estate and removed from the operation of the *Transfer of Land Act 1893*, and is constituted Crown land within the meaning of that expression in the *Land Act 1933*.

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

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

*TABLE***1. City of Armadale**

The pedestrian accessway containing 315 square metres extending between Cammillo Road and Jarrah Close, Westfield, and bounded by Lots 167, 168, 197 and 196 on Plan No. 12433 held by the Office of Titles.

**2. City of Armadale**

The pedestrian accessway containing 239 square metres extending eastward of Reed Rise, Roleystone, and bounded by Lots 134 and 135 on Diagram No. 50717 held by the Office of Titles.

**3. City of Armadale**

The pedestrian accessway containing 88 square metres extending between Reserve No. 34462 and Burran Court, Armadale, and bounded by Lots 87 and 88 on Plan No. 11713 held by the Office of Titles.

**4. City of Bayswater**

The pedestrian accessway containing 258 square metres extending between Sandleford Way and Beechboro Road, Morley, and bounded by Lots 207 and 208 on Plan No. 9858 held by the Office of Titles, part Lot 104 on Plan No. 7282 held by the Office of Titles, and Lot 50 on Diagram No. 43386 held by the Office of Titles.

**5. City of Bunbury**

The land in the right-of-way being 73 square metres along the northern boundary of Lot 8 on Diagram No. 37100 held by the Office of Titles.

**6. City of Cockburn**

The pedestrian accessway containing 164 square metres extending between Clontarf Road and Tolley Court, Hamilton Hill and bounded by Lots 142 and 143 on Diagram No. 35852 held by the Office of Titles and Lots 160 and 161 on Diagram No. 41861 held by the Office of Titles.

**7. Shire of Gingin**

The pedestrian accessway containing 131 square metres extending northwestward from Spotters Court, Gingin and bounded by Lots 18 and 19 on Diagram No. 63845 held by the Office of Titles.

### **8. City of Gosnells**

The land in the right-of-way being 809 square metres as shown on Diagram No. 37685 held by the Office of Titles, and situated along the southwest boundary of Lot 24 on Diagram No. 26354 held by the Office of Titles.

### **9. City of Gosnells**

(1) The pedestrian accessway containing 314 square metres extending between Ranmere Way and Reserve No. 33634 at Langford and bounded by Quail Place and Lots 6, 7 and 9 on Plan No. 14843 held by the Office of Titles and Lot 18 on Diagram No. 71184 held by the Office of Titles.

(2) The pedestrian accessway containing 53 square metres extending between Pigeon Court and the pedestrian accessway referred to in subitem (1) and bounded by Lots 6 and 7 on Plan No. 14843 held by the Office of Titles.

### **10. Town of Kwinana**

The pedestrian accessway containing 324 square metres extending between Hennessy Avenue and Barron Way, Orelia and bounded by Lots 78 and 79 on Plan No. 9635 held by the Office of Titles, and Lots 151 and 152 on Plan No. 9634 held by the Office of Titles.

### **11. City of Stirling**

The land in the right-of-way being 422 square metres extending westward from Browning Street, Mt. Yokine along the southern boundary of Lot 6 on Diagram No. 31319 held by the Office of Titles.

### **12. City of Stirling**

The pedestrian accessway extending between Princess Road and Poynings Street, Balga and bounded by Lots 6, 7, 17 and 18 on Plan No. 8312 held by the Office of Titles.

### **13. City of Stirling**

The portions of the pedestrian accessway containing a total area of 1 849 square metres as surveyed and shown bordered green on Diagram No. 88493 held by the Department of Land Administration.

### **14. City of Wanneroo**

The pedestrian accessway containing 307 square metres extending between Mirrabooka Avenue and Ellerby Way, Koondoola and bounded by Lots 431, 432, 456 and 457 on Plan No. 11139 held by the Office of Titles.

**15. City of Stirling**

The portion of pedestrian accessway containing 358 square metres extending between Chesterfield Road, Mirrabooka and another pedestrian accessway and shown bordered green on Diagram No. 88745 held by the Department of Land Administration.

**16. City of Stirling**

The pedestrian accessway containing an area of 243 square metres extending between Preston Way and Thorney Way, Balga, and bounded by Lots 363 and 336 on Plan 8688 and Lots 335 and 364 on Plan 8687 held at the Office of Titles.

**17. City of Armadale**

- (a) The pedestrian accessway containing an area of 212 square metres extending between Townley Street and Rigden Street, Armadale, and bounded by Lots 163, 148, 147 and 164 on Plan No. 9646 held by the Office of Titles.
- (b) The right of way containing an area of 1 618 square metres between Lots 1 and 2 of Canning Location 31 on Diagram 38068, Lots 3 and 4 of Canning Location 31 on Diagram 38881, Lots 5 and 6 of Canning Location 31 on Diagram 43625, and Lot 8 of Canning Location 31 on Diagram 52555, all Diagrams held by the Office of Titles.

**18. City of Bunbury**

The pedestrian accessway containing an area of 1 208 square metres extending southward from the southern boundary of Lot 2 of Wellington Location 41 on Diagram 73365 held by the Office of Titles to the northern boundaries of Lots 95 and 96 of Wellington Location 41 on Office of Titles Plan No. 11215 and bounded by Lots 83 to 109 inclusive of Wellington Location 41 on the said plan.

**19. City of Cockburn**

The pedestrian accessway containing an area of 36 square metres of Bellier Place, Hamilton Hill, between Lots 701 and 702 of Cockburn Sound Location 550 on Diagram No. 64091 held by the Office of Titles.

**20. City of Wanneroo**

- (a) The pedestrian accessway containing an area of approximately 30 square metres situated along part of the northwestern boundary of Lot 22 of Swan Location 1315 on Plan 14420 held at the Office of Titles.
  - (b) The pedestrian accessway and the road widening containing a total area of 1 449 square metres, commencing at the south east corner of Lot 258 of Swan Location 1879 on Office of Titles Plan 11995 and extending generally northward to the northernmost corner of Lot 190 of Swan Location 1879 on Office of Titles Plan 11994.
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