

WESTERN AUSTRALIA

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# RESERVES AND LAND REVESTMENT ACT (No. 2)

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No. 124 of 1987

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

[Assented to 31 December 1987]

**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 and Land Revestment Act (No. 2) 1987*.

**Commencement**

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

**Reserve No. 24033 at Beverley**

3. The classification as of Class A of Reserve No. 24033, containing 6.314 4 hectares and set apart for "Recreation and Public Utility" is hereby cancelled.

**Reserve No. 14222 at Port Denison**

4. Reserve No. 14222, classified as of Class A, containing 10.839 7 hectares, set apart for "Camping and Recreation" and vested in the Shire of Irwin is hereby cancelled.

**Reserve No. 12189 in the Town of Mandurah**

5. Reserve No. 12189, classified as of Class A, containing 1 504.712 3 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including—

- (a) an area of 24.825 6 hectares being Murray Location 1787 as shown bordered red on Diagram No. 86629;
- (b) an area of 35.101 6 hectares being Murray Location 1788 as shown bordered red on Diagram No. 86629; and
- (c) an area of 19.33 hectares being Murray Location 1794 as shown bordered red on Diagram No. 86630,

those diagrams being held by the Department of Land Administration.

**Reserve No. 27575 near Quinns Rocks**

6. Reserve No. 27575, classified as of Class A, containing 1 090.132 8 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is amended by including an area of 4.046 9 hectares being Swan Location 10987.

**Reserve No. 2682 at Albany**

7. Reserve No. 2682, classified as of Class A, set apart for "Public Park" and vested in the Town of Albany is hereby amended by including—

- (a) a portion of closed road; and
- (b) a portion of vacant crown land,

so that the reserve is comprised of an area of 115.144 8 hectares or thereabouts being Albany Lot 1373 as shown bordered red on Reserve Plan No. 268, held by the Department of Land Administration.

**Reserve No. 37617 in the City of Wanneroo**

8. Reserve No. 37617, classified as of Class A, containing 1.816 2 hectares, set apart for "Protection and Preservation of Orchestra Shell Cave" and vested in the City of Wanneroo is hereby amended by including an area of 4.256 2 hectares being Swan Location 10824 as shown bordered red on Diagram No. 87696, held by the Department of Land Administration.

**Reserve No. 1847 in the Shire of Mundaring**

9. (1) Reserve No. 1847, classified as of Class A, containing 6.963 2 hectares, set apart for "National Park" and vested in the Shire of Mundaring is hereby amended by including an area of 4 626 square metres being Glen Forrest Lot 347.

(2) The purpose of Reserve No. 1847, as amended by subsection (1), is hereby changed to "Parkland".

**Reserve No. 11797 in the Shire of Capel**

10. Reserve No. 11797, classified as of Class A, containing 9.156 6 hectares, set apart for "Recreation" and vested in the Shire of Capel is hereby amended by including an area of 4 047 square metres being Wellington Location 2816.

**Reserve No. 24913 at Point Walton**

11. Reserve No. 24913, classified as of Class A, set apart for "Parklands and Recreation" and vested in the Shire of Denmark is hereby amended by including a portion of closed road so that the reserve is comprised of an area of 554.310 0 hectares being Plantagenet Location 7625 as shown bordered pink on Plan No. 16756, held by the Department of Land Administration.

**Reserve No. 27834 at Boyup Brook**

12. Reserve No. 27834, classified as of Class A, set apart for "Park" and vested in the Shire of Boyup Brook is hereby amended to comprise an area of 5 909 square metres being Boyup Brook Lot 363 as shown bordered red on Plan No. 15922, held by the Department of Land Administration.

**Reserve No. 8432 in the Shire of Augusta-Margaret River**

13. (1) For the purposes of section 7 (3) of the *Conservation and Land Management Act 1984* Reserve No. 8432, classified as of Class A, containing 64.749 7 hectares and set apart for "National Park" is deemed to have been, immediately before the commencement of that Act, a national park under section 18 of the *National Parks Authority Act 1976*.

(2) Reserve No. 8432 is hereby amended by including an area of 86.625 5 hectares being Sussex Location 1402.

(3) For the purposes of section 7 (2) of the *Conservation and Land Management Act 1984* the land referred to in subsection (2) is deemed to be reserved under section 29 of the *Land Act 1933* for the purpose of a national park at the time when subsection (2) comes into operation.

**Reserve Nos. 24781 and 37016 at Armadale**

14. (1) Reserve No. 37016, classified as of Class C, containing 1.750 3 hectares and set apart for "Protection of Flora and Fauna and Recreation" is hereby cancelled.

(2) Reserve No. 24781, classified as of Class A, containing 243.620 8 hectares or thereabouts and set apart for "Protection of Flora and Fauna and Recreation" is hereby amended by including the land referred to in subsection (1).

(3) The purpose of Reserve No. 24781, as amended by subsection (2), is hereby changed to "Conservation of Flora and Fauna".

(4) For the purposes of section 7 (4) of the *Conservation and Land Management Act 1984* Reserve No. 24781; as amended by subsection (2), is deemed to have been, immediately before the commencement of that Act, a nature reserve under section 6 (1) of the *Wildlife Conservation Act 1950*.

### **Reserve No. 14943 at Cheyne Inlet**

15. Reserve No. 14943, classified as of Class A, containing 224.195 8 hectares and set apart for "Parklands and Recreation" is hereby amended by excising an area of 25 hectares being Plantagenet Location 7621 as shown bordered red on Diagram No. 88016, held by the Department of Land Administration.

### **Reserve No. 1022 at South Perth**

16. Reserve No. 1022, classified as of Class A, containing 3.219 hectares and set apart for "Recreation" is hereby amended by excising an area of 1.054 0 hectares being Perth Lot 992 as shown on Diagram No. 88180, held by the Department of Land Administration, so that the reserve is comprised of an area of 2.165 0 hectares being Perth Lot 993 as shown on that diagram.

### **Reserve No. 2851 at Dawesville**

17. Reserve No. 2851, classified as of Class A, containing 120.046 1 hectares, set apart for "Recreation and Camping" and vested in the Town of Mandurah is hereby amended by excising an area of 1.043 5 hectares being Murray Location 1832 as shown bordered pink on Diagram No. 88084, held by the Department of Land Administration.

### **Reserve No. 27004 at Kalbarri**

18. Reserve No. 27004, classified as of Class A, containing 186 053.938 1 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by excising—

(a) an area of 3.443 4 hectares being Victoria Location 11715; and

(b) an area of 6 871 square metres being Victoria Location 11716,

as shown bordered red on Plan No. 16734, held by the Department of Land Administration.

**Reserve No. 26887 at Jerramungup**

**19.** Reserve No. 26887, classified as of Class A, containing 4.277 1 hectares, set apart for "Parklands and Recreation" and vested in the Shire of Jerramungup is hereby amended by excising—

- (a) an area of 2 024 square metres being Jerramungup Lot 377 as shown bordered pink; and
- (b) an area of 2 827 square metres being Jerramungup Lot 378 as shown bordered pink,

on Diagram No. 88027, held by the Department of Land Administration.

**Reserve No. 33966 at Maylands**

**20.** (1) Reserve No. 33966, classified as of Class A, containing 57.640 7 hectares, set apart for "Public Recreation" and vested in the City of Stirling is hereby amended by excising—

- (a) an area of 7.385 7 hectares being Swan Location 10831 as shown bordered pink on Plan No. 16868, held by the Department of Land Administration; and
- (b) an area of 776 square metres surveyed for road widening and shown shaded dark brown on the plan referred to in paragraph (a) abutting the area referred to in that paragraph.

(2) The purpose of Reserve No. 33966 is hereby changed to "Parkland and Recreation".

**Reserve No. 680 in the Shire of Bridgetown-Greenbushes**

**21.** The purpose of Reserve No. 680, classified as of Class A, containing 12.236 7 hectares, set apart for "Water and Stopping Place" and vested in the Shire of Bridgetown-Greenbushes is hereby changed to "Rest and Recreation Area".

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**Reserve No. 3412 at Powlalup**

**22.** (1) The purpose of Reserve No. 3412, classified as of Class A, containing 22.596 6 hectares or thereabouts and set apart for "Resting place for travellers and stock" is hereby changed to "Recreation".

(2) For the purposes of section 5 (g) of the *Conservation and Land Management Act 1984* the land referred to in subsection (1) is deemed to be land reserved under the *Land Act 1933* and vested by order under that Act in the Lands and Forest Commission established under section 18 of the *Conservation and Land Management Act 1984* at the time when subsection (1) comes into operation.

### **Reserve No. 24808 at Oyster Bay**

**23.** (1) The purpose of Reserve No. 24808, classified as of Class A, containing 2.419 4 hectares or thereabouts and set apart for "Recreation" is hereby changed to "Conservation of Flora and Fauna".

(2) For the purposes of section 7 (2) of the *Conservation and Land Management Act 1984* the land referred to in subsection (1) is deemed 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 (1) comes into operation.

### **Reserve No. 15385 near Jilakin Lake**

**24.** The purpose of Reserve No. 15385, classified as of Class A, containing 147.373 4 hectares, set apart for "Water and Park Lands" and vested in the Minister for Water Resources is hereby changed to "Parklands, Water and Conservation of Flora and Fauna".

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

**25.** (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 187 square metres extending between Vanston Court and Hollybush Way and bounded by Lots 119, 120, 125 and 126 on Plan No. 10071, held by the Office of Titles.
2. City of Armadale  
The pedestrian accessway containing 152 square metres extending between Orme Court and Willowmead Way and bounded by Lot 52 on Diagram No. 50020, Lot 379 on Plan No. 11372 and Lots 363 and 382 on Diagram No. 42340, those diagrams and that plan being held by the Office of Titles.
3. City of Armadale  
The pedestrian accessway containing 105 square metres extending between Cowan Street and Canning Location 2683 and bounded by Lots 321 and 322 on Plan No. 11031, held by the Office of Titles.
4. City of Bayswater  
The pedestrian accessway containing 252 square metres extending between Weatherill Way and Weaver Court and bounded by Lots 145, 146, 152 and 153 on Plan No. 12985, held by the Office of Titles.
5. City of Cockburn  
The pedestrian accessway containing 105 square metres extending between Barrett Street and the northern boundary of Lot 1000 on Diagram No. 66304 and bounded by Lots 274 and 275 on Plan No. 12634, that plan and diagram being held by the Office of Titles.
6. Shire of Kalamunda  
The pedestrian accessway containing 239 square metres extending between Edney Road and Netherwood Road and bounded by Lot 100 on Diagram No. 59444, Lot 73 on Diagram No. 39705, Lot 87 on Diagram No. 39879 and Lot 86 on Diagram No. 39878, those diagrams being held by the Office of Titles.
7. Town of Kwinana  
The pedestrian accessway containing 144 square metres extending between Dowling Place and Reserve No. 36938 and bounded by Lot 48 on Plan No. 9635 and Lot 24 on Plan No. 9636, those plans being held by the Office of Titles.
8. Town of Kwinana  
The pedestrian accessway containing 40 square metres extending between Coleman Road and Reserve No. 32512 and bounded by Lots 1, 2 and 16 on Plan No. 10227, held by the Office of Titles.
9. City of Stirling  
The pedestrian accessway containing 324 square metres extending between Findon Crescent and Storrington Crescent and bounded by Lots 69, 70, 38 and 39 on Plan No. 8312(2), held by the Office of Titles.
10. City of Stirling  
The pedestrian accessway containing 114 square metres extending between Telford Crescent and Swan Location 2881 and bounded by Lots 90 and 91 on Diagram 42174, held by the Office of Titles.
11. City of Wanneroo  
That portion of pedestrian accessway containing 2 square metres adjoining Lot 11 on Plan No. 11184, held by the Office of Titles, and shown shaded blue on Diagram No. 87928, held by the Department of Land Administration.



## 12. City of Wanneroo

The pedestrian accessway containing 273 square metres extending between Casserley Avenue and Burnham Way and bounded by Lots 757, 758, 774 and 775 on Plan No. 10407, held by the Office of Titles.

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