

WESTERN AUSTRALIA

RESERVES AND LAND REVESTMENT ACT

No. 46 of 1987

AN ACT relating to certain reserves and other land.

[Assented to 3 October 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 1987*.

Commencement

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

Reserve No. 7516 at Southern Cross

3. (1) The classification as of Class A of Reserve No. 7516, set apart for "Hospital" and vested in the Minister for Health is hereby cancelled.

(2) The purpose of the reserve referred to in subsection (1) is hereby changed to "Hospital and Allied Purposes".

Reserve No. 24937 at Manjimup

4. (1) The classification as of Class A of Reserve No. 24937, containing 14.303 1 hectares, set apart for "National Park" and vested in the Shire of Manjimup is hereby cancelled.

(2) The purpose of the reserve referred to in subsection (1) is hereby changed to "Park and Recreation".

Reserve No. 25036 at Boulder

5. (1) The classification as of Class A of Reserve No. 25036, containing 54.091 2 hectares, set apart for "Recreation" and vested in the Shire of Boulder is hereby cancelled.

(2) The reserve referred to in subsection (1) is amended by excising an area of 541 2 square metres being Boulder Lot 3996 as shown bordered green on Diagram No. 87797 held by the Department of Land Administration.

Reserve No. 9528 at Ludlow

6. The classification as of Class A of Reserve No. 9528, containing 552.800 6 hectares or thereabouts and set apart for the protection of "Tuart timber" is hereby cancelled.

Reserve No. 10980 at Mundaring

7. Reserve No. 10980, classified as of Class A, containing 5.665 6 hectares or thereabouts, set apart for "Recreation" and vested in the Shire of Mundaring is hereby amended by including an area of 1 594 square metres comprising Mundaring Lot 279 as shown bordered pink on Diagram No. 87221 held by the Department of Land Administration.

Reserve No. 32376 at Augusta

8. Reserve No. 32376, classified as of Class A, containing 1 640.000 3 hectares or thereabouts, set apart for "National Park" and vested in the National Parks and Nature Conservation Authority is hereby amended by including Sussex Location 4689 so that the reserve comprises an area of 2 125.362 1 hectares or thereabouts being Sussex Locations 4486, 4608, 4620, 4621, 4622 and 4689 as shown bordered red on Reserve Diagram No. 322 held by the Department of Land Administration.

Reserve No. 20610 in the Shire of Pingelly

9. Reserve No. 20610, classified as of Class A, containing 4 781.280 5 hectares, set apart for "Timber (Mallet) and Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is hereby amended by including—

- (a) an area of 15.656 5 hectares comprising Avon Location 28744;
and
- (b) an area of 7.356 4 hectares comprising Avon Location 28745.

Reserve No. 27956 at Two Peoples Bay

10. Reserve No. 27956, classified as of Class A, containing 4 642.709 8 hectares or thereabouts, set apart for "Conservation of Fauna" and vested in the National Parks and Nature Conservation Authority is amended by including—

- (a) an area of 2 400 square metres comprising Plantagenet Location 7132;
- (b) an area of 6 hectares or thereabouts comprising Plantagenet Location 7608; and
- (c) portions of land between high water mark and low water mark,

so that the reserve comprises an area of 4 744.661 8 hectares or thereabouts being Plantagenet Locations 3985, 5368, 5394, 5409, 6744, 7065, 7066, 7068, 7069, 7070, 7132, 7429 and 7608 as shown bordered red on Reserve Plan No. 266 held by the Department of Land Administration.

Reserve No. 39276 in the Shire of Chapman Valley

11. Reserve No. 39276, classified as of Class A, containing 67.396 8 hectares, set apart for "Conservation of Flora and Fauna" and vested in the National Parks and Nature Conservation Authority is amended by including—

- (a) an area of 1.420 1 hectares comprising Victoria Location 11731 as shown on Diagram No. 87877;
- (b) an area of 9.554 0 hectares comprising Victoria Location 11557 as shown on Diagram No. 86713;
- (c) an area of 8.423 6 hectares comprising Victoria Location 11558 as shown on Diagram No. 86713; and
- (d) an area of 25.260 1 hectares comprising Victoria Location 11215 as shown on Diagram No. 82121,

those diagrams being held by the Department of Land Administration.

Reserve No. 9633 at Mandurah

12. Reserve No. 9633, classified as of Class A, containing 5.897 7 hectares or thereabouts, set apart for "Recreation" and vested in the Shire of Mandurah is hereby amended by excising 433 4 square metres being all that land in the reserve that is a portion of Cockburn Sound Location 2834.

St Brigids Convent of Mercy at Craigie

13. (1) In this section Swan Location 10112 held for an estate in fee simple by The St Brigids Convent of Mercy Perth Incorporated upon trust that the land be used and held solely for the purpose of School and Convent Site, being all the land described in Certificate of Title Volume 1605 Folio 728, is referred to as "the specified land."

(2) The specified land is hereby freed and discharged from the trust referred to in subsection (1) and shall instead be hereafter held upon trust for the purpose of Hostel and Convent Site.

(3) The Registrar of Titles appointed under section 7 of the *Transfer of Land Act 1893* shall, upon delivery to him of the duplicate of the Certificate of Title referred to in subsection (1), cancel that certificate of title and make out a new certificate of title in accordance with subsection (2).

Miners Hall Site at Ora Banda

14. (1) Ora Banda Lot 2, described in Certificate of Title Volume 1052 Folio 518, held for an estate in fee simple by the Ora Banda Hall Association Incorporated upon trust that the land be used and held solely for the purpose of a Miners Hall Site is freed and discharged from that trust and is hereby reverted in Her Majesty as of Her former estate and is constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(2) The Registrar of Titles appointed under section 7 of the *Transfer of Land Act 1893* shall, upon delivery to him of the duplicate of the certificate of title referred to in subsection (1), cancel that certificate of title.

Land reverted in Her Majesty

15. (1) All that land specified in the Table to this section is hereby reverted 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. Shire of Albany

The pedestrian accessway containing 226 square metres extending between Lower King Road and Langdon Court and bounded by Lots 20, 239, 84 and 85 on Plan No. 12892 held by the Office of Titles.

2. City of Bayswater

The pedestrian accessway containing 304 square metres extending between Morley Drive East and Hamersley Avenue and bounded by Lots 3 and 5 on Diagram No. 30697, Lot 105 on Plan 9862 and Lot 14 on Plan 7282(2), those plans and that diagram being held by the Office of Titles.

3. City of Gosnells

The land in the right-of-way containing 327 square metres extending between Herbert Street and Lot 204 and bounded by Albany Highway and Lot 321 on Diagram No. 64408 held by the Office of Titles.

4. Town of Kwinana

The pedestrian accessway containing 483 square metres extending between Cowling Way and Lot E20 and bounded by Lots 163, 164, 165, 166, E21, 169 and 170 on Plan No. 11384 held by the Office of Titles.

5. Town of Kwinana

The pedestrian accessway containing 414 square metres extending between Hennessy Avenue and Clarinda Avenue and bounded by the northern and western boundaries of Lot 100 on Diagram No. 59839 and Lots 4, 5 and Pt. A772 on Diagram No. 57863, those diagrams being held by the Office of Titles.

6. City of Wanneroo

That portion of the pedestrian accessway containing 737 square metres extending between Denston Way and Girrawheen Avenue and shown bordered blue on Diagram No. 87794 held by the Department of Land Administration.
