

# RESERVES ACT AND RESERVES.

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No. 6 of 1984

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**AN ACT relating to certain Reserves and other lands  
and to amend the Reserves Act (No. 3) 1939.**

*[Assented to 17 May 1984.]*

**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:—

1. This Act may be cited as the *Reserves Act and Reserves Amendment Act 1984*. Short title.

2. Reserve No. 1653, classified as of Class A, containing 1.557 6 hectares, and set apart for "Parking" is hereby cancelled. Reserve No. 1653 near Bridgetown.

Reserve  
No. 8606 at  
Busselton.

3. Reserve No. 8606, classified as of Class A, containing 1.802 8 hectares or thereabouts, set apart for "Recreation" and vested in the Shire of Busselton is hereby cancelled.

Reserve  
No. 9719 at  
Busselton.

4. Reserve No. 9719, classified as of Class A, containing 7 752 square metres or thereabouts, set apart for "Recreation" and vested in the Shire of Busselton is hereby cancelled.

Reserve  
No. 9338 at  
Subiaco.

5. Reserve No. 9338, classified as of Class A, containing 2.862 4 hectares and set apart for "Educational" is hereby cancelled.

Reserve No.  
17672 near  
Manjimup.

6. Reserve No. 17672, classified as of Class A, containing 4 047 square metres, set apart for "Protection of Flora (King Jarrah)" and vested in the Shire of Manjimup is hereby cancelled.

Reserve No.  
23630 near  
Manjimup.

7. Reserve No. 23630, classified as of Class A, containing 197.081 9 hectares set apart for "National Park" and vested in the Shire of Manjimup is hereby cancelled.

Reserve  
No. 20167  
south of  
Northcliffe.

8. Reserve No. 20167, classified as of Class A, containing 280.851 8 hectares, set apart for "Camping and Recreation" and placed under the control of the Shire of Manjimup is hereby cancelled.

Reserve  
No. 30523  
south of  
Northcliffe.

9. Reserve No. 30523, classified as of Class A, containing 4 101.784 9 hectares or thereabouts and set apart for "Conservation of Flora and Fauna" is hereby cancelled.

Reserve  
No. 24158  
south of  
Northcliffe.

10. Reserve No. 24158, classified as of Class A, containing 29.946 7 hectares and set apart for "Camping and Water" is hereby cancelled.

11. (1) Reserve No. 10433, classified as of Class C, containing 1.849 1 hectares or thereabouts and set apart for "Gravel" is hereby cancelled.

Reserve  
Nos. 10433  
and 4561 at  
Bedforddale.

(2) Reserve No. 4561, classified as of Class A, containing 450.837 8 hectares or thereabouts, set apart for "Parklands" and vested in the Town of Armadale is hereby amended by including the land referred to in subsection (1) of this section.

12. (1) Reserve No. 38190, classified as of Class C, containing 8 936 square metres, set apart for "Recreation" and vested in the City of Nedlands is hereby cancelled.

Reserve  
Nos. 38190  
and 27250 at  
Swanbourne.

(2) Reserve No. 27250, classified as of Class A, containing 8 600 square metres, set apart for "Recreation" and vested in the City of Nedlands is hereby amended by including the land referred to in subsection (1) of this section.

13. (1) Reserve No. 27871, classified as of Class C, containing 206.270 8 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority is hereby cancelled.

Reserve  
Nos. 27871  
and 24491  
west of  
Watheroo.

(2) Reserve No. 24491, classified as of Class A, containing 39 788 hectares or thereabouts, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby amended by including the land referred to in subsection (1) of this section.

14. (1) Reserve No. 36912, classified as of Class C, containing 83.4 hectares or thereabouts, set apart for "Recreation" and vested in the Minister for the Environment is hereby cancelled.

Reserve  
Nos. 36912  
and 36915  
in the  
Dampier  
Archipelago.

(2) Reserve No. 36915, classified as of Class A, containing 4 352 hectares or thereabouts, set apart for "Conservation of Flora and Fauna" and vested

in the Western Australian Wildlife Authority is hereby amended by including the land referred to in subsection (1) of this section.

Reserve  
Nos. 38421  
and 3293 at  
East Perth.

15. (1) Reserve No. 38421, classified as of Class A, containing 5 109 square metres, set apart for "Perth Mint" and vested in the Director of the Perth Mint is hereby cancelled.

(2) Reserve No. 3293, classified as of Class A, containing 6 778 square metres, set apart for "Mint" and vested in the Director of the Perth Mint is hereby amended by including the land referred to in subsection (1) of this section.

Reserve  
Nos. 15677  
and 31362  
near  
Nornalup.

16. (1) Reserve No. 15677, classified as of Class A, containing 742.665 3 hectares and set apart for "Protection of Flora—Red Flowering Gum" is hereby cancelled.

(2) Reserve No. 31362, classified as of Class A, containing 17 670.455 0 hectares or thereabouts, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby amended by including the land referred to in subsection (1) of this section.

Reserve  
No. 1275 at  
Wyndham.

17. Reserve No. 1275, classified as of Class A, containing 9 631 square metres and set apart for "Recreation and Parklands" is hereby amended by including an area of 1 012 square metres comprising Wyndham Lot 1042.

Reserve  
No. 7214 at  
Shenton  
Park.

18. Reserve No. 7214, classified as of Class A, containing 12.413 8 hectares, set apart for "Recreation" and vested in the City of Subiaco is hereby amended by including an area of 7 093 square metres comprising Swan Location 10211.

Reserve  
No. 10922  
south of  
Yallingup.

19. Reserve No. 10922, classified as of Class A, containing 122.564 2 hectares or thereabouts, set apart for "National Park" and vested in the National

Parks Authority of Western Australia is hereby amended by including an area of 16.640 2 hectares or thereabouts comprising Sussex Location 4783.

20. Reserve No. 18527, classified as of Class A, containing 1.572 3 hectares, set apart for "Recreation" and vested in the Shire of Donnybrook-Balingup is hereby amended by including an area of 592 square metres comprising Donnybrook Lot 480.

Reserve  
No. 18527 at  
Donnybrook.

21. Reserve No. 24306, classified as of Class A, containing 14.556 0 hectares or thereabouts set apart for "Recreation and Purposes Incidental Thereto" and vested in the City of Cockburn is hereby amended by including an area of 3 254 square metres comprising Clarence Lot 144.

Reserve  
No. 24306 at  
Coogee  
Beach.

22. Reserve No. 26650, classified as of Class A, containing 1 264.787 9 hectares, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby amended by including an area of 2 225 square metres comprising Plantagenet Location 7473.

Reserve  
No. 26650  
near Green  
Range.

23. Reserve No. 26808, classified as of Class A, containing 104 406.861 4 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority is hereby amended by including an area of 137 hectares or thereabouts comprising Hardey Location 3.

Reserve  
No. 26808  
in the  
Pilbara.

24. Reserve No. 27956, classified as of Class A, containing 4 635.227 6 hectares or thereabouts, set apart for "Conservation of Fauna" and vested in the Western Australian Wildlife Authority is hereby amended by including an area of 7.482 2 hectares comprising Plantagenet Location 7429.

Reserve  
No. 27956  
east of  
Albany.

Reserve  
No. 31737  
north of  
Bremer Bay.

25. Reserve No. 31737, classified as of Class A, comprising 234 314.968 0 hectares or thereabouts, set apart for "National Park" and placed under the control of the National Parks Authority of Western Australia is hereby amended by including an area of 64.764 9 hectares comprising Kent Location 2090.

Reserve  
No. 35637  
north of  
Kalgoorlie.

26. Reserve No. 35637, classified as of Class A, containing 49 878.546 6 hectares, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby amended by including an area of 10 477 hectares comprising Edjudina Location 8.

Reserve  
No. 15513 at  
Denmark.

27. Reserve No. 15513, classified as of Class A, containing 21.870 7 hectares or thereabouts, set apart for "Recreation and Showground" and vested in the Shire of Denmark is hereby amended by including an area of 8 628 square metres comprising Denmark Lots 915, 916, 917, 918, 919, 920, 921, 922 and 923.

Reserve  
No. 36128  
between the  
Shires of  
Lake Grace  
and Kulin.

28. Reserve No. 36128, classified as of Class A, containing 32 096.733 6 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority is hereby amended by including an area of 122.031 5 hectares comprising Roe Locations 3084, 3085 and 3086.

Reserve  
No. 18987  
north of  
Albany.

29. Reserve No. 18987, classified as of Class A, containing 2 401.064 9 hectares, set apart for "Porongurup National Park" and vested in the National Parks Authority of Western Australia is hereby amended by including—

- (a) an area of 40.468 6 hectares comprising Plantagenet Location 7 526; and
- (b) an area of 69.664 1 hectares comprising Porongurup Estate Lot 25.

30. Reserve No. 3868, classified as of Class A, containing 2.124 6 hectares and set apart for "School Site" is hereby amended by including the closed portions of Moran Street and Wittenoom Street contained in Boulder Lot 3629 as surveyed and shown on Lands and Surveys Diagram 84244.

Reserve  
No. 3868 at  
Boulder.

31. Reserve No. 1916, classified as of Class A, containing 247.410 2 hectares, set apart for "Water" and vested in the Minister for Water Resources is hereby amended by including an area of 2.812 6 hectares being the closed portion of Road No. 1632 shown coloured blue on Lands and Surveys Plan 15166.

Reserve  
No. 1916  
north west  
of Rocky  
Gully.

32. Reserve No. 19082 classified as of Class A, containing 697.273 4 hectares or thereabouts, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority is hereby amended by including an area of 22.679 6 hectares or thereabouts, being closed portions of Road No. 7574, so that the reserve is comprised of the whole of Williams Location 15716 as shown on Lands and Surveys Plan No. 15321.

Reserve  
No. 19082  
north of  
Dumblenyung.

33. Reserve No. 25886, classified as of Class A, containing 153.570 3 hectares, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority is hereby amended by including an area of 2.333 4 hectares or thereabouts, being a closed road, so that the reserve is comprised of the whole of Peel Estate Lot 1348 as surveyed and shown on Lands and Surveys Plan 15931.

Reserve  
No. 25886 in  
the Shire of  
Serpentine-  
Jarrahdale.

34. Reserve No. 2738, classified as of Class A, set apart for "Conservation of Flora and Fauna" and vested in the Western Australian Wildlife Authority, is hereby amended to comprise an area of 29.500 0 hectares being the whole of Murray Location 1776 as shown on Lands and Surveys Diagram 85785.

Reserve  
No. 2738 at  
Mealup  
Point.

Reserve  
No. 15556 at  
Jandakot.

35. Reserve No. 15556, classified as of Class A, containing 508.689 9 hectares or thereabouts, set apart for "Fauna Conservation and Research and Drainage" and vested in the Western Australian Wildlife Authority, is hereby amended to comprise an area of 538.475 1 hectares being Cockburn Sound Location 2726 as surveyed and shown on Lands and Surveys Plan No. 15761.

Reserve  
No. 4486 at  
Mundijong.

36. Reserve No. 4486, classified as of Class A, containing 5.564 4 hectares or thereabouts, set apart for "Recreation" and vested in the Shire of Serpentine-Jarrahdale is hereby amended by including an area of 5 778 square metres or thereabouts so that the reserve is comprised of the whole of Mundijong Lot 217 as surveyed and shown on Lands and Surveys Diagram 84562.

Reserve  
No. 8176 at  
Broome.

37. Reserve No. 8176, classified as of Class A, containing 1.416 4 hectares and set apart for "Recreation" is hereby amended by including an area of 1.815 6 hectares so that the reserve is comprised of the whole of Broome Lot 1317 as surveyed and shown on Lands and Surveys Plan 14367.

Reserve  
No. 22527 at  
Nedlands.

38. Reserve No. 22527, classified as of Class A, containing 3.642 2 hectares or thereabouts, set apart for "Recreation" and vested in the City of Nedlands is hereby amended by including an area of 2 138 square metres or thereabouts so that the reserve is comprised of the whole of Swan Location 5168 as shown bordered red on Lands and Surveys Reserve Diagram 505.

Reserve  
No. 34322 at  
Crawley.

39. Reserve No. 34322, classified as of Class A, containing 3.108 6 hectares or thereabouts, set apart for "Recreation" and vested in the City of Subiaco is hereby amended by including an area of 130 square metres or thereabouts so that the reserve is comprised of Swan Locations 9514, 10020 and 10021 as shown bordered red on Lands and Surveys Reserve Diagram 506.



40. Reserve No. 1668, classified as of Class A, containing 14.141 1 hectares, set apart for "Recreation" and vested in the City of Nedlands is hereby amended by excising an area of 1863 square metres comprising Swan Location 10307.

Reserve  
No. 1668 at  
Dailkeith.

41. Reserve No. 8431, classified as of Class A, containing 530.7309 hectares and set apart for "Protection and Preservation of Caves and Flora and for Health and Pleasure Resort" is hereby amended by excising an area of 1165 square metres comprising—

Reserve  
No. 8431 at  
Prevelly.

(a) Sussex Location 4782; and

(b) the road widening shown coloured dark brown on Lands and Surveys Diagram 85834.

42. The purpose of Reserve No. 23234, classified as of Class A, containing 102.102 2 hectares and set apart for "Stopping Place and National Park" is hereby changed to "Recreation and Parklands".

Reserve  
No. 23234  
south of  
Manjimup.

43. The purpose of Reserve No. 13289, classified as of Class A, containing 22.662 4 hectares and set apart for "Water and Camping" is hereby changed to "Water and Conservation of Flora and Fauna".

Reserve  
No. 13289  
south of  
Tambellup.

44. The purpose of Reserve No. 17125, classified as of Class A, containing 19.247 9 hectares and set apart for "National Park" is hereby changed to "Parkland".

Reserve  
No. 17125  
near  
Boddington.

45. The purpose of Reserve No. 22624, classified as of Class A, containing 8.526 2 hectares, set apart for "Camping and Recreation" and vested in the Shire of Busselton is hereby changed to "Parklands and Recreation".

Reserve  
No. 22624 at  
Busselton.

Purpose of certain Reserves changed to "Conservation of Flora and Fauna".

46. The purpose set out in column 2 of the Schedule to this Act opposite and corresponding to each of the Reserves classified as of Class A and specified in column 1 of that Schedule, is changed from the purpose so set out to the purpose "Conservation of Flora and Fauna".

Reserve Nos. 20171 and 8428 south of Yallingup.

47. (1) Reserve No. 20171, classified as of Class A, containing 312.093 6 hectares, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby cancelled.

(2) Reserve No. 8428, classified as of Class A, containing 68.391 9 hectares, set apart for "National Park" and vested in the National Parks Authority of Western Australia is hereby amended by—

- (a) including the land referred to in subsection (1) of this section;
- (b) including an area of 29.956 5 hectares comprising Sussex Location 4750; and
- (c) excising an area of 24.022 8 hectares comprising Sussex Location 4751.

Reserve No. 13375 and 17827 at East Perth.

48. (1) Reserve No. 17827, classified as of Class A, containing 1 816 square metres or thereabouts and set apart for "Park and Gardens" is hereby cancelled.

(2) Reserve No. 13375, classified as of Class A, containing 7.529 9 hectares or thereabouts, set apart for "Roads, Parks and Public Recreation" and vested in the City of Perth is hereby amended by including—

- (a) the land referred to in subsection (1) of this section; and
- (b) an area of 2.491 7 hectares or thereabouts, so that the reserve is comprised of the whole of Perth Lot 951 as surveyed and shown on Lands and Surveys Plan No. 15845.

(3) The purpose of Reserve No. 13375 is hereby amended to "Park, Public Recreation and Vehicle Parking".

49. (1) Reserve No. 5132, classified as of Class A, containing 1.618 7 hectares, set apart for "Shire Purposes" and vested in the Shire of Boyup Brook is hereby amended by excising an area of 9 707 square metres comprising Nelson Location 13210.

Reserve  
No. 5132 at  
Boyup  
Brook.

(2) The Governor may grant the land comprising Nelson Location 13210 for an estate in fee simple to the registered proprietor of that portion of Nelson Location 8440 shown as Lot 3 on Lands and Surveys Diagram No. 65034 in exchange for an area of 9 705 square metres being all that portion Nelson Location 8440 referred to in this subsection.

(3) Upon the transfer to the Crown of that portion of Nelson Location 8440 referred to in subsection (2) of this section, that land is revested in Her Majesty as of Her former estate and is removed from the operation of the Transfer of Land Act 1893 and that land shall thereupon, by operation of this subsection, be included in Reserve No. 5132.

(4) The purpose of Reserve No. 5132 is hereby changed to "Recreation".

50. (1) Reserve No. 15860, classified as of Class A, containing 1.127 6 hectares and set apart for "Parklands and Recreation" is hereby amended by excising an area of 885 square metres comprising Bridgetown Lot 890.

Reserve  
No. 15860 at  
Bridgetown.

(2) Upon—

- (a) the surrender to Her Majesty under section 37A (1) of the Land Act 1933 of an area of 370 square metres comprising Bridgetown Lot 889; and
- (b) the grant under section 37A (2) of the Land Act 1933 of Bridgetown Lot 890 for an estate in fee simple in trust to the Bridgetown Bowling Club Inc.,

the land surrendered will revert in Her Majesty as of Her former estate, will be removed from the operation of the Transfer of Land Act 1893 and will thereupon be included in Reserve No. 15860.

Boulder  
Town Lot 75.

51. Boulder Town Lot 75, described in Certificate of Title Volume CXXVI Folio 139 and held for an estate in fee simple by the Uniting Church in Australia Property Trust (W.A.) upon trust that the land shall be used and held solely for "Ecclesiastical Purposes", may be sold and transferred by the Uniting Church in Australia Property Trust (W.A.) for such consideration as it thinks fit, and upon the registration in the Office of Titles of a transfer pursuant to this section the land so transferred is freed and discharged from the trust and the Registrar of Titles appointed under section 7 of the Transfer of Land Act 1893 shall cancel the certificate of title issued under that Act in respect of Boulder Town Lot 75 and make out to the transferee a certificate of title to the land so transferred.

Section 12  
of Act No. 33  
of 1939  
amended.

52. (1) The proviso to section 12 of the Reserves Act (No. 3) 1939 is repealed.

(2) The proceeds of the sale of Cottesloe Lot 163 and the accumulated income therefrom shall be—

- (a) held and invested by the trustees of the Independent Order of Oddfellows in such a manner; and
- (b) used by the trustees of the Independent Order of Oddfellows for such purposes,

as are recommended by the trustees and approved by the Minister from time to time.

Swan  
Location  
7561.

53. Swan Location 7561, described in Certificate of Title Volume 1636 Folio 137, held for an estate in fee simple upon trust for "Institutional Purposes (Slow Learning Children's Group)" by the Slow

Learning Children's Group of Western Australia (Incorporated) ("the Group") and upon the condition that the land shall not be leased or mortgaged in whole or in part without the consent of the Governor shall, upon surrender by the Group to Her Majesty under section 37A (1) of the Land Act 1933 of 4.223 9 hectares or thereabouts being those parts of Swan Locations 7561 and 7562 required for road and pipeline purposes, be freed and discharged of that trust and condition and, subject to the condition that all proceeds of sale of that land by the Group shall be used for the purposes of the Group, may be dealt with for an estate in fee simple accordingly.

54. (1) Reserve No. 17495, classified as of Class A, containing 770.630 1 hectares or thereabouts, set apart for "Camping and Recreation" vested in the Shire of Manjimup is hereby amended by excising an area of 90.430 5 hectares comprising Nelson Location 12439.

Reserve  
No. 17495  
south of  
Northcliffe.

(2) The purpose of Reserve No. 17495 is hereby changed to "National Park".

(3) The land excised by subsection (1) is hereby reserved for the purpose of "Recreation, Camping, Caravan Park and Holiday Cottages" and classified as of Class A.

(4) A lease of land contained in Nelson Location 12439 on which a holiday cottage is erected shall be taken to be for the purpose of a holiday cottage notwithstanding that the lease is for such a term as entitles the lessee to occupy the land on a continuous basis or for a substantial part of the year and any lease of the land referred to entered into before the coming into operation of this section shall be as valid and as effective as if this section had been in operation when the lease was entered into.

SCHEDULE (section 46).

<i>Column 1</i> <i>Reserve No.</i>	<i>Column 2</i> <i>Purpose</i>
619 (area 48.562 3 hectares)	Flora
2736 (area 250.773 6 hectares)	Conservation of Flora
9708 (area 80.937 1 hectares)	Protection of Flora
10930 (area 40.468 6 hectares, vested in Western Australian Wildlife Authority)	Conservation of Flora
19673 (area 89.319 1 hectares)	Flora (Boronia)
24185 (area 29.891 1 hectares)	Conservation of Flora
24707 (area 10.805 1 hectares)	Protection of Flora
25212 (area 43.695 9 hectares)	Protection of Indigenous Fauna

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