



Western Australia

Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004

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Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004

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Defined terms

Western Australia

Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004

An Act to excise certain areas of land from State forest and timber reserves, to reserve land for the purposes of national parks, conservation parks, nature reserves and other reserves, and to effect certain other changes to land.

Part 1 — Preliminary

1. Short title

This Act may be cited as the *Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004*.

2. Commencement

- (1) Subject to subsection (2), this Act comes into operation on the day on which it receives the Royal Assent.
- (2) Sections 15, 21, 22, 24, 29, 31 and 32 come into operation on a day fixed by proclamation.
- (3) Different days may be fixed under subsection (2) for different provisions.

3. Terms used in this Act

In this Act —

class A reserve has the meaning given to that term in the *Land Administration Act 1997* section 3(1);

conservation park has the meaning given to that term in the *Conservation and Land Management Act 1984* sections 6(4) and 16B(3);

Crown land has the meaning given to that term in the *Land Administration Act 1997* section 3(1);

national park has the meaning given to that term in the *Conservation and Land Management Act 1984* sections 6(3) and 16B(3);

unallocated Crown land has the meaning given to that term in the *Land Administration Act 1997* section 3(1).

4. Plans and diagrams

- (1) The plans and diagrams referred to in this Act are held by the Land Records Management section of the Department of Land Information³.
- (2) A reference in this Act to an area of land that is shown as coloured green, or bordered green or red, on a plan or diagram is a reference to that area of land as so shown on that plan or diagram on the day referred to in section 2(1).

5. Registrar of Titles to take certain measures

The Registrar of Titles is to take any necessary measures to register the amendments to, reservations and classifications of, and other changes to land effected by this Act, and for that purpose this Act may be treated as if it were an order under the *Land Administration Act 1997*.

6. Native title rights and interests

- (1) In this section —
affect has the meaning given to that term in the NTA section 227;
native title rights and interests has the meaning given to that term in the NTA section 223;
NTA means the *Native Title Act 1993* of the Commonwealth.
- (2) Nothing done by or under this Act operates to affect any native title rights and interests.
- (3) Subsection (2) does not apply to the extent that the effect on those rights and interests is valid by the operation of, or by anything done under, the NTA or a law of this State.

Part 2 — National parks

7. Class A reserve No. 47673 in the Shire of Augusta-Margaret River

- (1) Timber reserve No. 72/25 is amended by excising an area of about 1 305 ha, being part of the land in Lot 5620 as shown coloured green on Deposited Plan 36436.
- (2) Reserve No. 34390, being the land in Sussex Location 4578 as shown bordered green on Deposited Plan 213253 and reserved for the purpose of government requirements and classified as other than a class A reserve, is cancelled.
- (3) All those portions of unnamed roads as shown on Deposited Plan 140796, comprising an area of about 4 ha and being part of the land in Lot 5620 as shown coloured green on Deposited Plan 36436, are closed.
- (4) All that portion of unsurveyed road, comprising an area of about 6 ha and being part of the land in Lot 5620 as shown coloured green on Deposited Plan 36436, is closed.
- (5) On the closure of the portions of road mentioned in subsections (3) and (4) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (6) The land in Lot 5620 as shown coloured green on Deposited Plan 36436, comprising an area of about 1 379 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47673.

8. Class A reserve No. 47672 in the Shire of Busselton

- (1) Timber reserve No. 139/25 is amended by excising an area of about 725 ha, being part of the land in Lots 301 and 302 as shown coloured green on Deposited Plan 36438.
- (2) Class A reserve No. 7228, comprising an area of about 4 ha reserved for the purpose of water, is cancelled.
- (3) The land in Lots 301 and 302 as shown coloured green on Deposited Plan 36438, comprising an area of about 729 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47672.

9. Class A reserve No. 47664 in the Shires of Nannup and Manjimup

- (1) State forest No. 35 and State forest No. 36 are amended by excising an area of about 2 105.45 ha and an area of about 15 731 ha respectively, being part of the land in Lots 13921 and 13922 as shown coloured green on Deposited Plan 36422.
- (2) Class A reserve No. 7692, being the land in Nelson Locations 5200, 5201, 5202, 13352, 13354 and 13373 as shown bordered red on Deposited Plans 229269, 217665 and 240351 and reserved for the purpose of a national park, is cancelled.
- (3) Class A reserve No. 17519, being the land in Nelson Locations 453 and 454 and reserved for the purpose of a national park, is amended by excising an area of about 86.69 ha, being part of the land in Lot 13922 as shown coloured green on Deposited Plan 36422.
- (4) All those portions of unnamed roads as shown on Deposited Plans 203079, 225697, 225706, 225724, 229274, 229269, 229279 and 229285, comprising an area of about 72.21 ha and being part of the land in Lots 13921 and 13922 as shown coloured green on Deposited Plan 36422, are closed.

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- (5) On the closure of the portions of road mentioned in subsection (4) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (6) The land in Lot 177 as shown on Deposited Plan 246106, comprising an area of 60.767 4 ha and being the land described in Certificate of Title volume 1261 folio 292 —
 - (a) is transferred to and revested in the Crown;
 - (b) is Crown land; and
 - (c) is part of the land in Lot 13922 as shown coloured green on Deposited Plan 36422.
- (7) The land in Lots 13921 and 13922 as shown coloured green on Deposited Plan 36422, comprising an area of about 19 270 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47664.

10. Class A reserve No. 47666 in the Shire of Manjimup

- (1) State forest No. 39 and State forest No. 41 are amended by excising an area of 5 594 ha and an area of 602 ha respectively, being part of the land in Lots 320 and 321 as shown coloured green on Deposited Plan 36426.
- (2) All those portions of unnamed roads as shown on Deposited Plans 171549, 203109, 203120, 203137, 203139, 203145, 203146, 203151, 225678, 225680, 225681, 225783 and 225784, comprising an area of about 83 ha and being part of the land in Lots 320 and 321 as shown coloured green on Deposited Plan 36426, are closed.

- (3) On the closure of the portions of road mentioned in subsection (2) —
- (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) This subsection applies to —
- (a) the land in Lots 10299 and 10304 as shown on Deposited Plan 203137, comprising an area of 82.302 1 ha and being the land described in Certificate of Title volume 1648 folio 80;
 - (b) the land in Lot 12006 as shown on Deposited Plan 203149, comprising an area of 87.816 8 ha and being the land described in Certificate of Title volume 356 folio 192A; and
 - (c) the land in Lot 12619 as shown on Deposited Plan 168069, comprising an area of 28.801 ha and being the land described in Certificate of Title volume 1316 folio 488.
- (5) The land to which subsection (4) applies —
- (a) is transferred to and revested in the Crown;
 - (b) is Crown land; and
 - (c) is part of the land in Lots 320 and 321 as shown coloured green on Deposited Plan 36426.
- (6) The land in Lots 320 and 321 as shown coloured green on Deposited Plan 36426, comprising an area of about 6 863 ha, is —
- (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47666.

11. Class A reserve No. 47663 in the Shire of Manjimup

- (1) State forest No. 38, State forest No. 39, State forest No. 41 and State forest No. 55 are amended by excising an area of about 2 260 ha, an area of about 2 433 ha, an area of about 1 092 ha and an area of about 247.5 ha respectively, being part of the land in Lot 330 as shown coloured green on Deposited Plan 36427.
- (2) Class A reserve No. 18705, comprising an area of 496.599 5 ha reserved for the purpose of a national park, is amended by excising an area of about 250 ha, being part of the land in Lot 330 as shown coloured green on Deposited Plan 36427.
- (3) All those portions of unnamed roads as shown on Deposited Plans 81968, 81969, 173063, 225766, 225798, 229250 and 229251, comprising an area of about 68 ha and being part of the land in Lot 330 as shown coloured green on Deposited Plan 36427, are closed.
- (4) On the closure of the portions of road mentioned in subsection (3) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (5) The land in Lot 330 as shown coloured green on Deposited Plan 36427, comprising an area of about 6 408 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47663.

12. Class A reserve No. 46213 in the Shires of Collie and Dardanup (Wellington National Park)

- (1) In this section —
granted means granted under the *Land Administration Act 1997* section 144;

relevant easement, in relation to the proprietor of land, means the easement that, on being granted, gives access to that land.

- (2) State forest No. 25 is amended by excising an area of about 13 745 ha, being part of the land in Lots 6263, 6264 and 6265 as shown coloured green on Deposited Plan 36421.
- (3) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 3640 as shown on Deposited Plan 143633 over the land in Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.
- (4) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 2983 as shown on Deposited Plan 143171 over the land in Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.
- (5) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 2842 as shown on Deposited Plan 90211 over the land in Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.
- (6) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 2843 as shown on Deposited Plan 143170 over the land in Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.
- (7) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 2965 as shown on Deposited Plan 90210 over the land in Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.
- (8) The relevant easement shown on Deposited Plan 36421 is granted to the proprietor of the land (the **benefited land**) in Lot 352 as shown on Deposited Plan 232982 over the land in

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Lot 6263 as shown coloured green on Deposited Plan 36421 for the purpose of access to the benefited land.

- (9) Class A reserve No. 46213, comprising an area of 3 044.678 2 ha reserved for the purpose of a national park and being the land in Wellington Location 6056 as shown bordered green on Plan 23203, is amended by adding the land excised under subsection (2) so that the reserve comprises an area of about 16 790 ha, being the land in Lots 6263, 6264 and 6265 as shown coloured green on Deposited Plan 36421.

13. Class A reserve No. 47671 in the Shire of Manjimup

- (1) State forest No. 55 is amended by excising an area of about 5 430 ha, being part of the land in Lots 13911 and 13912 as shown coloured green on Deposited Plan 36431.
- (2) All that portion of unnamed road as shown on Deposited Plan 229273 and an unsurveyed portion of that road, comprising an area of about 9 ha and being part of the land in Lots 13911 and 13912 as shown coloured green on Deposited Plan 36431, are closed.
- (3) On the closure of the portions of road mentioned in subsection (2) —
- (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) The land in Lots 13911 and 13912 as shown coloured green on Deposited Plan 36431, comprising an area of about 5 439 ha, is —
- (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47671.

14. Class A reserve No. 40837 in the Shire of Manjimup (Mount Frankland National Park)

- (1) State forest No. 41 and State forest No. 55 are amended by excising an area of 20.594 9 ha and an area of 241.397 1 ha respectively, being the land in Nelson Location 13489 as shown bordered red on Plan 19163.
- (2) Class A reserve No. 40837, comprising an area of about 30 830 ha reserved for the purpose of a national park, is amended by adding the land excised under subsection (1) so that the reserve comprises an area of about 31 092 ha, being the land in Nelson Locations 13309, 13310 and 13489 and Hay Location 2365 as shown bordered red on Reserve Plans 297 and 298 and Plan 19163.

[15. *Has not come into operation* ².]

16. Class A reserve No. 47661 in the Shires of Donnybrook-Balingup, Boyup Brook and West Arthur

- (1) State forest No. 11, comprising an area of about 3 587 ha as shown coloured green on Deposited Plan 233072, is cancelled.
- (2) State forest No. 26 and State forest No. 29 are amended by excising an area of about 4 931 ha and an area of about 2 349 ha respectively, being part of the land in Lots 300 and 301 as shown coloured green on Deposited Plan 36424.
- (3) Reserve No. 12331, comprising an area of 16.187 4 ha reserved for the purpose of water and classified as other than a class A reserve, is cancelled.
- (4) All that portion of unnamed road as shown on Deposited Plan 233072, comprising an area of about 18 ha and being part of the land in Lot 300 as shown coloured green on Deposited Plan 36424, is closed.
- (5) All that portion of Preston Road as shown on Deposited Plan 232817, comprising an area of 2.42 ha and being part of

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the land in Lot 300 as shown coloured green on Deposited Plan 36424, is closed.

- (6) On the closure of the portions of road mentioned in subsections (4) and (5) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (7) Lot 5579, comprising an area of 166.177 9 ha of unallocated Crown land as shown on Deposited Plan 37173 and being the land described in Qualified Certificate of Crown Land Title volume 3089 folio 303, is cancelled.
- (8) The easement shown on Deposited Plan 36424 is granted under the *Land Administration Act 1997* section 144 to the proprietor of the land (the **benefited land**) in Lot 3014 as shown on Deposited Plan 89658 over the land in Lot 301 as shown coloured green on Deposited Plan 36424 for the purpose of access to the benefited land.
- (9) The land in Lots 300, 301, 302 and 303 as shown coloured green on Deposited Plan 36424, comprising an area of about 11 373 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47661.

17. Class A reserve No. 47662 in the Shires of Bridgetown-Greenbushes and Boyup Brook

- (1) State forest No. 37 is amended by excising an area of about 20 499 ha, being part of the land in Lot 331 as shown coloured green on Deposited Plan 36423.
- (2) Timber reserve No. 186/25, timber reserve No. 205/25 and timber reserve No. 154/25, comprising an area of about 40.8 ha, an area of about 171.5 ha and an area of about 80.14 ha respectively, are cancelled.

- (3) Reserve No. 27021, being the land in Nelson location 12786, comprising an area of 133.546 3 ha reserved for the purpose of timber and classified as other than a class A reserve, is cancelled.
- (4) Reserve No. 10642, comprising an area of 40.468 6 ha reserved for the purpose of water and classified as other than a class A reserve, is cancelled.
- (5) All those portions of unnamed roads as shown on Deposited Plans 81760, 144428, 203894, 203895, 211248, 211249, 135267, 131551, 210615, 210616 and 210617, comprising an area of about 92 ha and being part of the land in Lot 331 as shown coloured green on Deposited Plan 36423, are closed.
- (6) All that portion of Hamilton Road as shown on Deposited Plan 229145, comprising an area of about 8.49 ha and being part of the land in Lot 331 as shown coloured green on Deposited Plan 36423, is closed.
- (7) On the closure of the portions of road mentioned in subsections (5) and (6) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (8) The easement shown on Deposited Plan 36423 is granted under the *Land Administration Act 1997* section 144 to the proprietor of the land (the **benefited land**) in Lot 9862 as shown on Deposited Plan 153766 over the land in Lot 331 as shown coloured green on Deposited Plan 36423 for the purpose of access to the benefited land.
- (9) The land in Lots 330, 331 and 332 as shown coloured green on Deposited Plan 36423, comprising an area of about 21 092 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47662.

18. Class A reserve No. 47665 in the Shire of Manjimup

- (1) State forest No. 40 and State forest No. 41 are amended by excising an area of about 6 255.3 ha and an area of about 733 ha respectively, being part of the land in Lots 304, 306, 307 and 308 as shown coloured green on Deposited Plan 36425.
- (2) All those portions of unnamed roads as shown on Deposited Plans 81685, 203126, 203127, 203128, 203136, 203138, 203182, 203183, 203188, 211509, 203116 and 225683, comprising an area of 159 ha and being part of the land in Lots 303, 304, 305, 306, 307 and 308 as shown coloured green on Deposited Plan 36425, are closed.
- (3) On the closure of the portions of road mentioned in subsection (2) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) Timber reserve No. 185/25, comprising an area of about 1 155.04 ha and being the land in Nelson Locations 13032 and 13064, is cancelled.
- (5) Reserve No. 33451, being the land in Nelson Location 13060 as shown bordered red on Deposited Plan 213453 and reserved for the purpose of government requirements and classified as other than a class A reserve, is cancelled.
- (6) The land in Lots 303, 304, 305, 306, 307 and 308 as shown coloured green on Deposited Plan 36425, comprising an area of about 11 008 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a national park; and
 - (b) classified as class A reserve No. 47665.

Part 3 — Conservation parks

19. Class A reserve No. 46026 in the Shire of Manjimup

- (1) State forest No. 34 is amended by excising an area of about 37.3 ha, being the land in Nelson Location 13597 as shown bordered green on Miscellaneous Plan 20629.
- (2) The land in Nelson Location 13597 as shown bordered green on Miscellaneous Plan 20629, comprising an area of about 37.3 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a conservation park; and
 - (b) classified as class A reserve No. 46026.

20. Class A reserve No. 46362 in the Shire of West Arthur

- (1) Timber reserve No. 213/25, comprising an area of about 1 040 ha, is cancelled.
- (2) Reserve No. 19203, comprising an area of about 627 ha reserved for the purpose of water and classified as other than a class A reserve, is cancelled.
- (3) The land in Wellington Locations 5699, 5700, 5701, 5702, 5703, 5749, 5750 and 5751 as shown bordered red on Plans 18860 and 19077 and Reserve Plan No. 439, comprising an area of about 6 323.325 4 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a conservation park; and
 - (b) classified as class A reserve No. 46362.

[21-22. Have not come into operation ².]

23. Class A reserve No. 46403 in the Shire of Dardanup

- (1) State forest No. 27 is amended by excising an area of about 643 ha, being the land in Wellington Location 192 as shown bordered green on Miscellaneous Plan 20644.

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- (2) The land in Wellington Location 192 as shown bordered green on Miscellaneous Plan 20644, comprising an area of about 643 ha, is —
- (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a conservation park; and
 - (b) classified as class A reserve No. 46403.

[24. *Has not come into operation*².]

Part 4 — Nature reserves

25. Class A reserve No. 45923 in the Shire of Nannup

- (1) State forest No. 63 is amended by excising an area of about 366.4 ha, being part of the land in Sussex Location 5306 as shown bordered green on Miscellaneous Plan 20614.
- (2) All that portion of unnamed road as shown on Plans 4957 and 8479, comprising an area of about 5.6 ha and being part of the land in Sussex Location 5306 as shown bordered green on Miscellaneous Plan 20614, is closed.
- (3) On the closure of the portion of road mentioned in subsection (2) —
 - (a) all rights of way over the land comprising the former portion of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) The land in Sussex Location 5306 as shown bordered green on Miscellaneous Plan 20614, comprising an area of about 372 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and
 - (b) classified as class A reserve No. 45923.

26. Class A reserve No. 45922 in the Shires of Augusta-Margaret River and Nannup

- (1) State forest No. 63 is amended by excising an area of about 1 389.7 ha, being part of the land in Sussex Location 5305 as shown bordered green on Miscellaneous Plan 20617.
- (2) All that portion of unnamed road as shown on Plan 8479, comprising an area of about 10.3 ha and being part of the land in Sussex Location 5305 as shown bordered green on Miscellaneous Plan 20617, is closed.

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- (3) On the closure of the portion of road mentioned in subsection (2) —
 - (a) all rights of way over the land comprising the former portion of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) The land in Sussex Location 5305 as shown bordered green on Miscellaneous Plan 20617, comprising an area of about 1 400 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and
 - (b) classified as class A reserve No. 45922.

27. Class A reserve No. 46040 in the Shire of Denmark

- (1) Timber reserve No. 214/25, comprising an area of 220.009 8 ha, is cancelled.
- (2) The land in Plantagenet Locations 4251, 4297, 7496 and 7497 as shown bordered green on Miscellaneous Plan 20630, comprising an area of 302.458 7 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and
 - (b) classified as class A reserve No. 46040.

28. Class A reserve No. 45915 in the Shire of Boyup Brook

- (1) State forest No. 30 is amended by excising an area of 662.740 4 ha, being the land in Nelson Location 13270 as shown bordered green on Plan No. 16489.
- (2) The land in Nelson Location 13270 as shown bordered green on Plan No. 16489, comprising an area of 662.740 4 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and

- (b) classified as class A reserve No. 45915.

[29. *Has not come into operation*².]

30. Class A reserve No. 46390 in the Shire of Donnybrook-Balingup

- (1) State forest No. 20 is amended by excising an area of 399.482 5 ha, being the land in Nelson Location 13683 as shown bordered green on Miscellaneous Plan 20647.
- (2) The land in Nelson Location 13683 as shown bordered green on Miscellaneous Plan 20647, comprising an area of 399.482 5 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and
 - (b) classified as class A reserve No. 46390.

[31. *Has not come into operation*².]

Part 5 — Other reserves

[32. *Has not come into operation*².]

33. **Class A reserve No. 48049 in the Shire of Dardanup**

- (1) State forest No. 25 is amended by excising an area of about 684 ha, being part of the land in Lot 3000 as shown coloured green on Deposited Plan 36421.
- (2) The land in Lot 3000 as shown coloured green on Deposited Plan 36421, comprising an area of about 684 ha —
 - (a) is reserved under the *Land Administration Act 1997* Part 4 for the purpose of scientific research and education;
 - (b) is classified as class A reserve No. 48049; and
 - (c) under the *Land Administration Act 1997* Part 4, is placed under the care, control and management of the Conservation Commission of Western Australia established under the *Conservation and Land Management Act 1984* section 18.

Notes

¹ This is a compilation of the *Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004*. The following table contains information about that Act ^{1a}.

Compilation table

Short title	Number and Year	Assent	Commencement
<i>Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004</i>	66 of 2004	8 Dec 2004	Act other than s. 15, 21, 22, 24, 29, 31 and 32: 8 Dec 2004 (see s. 2(1))

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and Year	Assent	Commencement
<i>Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004</i> s. 15, 21, 22, 24, 29, 31 and 32 ²	66 of 2004	8 Dec 2004	To be proclaimed (see s. 2(2))

² On the date as at which this compilation was prepared, the *Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004* s. 15, 21, 22, 24, 29, 31 and 32 had not come into operation. They read as follows:

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15. Class A reserve No. 39825 in the Shire of Serpentine-Jarrahdale (Serpentine National Park)

- (1) Reserve No. 988, comprising an area of 32.374 9 ha reserved for the purpose of a conservation park and being the land in Cockburn Sound Location 3079 as shown bordered red on Reserve Diagram 1124 and classified as other than a class A reserve, is cancelled.
- (2) Reserve No. 32201, comprising an area of 42.928 8 ha reserved for the purpose of government requirements and being the land in Cockburn Sound Location 2271 and classified as other than a class A reserve, is cancelled.

- (3) Reserve No. 32202, comprising an area of about 302 ha reserved for the purpose of the conservation of flora and fauna and being the land in Cockburn Sound Locations 654, 736, 813 and 2273 and classified as other than a class A reserve, is cancelled.
- (4) Class A reserve No. 39825, comprising an area of about 3 723.879 9 ha reserved for the purpose of a national park and being the land in Cockburn Sound Locations 672, 814, 961, 2887 and 2888 as shown bordered red on Reserve Diagram 613, is amended —
 - (a) by adding the land comprising the former reserves cancelled under subsections (1), (2) and (3); and
 - (b) by redescribing the reserve as Cockburn Sound Locations 4548, 4549 and 4676 as shown bordered green on Miscellaneous Plan 20613,

so that the reserve comprises an area of about 3 984 ha.

21. Class A reserve No. 31088 in the Shire of West Arthur

- (1) State forest No. 24 is amended by excising an area of 1 191.038 1 ha, being part of the land in Wellington Locations 5655, 5656, 5657 and 5660 as shown bordered red on Plans 18553, 18554 and 18555.
- (2) Reserve No. 31088, comprising an area of 4 039.468 4 ha reserved for the purpose of a water catchment area and classified as other than a class A reserve, is amended —
 - (a) by adding the land excised under subsection (1);
 - (b) by adding about 289.2 ha of unallocated Crown land;
 - (c) by changing the purpose of the reserve to the purpose of a conservation park; and
 - (d) by changing the classification of the reserve to a class A reserve,

so that the reserve comprises an area of 5 519.677 1 ha, being the land in Wellington Locations 5655, 5656, 5657, 5658, 5659 and 5660 as shown bordered red on Plans 18553, 18554 and 18555.

22. Class A reserve No. 46408 in the Shire of Wandering

- (1) Timber reserve No. 145/25, comprising an area of about 658.145 6 ha, is cancelled.
- (2) Timber reserve No. 160/25, comprising an area of 3 211.243 3 ha, is cancelled.
- (3) Reserve No. 18534, comprising an area of about 445.154 2 ha reserved for the purpose of timber and being the land in Avon

Locations 23397 and 28166 and classified as other than a class A reserve, is cancelled.

- (4) The land in Avon Locations 29547, 29548, 29551 and 29552 as shown bordered green on Miscellaneous Plan 20649, comprising an area of about 4 314.543 1 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a conservation park; and
 - (b) classified as class A reserve No. 46408.

24. Class A reserve No. 46008 in the Shire of Beverley

- (1) State forest No. 13 and Reserve No. 6203, a reserve comprising an area of about 64 385.824 3 ha reserved for the purpose of reservoirs, aqueducts, water courses and catchment area and classified as other than a class A reserve, are amended by excising an area of about 3 358 ha, being the land in Avon Location 29445 as shown bordered green on Miscellaneous Plan 20625.
- (2) The land in Avon Location 29445 as shown bordered green on Miscellaneous Plan 20625, comprising an area of about 3 358 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of a conservation park; and
 - (b) classified as class A reserve No. 46008.

29. Class A reserve No. 22797 in the Shire of Harvey (Falls Brook Nature Reserve)

- (1) State forest No. 15 is amended by excising an area of about 203.6 ha, being part of the land in Wellington Location 5998 as shown bordered green on Miscellaneous Plan 20619.
- (2) Class A reserve No. 22797, comprising an area of about 374.388 7 ha reserved for the purpose of the conservation of flora and fauna, is amended by adding the land excised undersubsection (1) so that the reserve comprises an area of about 578 ha, being the land in Wellington Locations 5526 and 5998 as shown bordered green on Miscellaneous Plan 20619.

31. Class A reserve No. 46399 in the Shire of Murray

- (1) Reserve No. 21038, comprising an area of about 61.388 3 ha reserved for the purpose of parklands and recreation and being the land in Murray Locations 1384 and 1385 and classified as other than a class A reserve, is amended by excising an area of 44.417 ha, being the land in Murray Location 2261 as shown bordered green on Miscellaneous Plan 20642.

- (2) The land in Murray Location 2261 as shown bordered green on Miscellaneous Plan 20642, comprising an area of 44.417 ha, is —
 - (a) reserved under the *Land Administration Act 1997* Part 4 for the purpose of the conservation of flora and fauna; and
 - (b) classified as class A reserve No. 46399.

32. Class A reserve No. 39827 in the Shires of Collie, Boddington, Waroona and Harvey (Lane Poole Reserve)

- (1) Class A reserve No. 5102, comprising an area of about 220.958 4 ha reserved for the purpose of recreation and parklands, is cancelled.
- (2) All that portion of Road No. 1909, comprising an area of about 5.9 ha and being part of the land in Murray Location 2201 as shown bordered green on Miscellaneous Plan 20337, is closed.
- (3) On the closure of the portion of road mentioned in subsection (2) —
 - (a) all rights of way over the land comprising the former portion of road cease; and
 - (b) that land becomes unallocated Crown land.
- (4) Class A reserve No. 39827 —
 - (a) comprising an area of about 12 353 ha reserved for the purpose of recreation and enjoyment of the natural environment and “the agreement” as defined in the *Alumina Refinery Agreement Act 1961* section 2; and
 - (b) being the land in Murray Locations 232, 351, 352, 353, 579, 710, 711, 1012 and 1827 and Wellington Locations 1992, 4623, 4624, 4625, 5501, 5502 and 5503 and portions of the land in Wellington Locations 4621, 4622 and 4993 as shown bordered red on Reserve Plan 272,is amended —
 - (c) by adding the land comprising the former reserve cancelled under subsection (1);
 - (d) by adding about 192 ha of unallocated Crown land; and
 - (e) by redescribing the reserve as Murray Location 2201 and Wellington Location 5962 as shown bordered green on Miscellaneous Plan 20337,so that the reserve comprises an area of about 12 920 ha.

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³ The Department of Land Information was replaced by the Western Australian Land Information Authority. Plans and documents formerly held by the

**Reserves (National Parks, Conservation Parks, Nature Reserves and
Other Reserves) Act 2004**

Department are now being held by the Authority (see the *Land Information Authority Act 2006* s. 100).

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
affect	6(1)
benefited land.....	12(3), 12(4), 12(5), 12(6), 12(7), 12(8), 16(8), 17(8)
class A reserve	3
conservation park	3
Crown land.....	3
granted	12(1)
national park	3
native title rights and interests	6(1)
NTA	6(1)
relevant easement.....	12(1)
unallocated Crown land	3