



Western Australia

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

As at 06 Apr 2005

Version 00-a0-10

Extract from www.slp.wa.gov.au, see that website for further information

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

Contents

Part 1 — Preliminary

1.	Short title	2
2.	Commencement	2
3.	Terms used in this Act	2
4.	Plans	2
5.	Registrar of Titles to take certain measures	3
6.	Native title rights and interests	3

Part 2 — National parks

7.	Class A reserve No. 47891 in the Shires of Denmark and Plantagenet	4
8.	Class A reserve No. 47889 in the Shires of Denmark and Manjimup	5
9.	Class A reserve No. 47885 in the Shires of Bridgetown-Greenbushes, Donnybrook-Balingup and Nannup	6
10.	Class A reserve No. 47888 in the Shire of Manjimup	7
11.	Class A reserve No. 40837 in the Shire of Manjimup (Mount Frankland National Park)	8
12.	Class A reserve No. 47887 in the Shires of Busselton and Augusta-Margaret River	8
13.	Class A reserve No. 47886 in the Shires of Manjimup and Cranbrook	9
14.	Class A reserve 47878 in the Shires of Manjimup and Nannup	10

Contents

15.	Class A reserve No. 47890 in the Shires of Denmark, Manjimup and Plantagenet	11
16.	Class A reserve No. 47877 in the Shire of Nannup	13
17.	Class A reserve No. 47956 in the Shire of Augusta-Margaret River	13

Part 3 — Conservation parks

18.	Class A reserve No. 47892 in the Shire of Bridgetown-Greenbushes	16
19.	Reserve No. 47893 in the Shire of Donnybrook-Balingup	16

Part 4 — Other reserves

20.	Class A nature reserve No. 47879 in the Shires of Boyup Brook, Manjimup and Cranbrook	17
21.	Reserve No. 46405 in the Shire of Denmark	20

Notes

	Compilation table	21
--	-------------------	----

Defined terms

Western Australia

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

An Act —

- **to excise certain areas of land from State forest, timber reserves and other reserves;**
- **to cancel the purpose of timber reserves and to cancel other reserves;**
- **to reserve land for the purpose of national parks, conservation parks, a nature reserve and another reserve; 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 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) Section 11 comes into operation on a day fixed by proclamation.

3. Terms used in this Act

In this Act —

CALM Act means the *Conservation and Land Management Act 1984*;

class A reserve has the meaning given to that term in the LA Act section 3(1);

conservation park has the meaning given to that term in the CALM Act sections 6(4) and 16B(3);

Crown land has the meaning given to that term in the LA Act section 3(1);

LA Act means the *Land Administration Act 1997*;

national park has the meaning given to that term in the CALM Act sections 6(3) and 16B(3);

unallocated Crown land has the meaning given to that term in the LA Act section 3(1).

4. Plans

- (1) The plans referred to in this Act are held by the Land Records Management section of the Department of Land Information².
- (2) A reference in this Act to an area of land that is shown as coloured green or blue or bordered green or red on a plan is a

reference to that area of land as so shown on that plan 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 LA Act.

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. 47891 in the Shires of Denmark and Plantagenet

- (1) State forest No. 64 is amended by excising an area of about 36 146 ha, being part of the land in Lots 3060, 3061 and 3062 as shown coloured green on Deposited Plan 36450.
- (2) Reserve No. 2489, comprising an area of 40.468 6 ha reserved for the purpose of water, is amended by excising an area of about 19 ha, being part of the land in Lot 3060 as shown coloured green on Deposited Plan 36450.
- (3) Reserve No. 19292, comprising an area of 44.750 6 ha reserved for the purpose of the protection of flora (boronia), is cancelled under the LA Act.
- (4) Reserve No. 24660, comprising an area of 35 788 ha reserved for the purpose of water catchment area, Denmark River, is amended by excising an area of about 7 814 ha, being part of the land in Lots 3060 and 3061 as shown coloured green on Deposited Plan 36450.
- (5) Reserve No. 29660, comprising an area of 54 886 ha reserved for the purpose of Kent River water catchment area, is amended by excising an area of about 941 ha, being part of the land in Lot 3060 as shown coloured green on Deposited Plan 36450.
- (6) Reserve No. 30456, comprising an area of about 789.946 4 ha reserved for the purpose of native flora, and being the land in Hay Locations 2293, 2294 and 2295, is amended by excising an area of about 692 ha, being part of the land in Lots 3061 and 3062 as shown coloured green on Deposited Plan 36450.
- (7) Reserve No. 35168, comprising an area of 1 111.276 6 ha reserved for the purpose of the conservation of flora and fauna and being the land in Hay Locations 134, 547, 2193, 2194 and 2334 as shown bordered red on Deposited Plans 91207 and 119975, is cancelled under the LA Act.

- (8) All those portions of unnamed road as shown on Deposited Plans 80270, 128108, 133788, 208686, 208698 and 230620, comprising an area of about 46 ha and being part of the land in Lot 3062 as shown coloured green on Deposited Plan 36450, are closed under the LA Act.
- (9) On the closure of the portions of road mentioned in subsection (8) —
- (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (10) The easement shown on Deposited Plan 36450 is granted under the LA Act section 144 to the proprietor of the land (the *benefited land*) in Lot 2286 as shown on Deposited Plan 180681 over the land in Lot 3062 as shown coloured green on Deposited Plan 36450 for the purpose of access to the benefited land.
- (11) The land in Lots 3060, 3061 and 3062 as shown coloured green on Deposited Plan 36450, comprising an area of about 39 541 ha, is —
- (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47891.

8. Class A reserve No. 47889 in the Shires of Denmark and Manjimup

- (1) State forest No. 41, State forest No. 43, State forest No. 46, State forest No. 47, State forest No. 48 and State forest No. 59 are amended by excising an area of about 911 ha, an area of about 8 629 ha, an area of about 9 808 ha, an area of about 2 952 ha, an area of about 2 380 ha and an area of about 14 189 ha respectively, being the land in Lot 333 as shown coloured green on Deposited Plan 36448.

s. 9

- (2) The area of about 1 724 ha of land comprising State forest No. 44 as shown on Deposited Plan 203879 is declared under the CALM Act section 9 no longer to be a State forest.
- (3) All those portions of unnamed road as shown on Deposited Plans 201640, 202992 and 203453, comprising an area of about 15 ha and being part of the land in Lot 333 as shown on Deposited Plan 36448, are closed under the LA Act.
- (4) All that portion of unsurveyed road No. 3792, comprising an area of about 31 ha and being part of the land in Lot 333 as shown on Deposited Plan 36448, is closed under the LA Act.
- (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) Reserve No. 31501, comprising an area of about 2 216 ha reserved for the purpose of water supply and being the land shown bordered red on Deposited Plan 219920, is amended by excising an area of about 1 522 ha, being part of the land in Lot 333 as shown coloured green on Deposited Plan 36448.
- (7) The land in Lot 333 as shown coloured green on Deposited Plan 36448, comprising an area of about 42 283 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47889.

**9. Class A reserve No. 47885 in the Shires of
Bridgetown-Greenbushes, Donnybrook-Balingup and
Nannup**

- (1) State forest No. 34 is amended by excising an area of about 2 374 ha, being part of the land in Lot 300 as shown coloured green on Deposited Plan 36444.

- (2) All that portion of unnamed road as shown on Deposited Plans 131678 and 131681, comprising an area of about 3.2 ha and being part of the land in Lot 300 as shown coloured green on Deposited Plan 36444, is closed under the LA Act.
- (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 Lot 300 as shown coloured green on Deposited Plan 36444, comprising an area of about 2 377 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47885.

10. Class A reserve No. 47888 in the Shire of Manjimup

- (1) State forest No. 55 and State forest No. 59 are amended by excising an area of about 2 728 ha and an area of about 19 323 ha respectively, being part of the land in Lot 3020 as shown coloured green on Deposited Plan 36447.
- (2) All that portion of unnamed road as shown on Deposited Plan 225852, comprising an area of about 2.5 ha and being part of the land in Lot 3020 as shown coloured green on Deposited Plan 36447, is closed under the LA Act.
- (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.

s. 11

- (4) The land in Lot 3020 as shown coloured green on Deposited Plan 36447, comprising an area of about 22 053 ha, is —
- (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47888.

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

- (1) State forest No. 41, State forest No. 55 and State forest No. 59 are amended by excising an area of about 6 017 ha, an area of about 71 ha and an area of about 179 ha respectively, being the land in Lots 310, 311 and 312 as shown coloured green on Deposited Plan 43042.
- (2) Class A reserve No. 40837, comprising an area of about 31 092 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 37 359 ha, being —
- (a) the land in Nelson Locations 13309, 13310 and 13489 and Hay Location 2365 as shown bordered red on Deposited Plans 240296, 240297 and 219163; and
 - (b) the land in Lots 310, 311 and 312 as shown coloured green on Deposited Plan 43042.

12. Class A reserve No. 47887 in the Shires of Busselton and Augusta-Margaret River

- (1) State forest No. 33 is amended by excising an area of about 6 330 ha, being part of the land in Lot 301 as shown coloured green on Deposited Plan 43036.
- (2) All those portions of unnamed road as shown on Deposited Plans 203004 and 203006, comprising an area of about 14 ha and being part of the land in Lot 301 as shown coloured green on Deposited Plan 43036, are closed under the LA Act.

- (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 Lot 301 as shown coloured green on Deposited Plan 43036, comprising an area of about 6 343 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47887.
- (5) The reservation and classification of land under subsection (4) are limited to a depth of 200 m from the natural surface of that land.

13. Class A reserve No. 47886 in the Shires of Manjimup and Cranbrook

- (1) State forest No. 55 is amended by excising an area of about 9 611 ha, being part of the land in Lot 3065 as shown coloured green on Deposited Plan 36445.
- (2) All that portion of road No. 3792 as shown on Deposited Plan 225852, comprising an area of about 11 ha and being part of the land in Lot 3065 as shown coloured green on Deposited Plan 36445, is closed under the LA Act.
- (3) All those portions of unnamed road as shown on Deposited Plan 225878, comprising an area of about 3 ha and being part of the land in Lot 3065 as shown coloured green on Deposited Plan 36445, are closed under the LA Act.
- (4) On the closure of the portions of road mentioned in subsections (2) and (3) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.

s. 14

- (5) The land in Lot 3065 as shown coloured green on Deposited Plan 36445, comprising an area of about 9 625 ha, is —
- (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47886.

14. Class A reserve 47878 in the Shires of Manjimup and Nannup

- (1) State forest No. 36 and State forest No. 39 are amended by excising an area of about 1 928 ha and an area of about 12 015 ha respectively, being part of the land in Lots 3091, 3092, 3093 and 3094 as shown coloured green on Deposited Plan 36434.
- (2) All those portions of unnamed road as shown on Deposited Plans 140405, 175517, 201627, 225781, 225782, 229257 and 229270, comprising an area of about 61 ha and being part of the land in Lots 3091, 3093 and 3094 as shown coloured green on Deposited Plan 36434, are closed under the LA Act.
- (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 3091, 3092, 3093 and 3094 as shown coloured green on Deposited Plan 36434, comprising an area of about 14 004 ha, is —
- (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47878.

15. Class A reserve No. 47890 in the Shires of Denmark, Manjimup and Plantagenet

- (1) State forest No. 43, State forest No. 55, State forest No. 59 and State forest No. 64 are amended by excising an area of about 8 824 ha, an area of about 2 638 ha, an area of about 5 517 ha and an area of about 23 368 ha respectively, being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449.
- (2) Reserve No. 15167, being reserved for the purpose of timber and being the land in Hay Locations 1615, 1624, 1625, 2327 and 2328 and Plantagenet Locations 7357 and 7358 as shown bordered red on Deposited Plan 240077, is cancelled under the LA Act.
- (3) Reserve No. 19881, being reserved for the purpose of the conservation of flora and fauna and being the land in Hay Locations 2370, 2371 and 2372 as shown bordered red on Deposited Plans 190553 and 240366, is cancelled under the LA Act.
- (4) Reserve No. 24660, comprising an area of 35 788 ha reserved for the purpose of water catchment area, Denmark River, is amended by excising an area of about 20 994 ha, being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449.
- (5) Reserve No. 29660, comprising an area of 54 886 ha reserved for the purpose of Kent River catchment area, is amended by excising an area of about 49 813 ha, being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449.
- (6) Reserve No. 30039, being reserved for the purpose of gravel and being the land in Hay Location 2288 as shown bordered red on Deposited Plan 173795, is cancelled under the LA Act.
- (7) Reserve No. 38778, being reserved for the purpose of water supply and being the land in Hay Location 2353 as shown

s. 15

bordered green on Deposited Plan 203468, is cancelled under the LA Act.

- (8) Class A reserve No. 45995, being reserved for the purpose of a national park and being the land in Hay Location 2404 as shown bordered green on Deposited Plan 220623, is cancelled under the LA Act.
- (9) All that portion of Gum Road as shown on Deposited Plans 202994, 202995 and 202998, comprising an area of about 7 ha and being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449, is closed under the LA Act.
- (10) All that portion of road No. 8603 as shown on Deposited Plans 202982, 202989, 202994 and 202995, comprising an area of about 7.5 ha and being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449, is closed under the LA Act.
- (11) All those portions of unnamed road as shown on Deposited Plans 202471, 202982, 202985, 202989, 202998, 203402, 203418, 203468, 207815 and 241456, comprising an area of about 75 ha and being part of the land in Lot 340 as shown coloured green on Deposited Plan 36449, are closed under the LA Act.
- (12) On the closure of the portions of road mentioned in subsections (9), (10) and (11) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (13) The land in Lot 340 as shown coloured green on Deposited Plan 36449, comprising an area of about 127 726 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47890.

16. Class A reserve No. 47877 in the Shire of Nannup

- (1) State forest No. 35 and State forest No. 58 are amended by excising an area of about 2 872 ha and an area of about 109 ha respectively, being part of the land in Lots 3010 and 3011 as shown coloured green on Deposited Plan 36433.
- (2) All that portion of Iffley Road as shown on Deposited Plan 229284, comprising an area of about 1 ha and being part of the land in Lot 3011 as shown coloured green on Deposited Plan 36433, is closed under the LA Act.
- (3) All those portions of Vasse Highway as shown coloured blue on Deposited Plan 219111, comprising an area of 2.643 9 ha, are closed under the LA Act.
- (4) On the closure of the portions of road mentioned in subsections (2) and (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 Lots 3010 and 3011 as shown coloured green on Deposited Plan 36433, comprising an area of about 2 985 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47877.

17. Class A reserve No. 47956 in the Shire of Augusta-Margaret River

- (1) State forest No. 56 is amended by excising an area of about 1 271 ha, being part of the land in Lots 350, 351 and 352 as shown coloured green on Deposited Plan 36437.
- (2) Timber reserve No. 60/25 is amended by excising an area of about 2 142 ha, being part of the land in Lot 351 as shown coloured green on Deposited Plan 36437.

s. 17

- (3) Reserve No. 27710, being the land in Sussex Location 4362 as shown on Deposited Plan 32568 and reserved for the purpose of water, is cancelled under the LA Act.
- (4) All that portion of McQueen Road as shown on Deposited Plan 225719, comprising an area of about 2.5 ha and being part of the land in Lot 352 as shown coloured green on Deposited Plan 36437, is closed under the LA Act.
- (5) All that portion of River View Road, comprising an area of about 1.8 ha and being part of the land in Lot 352 as shown coloured green on Deposited Plan 36437, is closed under the LA Act.
- (6) All that portion of River Road as shown on Deposited Plans 201689 and 203031, comprising an area of about 4.3 ha and being part of the land in Lot 351 as shown coloured green on Deposited Plan 36437, is closed under the LA Act.
- (7) All that portion of Rosa Brook Road as shown on Deposited Plan 231015, comprising an area of about 12 ha and being part of the land in Lot 351 as shown coloured green on Deposited Plan 36437, is closed under the LA Act.
- (8) All that portion of Neilson Road as shown on Deposited Plan 203031, comprising an area of about 1.6 ha and being part of the land in Lot 351 as shown coloured green on Deposited Plan 36437, is closed under the LA Act.
- (9) All those portions of unnamed road as shown on Deposited Plans 201689, 207556 and 231025, comprising an area of about 8.4 ha and being part of the land in Lot 351 as shown coloured green on Deposited Plan 36437, are closed under the LA Act.
- (10) On the closure of the former portions of road mentioned in subsections (4) to (9) —
 - (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.

- (11) The land in Lots 350, 351 and 352 as shown coloured green on Deposited Plan 36437, comprising an area of about 3 892 ha, is —
- (a) reserved under the LA Act Part 4 for the purpose of a national park; and
 - (b) classified under that Act as class A reserve No. 47956.

Part 3 — Conservation parks

**18. Class A reserve No. 47892 in the Shire of
Bridgetown-Greenbushes**

- (1) State forest No. 30 is amended by excising an area of about 1 480 ha, being part of the land in Lots 324, 325 and 326 as shown coloured green on Deposited Plan 43037.
- (2) Timber reserve No. 152/25 is amended by excising an area of about 34 ha, being the land in Lot 323 as shown coloured green on Deposited Plan 43037.
- (3) The purpose for which timber reserve No. 162/25, comprising an area of about 781 ha, is reserved is cancelled under the CALM Act.
- (4) The land in Lots 323, 324, 325, 326 and 327 as shown coloured green on Deposited Plan 43037, comprising an area of about 2 302 ha, is —
 - (a) reserved under the LA Act Part 4 for the purpose of a conservation park; and
 - (b) classified under that Act as class A reserve No. 47892.

19. Reserve No. 47893 in the Shire of Donnybrook-Balingup

- (1) State forest No. 29 is amended by excising an area of about 307 ha, being the land in Lot 3001 as shown coloured green on Deposited Plan 43038.
- (2) The land in Lot 3001 as shown coloured green on Deposited Plan 43038, comprising an area of about 307 ha, is reserved under the LA Act Part 4 for the purpose of a conservation park as reserve No. 47893.

Part 4 — Other reserves

20. Class A nature reserve No. 47879 in the Shires of Boyup Brook, Manjimup and Cranbrook

- (1) In this section —
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 37, State forest No. 38 and State forest No. 55 are amended by excising an area of about 37 773 ha, an area of about 6 312 ha and an area of about 1 359 ha respectively, being part of the land in Lots 3025, 3026, 3027 and 3028 as shown coloured green on Deposited Plan 36435.
- (3) The purpose for which the following timber reserves, being part of the land in Lots 3025 and 3027 as shown coloured green on Deposited Plan 36435, are reserved is cancelled under the CALM Act —
 - (a) timber reserve No. 130/25, comprising an area of about 2 082 ha;
 - (b) timber reserve No. 135/25, comprising an area of about 2 223 ha;
 - (c) timber reserve No. 140/25, comprising an area of about 4 724 ha;
 - (d) timber reserve No. 141/25, comprising an area of about 65 ha.
- (4) Reserve No. 32723, comprising an area of 23.148 4 ha reserved for the purpose of gravel and being the land in Nelson Location 13095 as shown bordered red on Deposited Plan 213145, is cancelled under the LA Act.
- (5) Reserve No. 19051, comprising an area of 16.187 4 ha reserved for the purpose of water and being the land in Nelson Location 10932, is cancelled under the LA Act.

s. 20

- (6) Reserve No. 30018, comprising an area of 42.492 0 ha reserved for the purpose of the conservation of flora and fauna and being the land in Nelson Location 13015, is cancelled under the LA Act.
- (7) Reserve No. 3419, comprising an area of 78.812 0 ha reserved for the purpose of government requirements and being the land in Nelson Location 13189 as shown bordered red on Deposited Plan 183549, is cancelled under the LA Act.
- (8) Reserve No. 18789, comprising an area of 149.534 4 ha reserved for the purpose of the conservation of flora and fauna and being the land in Nelson Location 10930 as shown bordered red on Deposited Plan 216083, is cancelled under the LA Act.
- (9) All that portion of Lake Muir Road as shown on Deposited Plans 225839 and 225779, comprising an area of about 22 ha and being part of the land in Lot 3028 as shown coloured green on Deposited Plan 36435, is closed under the LA Act.
- (10) All those portions of Road No. 405 as shown on Deposited Plan 228985, comprising an area of about 8 ha and being part of the land in Lot 3028 as shown coloured green on Deposited Plan 36435, are closed under the LA Act.
- (11) All those portions of Road No. 3067, comprising an area of about 23 ha and being part of the land in Lot 3027 as shown coloured green on Deposited Plan 36435, are closed under the LA Act.
- (12) All that portion of Road No. 4104, comprising an area of about 3.4 ha and being part of the land in Lot 3027 as shown coloured green on Deposited Plan 36435, is closed under the LA Act.
- (13) All that portion of Road No. 5176, comprising an area of about 9 ha and being part of the land in Lot 3027 as shown coloured green on Deposited Plan 36435, is closed under the LA Act.
- (14) All those portions of Road No. 3080, comprising an area of about 15 ha and being part of the land in Lots 3026 and 3027 as

- shown coloured green on Deposited Plan 36435, are closed under the LA Act.
- (15) All that portion of Road No. 1240, comprising an area of 3 ha and being part of the land in Lot 3026 as shown coloured green on Deposited Plan 36435, is closed under the LA Act.
- (16) All that portion of unnamed road, comprising an area 1 ha and being part of the land in Lot 3025 as shown coloured green on Deposited Plan 36435, is closed under the LA Act.
- (17) On the closure of the former portions of road mentioned in subsections (9) to (16) —
- (a) all rights of way over the land comprising the former portions of road cease; and
 - (b) that land becomes unallocated Crown land.
- (18) The relevant easement shown on Deposited Plan 36435 is granted under the LA Act section 144 to the proprietor of the land (the **benefited land**) in Lot 5599 as shown on Deposited Plan 81634 over the land in Lot 3025 as shown coloured green on Deposited Plan 36435 for the purpose of access to the benefited land.
- (19) The relevant easement shown on Deposited Plan 36435 is granted under the LA Act section 144 to the proprietor of the land (the **benefited land**) in Lot 3681 as shown on Deposited Plan 132584 over the land in Lot 3027 as shown coloured green on Deposited Plan 36435 for the purpose of access to the benefited land.
- (20) The land in —
- (a) Lots 3025, 3026, 3027 and 3028 as shown coloured green on Deposited Plan 36435; and
 - (b) Nelson Locations 10930 and 13189 as shown bordered red on Deposited Plans 216083 and 183549,

comprising an area of about 55 935 ha, is —

- (c) reserved under the LA Act Part 4 for the purpose of the conservation of flora and fauna; and
- (d) classified under that Act as class A reserve No. 47879.

21. Reserve No. 46405 in the Shire of Denmark

- (1) State forest No. 64 is amended by excising an area of about 855 ha, being the land in Lots 351, 352, 353, 354 and 355 as shown coloured green on Deposited Plan 43051.
- (2) Reserve No. 24660, comprising an area of 35 788 ha reserved for the purpose of water catchment area, Denmark River, is amended by excising an area of about 855 ha, being part of the land in Lots 351, 352, 353, 354 and 355 as shown coloured green on Deposited Plan 43051.
- (3) Reserve No. 2489, comprising an area of 40.468 6 ha reserved for the purpose of water, is amended by excising an area of about 21.468 6 ha, being part of the land in Lot 351 as shown coloured green on Deposited Plan 43051.
- (4) On the excision under subsection (3) and section 7(2) of the areas of land stated in those provisions from reserve No. 2489, that reserve is cancelled under the LA Act.
- (5) The land in Lots 351, 352, 353, 354 and 355 as shown coloured green on Deposited Plan 43051, comprising an area of about 876 ha —
 - (a) is reserved under the LA Act Part 4 for the purpose of conservation, recreation, future reservoir and water infrastructure as reserve No. 46405; and
 - (b) under the LA Act, is placed under the care, control and management of the Conservation Commission of Western Australia established under the CALM Act section 18.

Notes

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

Compilation table

Short title	Number and Year	Assent	Commencement
<i>Reserves (National Parks, Conservation Parks and Other Reserves) Act 2004</i>	79 of 2004	8 Dec 2004	Act other than s. 11: 8 Dec 2004 (see s. 2(1)); s. 11: 6 Apr 2005 (see s. 2(2) and <i>Gazette</i> 5 Apr 2005 p. 1121)

- ² The Department of Land Information was replaced by the Western Australian Land Information Authority. Plans formerly held by the 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.....	7(10), 20(18), 20(19)
CALM Act	3
class A reserve	3
conservation park	3
Crown land.....	3
LA Act	3
national park	3
native title rights and interests	6(1)
NTA	6(1)
relevant easement.....	20(1)
unallocated Crown land	3