

EXPLANATORY MEMORANDUM

HEATHCOTE HOSPITAL SITE (RESERVATION) BILL 2001 (No. E63)

(Introduced by Dr Woollard, MLA)

Point Heathcote was a significant site for early European colonists of Western Australia. Point Heathcote was a campsite for Captain Stirling during his exploration of the Swan River and was favourably regarded as a site for the capital of Western Australia. Prior to this and today Heathcote or “Goolugatup” remains a significant Aboriginal site. The land at the top of the scarp was used as a lookout and the lower land was a favoured camping, fishing and male initiation site. The lower land is on the interim register of Aboriginal sites with the Department of Indigenous Affairs, site number 18623.

From 1929, Heathcote was the site of the Point Heathcote Reception Home for the treatment of patients with mental illness. During this time, Duncraig House was the nurses’ quarters for the hospital and the lower lands were used for rest and recreation by the staff, patients and the wider community.

Heathcote is an important community asset. It is a local landmark of great historical significance; the buildings, including Duncraig House have exciting potential as community facilities; and it has long been hoped that the parklands would become south-of-the-river’s answer to Kings Park. This Bill is intended to give effect to the wishes of the community by declaring the entire site a class A reserve. This would ensure that this invaluable community asset is protected and remains accessible to the public.

Clause 1 relates to the Short Title.

Clause 2 provides for the enactment to commence operation on the day on which the Governor gives the Royal Assent.

Clause 3

- (a) identifies the parcel of land as the “Heathcote Hospital site” and places its legal description in the Schedule;
- (b) provides that the Minister for Lands, as a body corporate under section 7 of the *Land Administration Act 1993*, is the Minister referred to in clause 4.

Clause 4

- (a) brings the site under Part 4 of the *Land Administration Act 1997*;
- (b) requires the Minister to issue the orders necessary under Part 4 to make the site a class A reserve for use as public open space. The site is currently Crown land vested in the Minister.

Apart from ensuring that the site becomes a class A reserve, the application of Part 4 means that any future proposal that would affect its class A status must be tabled in both Houses and is subject to disallowance by each House.

- Clause 5**
- (a) subjects the way in which the land is used as public open space to the provisions of an applicable Heritage Agreement whose existence is evidenced by a memorial entered on the title. Such a memorial was lodged in October 1993;
 - (b) extends the “land” to include buildings on the land that are subject to a Heritage Agreement and requires that any work carried out, whether on the land or to a building, comply with the provisions of a Heritage Agreement.

The Schedule is the current legal description of the land.