

RESERVES (NATIONAL PARKS, CONSERVATION PARKS AND NATURE RESERVES) BILL 2004

EXPLANATORY MEMORANDUM

The purpose of this Bill is to excise certain areas of land from State forest and timber reserves, to reserve land for the purposes of national parks, conservation parks and nature reserves, and to effect certain other changes to land.

The Bill will create nine new national parks in Western Australia's south-west forests, make significant additions to the existing Wellington National Park and implement a number of land category changes proposed in previous forest management plans which have been carried forward in the *Forest Management Plan 2004-2013*. All the reservation actions in this Bill are consistent with the *Forest Management Plan 2004-2013*.

The creation of most of the proposed parks and reserves requires the cancellation of State forest and timber reserves created under the *Conservation and Land Management Act 1984* (CALM Act) and/or *Land Administration Act 1997* class A reserves.

Under section 9 of the CALM Act, cancellations of State forest require a motion or Bill to be passed by Parliament. Cancellations of some class A reserves are required to be tabled in Parliament or be by way of an Act in the case of conservation parks or class A nature reserves.

The most expedient way to effect the required action is through a single Bill.

This Bill will cancel State forest, class A reserves, timber reserves and non class A reserves, close unwanted roads and create the final conservation reserves in one process. The reserves created will be vested in the Conservation Commission of Western Australia by virtue of section 7 of the CALM Act.

An explanation of the contents of the Bill on a clause by clause basis follows.

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**RESERVES (NATIONAL PARKS, CONSERVATION PARKS AND NATURE
RESERVES) BILL 2004**

Part 1 – Preliminary

Clause 1. Short title

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

Clause 2. Commencement

Sections 15, 21, 22, 24, 29, 31 and 32 of this Act come into operation on a day fixed by proclamation. Different days may be fixed under subsection 2 for different provisions. All other sections of this Act come into operation on the day on which it receives the Royal Assent.

Clause 3. Terms used in this Act

This clause sets out the definitions applicable to the Bill. Terms defined are:

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).

Clause 4 Plans

The plans and diagrams referred to in this Act are held by Land Records Management Section of the Department of Land Information, and a specified reference in the Act to an area of land being shown on a plan or diagram is a reference to that area being shown on that plan or diagram on the day this Act receives the Royal Assent.

Clause 5. Registrar of Titles to take certain measures

The Registrar of Titles is to take any necessary measures to register the amendments to, reservation and classifications of, and any 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*.

Clause 6. Native title rights and interests

This clause defines the terms *affect* and *native title rights and interests* as having the meaning given to those terms in the NTA sections 227 and 223 respectively, and defines *NTA* as the *Native Title Act 1993* of the Commonwealth. This clause provides that nothing done by or under this Act operates to affect any native title rights and interests, but that where those rights and interests are validly affected under the NTA or a law of this State this provision does not apply.

Part 2 – National parks

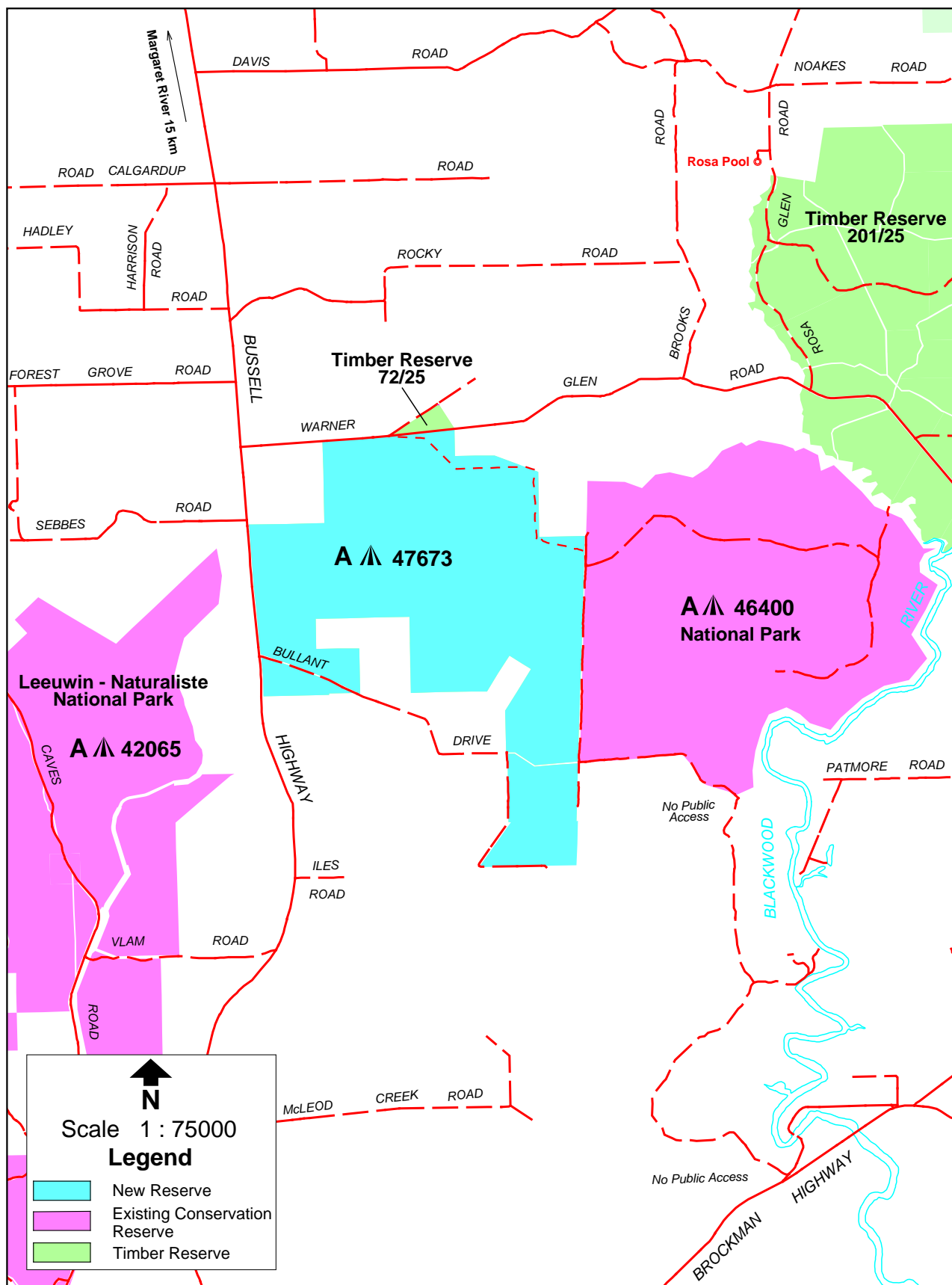
Clause 7. Class A reserve No. 47673 in the Shire of Augusta-Margaret River

This clause provides for the creation of a new class A national park, provisionally named Forest Grove National Park, situated approximately 20 kilometres south of Margaret River and comprising an area of about 1,379 hectares.

To that end, this clause provides (1) for the excision of an area of 1,305 hectares from an existing timber reserve that was created under the *Conservation and Land Management Act 1984*; (2) for the cancellation of an unmanaged Crown reserve for the purpose of government requirements that is classified as other than class A; and (3), (4) and (5) for the closure of portions of unnamed and unsurveyed roads and the cessation of rights of way over these portions of roads. The new national park will comprise these areas, described in (6) as the land in Lot 5620 as shown coloured green on Deposited Plan 36436, on the day this Act receives the Royal Assent.

This national park was proposed under the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999) and the proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 47673 (National Park) BY EXCISION OF PART TIMBER RESERVE No. 72/25 AND INCLUSION OF FORMER RESERVE No. 34390 AND PORTIONS OF UNNAMED ROADS



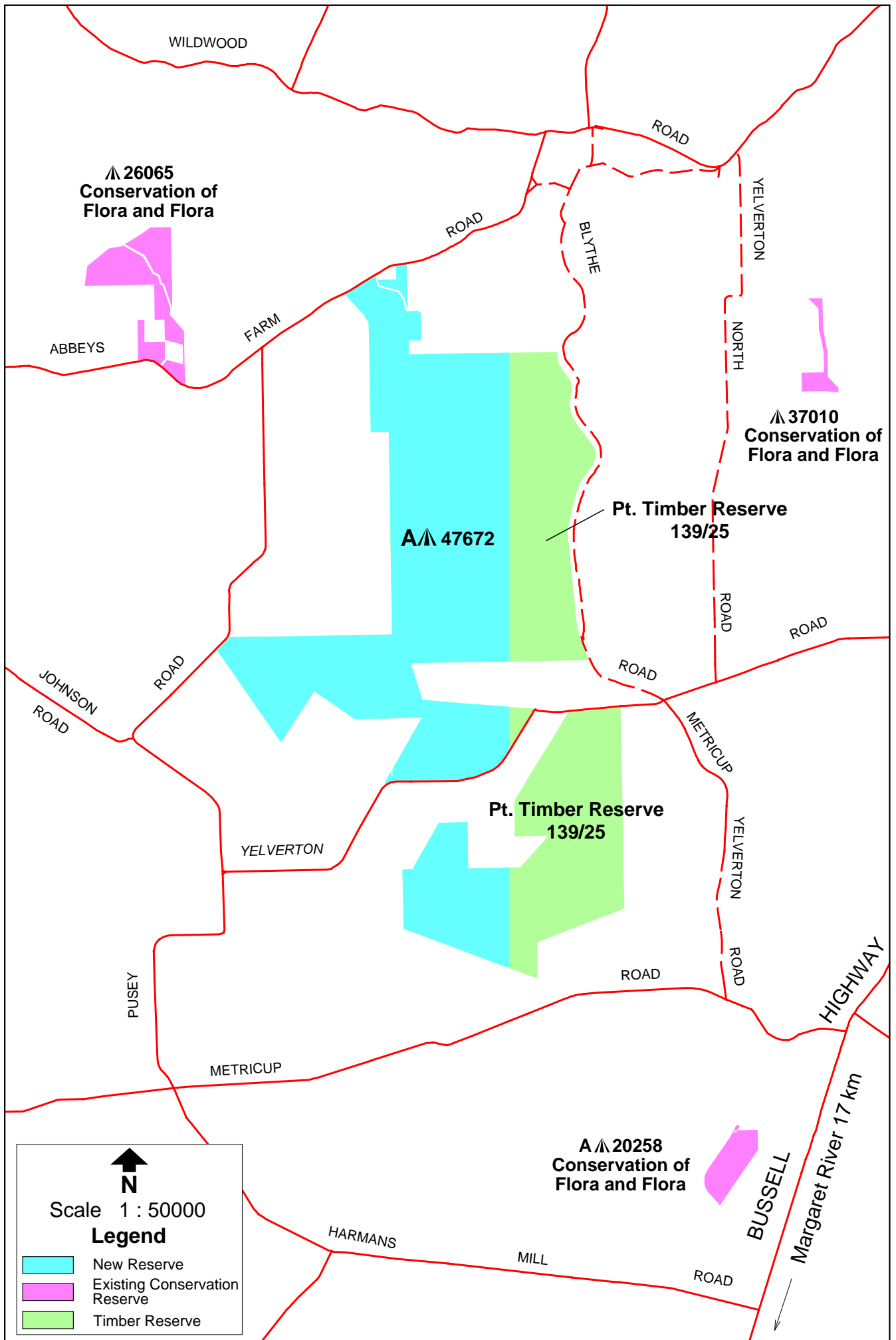
Clause 8. Class A reserve No. 47672 in the Shire of Busselton


This clause provides for the creation of a new class A national park, provisionally named Yelverton National Park, situated approximately 20 kilometres north of Margaret River and comprising an area of about 729 hectares.




To that end, this clause provides (1) for the excision of an area of about 725 hectares from an existing timber reserve that was created under the *Conservation and Land Management Act 1984*; and (2) for the cancellation of an unmanaged Crown reserve for the purpose of water that is classified as class A. The new national park will comprise these areas, described in (3) as the land in Lots 301 and 302 as shown coloured green on Deposited Plan 36438, on the day this Act receives the Royal Assent.

This national park was proposed under the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999) and the proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 47672 (National Park) BY EXCISION OF PART TIMBER RESERVE No. 139/25 AND CANCELLATION OF RESERVE No. 7228




N
 Scale 1 : 50000
Legend

	New Reserve
	Existing Conservation Reserve
	Timber Reserve

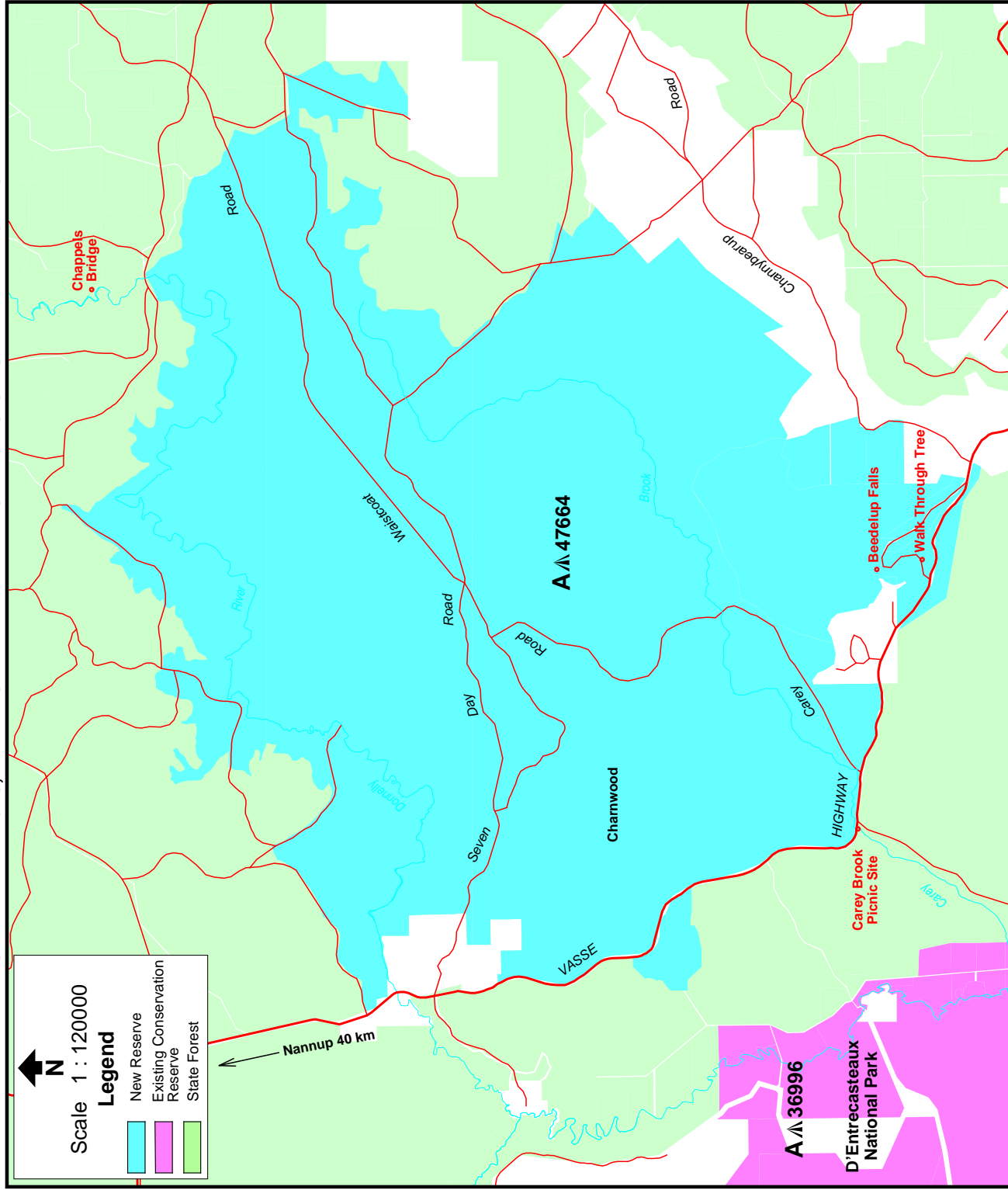
Clause 9. Class A reserve No. 47664 in the Shires of Nannup and Manjimup

This clause provides for the creation of a new class A national park, provisionally named Greater Beedelup National Park, situated approximately 20 kilometres north-west of Pemberton and comprising an area of about 19,270 hectares.

To that end, this clause provides (1) for the excision of areas totalling about 17, 836.45 hectares from two State forests; (2) and (3) for the cancellation of one Crown reserve classified as Class A and the excision of an area from a second Crown reserve classified as class A, both of which have purposes of national park (parts of the existing Beedelup National Park which will be incorporated in the new national park); (4) and (5) for the closure of portions of unnamed roads and the cessation of rights of way over these portions of roads; and (6) for freehold land with an area of 60.7674 hectares and held in the name of the Executive Director of the Department of Conservation and Land Management to be transferred to and revested in the Crown. The new national park will comprise these areas, described in (7) as the land in Lots 13921 and 13922 as shown coloured green on Deposited Plan 36422, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

**CREATION OF CLASS 'A' RESERVE No. 47664 (National Park) BY EXCISION
 OF PARTS OF STATE FOREST Nos. 35 AND 36, INCLUSION OF RESERVE No. 7692,
 PT. RESERVE No. 17519, FREEHOLD LAND AND PORTIONS OF UNNAMED ROADS**



Scale 1 : 120000

Legend

- New Reserve
- Existing Conservation Reserve
- State Forest

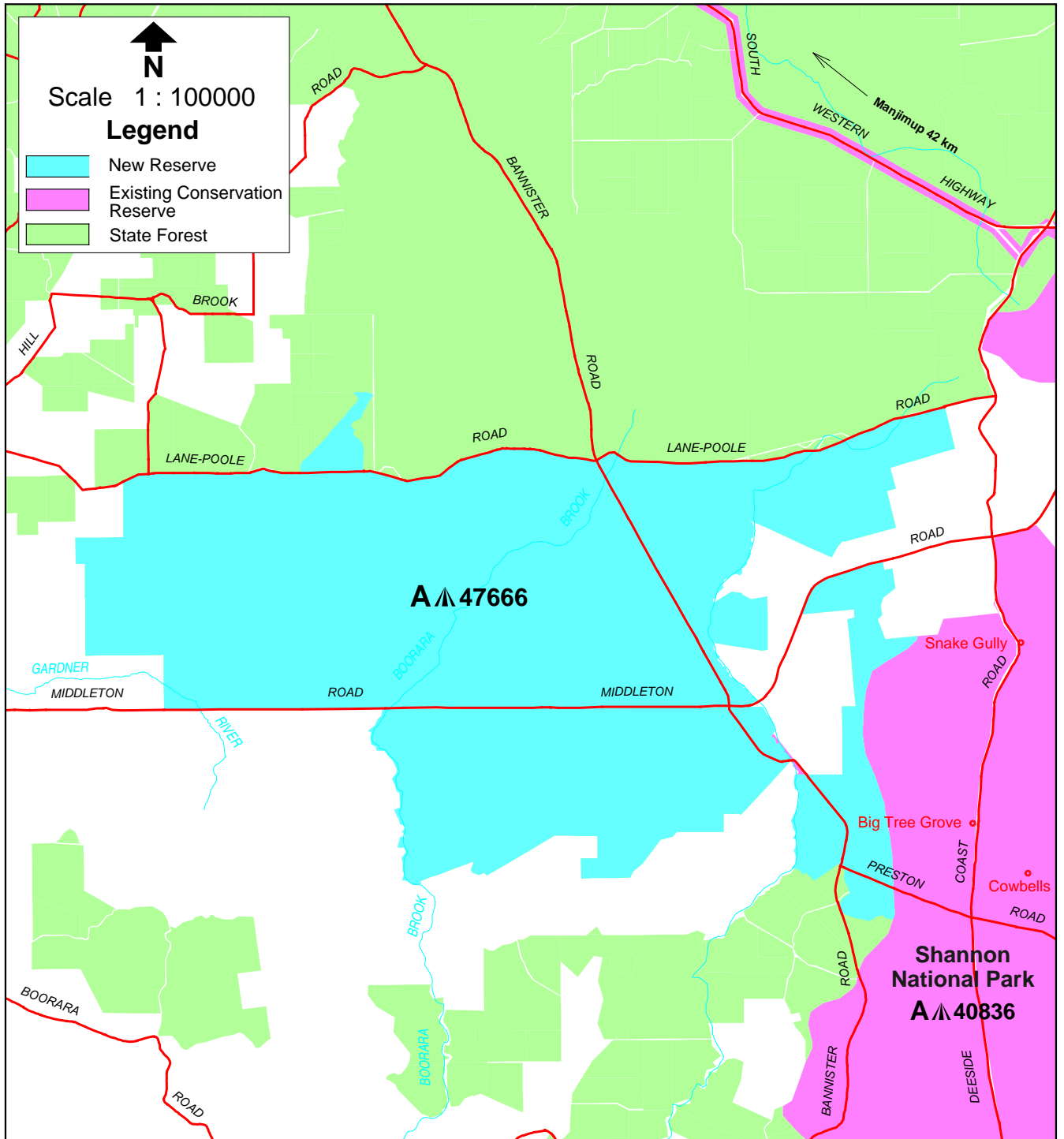
Clause 10. Class A reserve No. 47666 in the Shire of Manjimup

This clause provides for the creation of a new class A national park, provisionally named Jane National Park, situated approximately eight kilometres east of Northcliffe and comprising an area of about 6,863 hectares.

To that end, this clause provides (1) for the excision of areas totalling 6,196 hectares from two State forests; (2) and (3) for the closure of portions of unnamed roads and the cessation of rights of way over these portions of roads; and (4) and (5) for freehold lands, totalling 198.9199 hectares and held in the name of the Executive Director of the Department of Conservation and Land Management, to be transferred to and revested in the Crown. The new national park will comprise these areas, described in (6) as the land in Lots 320 and 321 as shown coloured green on Deposited Plan 36426, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

**CREATION OF CLASS 'A' RESERVE No. 47666 (National Park)
BY EXCISION OF PARTS OF STATE FOREST Nos. 39 AND 41 AND INCLUSION OF
FREEHOLD LAND AND PORTIONS OF UNNAMED ROADS**



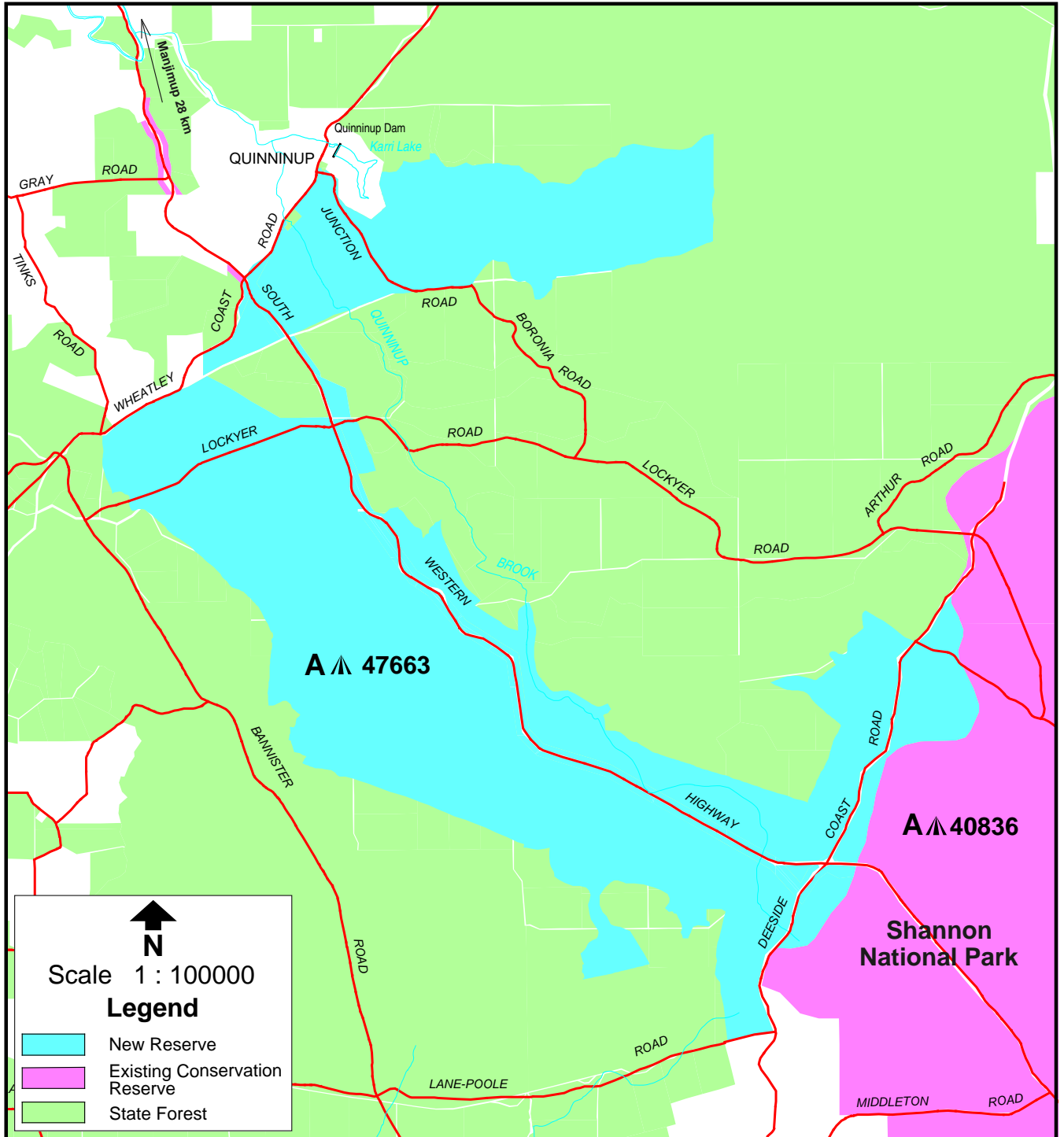
Clause 11. Class A reserve No. 47663 in the Shire of Manjimup

This clause provides for the creation of a new class A national park, provisionally named Greater Dordagup National Park, situated approximately 20 kilometres east of Pemberton and comprising an area of about 6,408 hectares.

To that end, this clause provides (1) for the excision of areas totalling about 6,032.5 hectares from four State forests; (2) for the excision of an area of about 250 hectares from a class A reserve for the purpose of national park (parts of the existing Sir James Mitchell National Park, a narrow national park that runs parallel to and straddles the South Western Highway, that will be incorporated in the new national park); and (3) and (4) for the closure of portions of unnamed roads and the cessation of rights of way over these portions of roads. The new national park will comprise these areas, described in (5) as the land in Lot 330 as shown coloured green on Deposited Plan 36427, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 47663 (National Park) BY EXCISION OF PARTS OF STATE FOREST Nos. 38, 39, 41 AND 55, CANCELLATION OF PART RESERVE No. 18705 AND INCLUSION OF PORTIONS OF UNNAMED ROADS



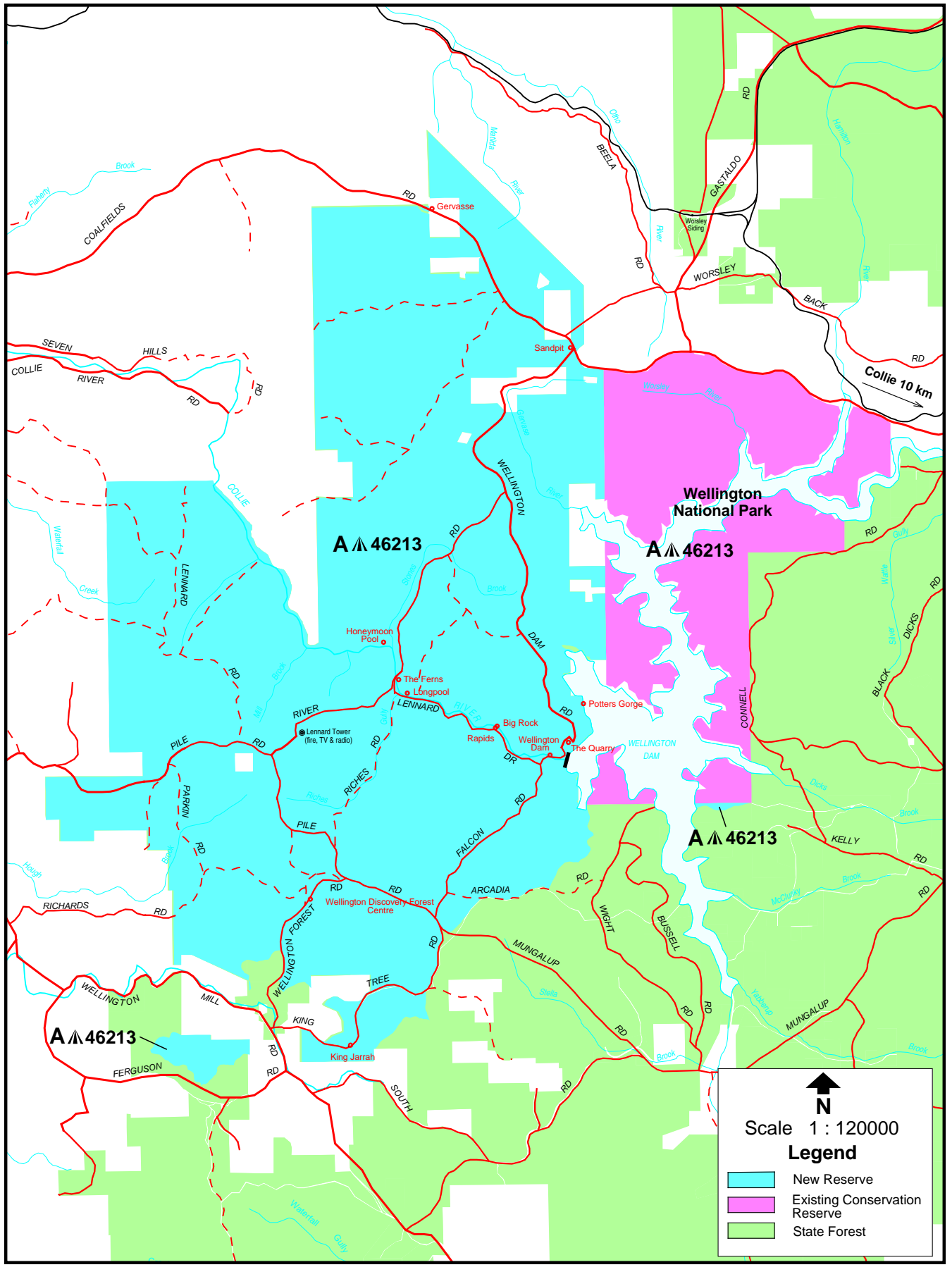
Clause 12. Class A reserve No. 46213 in the Shires of Collie and Dardanup (Wellington National Park)


The existing class A reserve No. 46213, Wellington National Park, was created on 4 July 2000, is situated approximately 12 kilometres west of Collie, and comprises an area of 3,044.6782 hectares. This clause provides for the addition to Wellington National Park of about 14,429 hectares adjacent to its current western boundary, so that the new total area of the reserve will comprise about 17,474 hectares.

To that end, this clause provides (1) for the excision an area of about 14,429 hectares from State forest; and clauses (2) to (8) provide details of easements to be granted as access to the owners of freehold land enclaves within the expanded national park. The expanded class A reserve No. 46213, Wellington National Park, will comprise the area described in (9) as the land in Lots 6263, 6264 and 6265 as shown coloured green on Deposited Plan 36421 on the day this Act receives the Royal Assent.

Expansion of Wellington National Park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

**AMENDMENT OF CLASS 'A' RESERVE No.46213 (National Park)
TO INCLUDE PART STATE FOREST No. 25**




N
 Scale 1 : 120000
Legend
 New Reserve
 Existing Conservation Reserve
 State Forest

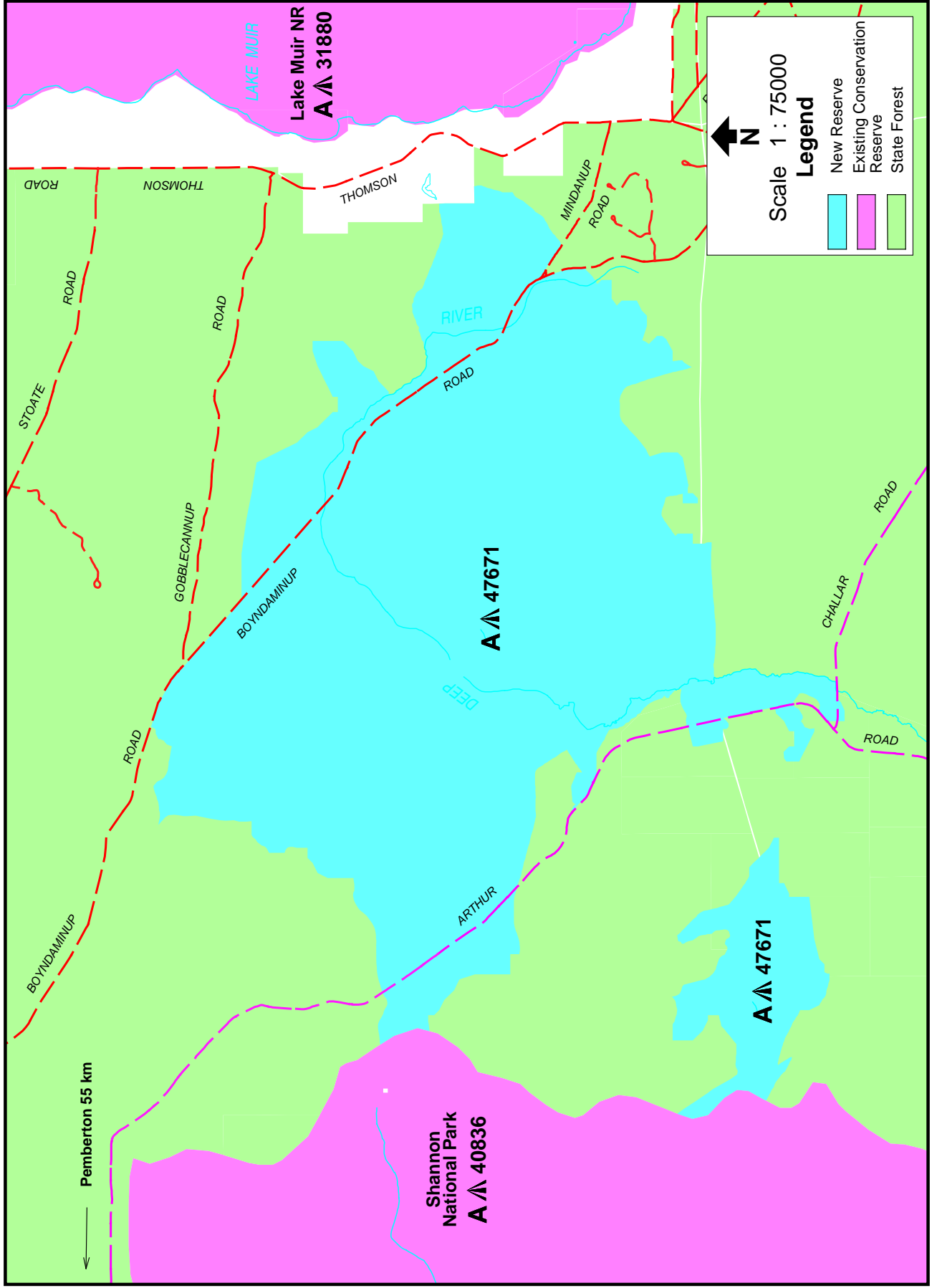
Clause 13. Class A reserve No. 47671 in the Shire of Manjimup

This clause provides for the creation of a new class A national park, provisionally named Boyndaminup National Park, situated approximately 50 kilometres south-east of Manjimup and comprising an area of about 5,439 hectares.

To that end, this clause provides (1) for the excision of an area of about 5,430 hectares from State forest; and (2) and (3) for the closure of a portion of an unnamed road and an unsurveyed portion of that road, and the cessation of rights of way over these portions of roads. The new national park will comprise these areas, described in (4) as the land in Lots 13911 and 13912 as shown coloured green on Deposited Plan 36431, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

**CREATION OF CLASS 'A' RESERVE No. 47671 (National Park) BY EXCISION OF
PART STATE FOREST No. 55 AND INCLUSION OF PORTIONS OF UNNAMED ROADS**



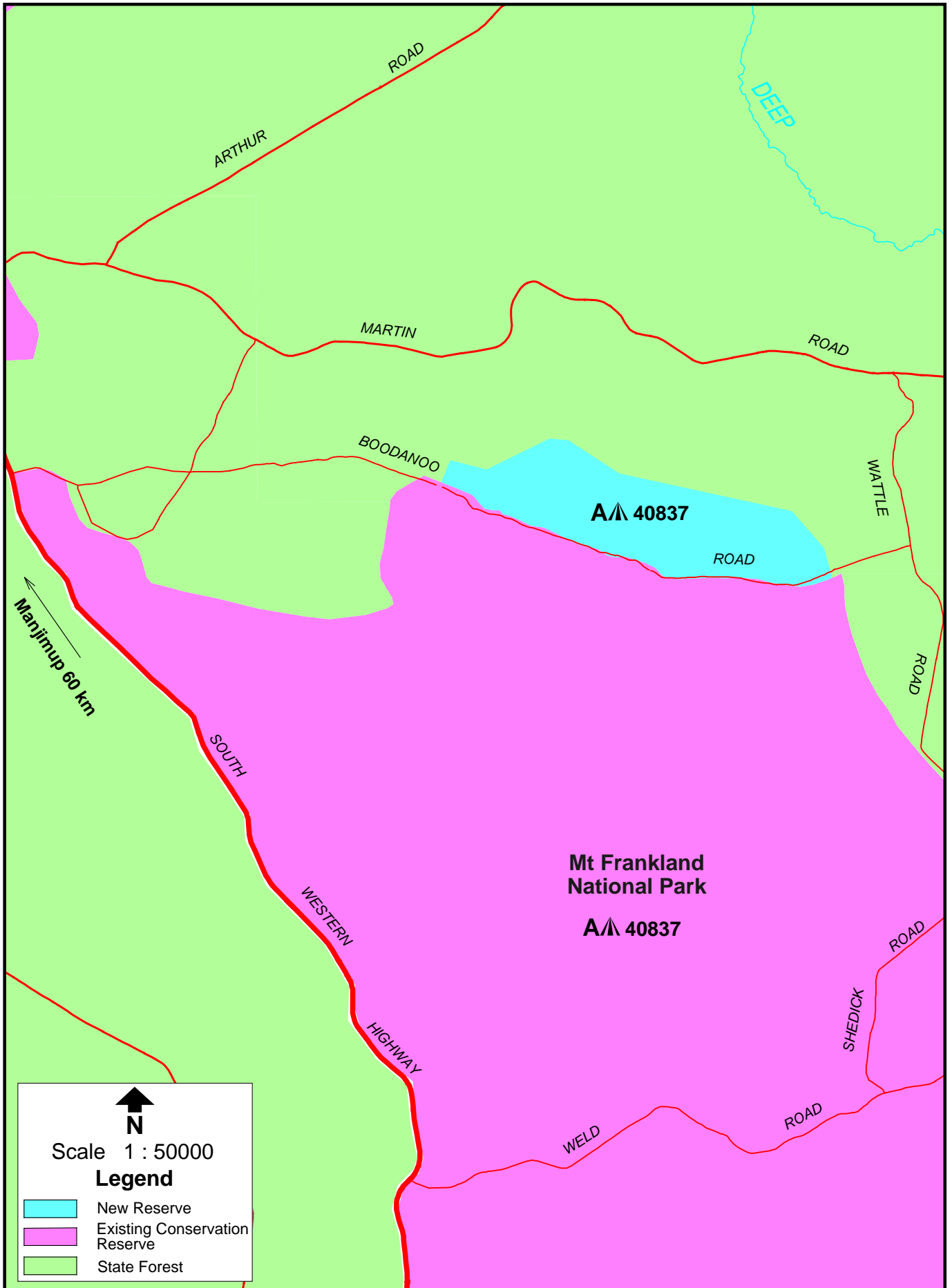
Clause 14. Class A reserve No. 40837 in the Shire of Manjimup (Mount Frankland National Park)


The existing class A reserve No. 40837, Mount Frankland National Park, was created on 23 December 1998, is situated approximately 18 kilometres north of Walpole, and comprises an area of about 30,830 hectares. This clause provides for the addition to Mount Frankland National Park of 261.9920 hectares adjacent to its current northern boundary, so that the new total area of the reserve will comprise about 31,092 hectares.




To that end, this clause provides (1) for the excision of areas totalling 261.9920 hectares from two State forests. The expanded class A reserve No. 40837, Mount Frankland National Park, will comprise the area described in (2) as 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 on the day this Act receives the Royal Assent.

This addition to Mount Frankland National Park was proposed in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

**AMENDMENT OF CLASS 'A' RESERVE No.40837 (National Park)
TO INCLUDE PARTS OF STATE FOREST Nos. 41 AND 55**




N
 Scale 1 : 50000
Legend

	New Reserve
	Existing Conservation Reserve
	State Forest

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

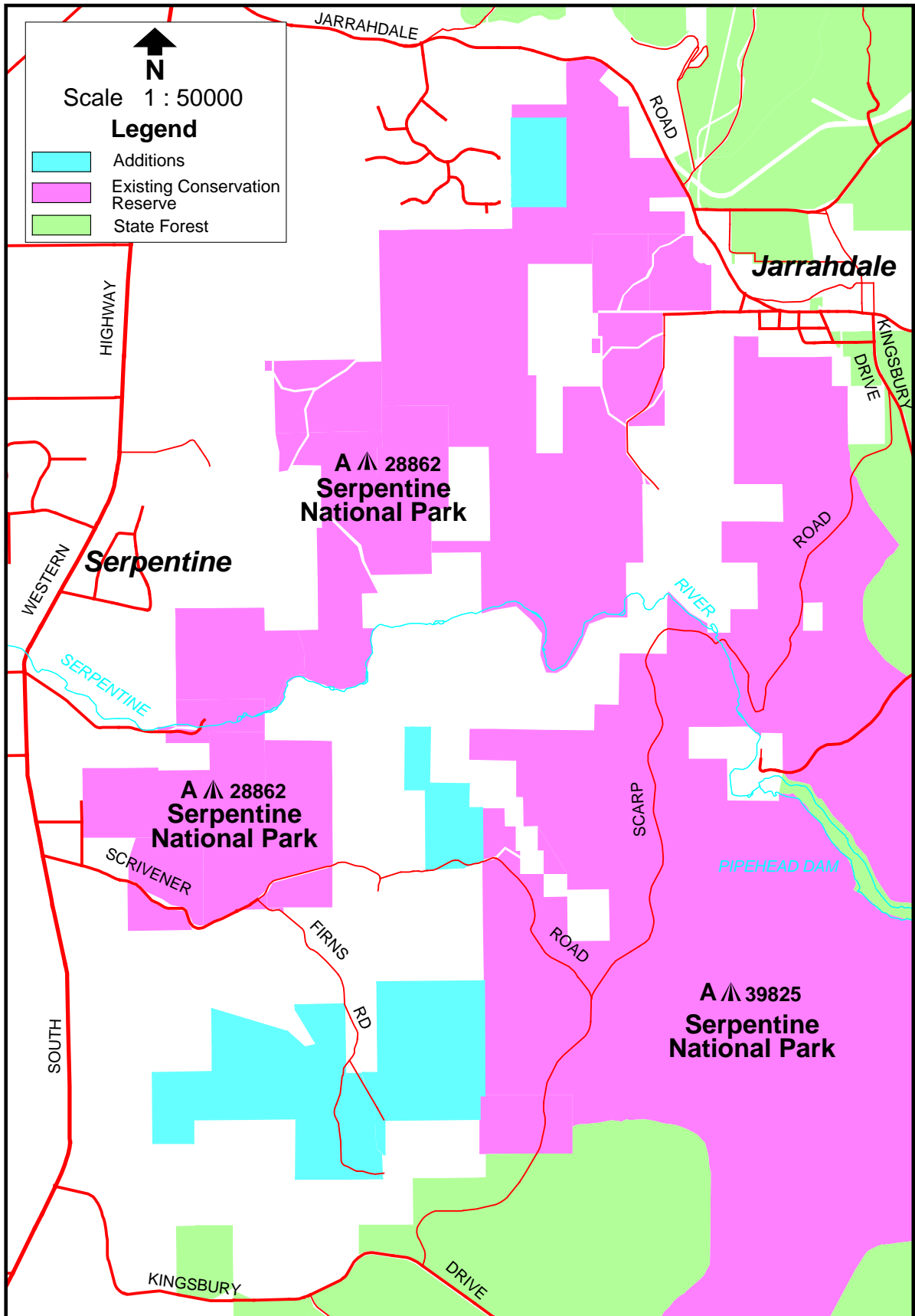
Class A reserve No. 39825 was created on 6 February 1987, extends south from Jarrahdale, and currently comprises an area of about 3,723.8799 hectares. The reserve is the larger of two reserves that collectively comprise Serpentine National Park. This clause provides for a net increase of about 260 hectares to Class A reserve 39825 so that the new total area of the reserve will comprise about 3,984 hectares.

To that end, this clause provides (1) to (4) for the cancellation of existing reserves classified other than class A for the various purposes of conservation park, government requirements and conservation of flora and fauna totalling about 377.3037 hectares, and the redescription of the original area of the reserve. The expanded Serpentine National Park will comprise the area described in (4) as Cockburn Sound Locations 4548, 4549 and 4676 shown bordered green on Miscellaneous Plan 20613.

These additions to Serpentine National Park were proposed in the Department of Conservation and Land Management's *Northern Region Regional Management Plan 1987* and were carried forward in the approved *Forest Management Plan 1994-2003* and the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposals have been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this section will come into operation on a day to be fixed by proclamation.

**AMENDMENT OF CLASS 'A' RESERVE No. 39825 (National Park)
TO INCLUDE FORMER RESERVE Nos. 988, 32201 AND 32202**



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

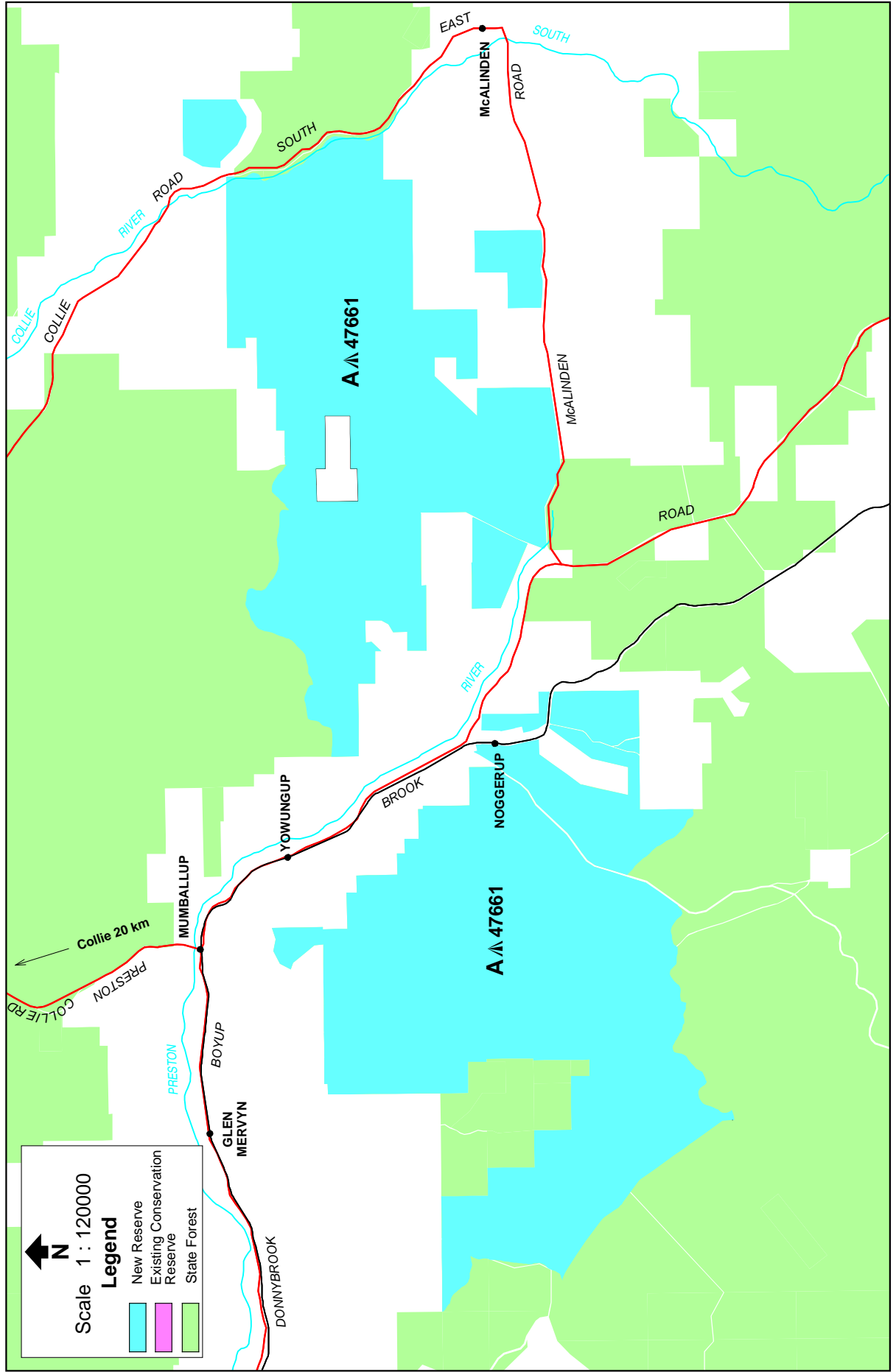
This clause provides for the creation of a new class A national park, provisionally named Greater Preston National Park, situated approximately 25 kilometres east of Donnybrook and comprising an area of about 11,373 hectares.

To that end, this clause provides (1) and (2) for the cancellation of a State forest and the excision of areas from two State forests, which collectively total about 10,867 hectares; (3) for the cancellation of an unmanaged Crown reserve for the purpose of water that is classified as other than class A; (4) to (6) for the closure of portions of roads and the cessation of rights of way over these portions of roads; (7) for the cancellation of a Lot containing 166.1779 hectares of unallocated Crown land; and (8) details of an easement to be granted as access to the owner of a freehold land enclave within the new national park. The new national park will comprise these areas, described in (9) as the land in Lots 300, 301, 302 and 303 as shown coloured green on Deposited Plan 36424, on the day this Act receives the Royal Assent.

This national park is part of a proposal in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

[Note: The Greater Preston National Park as proposed in the policy and approved in the Forest Management Plan also includes an additional area of 1,292 hectares of former pastoral lease adjacent to the eastern boundary of the new national park subject of this clause. The additional area is subject to grazing rights that expire in 2015. It is proposed to add this area to the national park upon expiry of the rights or their prior surrender.]

**CREATION OF CLASS 'A' RESERVE No. 47661 (National Park) BY EXCISION OF PARTS OF STATE FOREST Nos. 11, 26 AND 29,
INCLUSION OF RESERVE No. 12331, PORTIONS OF UNNAMED ROADS AND UNALLOCATED CROWN LAND**



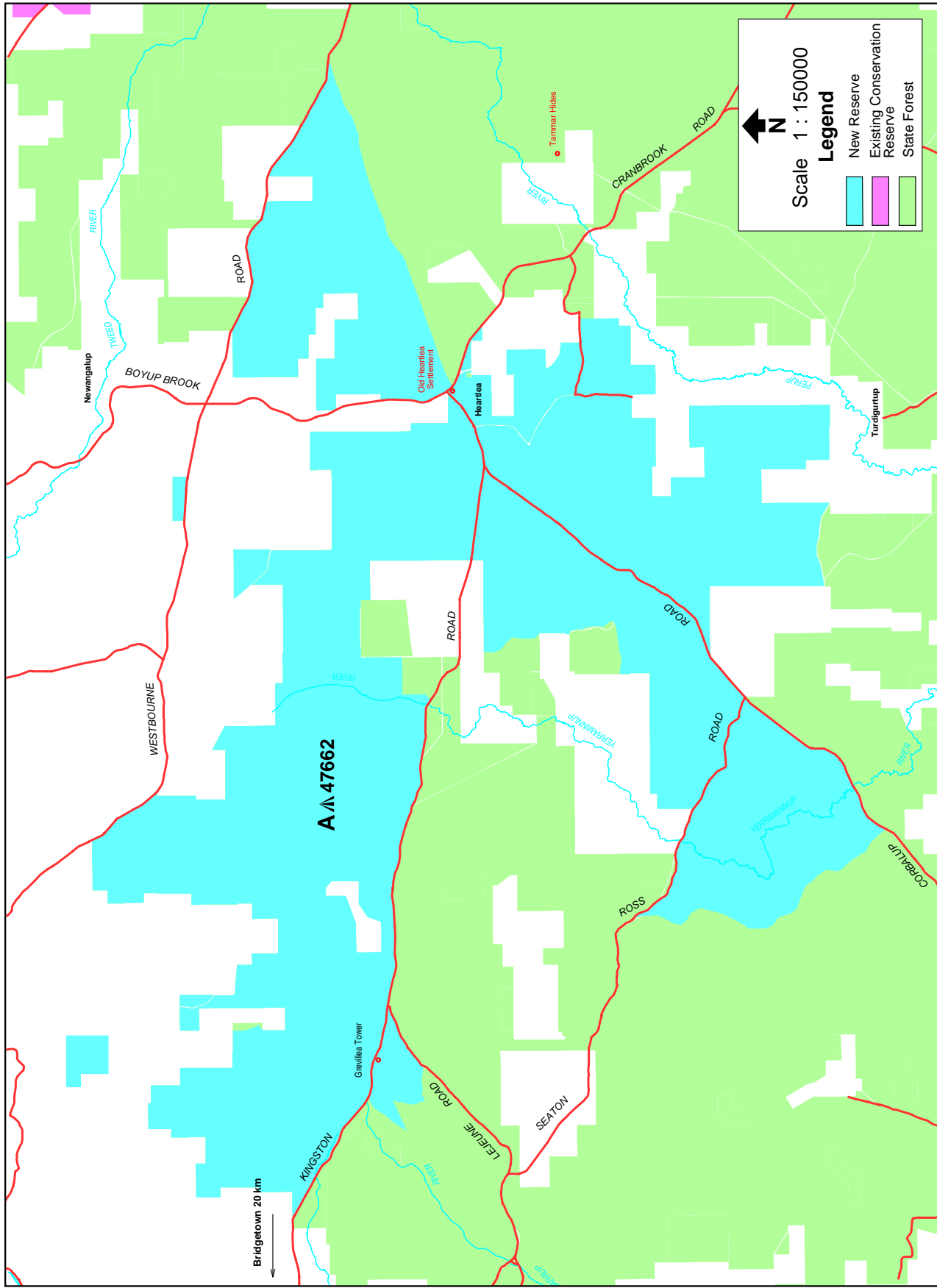
Clause 17. Class A reserve No. 47662 in the Shires of Bridgetown-Greenbushes and Boyup Brook

This clause provides for the creation of a new class A national park, provisionally named Greater Kingston National Park, situated approximately 20 kilometres south-east of Bridgetown and comprising an area of about 21,092 hectares.

To that end, this clause provides (1) for the excision of an area of about 20,499 hectares from State forest; (2) for the cancellation of three timber reserves with areas totalling approximately 292.44 hectares that were created under the *Conservation and Land Management Act 1984*; (3) and (4) for the cancellation of two unmanaged Crown reserves for the various purposes of timber and water that are classified as other than class A; (5) to (7) for the closure of a portions of roads and the cessation of rights of way over these portions of roads; and (8) details of an easement to be granted as access to the owner of a freehold land enclave within the new national park. The new national park will comprise these areas, described in (9) as the land in Lots 330, 331 and 332 as shown coloured green on Deposited Plan 36423, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 47662 (National Park) BY EXCISION OF PART STATE FOREST No. 37, INCLUSION OF CANCELLED TIMBER RESERVE Nos. 154/25, 186/25 AND 205/25, RESERVE Nos. 10642 and 27021 AND PORTIONS OF NAMED AND UNNAMED ROADS



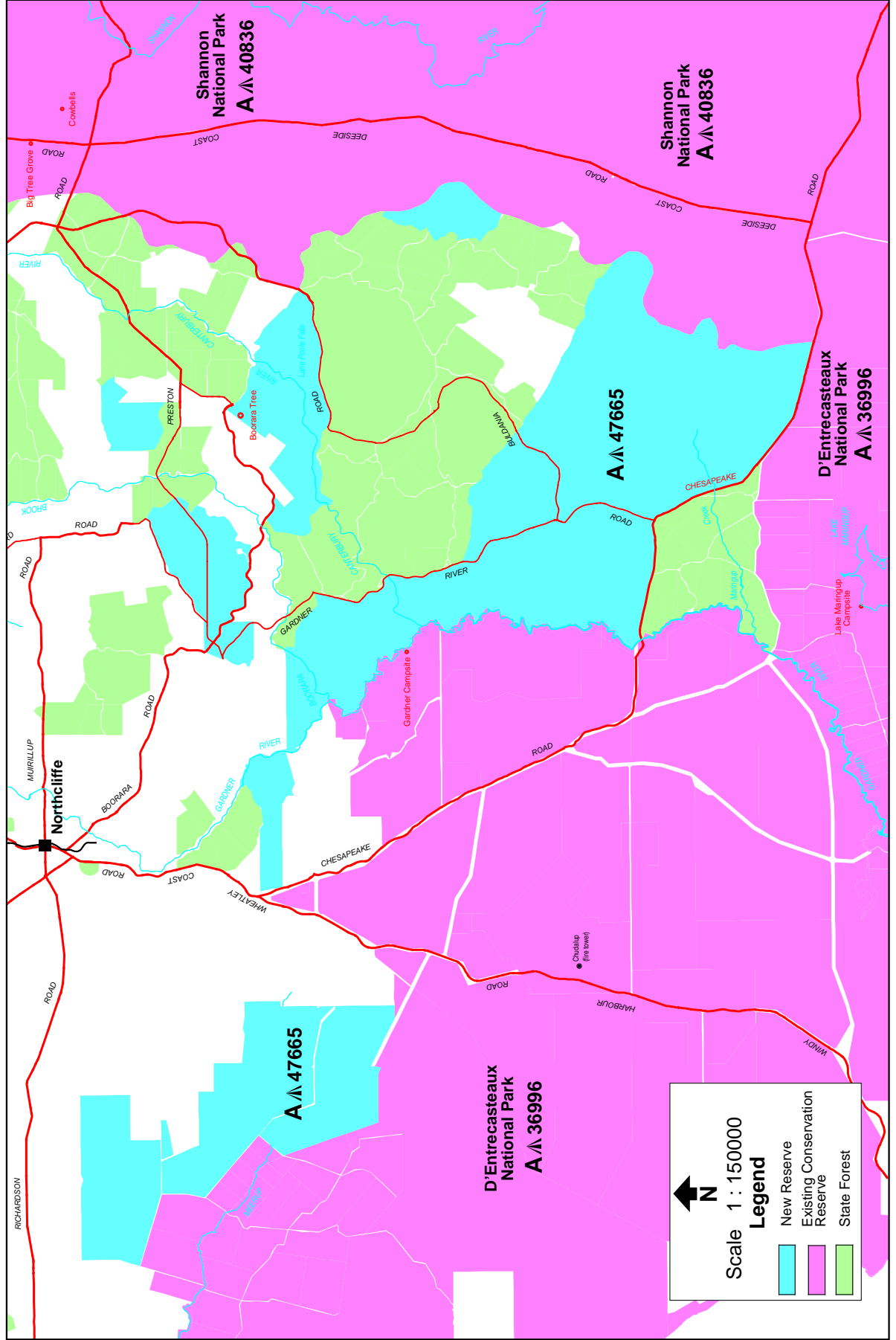
Clause 18. Class A reserve No. 47665 in the Shire of Manjimup

This clause provides for the creation of a new class A national park, provisionally named Boorara-Gardner National Park, situated approximately 10 kilometres south of Northcliffe and comprising an area of about 11,008 hectares.

To that end, this clause provides (1) for the excision of areas totalling about 6,988.3 hectares from two State forests; (2) and (3) for the closure of portions of unnamed roads and the cessation of rights of way over these portions of roads; (4) for the cancellation of a timber reserve with an area of about 1,155.04 hectares that was created under the *Conservation and Land Management Act 1984*; and (5) for the cancellation of an unmanaged Crown reserve for the purpose of government requirements that is classified as other than class A. The new national park will comprise these areas, described in (6) as the land in Lots 303, 304, 305, 306, 307 and 308 as shown coloured green on Deposited Plan 36425, on the day this Act receives the Royal Assent.

This national park was proposed in the *Protecting our old-growth forests* policy and is a reserve proposal in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 47665 (National Park) BY EXCISION OF PARTS OF STATE FOREST Nos. 40 AND 41 AND INCLUSION OF CANCELLED TIMBER RESERVE No. 185/25, RESERVE No. 33451 AND PORTIONS OF UNNAMED ROADS



Scale 1 : 150000

Legend

- New Reserve
- Existing Conservation Reserve
- State Forest

Part 3 – Conservation parks

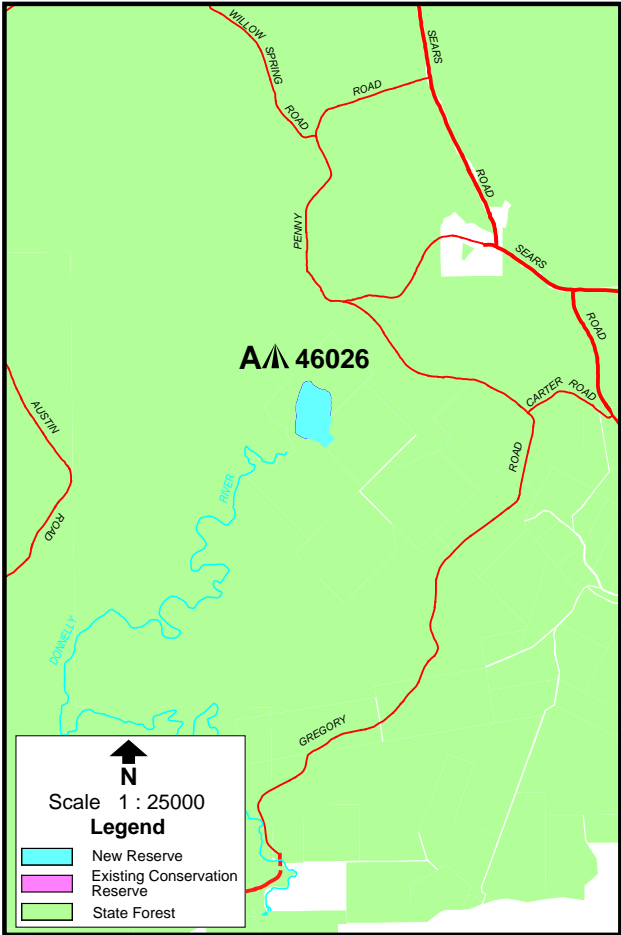
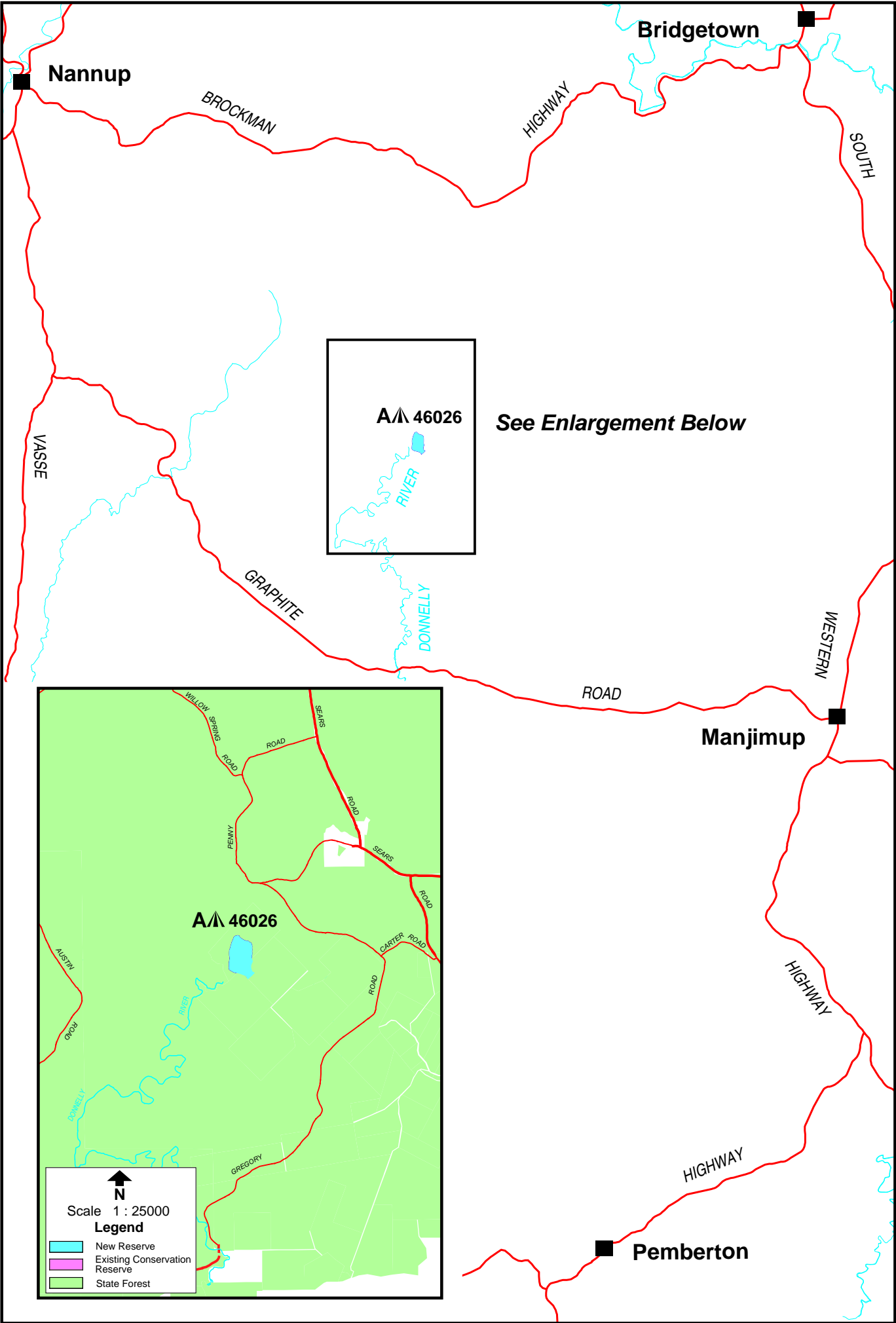
Clause 19. Class A reserve No. 46026 in the Shire of Manjimup

This clause provides for the creation of a new class A conservation park, provisionally named Blackbutt Conservation Park, situated approximately 22 kilometres north-west of Manjimup and comprising an area of about 37.3 hectares.

To that end, this clause provides (1) for the excision of an area of about 37.3 hectares from a State forest. The new conservation park will comprise the area described in (2) as the land in Nelson Location 13597 as shown bordered green on Miscellaneous Plan 20629 on the day this Act receives the Royal Assent.

This conservation park was proposed Department of Conservation and Land Management's *Southern Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 46026 (Conservation Park) BY EXCISION OF PART STATE FOREST No. 34



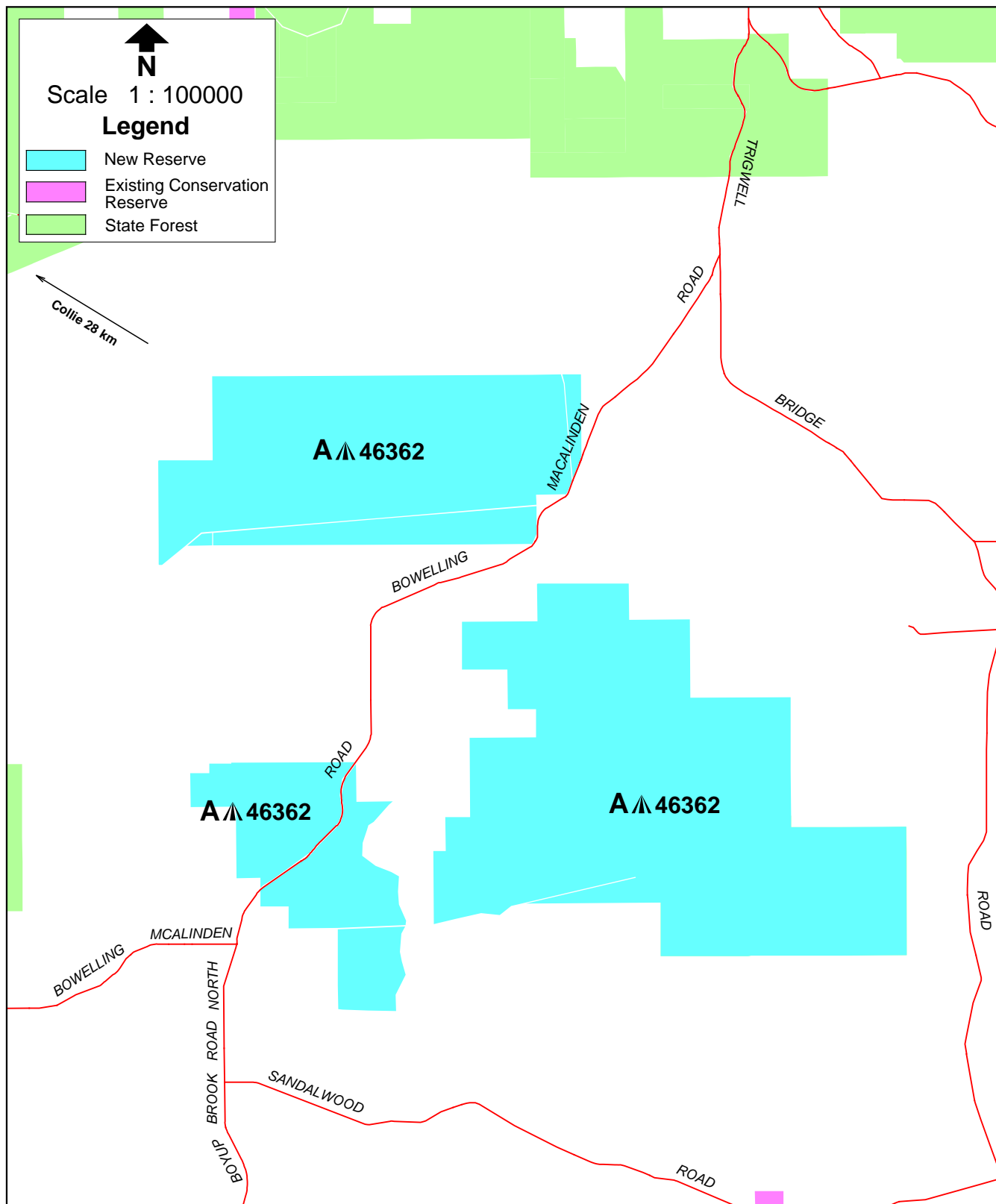
Clause 20. Class A reserve No. 46362 in the Shire of West Arthur

This clause provides for the creation of a new class A conservation park, provisionally named Muja Conservation Park, situated approximately 30 kilometres south-east of Collie and comprising an area of about 6,323.3254 hectares.

To that end, this clause provides (1) for the cancellation of a timber reserve with an area of about 1,040 that was created under the *Conservation and Land Management Act 1984*; (2) for the cancellation of an unmanaged Crown reserve for the purpose of water that is classified as other than class A. The new conservation park will comprise these areas, together with an area of unallocated Crown land, and is described in (3) as 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 on the day this Act receives the Royal Assent.

This conservation park was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 46362 (Conservation Park) BY INCLUSION OF FORMER TIMBER RESERVE No. 213/25 AND RESERVE No. 19203



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

Reserve No. 31088 containing an area of 4039.4684 hectares and situated approximately 30 kilometres east of Collie was created on 12 November 1971. It has the purpose of water catchment area and is classified as other than class A.

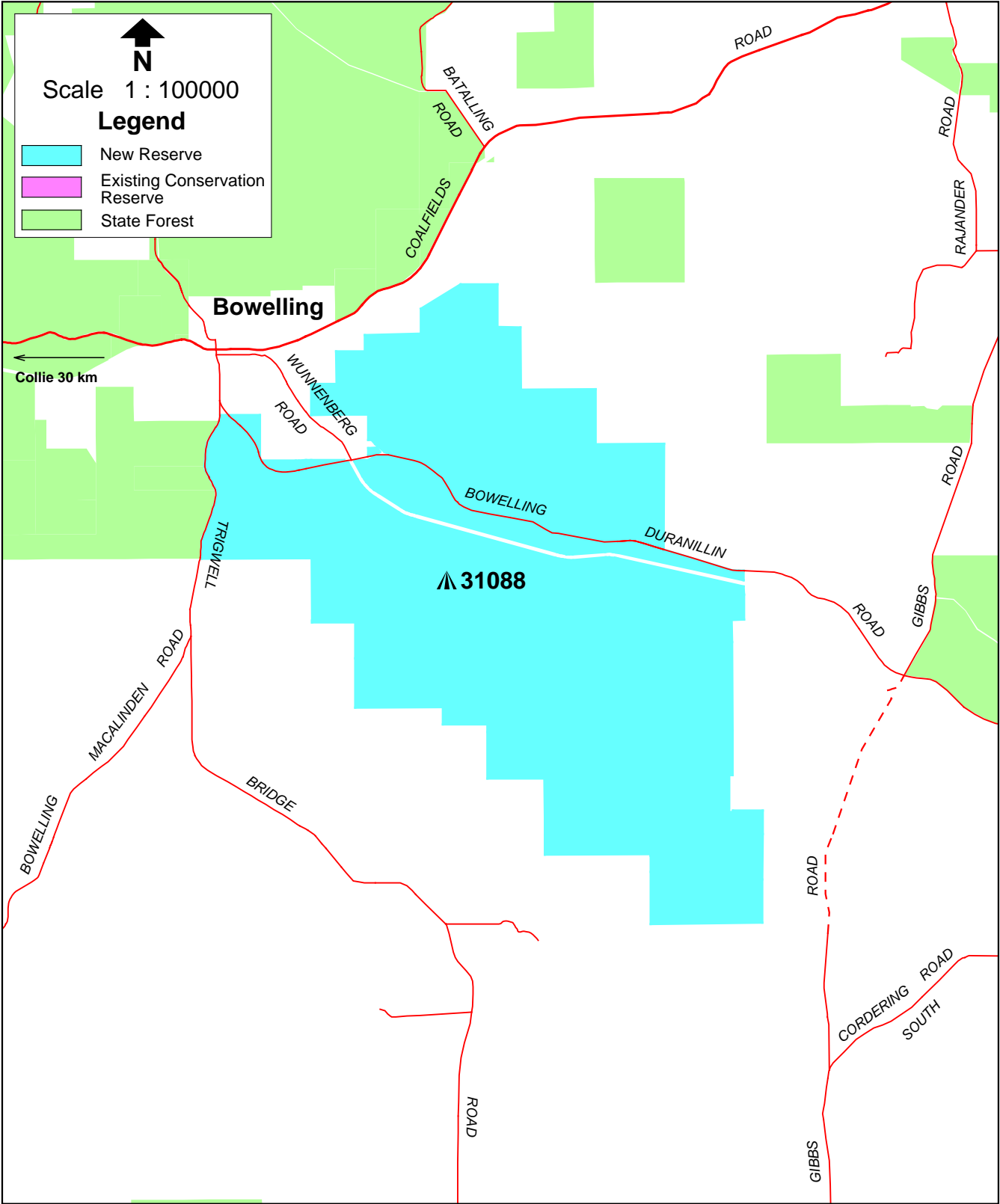
This clause provides for the creation of a new class A conservation park, provisionally named Bennelaking Conservation Park, by amending the purpose and classification of reserve No. 31088, and adding areas totalling 1,480.2087 hectares, so that the amended reserve comprises an area of 5,519.6771 hectares.

To that end, this clause provides (1) for the excision of 1,191.0381 hectares from a State forest; and (2) for the amendment of the current purpose and classification of the reserve, and the addition of the area excised from the State forest together with an area of about 289.2 hectares of unallocated Crown land. The new conservation park will comprise the area described in (2) as the land in Wellington Locations 5655, 5656, 5657, 5658, 5659 and 5660 as shown bordered red on Plans 18553, 18554 and 18555.

This conservation park was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

AMENDMENT OF RESERVE No. 31088 TO INCLUDE PART OF STATE FOREST No. 24 AND UNALLOCATED CROWN LAND, CHANGE OF PURPOSE FROM "WATER CATCHMENT AREA" TO "CONSERVATION PARK" AND CLASSIFYING AS CLASS 'A'



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

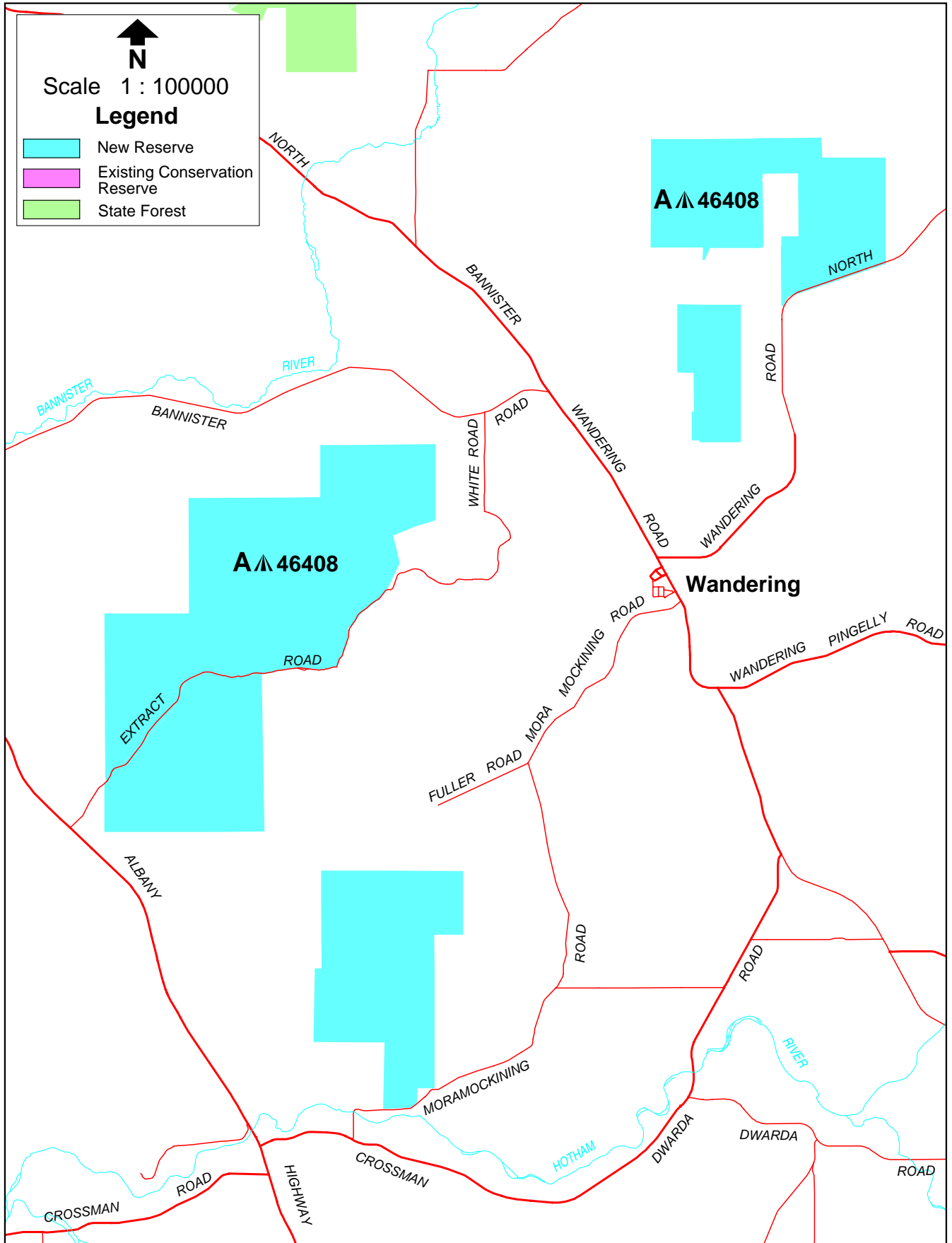
This clause provides for the creation of a new class A conservation park, provisionally named Wandering Conservation Park, situated approximately 15 kilometres north-east of Boddington and comprising an area of about 4,314.5431 hectares.

To that end, this clause provides (1) and (2) for the cancellation of two timber reserves with areas totalling about 3,869.3889 hectares that were created under the *Conservation and Land Management Act 1984*; and (3) for the cancellation of an unmanaged Crown reserve for the purpose of timber that is classified as other than class A. The new conservation park will comprise these areas, described in (4) as the land in Avon Locations 29547, 29548, 29551 and 29552 as shown bordered green on Miscellaneous Plan 20694.

This conservation park was proposed in the Department of Conservation and Land Management's *Northern Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

CREATION OF CLASS 'A' RESERVE No. 46408 (Conservation Park) BY INCLUSION OF FORMER TIMBER RESERVE Nos. 145/25, 160/25 AND RESERVE No. 18534



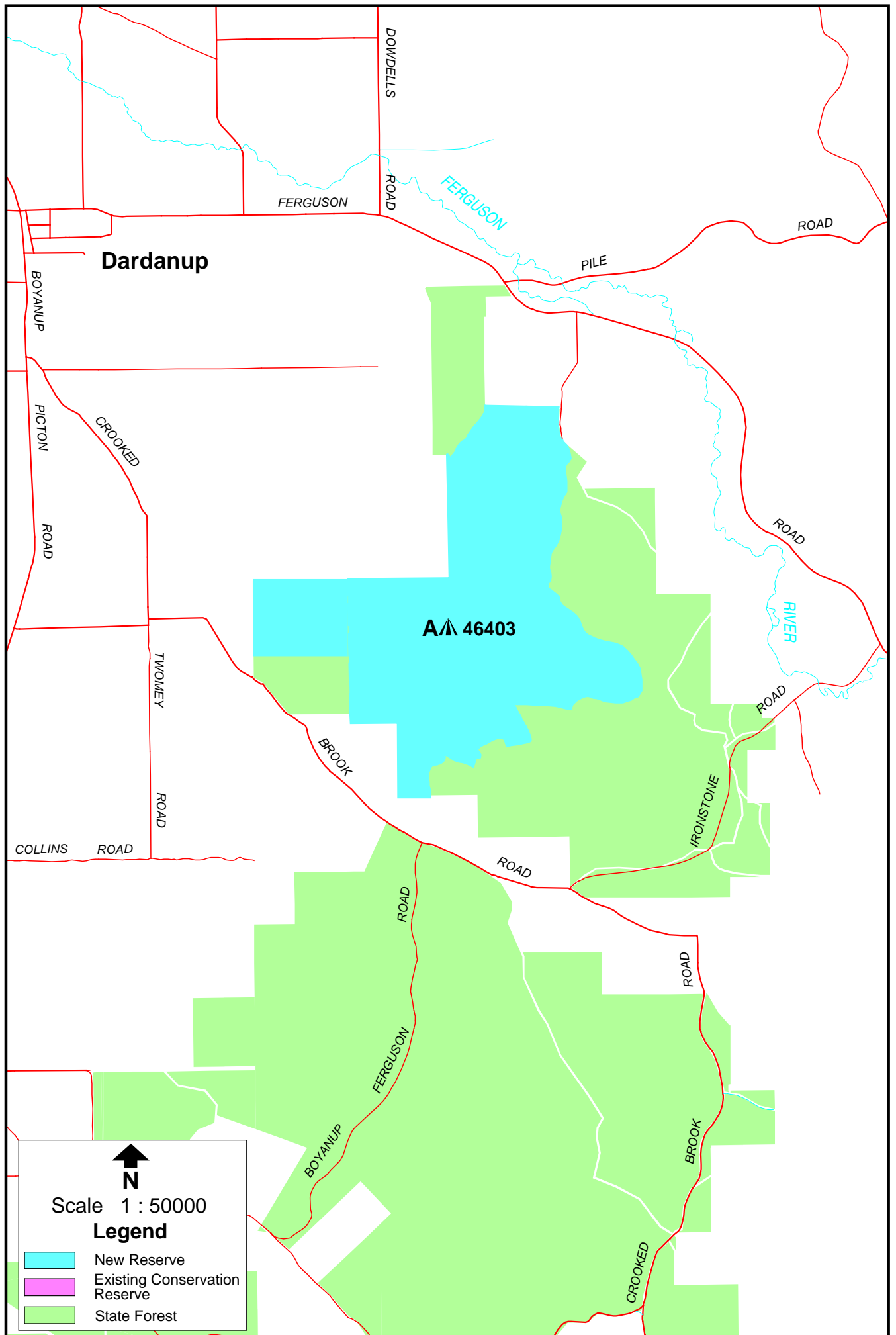
Clause 23. Class A reserve No. 46403 in the Shire of Dardanup

This clause provides for the creation of a new class A conservation park, provisionally named Dardanup Conservation Park, situated approximately 5 kilometres south-east of Dardanup and comprising an area of about 643 hectares.

To that end, this clause provides (1) for the excision of an area of about 643 hectares from a State forest. The new conservation park will comprise this area, described in (2) as the land in Wellington Location 192 as shown bordered green on Miscellaneous Plan 20644 on the day this Act receives the Royal Assent.

This conservation park was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987* and was carried forward in the approved *Forest Management Plan 1994-2003*. Part of the proposal was not retained in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been reinstated in the approved *Forest Management Plan 2004-2013*.

**CREATION OF CLASS 'A' RESERVE No. 46403 (Conservation Park)
BY EXCISION OF PART STATE FOREST No. 27**



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

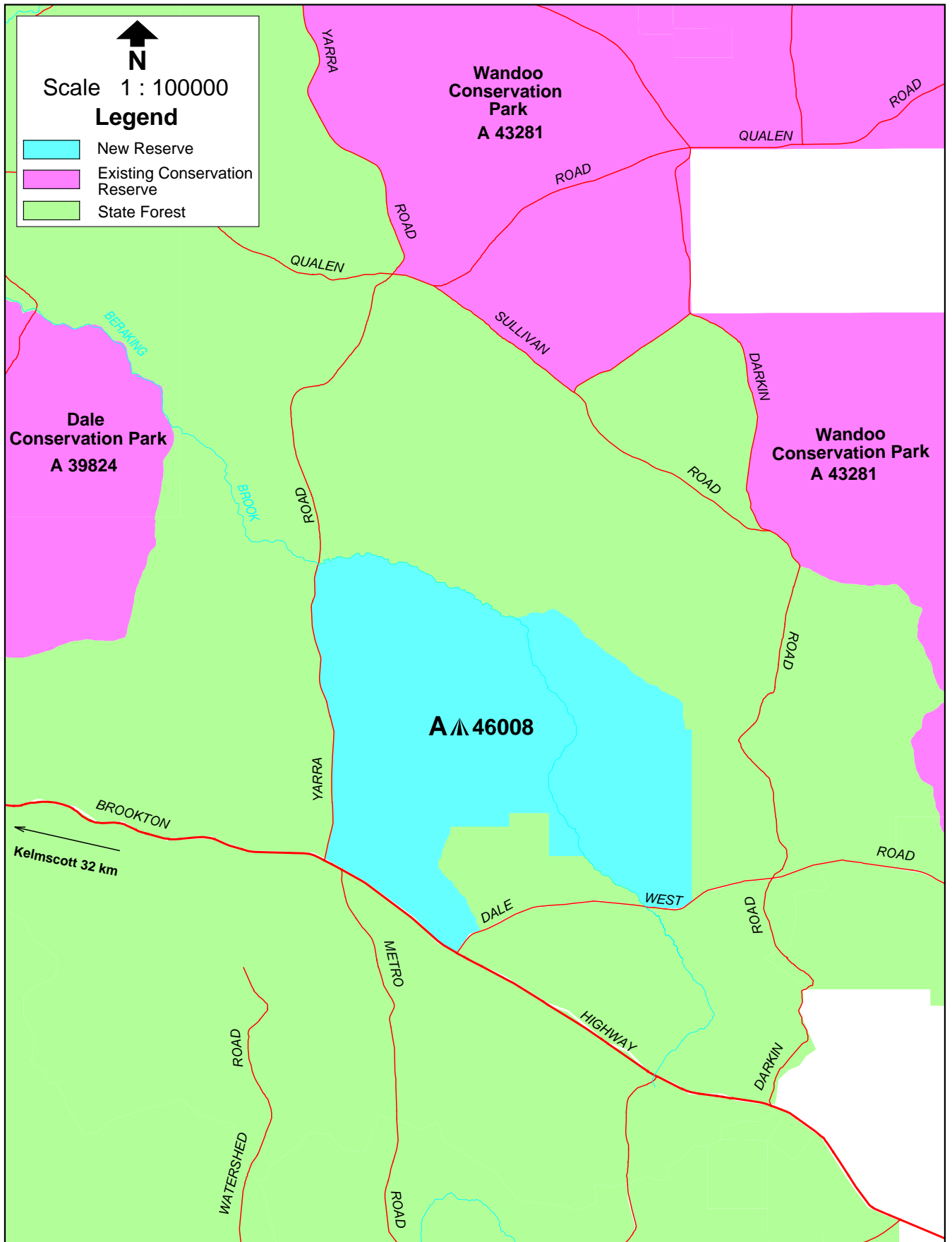
This clause provides for the creation of a new class A conservation park, provisionally named Russell Conservation Park, situated approximately 45 kilometres west of Beverley on the Brookton Highway and comprising an area of about 3,358 hectares.

To that end, this clause provides (1) for the excision of about 3,358 hectares from a State forest and a Crown reserve for the purpose of reservoirs, aqueducts, water courses and catchment area that is classified as other than class A. The new conservation park will comprise this area, described in (2) as the land in Avon Locations 29445 as shown bordered green on Miscellaneous Plan 20625.

This conservation park was proposed in the Department of Conservation and Land Management's *Northern Forest Region Regional Management Plan 1987* to comprise part of larger proposal for Wandoo conservation park. This proposal was carried forward in the approved *Forest Management Plan 1994-2003* and decreased in size when part of the area was not retained in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). Subsequent minor boundary changes have been made and the modified proposal has been included in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

**CREATION OF CLASS 'A' RESERVE No. 46008 (Conservation Park) BY EXCISION
OF PART STATE FOREST No. 13 (BEING ALSO PART RESERVE No. 6203)**



Part 4 – Nature reserves

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

This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named Chester Nature Reserve, situated approximately 22 kilometres north-east of Augusta and comprising an area of about 372 hectares.

To that end, this clause provides (1) for the excision of an area of about 366.4 hectares from a State forest; and (2) and (3) for the closure of a portion of unnamed road and the cessation of rights of way over that portion of road. The new reserve will comprise these areas, described in (4) as the land in Sussex Location 5306 as shown bordered green on Miscellaneous Plan 20614 on the day this Act receives the Royal Assent.

This reserve was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 45923 (Conservation of Flora and Fauna) BY EXCISION OF PART STATE FOREST No. 63 AND INCLUSION OF PORTION OF UNNAMED ROAD



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

This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named Pagett Nature Reserve, situated approximately 20 kilometres north-east of Augusta and comprising an area of about 1,400 hectares.

To that end, this clause provides (1) for the excision of an area of about 1,389.7 hectares from a State forest; and (2) and (3) for the closure of a portion of unnamed road and the cessation of rights of way over that portion of road. The new reserve will comprise these areas, described in (4) as the land in Sussex Location 5305 as shown bordered green on Miscellaneous Plan 20617 on the day this Act receives the Royal Assent.

This reserve was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 45922 (Conservation of Flora and Fauna) BY EXCISION OF PART STATE FOREST No. 63 AND INCLUSION OF PORTION OF UNNAMED ROAD



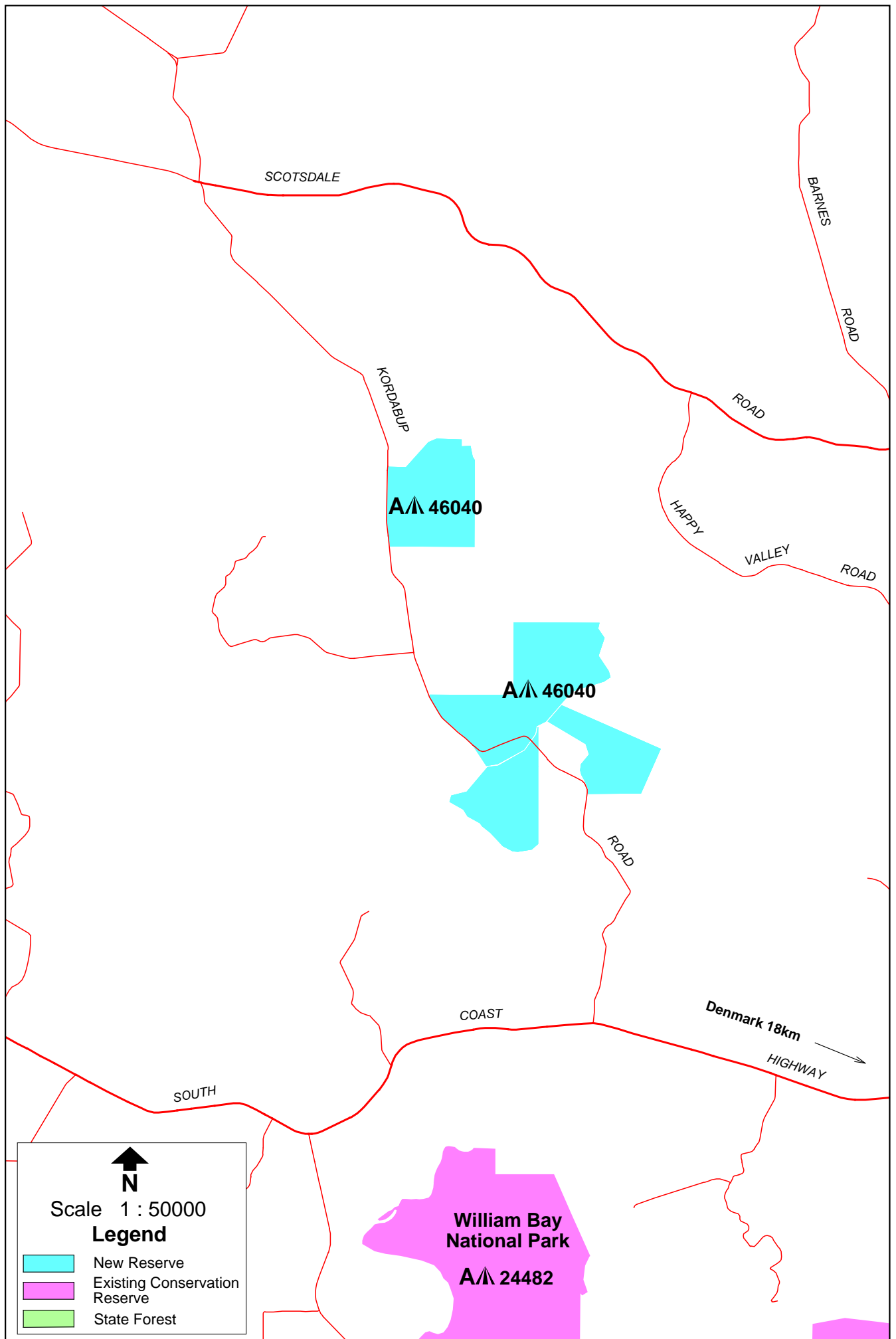
Clause 27. Class A reserve No. 46040 in the Shire of Denmark

This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named Kordabup Nature Reserve, situated approximately 18 kilometres west of Denmark and comprising an area of 302.4587 hectares.

To that end, this clause provides (1) for the cancellation of a timber reserve comprising an area of 220.0098 hectares that was created under the *Conservation and Land Management Act 1984*. This area, together with an area of 82.4489 hectares of unallocated Crown land, will comprise the new reserve, described in (2) as the land in Plantagenet Locations 4251, 4297, 7496 and 7497 as shown bordered green on Miscellaneous Plan 20630 on the day this Act receives the Royal Assent.

This reserve was proposed in the Department of Conservation and Land Management's *Southern Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 46040 (Conservation of Flora and Fauna) BY INCLUSION OF FORMER TIMBER RESERVE No. 214/25 AND UNALLOCATED CROWN LAND



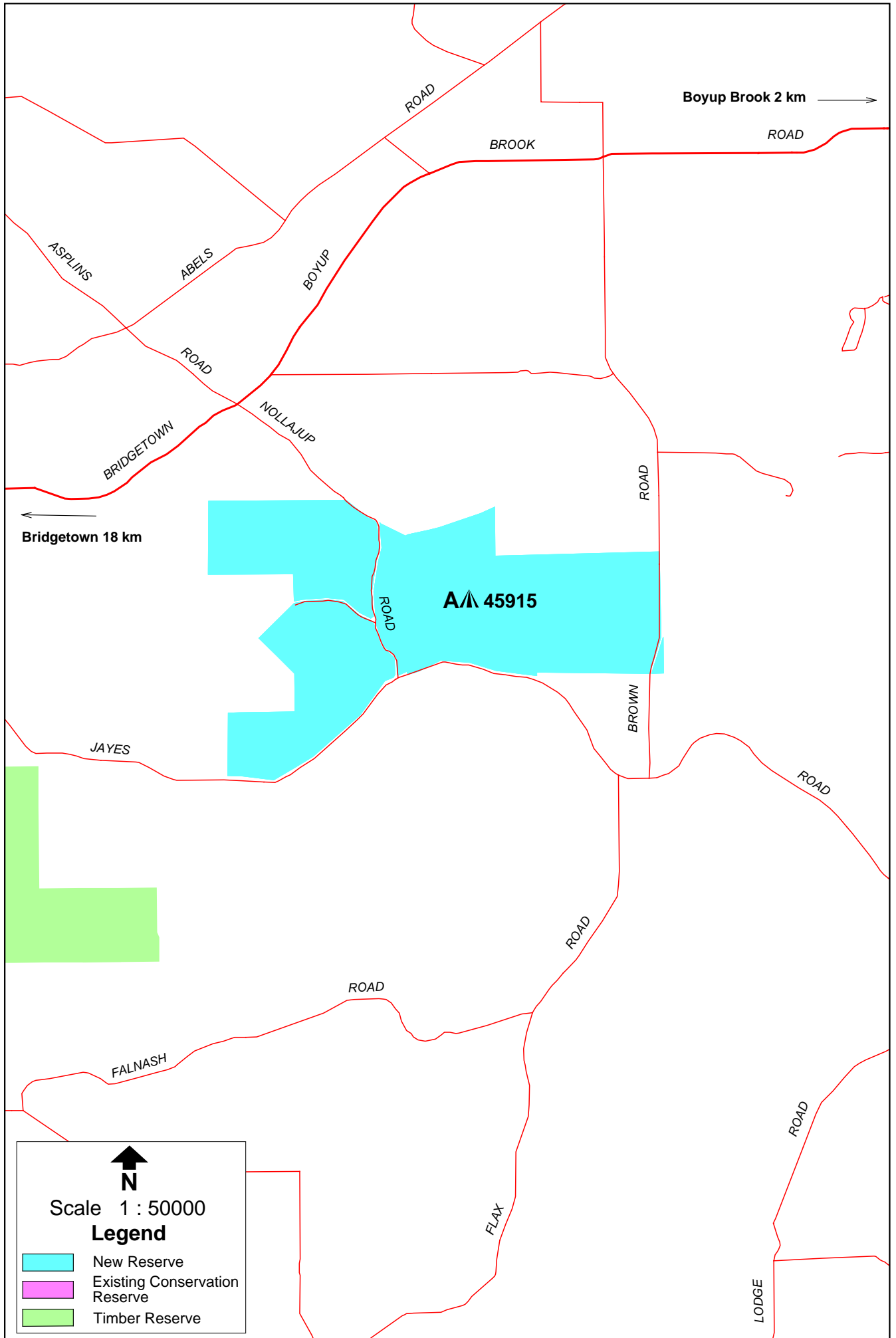
Clause 28. Class A reserve No. 45915 in the Shire of Boyup Brook

This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named Nollajup Nature Reserve, situated approximately six kilometres south-west of Boyup Brook and comprising an area of 662.7404 hectares.

To that end, this clause provides (1) for the excision of an area of 662.7404 hectares from a State forest. The new reserve will comprise this area, described in (2) as the land in Nelson Location 13270 as shown bordered green on Miscellaneous Plan 16489 on the day this Act receives the Royal Assent.

This reserve was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 45915 (Conservation of Flora and Fauna) BY EXCISION OF PART STATE FOREST No. 30



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

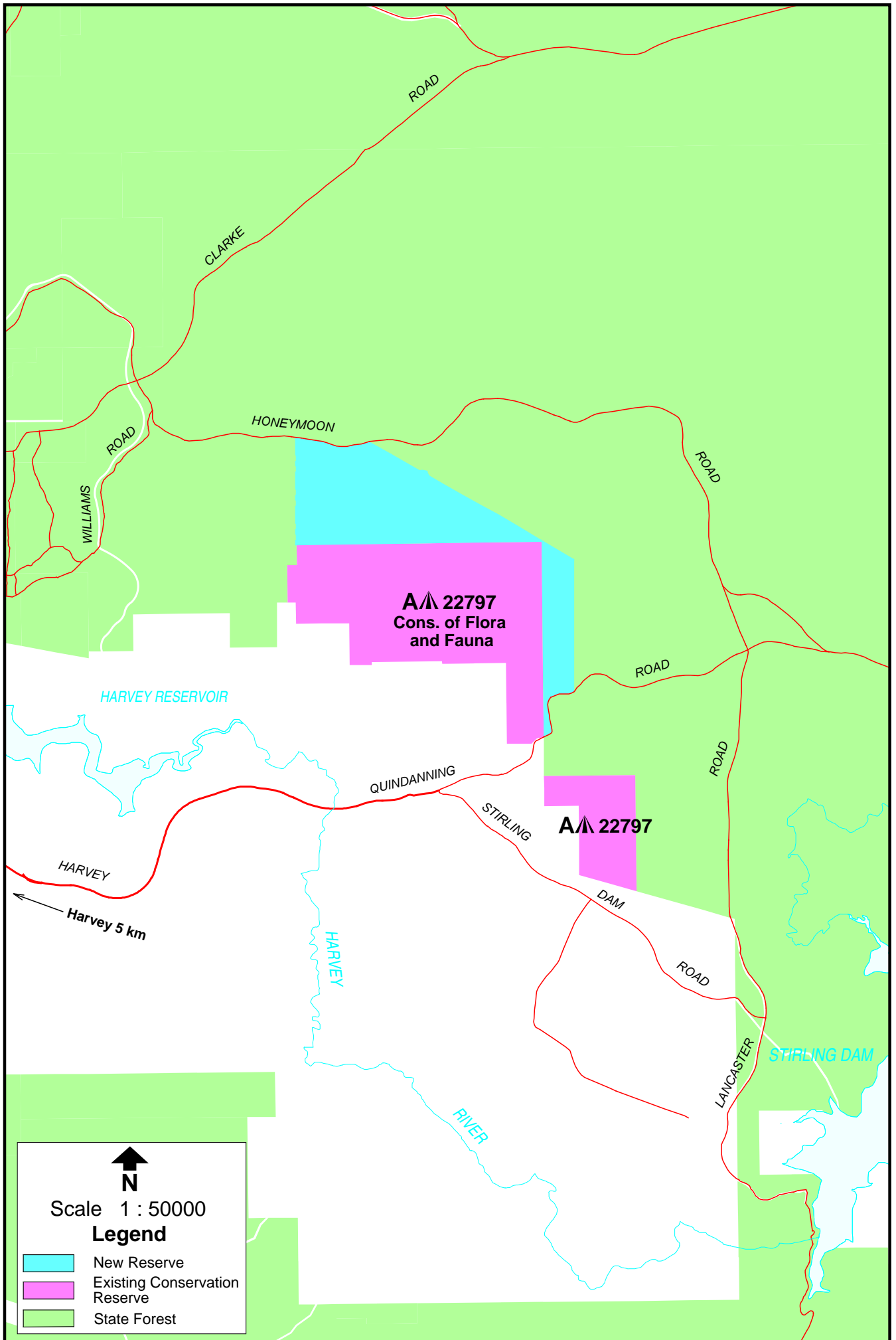
The existing class A reserve No. 22797, Falls Brook Nature Reserve, with a purpose of conservation of flora and fauna was created on 15 June 1973, is situated approximately nine kilometres east of Harvey, and comprises an area of about 374.3887 hectares. This clause provides for the addition to Falls Brook Nature Reserve of about 203.6 hectares adjacent to its current northern and eastern boundaries, so that the new total area of the reserve will comprise about 578 hectares.

To that end, this clause provides (1) for the excision an area of about 203.6 hectares from a State forest. The expanded class A reserve No. 22797, Falls Brook Nature Reserve, will comprise the area described in (2) as the land in Wellington Locations 5526 and 5998 as shown bordered green on Miscellaneous Plan 20619.

This addition to Falls Brook Nature Reserve was proposed in the approved *Forest Management Plan 1994-2003*. Part of the original proposal was not retained in *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The modified proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

AMENDMENT OF CLASS 'A' RESERVE No. 22797 (Conservation of Flora and Fauna) TO INCLUDE PART OF STATE FOREST No. 15



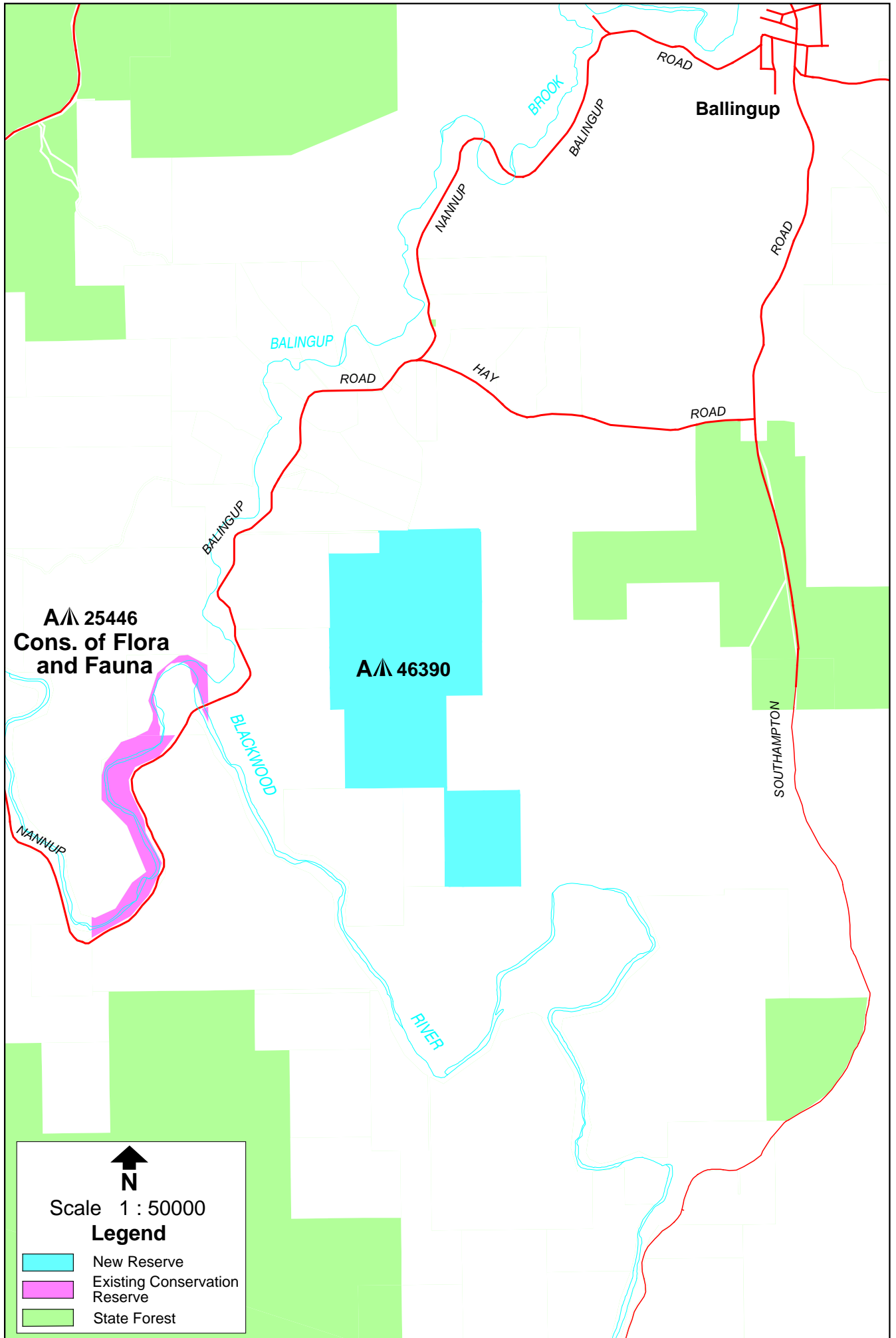
Clause 30. Class A reserve No. 46390 in the Shire of Donnybrook-Balingup

This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named Greenbushes Nature Reserve, situated approximately six kilometres south of Balingup and comprising an area of 399.4825 hectares.

To that end, this clause provides (1) for the excision of an area of 399.4825 hectares from a State forest. The new reserve will comprise this area, described in (2) as the land in Nelson Location 13683 as shown bordered green on Miscellaneous Plan 20647 on the day this Act receives the Royal Assent.

This reserve was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

CREATION OF CLASS 'A' RESERVE No. 46390 (Conservation of Flora and Fauna) BY EXCISION OF PART STATE FOREST No. 20



Clause 31. Class A reserve No. 46399 in the Shire of Donnybrook-Balingup

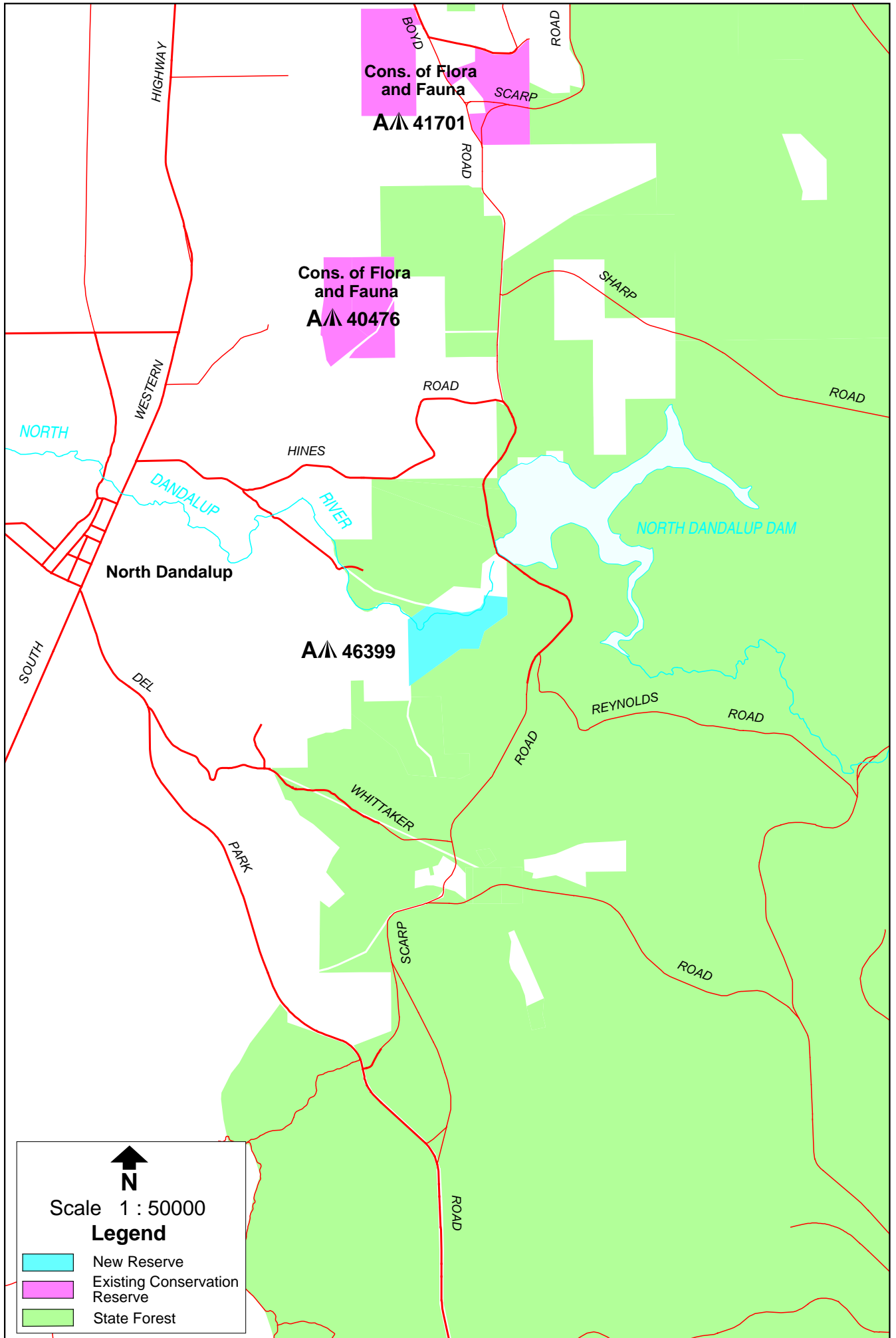
This clause provides for the creation of a new class A nature reserve for the purpose of conservation of flora and fauna, provisionally named North Dandalup Nature Reserve, situated approximately 17 kilometres north-east of Harvey and comprising an area of 44.417 hectares.

To that end, this clause provides (1) for the excision of an area of 44.417 hectares from an unmanaged Crown reserve for the purpose of parklands and recreation that is classified as other than class A. The new reserve will comprise this area, described in (2) as the land in Murray Location 2261 as shown bordered green on Miscellaneous Plan 20642.

This reserve was proposed in the Department of Conservation and Land Management's *Central Forest Region Regional Management Plan 1987*, was carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposal has been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

CREATION OF CLASS 'A' RESERVE No. 46399 (Conservation of Flora and Fauna) BY EXCISION OF PART RESERVE No. 21038



Part 5 – Lane Poole Reserve

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

The existing class A reserve No. 39827, Lane Poole Reserve, with a purpose of recreation and enjoyment of the natural environment and the agreement as defined in the *Alumina Refinery Agreement Act 1961* section 2 was created on 6 February 1987, and is one of six Crown reserves that collectively comprise Lane Poole Reserve. Class A reserve No. 39827 is situated approximately six kilometres south of Dwellingup and extends southerly for about 34 kilometres, generally straddling the Murray River. It comprises an area of about 12,353 hectares. This clause provides for the addition to class A reserve No. 39827 of two areas, one of which currently comprises a class A Crown reserve, and a second which was formerly freehold land held in the name of the Executive Director of the Department of Conservation and Land Management and is now unallocated Crown land, along with a redescription of the area of class A reserve No. 39827, resulting in a net increase of 567 hectares to this reserve, so that the new total area of the reserve will comprise about 12,920 hectares.

To that end, this clause provides (1) for the cancellation of a class A reserve which is managed by the Executive Director of the Department of Conservation and Land Management for the purpose of recreation and parklands; (2) and (3) for the closure of a portion of a road and the cessation of rights of way over that portion of road; and (4) for the addition to class A reserve 39827 of the cancelled reserve and portion of road, together with about 192 hectares of unallocated Crown land and the redescription of the land comprising the reserve. The expanded class A reserve No. 39827, Lane Poole Reserve, will comprise the area described in (4) as the land in Murray Location 2201 and Wellington Location 5962 as shown bordered green on Miscellaneous Plan 20337.

The additions to class A reserve No. 39827 were proposed in the *Central Forest Region Regional Management Plan 1987* and carried forward in the approved *Forest Management Plan 1994-2003* and remained unchanged in the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (May 1999). The proposals have been carried forward in the approved *Forest Management Plan 2004-2013*.

This Act honours a previous understanding that those Forest Management Plan proposals which fall within the Alcoa and Worsley Alumina State Agreement Act mining leases will not be created until issues related to the listing of areas on the Australian Heritage Commission Register of the National Estate that were not supported for reservation under the Regional Forest Agreement are removed from the Register. The Act allows for these reserves to be created by a date set by proclamation. Accordingly, this clause will come into operation on a day to be fixed by proclamation.

**AMENDMENT OF CLASS 'A' RESERVE No. 39827 (Recreation and Parklands)
TO INCLUDE FORMER RESERVE No. 5102, UNALLOCATED
CROWN LAND AND PORTION ROAD NUMBER 1909**

