

RESERVE ACTION SHEET - CONSERVATION RESERVES

RESERVE No. **18987**

REASON FOR ACTION

- Amendment of class "A" Porongurup National Park, vested in the NPNCA for the purpose of "National Park". Area: 2620.9620 ha (which appears to be in error - see fax to DOLA at page 289)
- Reserve amended (through Reserves Bill action) by the inclusion of closed road reserve and dedication of constructed road as surveyed (Bolganup Road), resurvey of enclaved unvested Reserve 24151, and the addition of five pieces of land, (see Reserves Bill briefing notes at pages 285 and 286 for details), resulting in a net increase of about 110 ha.
- Gazettal date: 9 - 12 - 1997 See folios 287 and 288 and Reserves Bill briefing notes at pages 284 - 286
- Plans at folios 281, 282, 283, 290 and 291

	OFFICER	ACTION
1	RESERVES <i>SC</i>	- Fill in above details _____ - Attach copies of gazettal notices to file _____
2	INDEX CLERK, RECORDS	- Index reserve's name _____ - Index reserve's number _____
3	RESERVES CLERK <i>SC</i>	Send copies of gazettal notices and Map to: - Clerk, Woodvale _____ - District Manager, _____ - Regional Manager, Sth Coast _____ ✓
4	CONSERVATION ESTATE OFFICER	To note: <i>Sharon Colliss. 16.2.98</i>
5	LAND ACQUISITIONS OFFICER	To note:
6	MANAGER, PLANNING & VISITOR SERVICES	To note:
7	DIRECTOR, NATURE CONSERVATION/ NATIONAL PARKS	To note:

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

DIVISION OF PARKS, RECREATION, PLANNING AND TOURISM
50 Hayman Road, Como 6152

Telephone No: (08) 9334 0220
Facsimile No: (08) 9334 0253

FAXED
8.1.98

FACSIMILE TRANSMISSION

To:	Trevor Thomson
Location:	Acquisitions, Roads and Reserves, DOLA, Midland
Subject:	Reserves Bill Action To Porongurup National Park
From:	Sharon Colliss A/ Conservation Estate Officer
Date:	8 January 1998
Pages including this one:	1

Trevor,

I refer to our telephone conversation of this morning in regard to the amended area of "A" Class Reserve 18987, as published in the Government Gazette on 9 December 1997.

I believe that the portions of Bolganup Road which were closed, (described as being shown on Diagrams 2871 and 2872 and comprising about 2.8859 ha), have not been added to the amended total of the reserve, based on the following calculations:

Area of reserve prior to these latest amendments and as Gazetted 13 July 1984 was 2511.1976 ha

Additions as per latest actions are	Plantagenet Location 7570	78.7265 ha
	Plantagenet Location 7905	16.1975 ha
	Plantagenet Location 5356	2.3674 ha
	Plantagenet Location 7569	10.1003 ha
	Plantagenet Location 7904	2.3727 ha

which totals to the gazetted amended area of 2620.9620 ha

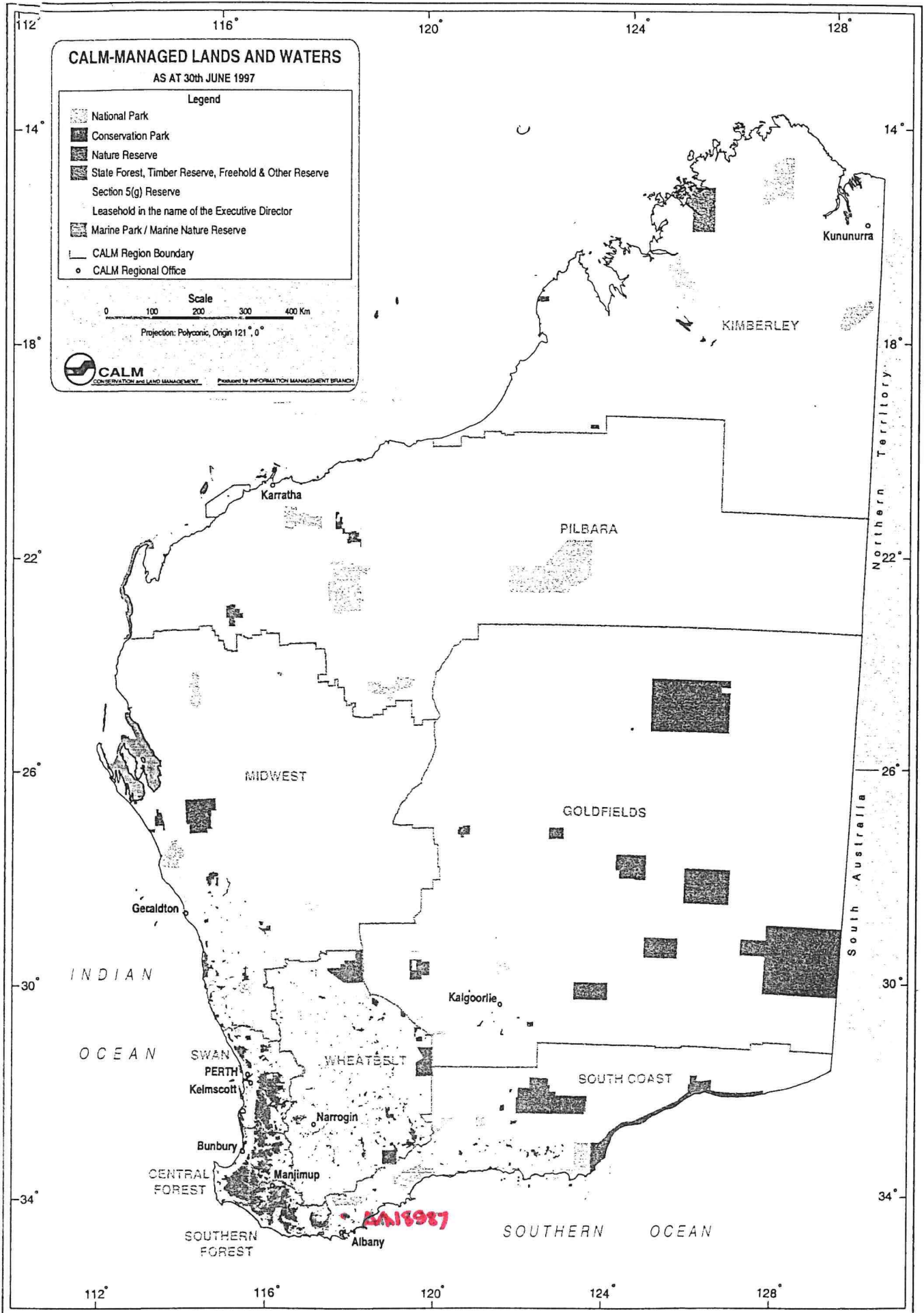
The calculation does not appear to allow for the addition to the reserve of the portions of closed road on Diagrams 2871 and 2872 and these diagrams are not listed in the description of the amended reserve at sub-section e) (i) and (ii).

Would you please advise whether the land on Diagrams 2871 and 2872 is an addition to the reserve, and if so, which location(s) they have been included in.

Regards,

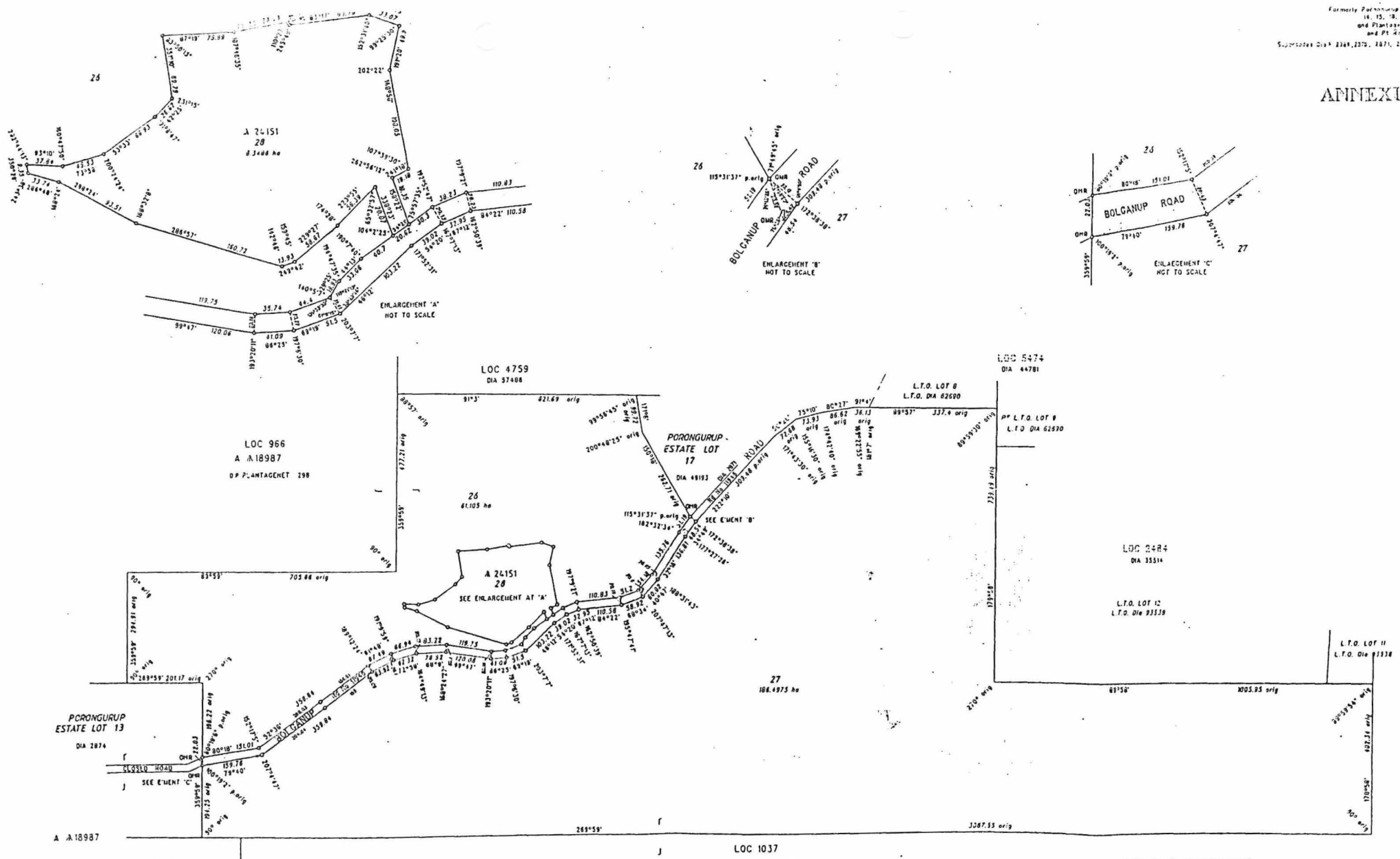
Sharon

1. CIS Phase B/Up to Cons Estate



2013987

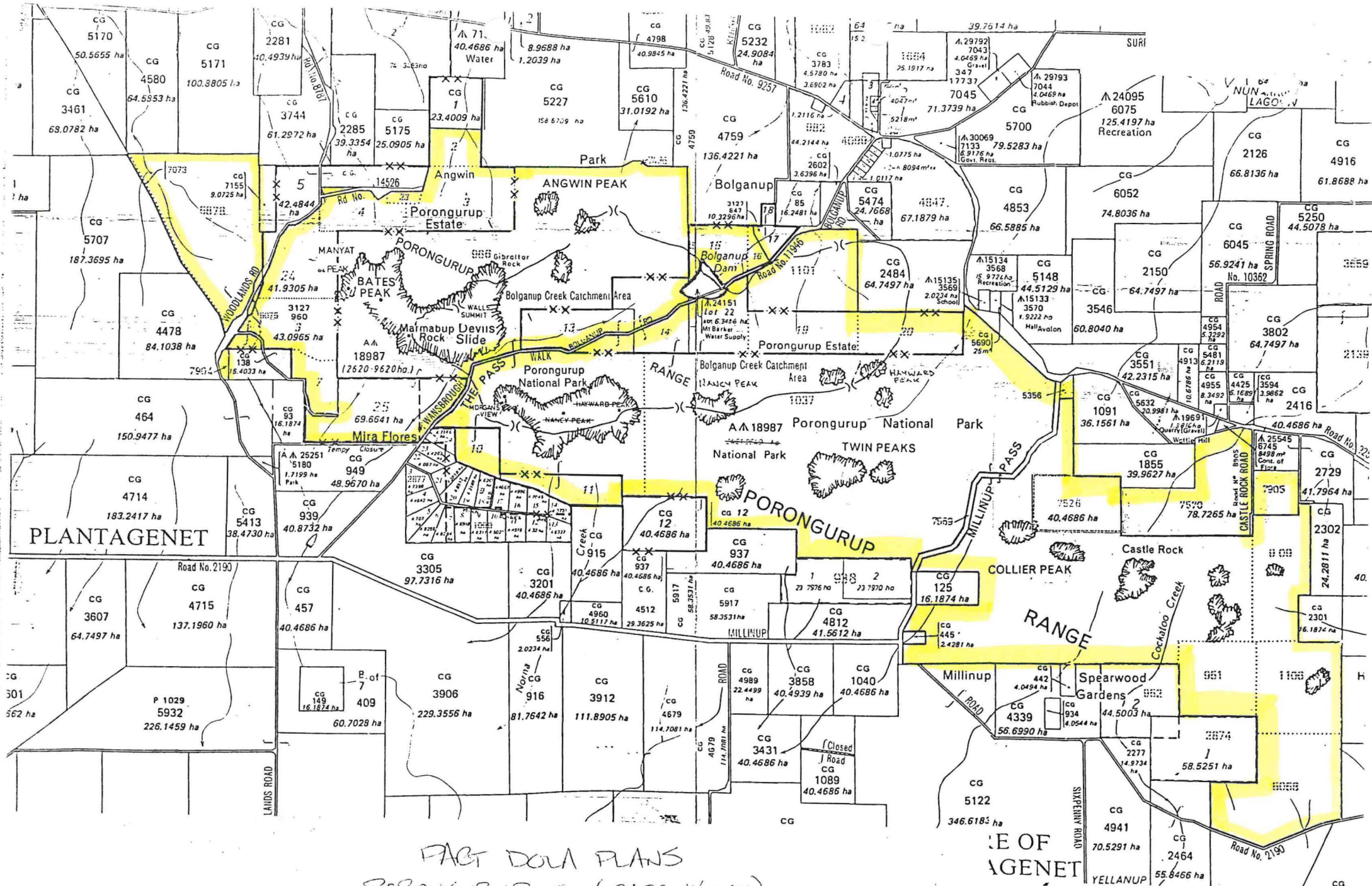
ANNEXURE 2



HARLEY, HEDDERICK & DEBBER PTY LTD
 CONSULTING LICENSED SURVEYORS
 118 SERPENTINE ROAD, ALBANY
 PHONE (08) 9841 7333 ACN 009 191 708
 ALL 30 AT GOVERNMENT AND DISTRICT OFFICE

LAND DISTRICT PLANTAGENET		PORONGURUP ESTATE LOTS 26 - 28 (INCL) AND ROAD	
SURVEYOR'S CERTIFICATE			
I, the undersigned, being a duly qualified and licensed Surveyor of the Province of Western Australia, do hereby certify that the above is a true and correct copy of the original plan as shown to me by the applicant, and that the same is in accordance with the provisions of the Land Administration Act, 1934, and the Land Administration Regulations, 1935, and that the same is in accordance with the provisions of the Land Administration Act, 1934, and the Land Administration Regulations, 1935, and that the same is in accordance with the provisions of the Land Administration Act, 1934, and the Land Administration Regulations, 1935.			
Prepared by James A. Gilmore 22 JULY 1993	Date 22 JULY 1993	Scale 1:5000	File 2808/954
Type of Valuation For Sale	Date 22 JULY 1993	Field Book Page 18 of 20	Recorder FORONGURUP EE 1031 FORONGURUP 26 1230 FORONGURUP 27 1230
PLAN CERTIFIED CORRECT		Local Authority PLANTAGENET	Department of Land Administration PLAN 10581

10719 AC1 PARTSHIP (08) 9841 7333



PART DOLA PLANS
 PORONGURUP SW (2428-IV-SW)
 PORONGURUP SE (2428-I-SE)
 Scale 1:25,000

* REDUCED SCALE PLAN

Public Plan/s: BG34 (1) 28.48. Plain and Wickham Streets

Local Authority: City of Perth.

DOLA File: 02482-1995-01RO.

Reserve No 45145 comprising Gnowangerup Lots 412 and 413 with an area of 4304 square metres on Land Administration Diagram 93283 for the designated purpose of "Recreation and Public Utilities Services"

Public Plan/s: BK29 (2) 18.04. Porteous Street

Local Authority: Shire of Gnowangerup.

DOLA File: 01496-1997-01RO.

Reserve No 45147 comprising Northam Lot 436 with an area of 3569 square metres on Land Administration Diagram 93035 for the designated purpose of "Health (Hospital and Ancillary Purposes)"

Public Plan/s: BH35 (2) 21.18. Chidlow Street

Local Authority: Town of Northam.

DOLA File: 02403-1997-01RO.

Reserve No 45148 comprising Northam Lot 444 with an area of 1333 square metres on Land Administration Diagram 93035 for the designated purpose of "Health (Staff Housing)"

Public Plan/s: BH35 (2) 21.18. Gairdner Street

Local Authority: Town of Northam.

DOLA File: 01300-1997-01RO.

Reserve No 45151 comprising Seabird Lot 47 with an area of 6867 square metres on Land Administration Plan 11213 for the designated purpose of "Park"

Public Plan/s: BF36 (2) 28.19. Chalon Avenue and McCormick Street

Local Authority: Shire of Gingin.

A. A. SKINNER, Chief Executive.

LA702*

RESERVES ACT 1997

(No.38 of 1997)

DOLA File: 00055-1997-01RO

It is hereby notified for public information, that as of 19 November 1997, the following actions were assented to and enacted.

1. Class A Reserve 2682 (Albany Lot 1373) "Public Park" is amended by excising that portion now described as Lot 1449 as surveyed on Land Administration Diagram 92968, and of its area being reduced to 114.8927 hectares accordingly.

DOLA File: 03857-1894-03RO

Public Plan: BK26 (2) 11.04

Local Authority: Town of Albany

2. The purpose of Class A Reserve 12397 (Avon Location 28942) is changed from "Water" to "Conservation of Flora and Fauna, and Water".

DOLA File: 00079-1906-03RO

Public Plan: Mears (25) NW

Local Authority: Shire of Brookton

3. a) The section of road described below is closed and all rights of way have ceased.

All that portion of Bolganup Road (Road No 11946) as surveyed and shown on Diagrams 2871 and 2872, comprising 2.8859 hectares or thereabouts, starting from the prolongation south-easterly of the eastern boundary of the northern severance of Porongurup Estate Lot 13 and extending generally north-easterly through Lots 14 and 15 of that Estate and north-easterly along the boundary of Lot 16 of that Estate to the prolongation south-easterly of the southernmost south-western boundary of Lot 17 of that Estate.

DOLA File: 02808-1954-01RO

Public Plan: Porongurup (25) SE & SW

Local Authority: Shire of Plantagenet

b) Class C Reserve 17644 (Plantagenet Location 5356) "Quarry (Gravel)" is cancelled.

DOLA File: 07467-1920-01RO

Public Plan: Porongurup (25) SE

Local Authority: Shire of Plantagenet

c) Plantagenet Location 142, held in Certificate of Title Volume 1783 Folio 407, is revested in Her Majesty as of Her former estate and removed from the operation of the Transfer of Land Act 1893 (re-described as Plantagenet Location 7905).

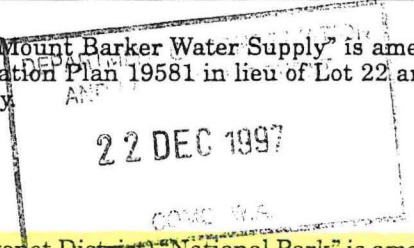
DOLA File: 08711-1912-04RO

- d) Class C Reserve 24151 (at Porongurup Estate) "Mount Barker Water Supply" is amended to comprise Lot 28 as surveyed on Land Administration Plan 19581 in lieu of Lot 22 and of its area being reduced to 6.3486 hectares accordingly.

DOLA File: 02808-1954-01RO

Public Plan: Porongurup (25) SE & SW

Local Authority: Shire of Plantagenet



- e) Class A 18987 (at Porongurup Estate and Plantagenet District) "National Park" is amended to comprise—

- i) Plantagenet Locations 909, 951, 966, 1036, 1037, 1106, 5058, 5075, 5356, 5878, 7073, 7436, 7526, 7569, 7570, 7904 and 7905 on Diagram 2959, Diagram 3671, Plan Plantagenet 298, Diagram 7448, Diagram A1889, Diagram 49189, Reserve Diagram 1450, Plan 8077, Diagram 80864, Diagram 45/73, Diagram 2957, Diagram 3397 and Plan Plantagenet 99, and

- ii) Porongurup Estate Lots 2, 3, 4, 6, 7, 10, 11, 13, 23, 24, 25, 26 and 27 as shown on Diagrams 49187, 49188, 2865, 49189, 2864, 2873, 2962, 2874, 74806, 67297, 43035 and Plan 19581 and of its area being established at 2,620.9620 hectares accordingly.

DOLA File: 08711-1912-04RO

Public Plan: Porongurup (25) SE & SW

Local Authority: Shire of Plantagenet

- 4. Class A Reserve 9337 (Swan District) is amended—

- i) to comprise Location 12734 on Land Administration Plan 19514 in lieu of location 11286 and of its area being reduced to 4.412 hectares, and
- ii) by its purpose being changed from "Recreation" to "Recreation and Occasional Vehicle Parking".

DOLA File: 11699-1902-04RO

Public Plan: BG34 (2) 11.25, 11.26, 12.25 & 12.26

Local Authority: City of Subiaco

- 5. i) Lot 235 on Office of Titles Plan 20781, held in Certificate of Title Volume 2045 Folio 975, is revested in Her Majesty as of Her former estate and removed from the operation of the Transfer of Land Act 1893 (redescribed as Avon Location 29168).

DOLA File: 01061-1921-02RO

- ii) Class A Reserve 21429 (Avon Location 22049) "Conservation of Flora and Fauna" is amended to include Location 29168, formerly Lot 235 on Office of Titles Plan 20781, and of its area being increased to 254.2034 hectares accordingly.

DOLA File: 01061-1921-02RO

Public Plan: BG35 (5) 02.14

Local Authority: Shire of Toodyay

- 6. Class A Reserve 27575 (Swan Locations 3321, 3323, 6270 and 10313) "National Park" is amended by the excision of that portion now described as Location 12520 as surveyed on Land Administration Diagram 92531 and of its area being reduced to about 1,059.8484 hectares accordingly.

DOLA File: 02103-1963-04RO & 00445-1996-01RO

Public Plan: BG35 (2) 6.11 & (10) 2.3

Local Authority: City of Wanneroo.

A. A. SKINNER, Chief Executive.

LA703*

**CONSERVATION AND LAND MANAGEMENT ACT 1984
RESERVATION OF STATE FOREST ORDER**

Made by the Governor under Section 8.

DOLA Files: 00724-1929-03RO, 00832-1961-01RO; CALM File: 011672F3001

It is directed that the areas described in the schedules be dedicated as additions to State Forest No. 41 and 55, respectively.

SCHEDULE

- 1. The whole of the unnamed road (20.12 metres wide) as surveyed and shown on Land Administration Plan Bridgetown 481, starting from a northwestern side of South Western Highway and extending generally westerly through State Forest No. 41 to its terminus at the northwestern corner of former Nelson Location 7194.

Area: 9.3147 hectares

CLAUSE 7

15 **Closure of road, and reserves Nos. 17644, 24151 and 18987
in the Shire of Plantagenet**

7. (1) All that portion of Bolganup Road (Road No. 11946) as surveyed and shown on Diagrams 2871 and 2872, comprising 2.885 9 hectares or thereabouts, starting from the prolongation southerly of the eastern boundary of the northern severance of Porongurup Estate Lot 13 and extending generally northeasterly through Lots 14 and 15 of that Estate and northeasterly along the boundary of Lot 16 of that Estate to the prolongation southeasterly of the southernmost southwestern boundary of Lot 17 of that Estate, is closed and all rights of way over that portion cease.

(2) The land contained in the portion of Bolganup Road closed under subsection (1) is constituted Crown land within the meaning of that expression in the *Land Act 1933*.

(3) Reserve No. 17644, classified as of Class C, comprising 2.367 4 hectares set apart for "Quarry (gravel)", as described as Plantagenet Location 5356 and shown on Reserve Diagram 1450, is cancelled.

5 (4) The 16.197 5 hectares of land comprising Plantagenet Location 142, referred to in Certificate of Title Volume 1783 Folio 407, are —

(a) vested in Her Majesty as of Her former estate;

10 (b) removed from the operation of the *Transfer of Land Act 1893*; and

(c) constituted Crown land within the meaning of that expression in the *Land Act 1933*.

15 (5) Reserve No. 24151, classified as of Class C, comprising 6.475 0 hectares set apart for "Mount Barker Water Supply" and described as Porongurup Estate Lot 22, is amended by redescribing the reserve as Porongurup Estate Lot 28, as surveyed and shown bordered red on Plan 19581, so that the reserve comprises 6.348 6 hectares.

20 (6) Reserve No. 18987, classified as of Class A, comprising 2 511.197 6 hectares set apart for "National Park" and vested in the Authority, is amended by redescribing the reserve as —

25 (a) Plantagenet Locations 909, 951, 966, 1036, 1037, 1106, 5058, 5075, 5356, 5878, 7073, 7436, 7526, 7569, 7570, 7904 and 7905, as shown on Diagram 2959, Diagram 3671, Plan Plantagenet 298, Diagram 7448, Diagram A1889, Diagram 49189, Reserve Diagram 1450, Plan 8077, Diagram 80864, Diagram 45/73, Diagram 2957, Diagram 3397 and Plan Plantagenet 99; and

30 (b) Porongurup Estate Lots 2, 3, 4, 6, 7, 10, 11, 13, 23, 24, 25, 26 and 27, as shown on Diagrams 49187, 49188, 2865, 49189, 2864, 2873, 2962, 2874, 74806, 67297 and 43035 and Plan 19581,

so that the reserve comprises 2 620.962 0 hectares.

CLAUSE 7

Reserve 18987 was set aside for the purpose of "National Park" and proclaimed Class "A" in September 1925. It presently contains an area of 2511.1976 hectares and is under the control of the National Parks and Nature Conservation Authority. The reserve is known as the Porongurup National Park.

Via the Reserves Act, Number 72 of 1954, Reserve 18987 was reduced by the excision of an area of approximately 16 acres (6.4750 hectares) with the intent that this area was to be set aside for the purpose of the Mount Barker Water Supply (Bolganup Creek Lower Damsite). Reserve 24151 was created for this purpose in April 1955. In 1957 a dam was constructed on the reserve which is an enclave within the National Park.

The Water Corporation has now advised that this dam does not meet modern safety criteria and that as the dam is still required, it will need to be upgraded. This upgrade will include placing of additional fill on the face and toe of the dam to increase the wall stability and the construction of a new spillway with increased capacity. Site survey has been carried out to ensure all existing infrastructure and the proposed modifications will be contained within Reserve 24151, and has established the area of the proposed amended Reserve at 6.3486 hectares.

The National Parks and Nature Conservation Authority supports this proposal and acknowledges the extent of clearing required, which includes approximately twelve mature karri trees at the toe of the dam, as extends approximately twenty metres downstream. //

Survey also revealed that portion of the Bolganup Road as constructed was not within the dedicated road reserve. Accordingly, it is intended to close, via this clause that portion shown coloured blue on Annexure 1, and include the redundant portions into the National Park.

The road surveyed as constructed, and shown coloured mid brown of Land Administration Plan 19581, Annexure 2 will automatically dedicate upon completion of proposed actions and certification of the Plan. This action will have minimal impact upon the area of the National Park.

It is also proposed to include five pieces of land, as summarised below and shown coloured dark red on (Annexure 3) into the National Park to rationalise the Park boundary and aid management.

- (i) Plantagenet Location 7570, previously fee simple land acquired by CALM in 1983, containing an area of 78.7265 hectares.
- (ii) Plantagenet Location 142 (to be redescribed as Location 7905), previously fee simple land acquired by CALM in 1987 containing an area of 16.1975.

- (iii) Plantagenet Location 5356, unvested "Quarry Gravel" Reserve 17644, containing an area of 2.3674 hectares.
- (iv) Plantagenet Location 7569, portion of closed road containing an area of 10.1003 hectares.
- (v) Plantagenet Location 7904, surplus vacant Crown land containing an area of 2.3727 hectares.

Historical this area, including the lands the subject of this clause was held privately in fee simple. It is considered that this previous tenure is inconsistent with the continued exercise of native title rights and interests. Accordingly, this matter can proceed without further reference to the provisions of the Native Title Act 1993.

As Reserve 18937 has Class "A" status it is necessary to obtain the approval of both Houses of Parliament to the amendment of the boundaries of the Reserve.

**Electoral District of Stirling
South-West Electoral Regional
Shire of Plantagenet**