

RESERVE ACTION SHEET: CONSERVATION RESERVES

RESERVE No. C39744

LOCAL GOVERNMENT: Shire of Carnamah

NAME : "Arro Lake Nature Reserve"

PURPOSE: Conservation of Flora and Fauna

VESTING: Conservation Commission of W.A.

ACTION

Before 31 January 2007, Reserve 39744 had an area of 2683.4980 ha. Its area has since been twice increased, by the addition of the lands in the table below.

DATE	LAND ADDED	AREA (ha)
31/1/07	Lot 1381 on Deposited Plan 251673	40.4920
22/1/08	Lot 308 on Deposited Plan 58744	1683.8542
TOTAL		1724.3462

Total Area of Reserve 39744: 4407.8442 ha

REASON FOR ACTION

Lot 1381 was bought to consolidate the boundaries of Reserve 39744 and to remove any freehold enclaves within the Reserve. Lot 380 (which comprised the former Reserve 971 and some unallocated Crown land) was added to Reserve 39744 to increase its size and link it and former Reserve 971, providing a compact, readily managed area, with a simple boundary. The new boundaries also incorporate Arro Lake in Reserve 39744 (see page 80).

Amendment Dates: 31/1/07 & 22/1/2008

Maps: pp. 93-95, 99-100 & 109-112

Customer advice: pp. 98 & 108

Proposal Summary: see p. 77

IUCN classification: 1a

Native Title: Lot 1381 previously freehold. The addition to Reserve 39744 of Lot 380 presumably qualified as a "pre-existing right-based act" under section 24IB of the Native Title Act (see pp. 72 & 92).

1	LAND SERVICES CO-ORDINATOR	To note	<i>SC</i>
2	LAND UNIT	Send copies of advice and maps to: <ul style="list-style-type: none"> • Lisa Wright (Woodvale) • District Manager • Regional Manager Attach TENIS gazettal history to file Add report to Conservation Commission summary	
3	SENIOR POLICY OFFICER, P.V.S.	To note re native title	
4	SENIOR POLICY OFFICER, CRAWLEY (for purchases)	To note	
5	DIRECTOR, NATURE CONSERVATION/ DIRECTOR, PARKS AND VISITOR SERVICES	To note	
6	C.I.S.	Please rename file/create new file	
	LAND UNIT	Delete from District Proposals spreadsheet	

Reserve Enquiry Detail [5100L]

Screen Friendly Print Page

Reserve 39744 Legal Area (ha) 4407.8442
 Name Status Current
 Type Current Purpose CONSERVATION OF FLORA AND FAUNA

Notes

File Number 2338/986

Additional Reserve Information RESERVE COMPRISES LOT 11569 ON DP21652 & LOT 1381 ON DP251673 & LOT 380 ON DP58774 (K483517)

Class	Responsible Agency	Date of Last Change
C	EXECUTIVE DIRECTOR OF THE DEPARTMENT OF CONSERVATION & LAND MANAGEMENT	07/03/2008

Management Orders	Document	Land Use	Local Government Authority
CONSERVATION COMMISSION OF WESTERN AUSTRALIA	K104217	CONSERVATION FAUNA PROTECTION OF FLORA	CARNAMAH, SHIRE OF THREE SPRINGS, SHIRE OF

Add Item	CLT Number	Parcel Identifier	Street Address	Suburb	File Number	PIN	Area (sqm)	Map \
<input type="checkbox"/>	LR3121-486	Lot 11569 On Plan 216525			02905-1981- 02RO.	946415	1.430331382E7	
<input type="checkbox"/>	LR3121-486	Lot 11569 On Plan 216525			02905-1981- 02RO.	946419	1.1635636124E7	
<input type="checkbox"/>	LR3121-486	Lot 11569 On Plan 216525			02905-1981- 02RO.	1083767	38692.982	
<input type="checkbox"/>	LR3121-486	Lot 11569 On Plan 216525			02905-1981- 02RO.	1083768	770927.286	
<input type="checkbox"/>	LR3141-914	Lot 1381 On Plan 251673			02338-1986- 02RO	720673	404922.675	
<input type="checkbox"/>	LR3152-222	Lot 380 On Plan 58774			02338-1986- 02RO	11716669	1.6838542E7	

Reserve Number 39744

Previous Certificates of Title	Historic Crown Allotments
LR3079-160 Cancelled	VICTORIA Location 11569

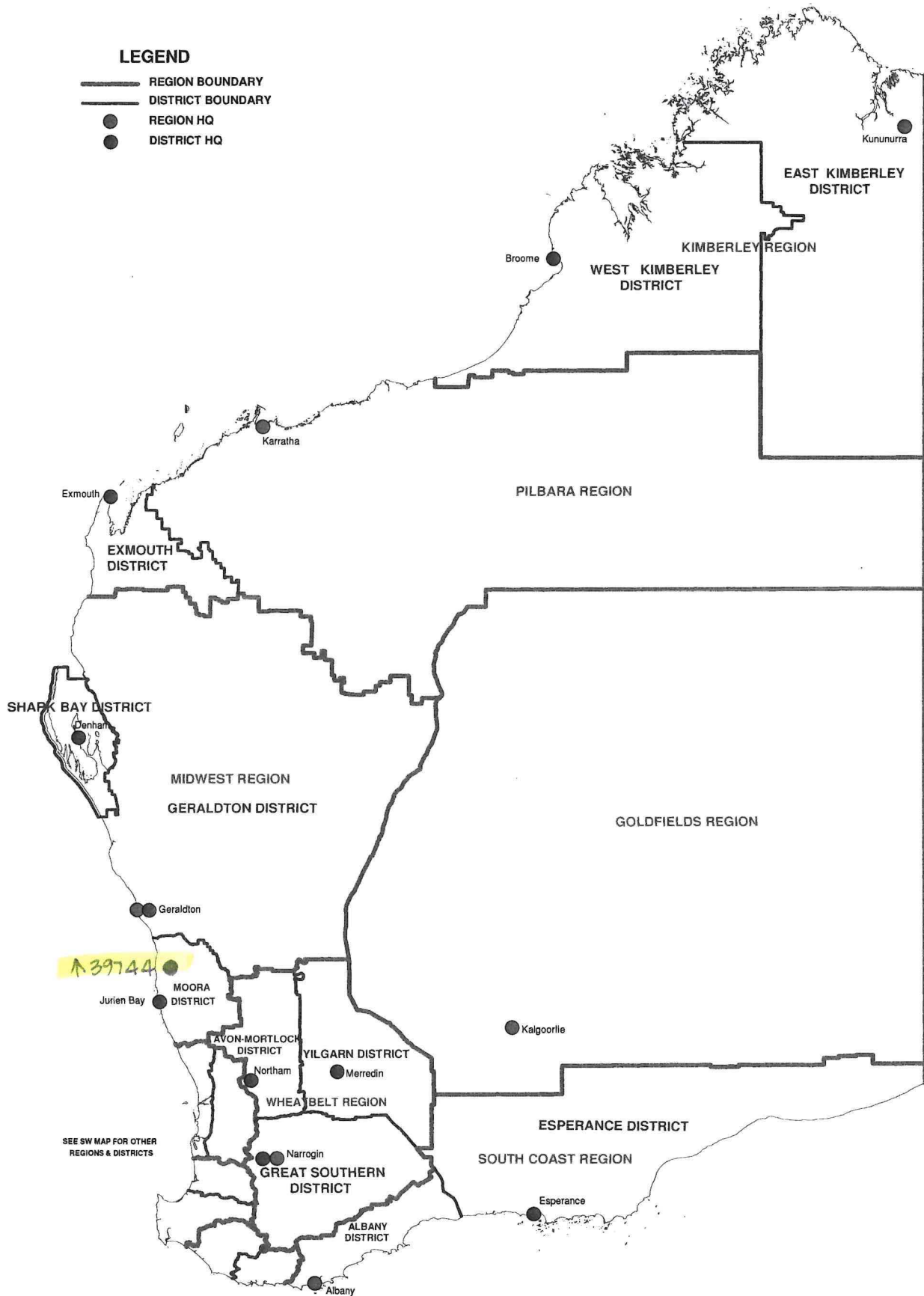
Gaz Page/Document	Date	Type	Text
K483517	22/01/2008	Current Area	4407.8442
K104217	28/02/2007	Current Vesting	MANAGEMENT ORDER CONSERVATION COMMISSION OF WESTERN AUSTRALIA
K73705	31/01/2007	Historical Area	2723.9900
K73706	31/01/2007	Vesting Revoked	REVOKED
	07/02/1995	Easement	EASEMENT NO. F799881 (EA247)
	20/06/1989	Public Plan	BEHARRA AND PT CLIFF 1:50000
507	24/02/1989	Historical Vesting	NATIONAL PARKS AND NATURE CONSERVATION AUTHORITY (SECTION 15 OF THE PETROLEUM ACT 1967)
530	24/02/1989	Class	C
530	24/02/1989	Current Purpose	CONSERVATION OF FLORA AND FAUNA

530	24/02/1989 Correspondence File Number	2338/986
530	24/02/1989 Historical Area	2683.4980
530	24/02/1989 Location	VICTORIA LOC 11569
530	24/02/1989 Original Gazettal and page	ORIGINAL GAZETTE
530	24/02/1989 Street Name	BRAND HIGHWAY (IN THE SHIRE OF CARNAMAH)
530	24/02/1989 Survey Number	OP:16525

This product is for information purposes only. A search of the original documentation is required for all legal purposes
Western Australian Land Information Authority (Landgate)

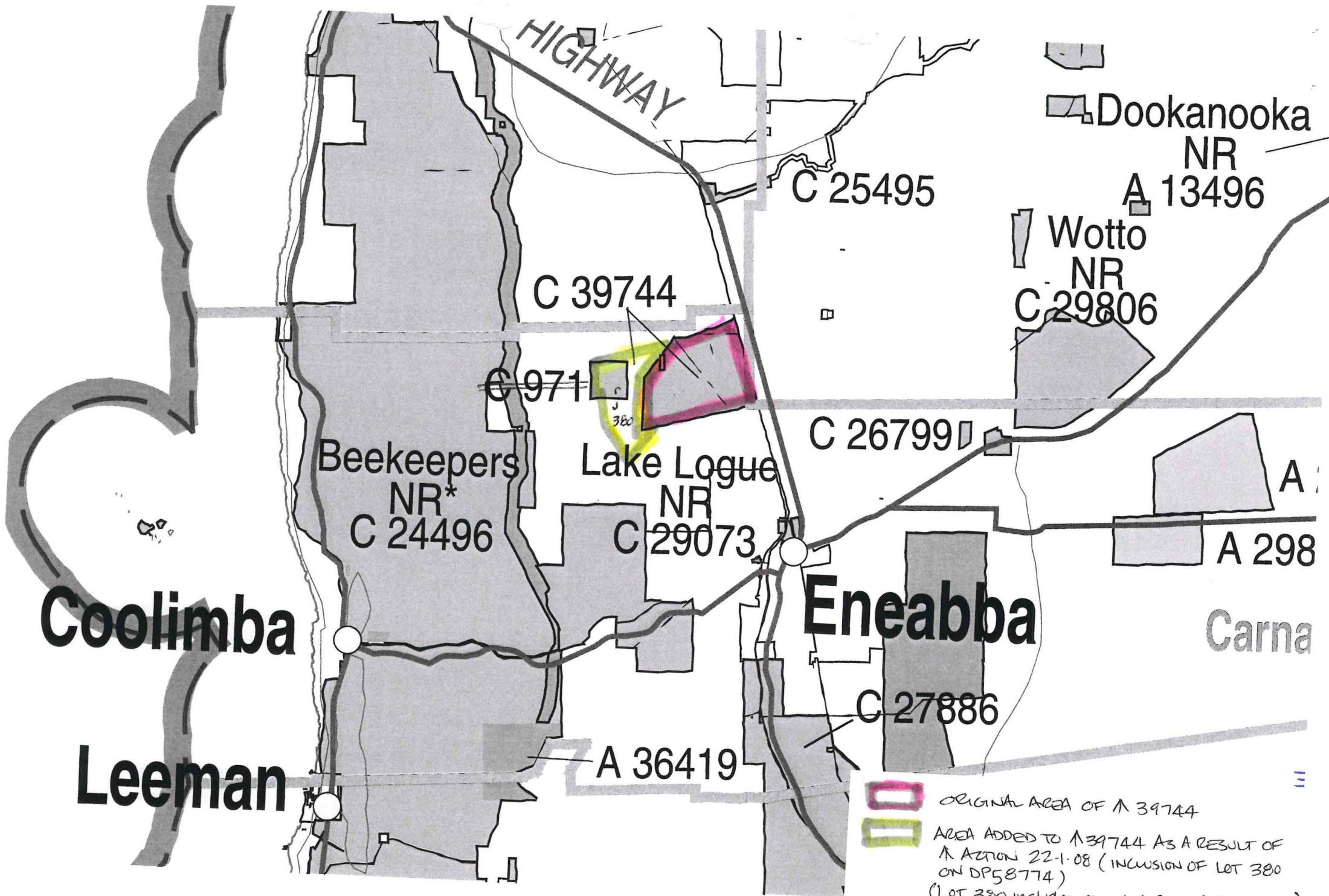
LEGEND



- REGION BOUNDARY
- DISTRICT BOUNDARY
- REGION HQ
- DISTRICT HQ



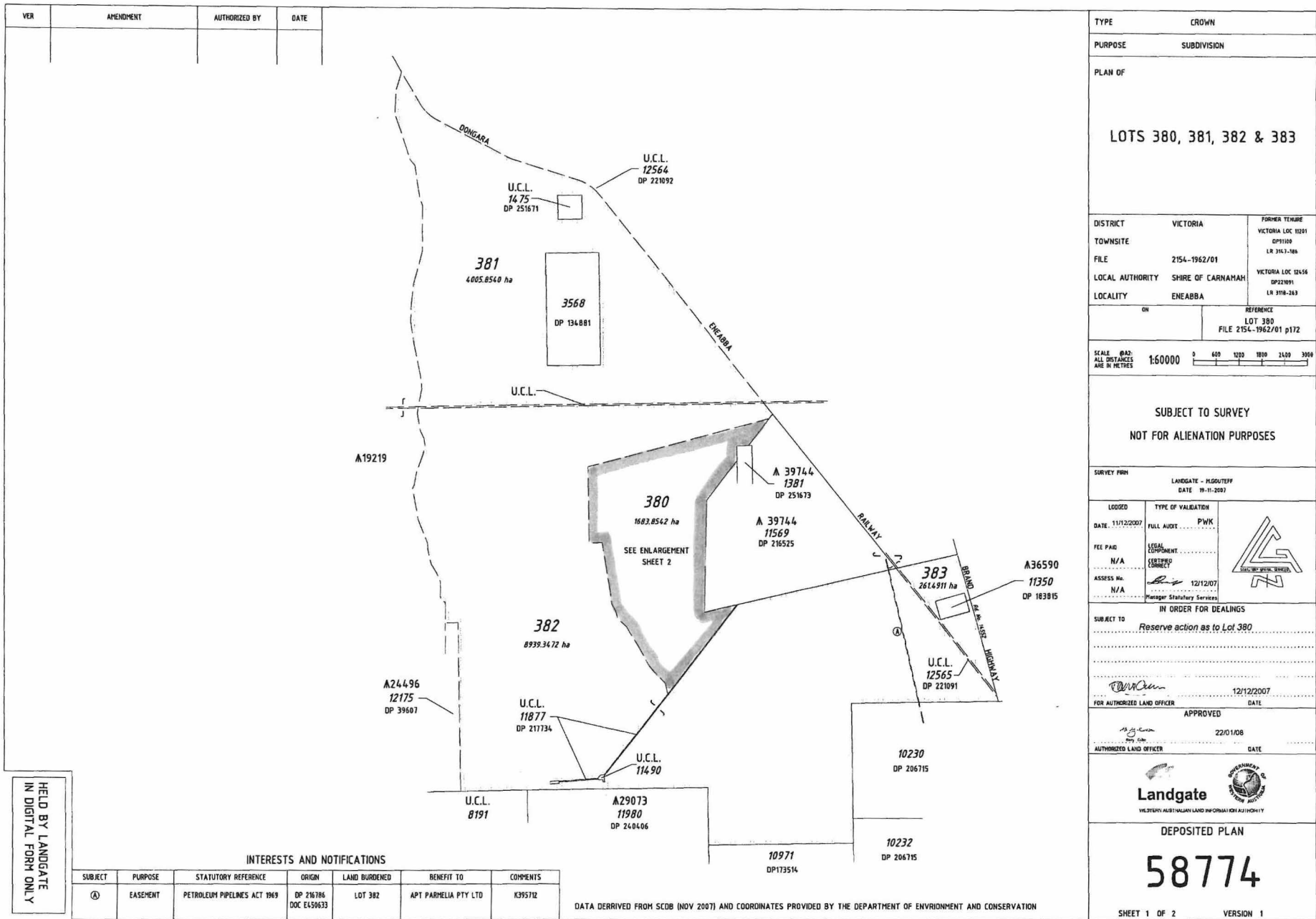
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION
REGION AND DISTRICT BOUNDARIES**

JULY 2007



 ORIGINAL AREA OF A 39744
 AREA ADDED TO A 39744 AS A RESULT OF A ACTION 22-1-08 (INCLUSION OF LOT 380 ON DP58774) (LOT 380 includes cancelled Cons of Flora A 971)
 PART P.A. 11 AND 12 WATER & WAREHOUSE MA. ACTION BY DP 587774

LANDGATE COPY OF ORIGINAL NOT TO SCALE Thu May 1 11:37:19 2008 JOB 30290090



HELD BY LANDGATE
IN DIGITAL FORM ONLY

INTERESTS AND NOTIFICATIONS

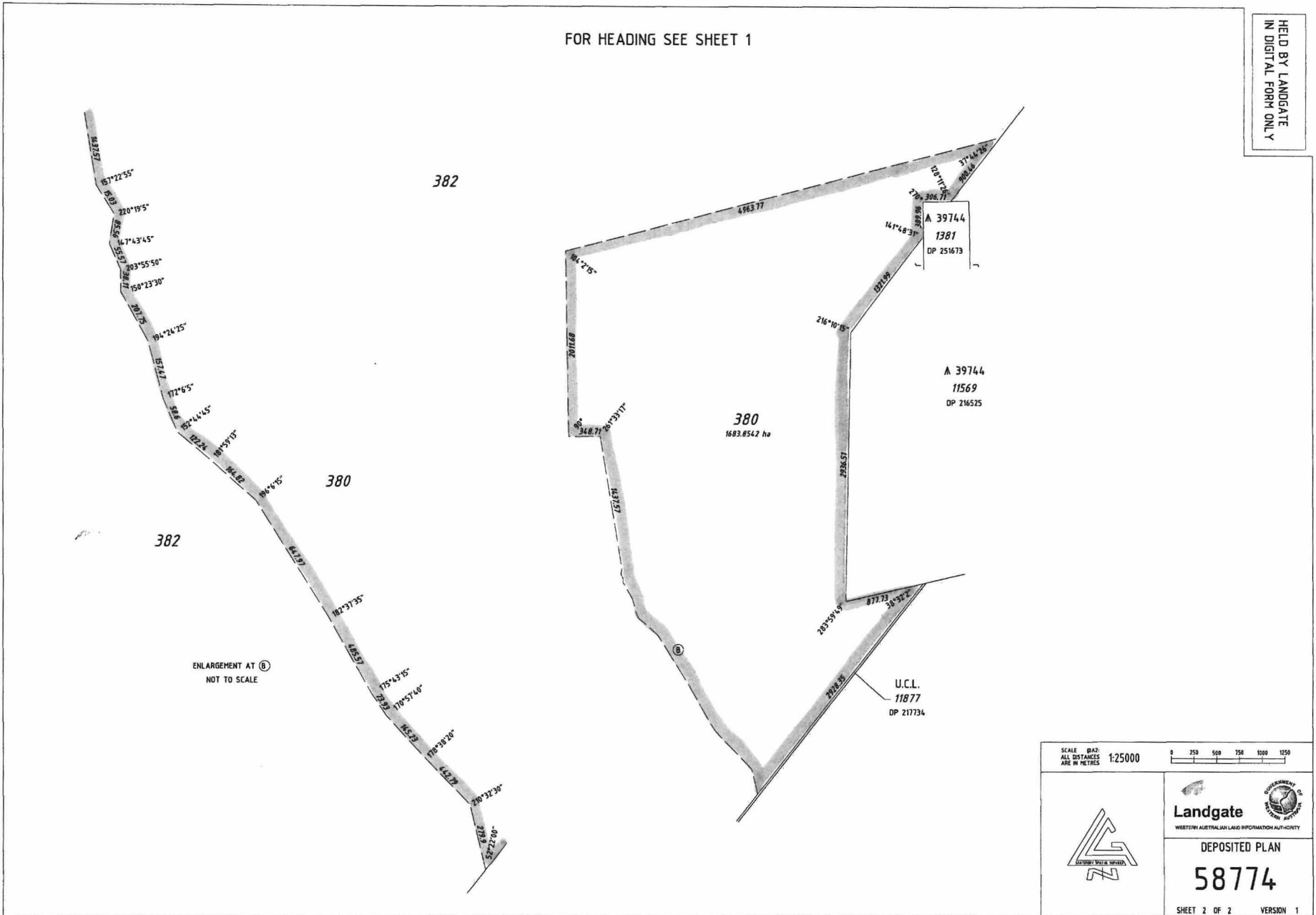
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
Ⓐ	EASEMENT	PETROLEUM PIPELINES ACT 1969	DP 216786 DOC E450633	LOT 382	APT FARMELIA PTY LTD	K395712

DATA DERIVED FROM SCDB (NOV 2007) AND COORDINATES PROVIDED BY THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

TYPE		CROWN	
PURPOSE		SUBDIVISION	
PLAN OF			
LOTS 380, 381, 382 & 383			
DISTRICT	VICTORIA	FORMER TENURE	VICTORIA LOC 11201
TOWNSITE			DP11100 LR 3167-18A
FILE	2154-1962/01		VICTORIA LOC 12456 DP22091 LR 3178-243
LOCAL AUTHORITY	SHIRE OF CARNAMAH		
LOCALITY	ENEABBA		
ON		REFERENCE	LOT 380 FILE 2154-1962/01 p172
SCALE	Ⓐ: 1:60000	Ⓑ: ALL DISTANCES ARE IN METRES	0 600 1200 1800 2400 3000
SUBJECT TO SURVEY NOT FOR ALIENATION PURPOSES			
SURVEY FIRM		LANDGATE - HIGGUTEFF DATE 19-11-2007	
LODGED	DATE: 11/12/2007	TYPE OF VALIDATION	FULL AUDIT PWK
FEE PAID	N/A	LEGAL COMPONENT	CERTIFIED CORRECT
ASSESS No.	N/A	DATE	12/12/07
IN ORDER FOR DEALINGS			
SUBJECT TO Reserve action as to Lot 380			
FOR AUTHORIZED LAND OFFICER		DATE 12/12/2007	
APPROVED			
AUTHORIZED LAND OFFICER		DATE 22/01/08	
DEPOSITED PLAN			
58774			
SHEET 1 OF 2		VERSION 1	

HELD BY LANDGATE
IN DIGITAL FORM ONLY

FOR HEADING SEE SHEET 1



LANDGATE COPY OF ORIGINAL NOT TO SCALE Thu May 1 11:37:19 2008 JOB 30290090

**Customer Advices for Reserve Actions
1/03/2008 - 31/03/2008**

Shire of Carnamah 1/03/2008 - 31/03/2008

Reserve No.	Land Description	DPI File No.	Volume/Folio	Action	Document No.	Registered	Street Name	Area	Public Plans
39744	LOT 380 ON DEPOSITED PLAN 58774	02154-1962-01RO	0000-000	Amendment of Reserve to To add Lot 380 on Deposited Plan 58774 and its area being increased to 4407.8442 hectares.	K483517	22/01/2008	BRAND HIGHWAY (IN THE SHIRE OF CARNAMAH)	4407.8442 Ha	BEHARRA AND PT CLIFF 1:50000
971	Lot 11201 on Deposited Plan 91100	02154-1962-01RO	3147-186	Reserve Cancellation "Conservation of Flora"	K483516	22/01/2008	NR BRAND HIGHWAY	404.6856 Ha	94/80 A3

PIN# 11716669

NOTE:

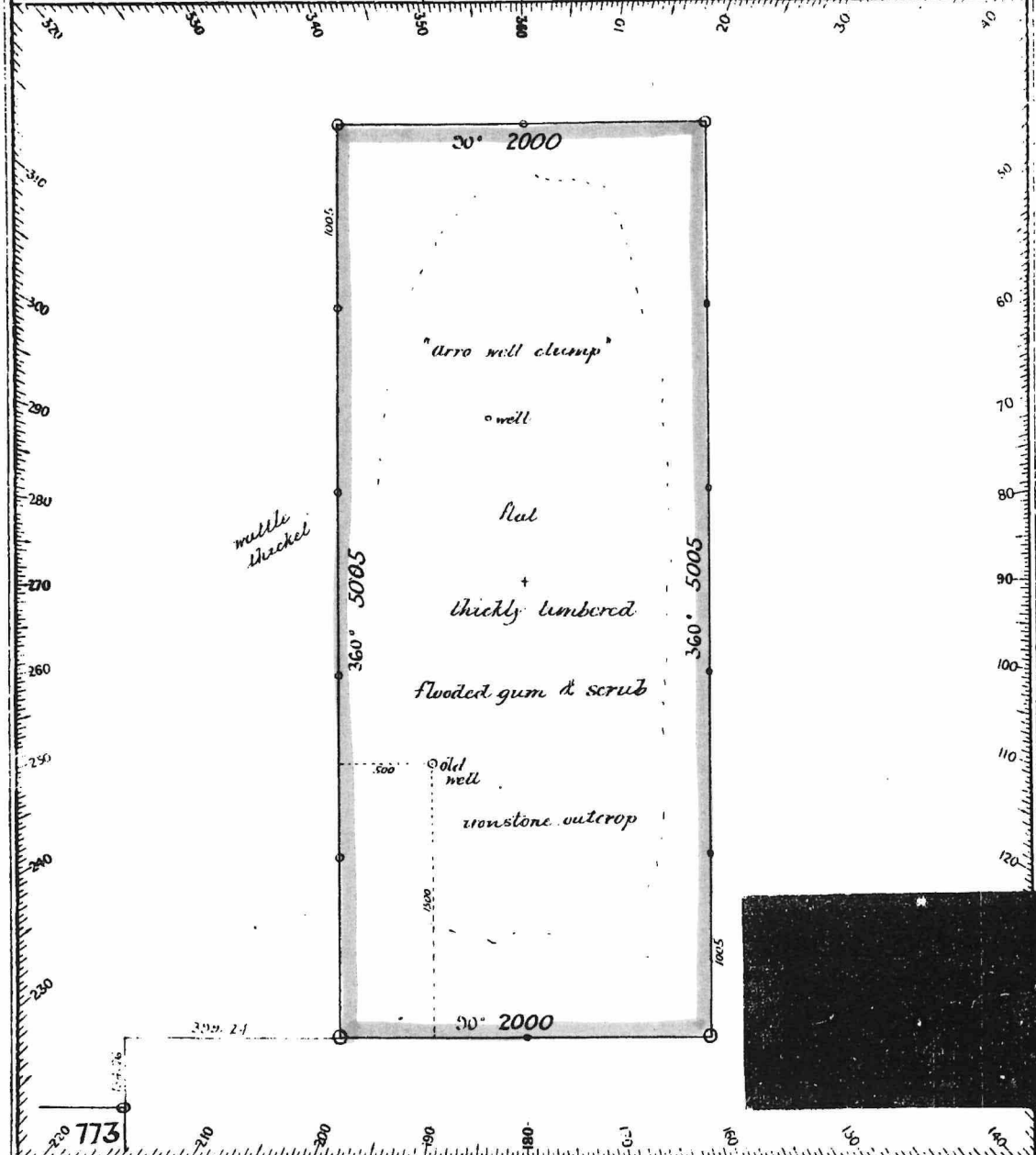
on 22/01/2008 Reserve 971 was cancelled and the area incorporated into Reserve 39744.

For history of Reserve 971 see files

018412 F 3102 From 1962 - 2004

2005 F 00 2270 From 2005 - 2008

Class of holding	Name of Grantee or Lessee	N ^o	Acres	District or County	Original Plan N ^o	Diagram N ^o
Loc ^{al}	F. Pearce	1381	100	Victoria		100



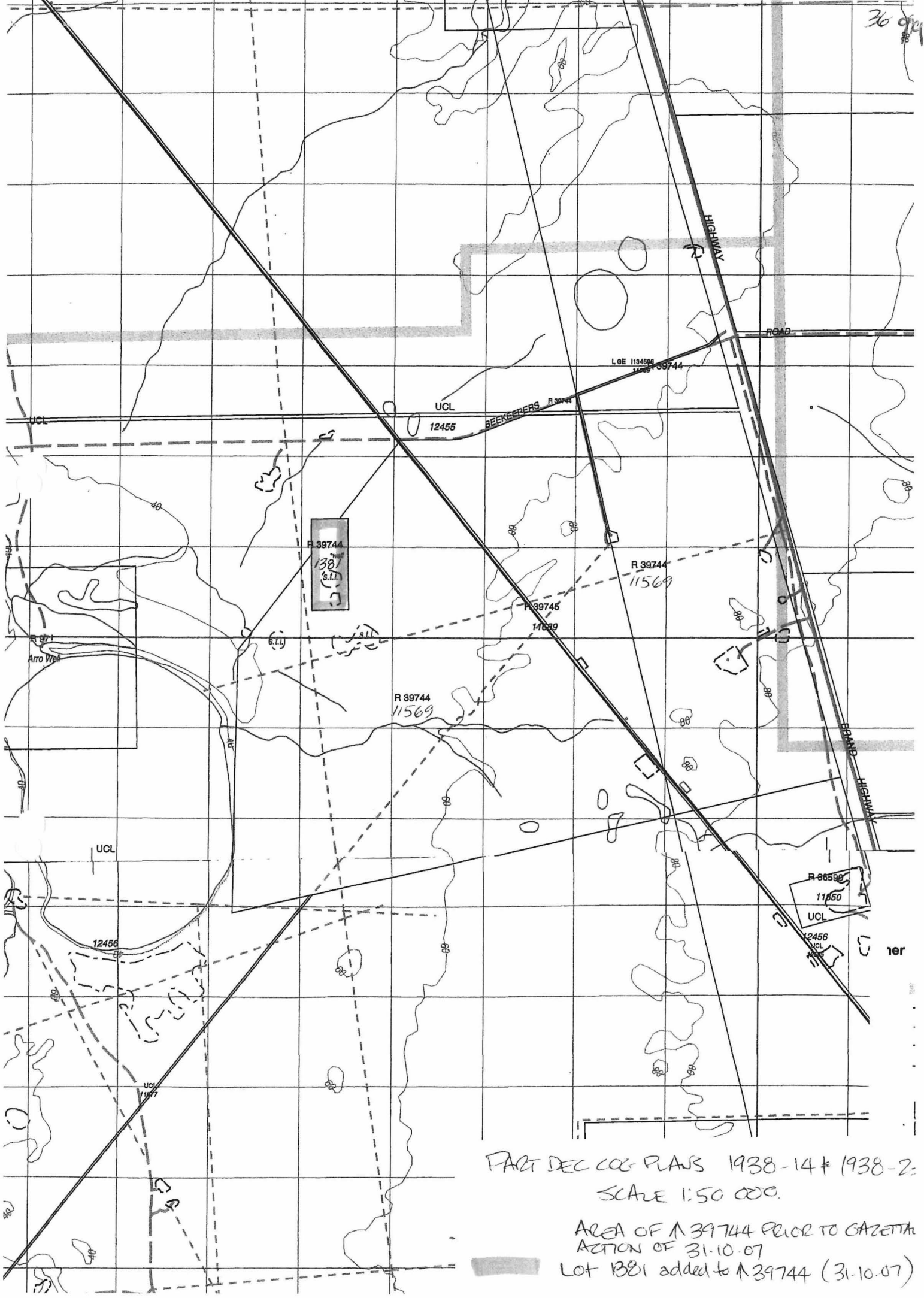
REFERENCE TO CORNERS									
Corner	Bearing	Dist. in Links	N ^o & Mark on Tree	Desc ⁿ of Tree	Corner	Bearing	Dist. in Links	N ^o & Mark on Tree	Desc ⁿ of Tree
A					H				
B					I				
C					J				
D					K				
E					L				
F					M				
G					N				

Azimuth Observed from 773
 Date of Survey August 1889
 Field Book: N^o 6 Page 60
 Scale 6 Chains to an Inch
A. J. Wells
 Surveyor.

Examined & Passed *M. Brookings* Inspecting Surveyor. On Standard Plan 1659 4. 2. 20 Registered *J. D. A.*

Dept of Land Administration
 10 177604

DP251673
 47
87



30 of 100

FACT DEC COG PLANS 1938-14 & 1938-2:
SCALE 1:50 000.

AREA OF R 39744 PRIOR TO GAZETTA
ACTION OF 31.10.07
Lot 1381 added to R 39744 (31.10.07)

**Customer Advices for Reserve Actions
1/03/2007 - 31/03/2007**

Shire of Gingin 1/03/2007 - 31/03/2007

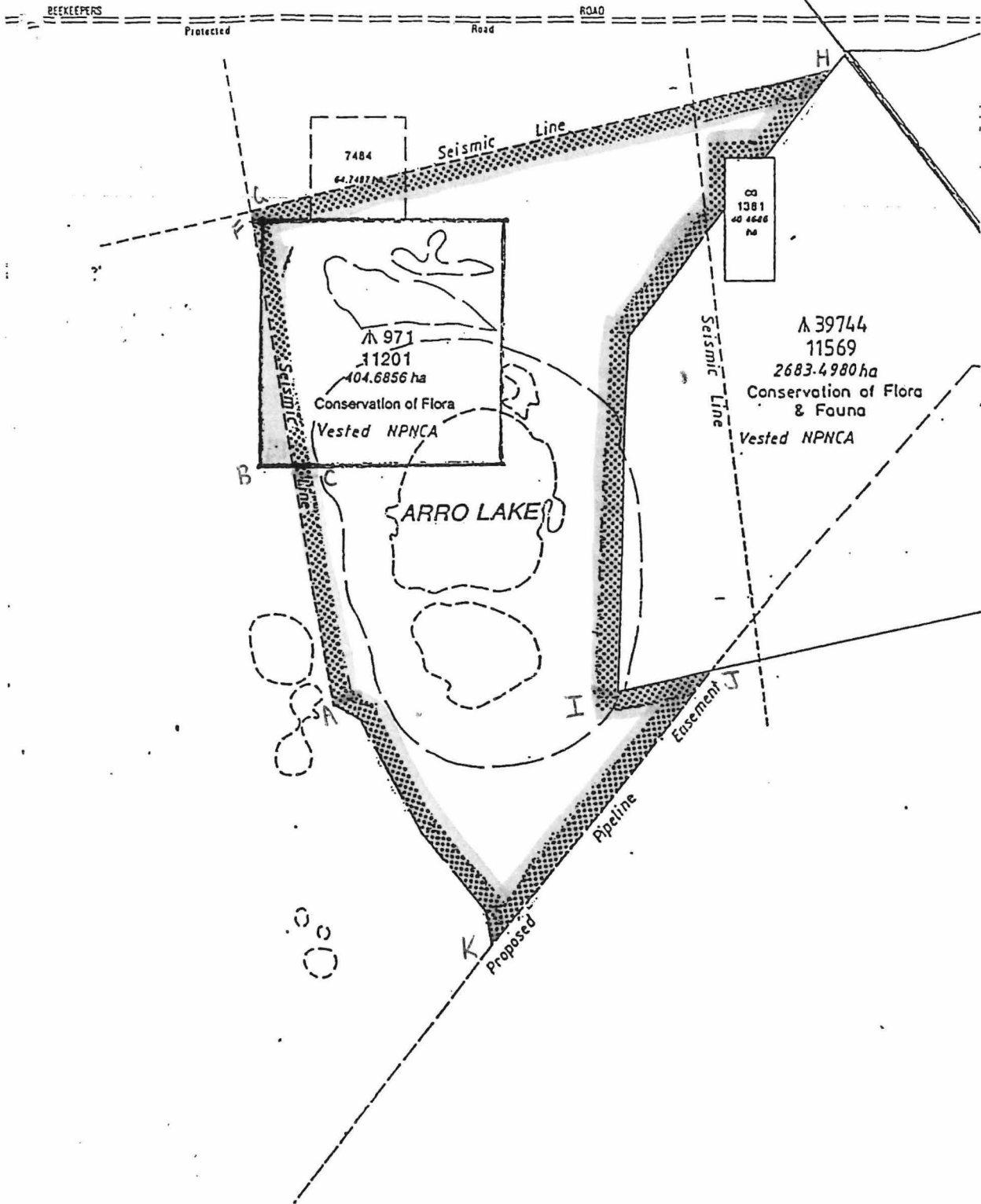
Reserve No.	Land Description	DPI File No.	Volume/Folio	Action	Document No.	Registered	Street Name	Area	Public Plans
39744	Lot 11569 on Deposited Plan 216525	02338-1986-02RO	3121-486	Amendment of Reserve to To now include Lot 1381 on Deposited Plan 251673 and its area being increased to 2723.99 hectares accordingly.	K073705	31/01/2007	Near Brand Highway	2723.99 Ha	

as
checked C. Banks
6/2/08,

Graham Horro - for plans please
and return file to Alex
Fingleton.
Thanks
S. Collins
30.4.07

ATTACHMENT I

89
93



LEGEND

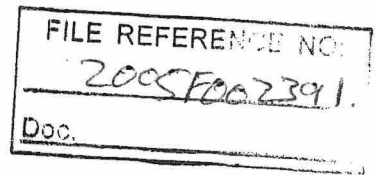
BOUNDARY OF 971
 PROPOSED NEW BOUNDARY OF 971

SCALE 1:50000

ON PLANS
 BEHARRA & Pt. CLIFF (1938-IV & Pt. 1838-I)
 BEAGLE ISLAND & LOGUE (1838-II & 1938-III)



Department for Planning and Infrastructure
Government of Western Australia



31
92

State Land Services

Your ref: 2005F002391 & 2005F002270
Our ref: 2154-1962 Job No: 070766
Enquiries: Mark Kift Ph: (08) 9347 5109
Fax: (08) 9347 5003
Email: mark.kift@dpi.wa.gov.au

Department of Environment and Conservation
Locked Bag 104
Bentley Delivery Centre
BENTLEY WA 6983



Attention: Alex Errington

Dear Alex

**PROPOSED ADDITION OF RESERVE 971 & PORTION OF ADJACENT
UNALLOCATED CROWN LAND LOT 12456 TO RESERVE 39744, SHIRE OF
CARNAMAH**

I refer to our telephone conversation on the 5 April 2007 regarding the above proposal.

State Land Services, Central Issuing Office has requested that the Department for Environment and Conservation (DEC) provide dimensions of the area required for the new reserve now defined as A, C, B, F, G, H, I, J, K to A as shown highlighted green on the enclosed plan.

Could you please provide the requested dimensions otherwise a survey will be required at DEC's expense.

Please contact me on (08) 9347 5109 should you have any enquiries.

Yours faithfully

MARK KIFT
for MANAGER – MID WEST
STATE LAND SERVICES

20 April 2007



Postal Address: PO Box 1575, Midland, Western Australia 6936
Tel: (08) 9347 5000 www.dpi.wa.gov.au ABN 40 996 710 314



Your Ref:
Our Ref: 2005F002391
Enquires: Alex Errington

Phone: 9334 0260
Fax: 9334 0278
Email: alexe@calm.wa.gov.au

Director General
Department of Industry and Resources
100 Plain Street
EAST PERTH WA 6000

Attention: Mike Freeman

PROPOSED ADDITION TO RESERVE 39744

I seek your agreement to the inclusion of Victoria Location 1381 into Reserve 39744, which is a nature reserve located about 10 km north of Eneabba.

Victoria Location 1381 is a 40 ha uncleared freehold block which is substantially surrounded by Reserve 39744. It does not have legal access. The position is shown on the attached plan and Certificate of Title.

We have recently acquired the property. Transfer of ownership to the State took place on 3 April 2006. Our main reason for purchasing the property was to rationalise the boundary of the reserve and eliminate the possibility of development, fire, weeds and feral animals.

According to Tengraph, there is an exploration licence (E70/2760) over the property in favour of Eneabba Gas Ltd. There is also a FNA (6523) which related to a previous proposal involving an exchange. That is not applicable now that the property has been acquired.

Should you require any further information please ring me on 9334 0260.

I would appreciate it if you could give your "clearance" for this location to be incorporated into Reserve 39744.

Alex Errington
for Keiran McNamara
EXECUTIVE DIRECTOR

7 April 2006

Atts



Department of
Environment and Conservation

Your ref: 2154/962.Jobs 912883 & 051362
Our ref: 2005F002391 & 2005F002270
Enquiries: Alex Errington
Phone: 9334 0260
Fax: 9334 0278
Email: alex.errington@dec.wa.gov.au

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93

Regional Manager - Mid West
State Land Services
PO Box 1575
MIDLAND WA 6936

RESERVES 971 AND 39744

Your file will show that between 1990 and 1994 there was an exchange of correspondence between our Departments about Reserve 971 (eg. Attachment A). Eventually, in our letter dated 21 December 1994, we put forward a proposal to add Reserve 971 to Reserve 39774, along with adjacent UCL which separated both reserves (Attachment B). This proposal had been discussed and approved by the NPNCA at its meeting of 14 November 1994 (Attachment C).

The proposal was accepted by your Department in February 1995 (Attachment D), subject to us agreeing to an access easement to Victoria Location 1381, which would be surrounded by the consolidated reserve. We subsequently agreed to the easement and also advised the wildflower industry that the area of UCL in question was to be reserved and would therefore not be available for commercial flora harvesting from 5 April 1995 (Attachment E).

Unfortunately, the project effectively stalled after then, although in 1999 your Department obtained DoME's clearance for the proposal (Attachment F).

We would like to reactivate this proposal. We have recently purchased Victoria Location 1381 and action is currently being taken to add that area to Reserve 39744 (Attachment G).

As you know, the main reason the proposal stalled was because of the uncertainty surrounding native title. However, after reviewing our files, it would seem that this proposal would qualify as a "pre-existing right-based act" pursuant to Section 241B of the *Native Title Act* (Attachment H). That is, there was a "commitment, arrangement or undertaking" before 23 December 1996 to consolidate both reserves, along with the adjacent UCL, and there is adequate "written evidence" of that intention on both our Departments' files, plus letters to the wildflower industry in 1995.

In the circumstances, could you please review this matter and, if you can agree with our conclusion, proceed with the consolidation.

If you would like to discuss this matter with me, please ring me on 9334 0260.

Alex Errington
for Keiran McNamara
DIRECTOR GENERAL

9 February 2007

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 6364 6500 Fax: (08) 6364 6520 TTY: 1880 555 630

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009
Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151
Phone: (08) 9334 0333 Fax: (08) 9334 0498 TTY: 9334 0546

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
www.dec.wa.gov.au



Your Ref: Assessment A1526
Our Ref: 2005F002391
Enquires: Alex Errington

Phone: 9334 0260
Fax: 9334 0278
Email: alexe@calm.wa.gov.au

Mr Tony Nottle
Chief Executive Officer
Shire of Carnamah
PO Box 80
CARNAMAH WA 6517

Dear Mr Nottle

PURCHASE OF VICTORIA LOCATION 1381 FROM HAMERSLEY

Further to my discussions with Cher, I confirm that we have acquired the abovenamed property from L and E Hamersley so that the land can be reserved as a conservation reserve. Settlement and registration of the transfer took place on 3 April 2006.

Please note your records that with the transfer of ownership to the State of Western Australia the property became non-rateable from 3 April 2006.

As L and E Hamersley have paid the 2005/06 rates on the property, could you please arrange a refund from 3 April 2006 until 30 June 2006.

Thank you for your assistance with this matter.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Alex".

Alex Errington
for Keiran McNamara
EXECUTIVE DIRECTOR

5 April 2006

cc L Hamersley

