



Western Australia

## **Yallingup Foreshore Land Act 2006**

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## **Yallingup Foreshore Land Act 2006**

### **Contents**

1.	Short title	1
2.	Commencement	2
3.	Definitions	2
4.	Yallingup foreshore land validly and effectively resumed	2
5.	Certain repealed provisions do not apply to Yallingup foreshore land	2
6.	Certain current provisions do not apply to Yallingup foreshore land	3
7.	Treasurer may make payment in respect of legal costs incurred in relation to Yallingup foreshore land	3
	<b>Notes</b>	
	Compilation table	4



Western Australia

## **Yallingup Foreshore Land Act 2006**

**An Act to make provision about the resumption of, and the application of certain provisions to, certain land in the vicinity of the Yallingup foreshore, and for related purposes.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This is the *Yallingup Foreshore Land Act 2006*.

**2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**3. Definitions**

In this Act —

**land** means the land at Yallingup that was the subject of a land resumption notice published in the *Gazette* on 9 December 1938 at page 2112;

**liability** includes a duty or obligation;

**resumption** means the resumption of the land that took effect, or purported to take effect, under the *Public Works Act 1902* on 9 December 1938;

**right** includes an interest or status.

**4. Yallingup foreshore land validly and effectively resumed**

- (1) Subsection (2) applies if, and to any extent to which, the resumption was invalid or ineffective.
- (2) The rights and liabilities of all persons are declared to be, and always to have been, the same as if the resumption had been valid and effective in all respects.

**5. Certain repealed provisions do not apply to Yallingup foreshore land**

- (1) The rights and liabilities of all persons are declared to be, and always to have been, the same as if the repealed provisions never applied to the land.
- (2) In subsection (1) —

**repealed provisions** means —

  - (a) the provision that was enacted as section 29 of the *Public Works Act 1902* and repealed by the *Public Works Act Amendment Act 1955*;

- (b) the provision that was enacted as section 29 of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1955* and repealed by the *Acts Amendment (Land Administration) Act 1997*;
- (c) the provision that was enacted as section 29A of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1955* and repealed by the *Acts Amendment (Land Administration) Act 1997*; and
- (d) the provision that was enacted as section 29B of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1965* and repealed by the *Acts Amendment (Land Administration) Act 1997*,

and includes those provisions as they were in effect at any time.

**6. Certain current provisions do not apply to Yallingup foreshore land**

- (1) Sections 190 and 191 of the *Land Administration Act 1997* do not apply to the land.
- (2) The rights and liabilities of all persons are declared to be, and always to have been, the same as if sections 190 and 191 of the *Land Administration Act 1997* never applied to the land.

**7. Treasurer may make payment in respect of legal costs incurred in relation to Yallingup foreshore land**

- (1) The Treasurer of the State may make payment in such amount as the Treasurer considers to be appropriate in respect of legal costs incurred in proceedings of a kind referred to in section 200(3) of the *Land Administration Act 1997* in relation to the land.
- (2) Any money payable under a decision of the Treasurer under subsection (1) is to be charged to the Consolidated Account which to the extent necessary is appropriated accordingly.

*[Section 7 amended: No. 77 of 2006 s. 4.]*

**Notes**

<sup>1</sup> This is a compilation of the *Yallingup Foreshore Land Act 2006* and includes the amendments made by the other written laws referred to in the following table.

**Compilation table**

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<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Yallingup Foreshore Land Act 2006</i>	9 of 2006	8 May 2006	8 May 2006 (see s. 2)
<i>Financial Legislation Amendment and Repeal Act 2006 s. 4</i>	77 of 2006	21 Dec 2006	1 Feb 2007 (see s. 2 and <i>Gazette</i> 19 Jan 2007 p. 137)

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## Defined terms

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
land .....	3
liability .....	3
repealed provisions .....	5(2)
resumption .....	3
right .....	3