

Western Australia

## **Yallingup Foreshore Land Act 2006**

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 Certain repealed provisions do not apply to Yallingup foreshore land**

- (1) The rights and liabilities of all persons are declared to be, and always to have been, the same as if the repealed provisions never applied to the land.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**“repealed provisions”** means —
  - (a) the provision that was enacted as section 29 of the *Public Works Act 1902* and repealed by the *Public Works Act Amendment Act 1955*;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that was enacted as section 29 of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1955* and repealed by the *Acts Amendment (Land Administration) Act 1997*;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that was enacted as section 29A of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1955* and repealed by the *Acts Amendment (Land Administration) Act 1997*; and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that was enacted as section 29B of the *Public Works Act 1902* by the *Public Works Act Amendment Act 1965* and repealed by the *Acts Amendment (Land Administration) Act 1997*,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 Fund which to the extent necessary is appropriated accordingly.

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**Notes**

- <sup>1</sup> This is a compilation of the *Yallingup Foreshore Land Act 2006*. The following table contains information about that Act.

**Compilation table**

<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)