



Western Australia

Geraldton Foreshore and Marina Development Act 1990

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Geraldton Foreshore and Marina Development Act 1990

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Defined terms

Geraldton Foreshore and Marina Development Act 1990

An Act for the revesting of certain lands at Geraldton for the purposes of the Geraldton foreshore and marina development project.

1. Short title

This Act may be cited as the *Geraldton Foreshore and Marina Development Act 1990*¹.

2. Commencement

This Act shall come into operation on such day as is fixed by proclamation¹.

3. Terms used

(1) In this Act —

Commission means The Western Australian Government Railways Commission² constituted under the *Government Railways Act 1904*;

Crown land has the same meaning as it has in the *Land Administration Act 1997*;

The Minister for Transport means the body corporate of that title established under the *Marine and Harbours Act 1981*.

(2) A reference in this Act to a diagram by number is a reference to the Miscellaneous Diagram of that number held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5.

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[Section 3 amended: No. 53 of 1993 s.44; No. 31 of 1997 s.141; No. 60 of 2006 s. 134.]

4. Land revested in Her Majesty

- (1) All the land taken or otherwise acquired for railway purposes and shown coloured green on diagram no. 229 is revested in Her Majesty as of her former estate, constituted Crown land and, where any of the land is under the operation of the *Transfer of Land Act 1893*, is removed from the operation of that Act.
- (2) Sections 187, 188, 189, 190, and 191 of the *Land Administration Act 1997* do not apply to or in relation to the land referred to in subsection (1).

[Section 4 amended: No. 31 of 1997 s.30(1).]

5. Area revested in Her Majesty

- (1) So much of the area vested in The Minister for Transport and shown bordered pink on diagram no. 224 —
 - (a) that is reclaimed land, is revested in Her Majesty and constituted Crown land; and
 - (b) that is not reclaimed land, is revested in Her Majesty and is to be taken to be Crown land.
- (2) The boundaries of the townsite of Geraldton are extended to include the Crown land referred to in subsection (1).

6. Amendment of Reserve No. 5660

Reserve No. 5660, classified as of Class C, containing 6.4750 hectares or thereabouts, set apart for “Railway” and vested in the Commission, is amended by excising an area of 1.9 hectares or thereabouts shown coloured yellow on diagram no. 229.

[7. Deleted: No. 53 of 1993 s.44.]

8. Land reserved and vested in City of Geraldton

- (1) Geraldton Lot 2907, comprising 1.2498 hectares or thereabouts and shown coloured blue on diagram no. 230, is set apart for “Recreation” and vested in the City of Geraldton.
- (2) Geraldton Lot 2909, comprising 2.76 hectares or thereabouts and shown coloured green on diagram no. 230, is set apart for “Recreation” and vested in the City of Geraldton.
- (3) The provisions of the *Land Administration Act 1997* apply to and in relation to the lands referred to in subsections (1) and (2) as if —
 - (a) the lands were reserved; and
 - (b) the care, control and management of the lands were placed with the City of Geraldton,

under Part 4 of that Act.

[Section 8 amended: No. 31 of 1997 s.30(2).]

9. Land reserved and vested in The Minister for Transport

- (1) Geraldton Lot 2905, comprising 7.7172 hectares or thereabouts and shown coloured dark brown on diagram no. 230, is set apart for “Marina Purposes” and vested in The Minister for Transport.
- (2) The Minister for Transport may sell, lease or otherwise dispose of the land referred to in subsection (1).
- (3) Sections 11 and 19 of the *Marine and Harbours Act 1981* apply to and in relation to the land referred to in subsection (1) as if the land were land that had been vested in The Minister for Transport under that Act.

10. Land reserved and vested in Commission

- (1) Geraldton Lot 2910, comprising 4.7429 hectares or thereabouts and shown coloured red on diagram no. 230, is set apart for “Railway” and vested in the Commission.

s. 11

- (2) The provisions of the *Land Administration Act 1997* apply to and in relation to the land referred to in subsection (1) as if —
- (a) the land were reserved; and
 - (b) the care, control and management of the land were placed with the Commission,

under Part 4 of that Act.

[Section 10 amended: No. 31 of 1997 s.30(3).]

11. Declaration of lands as public streets

- (1) All the lands shown coloured light brown on diagram no. 230 are declared to be public streets.
- (2) The provisions of Part 5 of the *Land Administration Act 1997* apply to and in relation to the lands referred to in subsection (1) as if the lands were lands that had been dedicated as roads under section 56 of that Act.

[Section 11 amended: No. 14 of 1996 s.4; No. 31 of 1997 s.30(4).]



Notes

¹ This reprint is a compilation as at 16 October 2015 of the *Geraldton Foreshore and Marina Development Act 1990* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Geraldton Foreshore and Marina Development Act 1990</i>	44 of 1990	22 Nov 1990	s. 1 and 2: 22 Nov 1990; Act other than s. 1 and 2: 22 Feb 1991 (see s. 2 and <i>Gazette</i> 22 Feb 1991 p. 867)
<i>Regional Development Commissions Act 1993</i> s. 44	53 of 1993	22 Dec 1993	8 Apr 1994 (see s. 2 and <i>Gazette</i> 8 Apr 1994 p. 1462)
<i>Local Government (Consequential Amendments) Act 1996</i> s. 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
<i>Acts Amendment (Land Administration) Act 1997</i> Pt. 28 and s. 141	31 of 1997	3 Oct 1997	30 Mar 1998 (see s. 2 and <i>Gazette</i> 27 Mar 1998 p. 1765)
Reprint of the <i>Geraldton Foreshore and Marina Development Act 1990</i> as at 8 Dec 2000 (includes amendments listed above)			
<i>Land Information Authority Act 2006</i> s. 134	60 of 2006	16 Nov 2006	1 Jan 2007 (see s. 2(1) and <i>Gazette</i> 8 Dec 2006 p. 5369)
Reprint 2: The <i>Geraldton Foreshore and Marina Development Act 1990</i> as at 16 Oct 2015 (includes amendments listed above)			

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
Commission	3(1)
Crown land.....	3(1)
The Minister for Transport.....	3(1)