

WESTERN AUSTRALIA

GERALDTON FORESHORE AND MARINA DEVELOPMENT ACT 1990

(No. 44 of 1990)

ARRANGEMENT

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GERALDTON FORESHORE AND MARINA DEVELOPMENT ACT

No. 44 of 1990

AN ACT for the revesting of certain lands at Geraldton for the purposes of the Geraldton foreshore and marina development project.

[Assented to 22 November 1990.]

The Parliament of Western Australia enacts as follows:

Short title

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

Commencement

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

Interpretation

3. (1) In this Act—

“Authority” means the Geraldton Mid-West Development Authority constituted under the *Geraldton Mid-West Development Authority Act 1988*;

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

“Crown land” has the same meaning as it has in the *Land Act 1933*;

“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 Graphic Bank Crown Surveys within the Department of Land Administration.

Land revested in Her Majesty

4. (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 29, 29A and 29B of the *Public Works Act 1902* do not apply to or in relation to the land referred to in subsection (1).

Area revested in Her Majesty

5. (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).

Amendment of Reserve No. 5660

6. 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.

Vesting of land in the Authority

7. (1) All the following lands, shown coloured mauve on diagram no. 230, are vested, free of any consideration, in the Authority for an estate in fee simple—

- (a) Geraldton Lot 2906 comprising 4.2174 hectares or thereabouts;
- (b) Geraldton Lot 2908 comprising 1.5961 hectares or thereabouts;
- (c) Geraldton Lot 2911 comprising 2.18 hectares or thereabouts; and
- (d) Geraldton Lot 2913 comprising 0.5026 hectares or thereabouts.

(2) The Registrar of Titles appointed under section 7 of the *Transfer of Land Act 1893* shall make out certificates of title to the lands referred to in subsection (1) in accordance with that subsection.

Land reserved and vested in the City of Geraldton

8. (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 Act 1933* apply to and in relation to the lands referred to in subsections (1) and (2) as if the reservations made under those subsections were reservations made under section 29 (1) of that Act and the vestings made under those subsections were vestings made under section 33 (2) of that Act.

Land reserved and vested in The Minister for Transport

9. (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.

Land reserved and vested in the Commission

10. (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.

(2) The provisions of the *Land Act 1933* apply to and in relation to the land referred to in subsection (1) as if the reservation made under that subsection were a reservation made under section 29 (1) of that Act and the vesting made under that subsection were a vesting made under section 33 (2) of that Act.

Declaration of lands as public streets

11. (1) All the lands shown coloured light brown on diagram no. 230 are declared to be public streets.

(2) The provisions of the *Local Government Act 1960* apply to and in relation to the lands referred to in subsection (1) as if the lands were lands that had been declared to be public streets under section 288 of that Act.
