

Western Australia

**Geraldton Foreshore and Marina Development
Act 1990**

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Geraldton Foreshore and Marina Development Act 1990

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Notes

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. Interpretation

(1) In this Act —

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

s. 4

[Section 3 amended by No. 53 of 1993 s.44; No. 31 of 1997 s.141.]

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 by 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. Repealed by No. 53 of 1993 s.44.]

8. Land reserved and vested in the 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 by 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 the 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 by 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 by No. 14 of 1996 s.4; No. 31 of 1997 s.30(4).]

Notes

¹ This is a compilation of the *Geraldton Foreshore and Marina Development Act 1990* and includes all amendments effected by the other Acts referred to in the following Table.

Table of Acts

Short title	Number and year	Assent	Commencement	Miscellaneous
<i>Geraldton Foreshore and Marina Development Act 1990</i>	44 of 1990	22 November 1990	Proclaimed 22 February 1991 (see section 2 and <i>Gazette</i> 22 February 1991 p.867)	
<i>Regional Development Commissions Act 1993, section 44</i>	53 of 1993	22 December 1993	Proclaimed 8 April 1994 (see section 2 and <i>Gazette</i> 8 April 1994 p.1462)	
<i>Local Government (Consequential Amendments) Act 1996, section 4</i>	14 of 1996	28 June 1996	1 July 1996 (see section 2)	
<i>Acts Amendment (Land Administration) Act 1997, Part 28 and section 141</i>	31 of 1997	3 October 1997	30 March 1998 (see section 2 and <i>Gazette</i> 27 March 1998 p.1765)	

