

Western Australia

**Geraldton Foreshore and Marina Development
Act 1990**

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Geraldton Foreshore and Marina Development Act 1990

CONTENTS

1.	Short title	1
2.	Commencement	1
3.	Interpretation	1
4.	Land revested in Her Majesty	2
5.	Area revested in Her Majesty	2
6.	Amendment of Reserve No. 5660	2
8.	Land reserved and vested in the City of Geraldton	3
9.	Land reserved and vested in The Minister for Transport	3
10.	Land reserved and vested in the Commission	3
11.	Declaration of lands as public streets	4
Notes		
	Compilation table	5
	Provisions that have not come into operation	5

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 as at 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 ^{1a}.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Geraldton Foreshore and Marina Development Act 1990</i>	44 of 1990	22 Nov 1990	22 Feb 1991 (see s. 2 and <i>Gazette</i> 22 Feb 1991 p. 867)
<i>Regional Development Commissions Act 1993</i> , section 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> , section 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
<i>Acts Amendment (Land Administration) Act 1997</i> , Part 28 and section 141	31 of 1997	3 Oct 1997	30 Mar 1998 (see s. 2 and <i>Gazette</i> 27 Mar 1998 p. 1765)

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
<i>Land Information Authority Act 2006</i> s. 134 ²	60 of 2006	16 Nov 2006	To be proclaimed (see s. 2(1))

² On the date as at which this compilation was prepared, the *Land Information Authority Act 2006* s. 134 had not come into operation. It reads as follows:

“

134. Geraldton Foreshore and Marina Development Act 1990 amended

- (1) The amendments in this section are to the *Geraldton Foreshore and Marina Development Act 1990*.
- (2) Section 3(2) is amended by deleting “by the Graphic Bank Crown Surveys within the Department of Land Administration.” and inserting instead —

“

by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5.

”
.”