

1964.] *Bellevue-Mt. Helena Railway* [No. 27.
Discontinuance and Land Revestment.

BELLEVUE - MOUNT HELENA RAILWAY DISCONTINUANCE AND LAND REVESTMENT.

13° Elizabeth II., No. XXVII.

No. 27 of 1964.

AN ACT to authorise the Discontinuance of the Bellevue-Mount Helena Railway and to Revest in Her Majesty portion of the land comprised therein.

[Assented to 4th November, 1964.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Bellevue-Mount Helena Railway Discontinuance and Land Revestment Act, 1964.*

Short title
and citation.

2. This Act shall come into operation on a date to be fixed by proclamation.

Commence-
ment.

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Interpre-
tation.

3. In this Act, unless the contrary intention appears—

“scheduled railway” means the railway described in the First Schedule to this Act.

Discon-
tinuance of
scheduled
railway.

4. On and from the date of the coming into operation of this Act the scheduled railway shall cease to be operated until the Governor otherwise declares.

Disposal of
property
comprising
scheduled
railway.

5. (1) The Minister for Railways may direct that all or any of the material comprising the scheduled railway—

(a) be used in the maintenance of any Government railway as defined by section two of the Government Railways Act, 1904;

(b) be used in the making of any railway for Her Majesty in the State that is made under the authority of a special Act as required by section ninety-six of the Public Works Act, 1902, whether the making of the railway is so authorised before or after the coming into operation of this Act; or

(c) be sold, disposed of, or otherwise dealt with.

(2) A direction given by the Minister pursuant to this section has, and shall be given effect, according to its tenor.

Authority
to omit
cost of
scheduled
railway from
accounts.

6. The cost of the scheduled railway, as charged to the Government Railways Capital Account, may be omitted from the accounts prepared under Part IV of the Government Railways Act, 1904.

Revestment
of certain
land in
Her Majesty,
vide
“Railway”,
s. 2, Act No.
23 of 1904.

7. Notwithstanding any other Act, the land described in the Second Schedule to this Act, being portion of the land comprised in the scheduled railway, is hereby revested in Her Majesty as of Her former estate and is hereby removed from the operation of the Transfer of Land Act, 1893.

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FIRST SCHEDULE.

Section 3.

Description of Bellevue-Mount Helena Railway.

Commencing at a point 11 miles 70 chains 70 links from Perth on the Bellevue-Mount Helena Railway and proceeding generally in an easterly direction for 9 miles 42 chains and then in a northerly direction for 1 mile 47 chains and terminating at a point 24 miles 77 chains from Perth on the Bellevue-Mount Helena Railway, a total length of 13 miles 6 chains, being part of the railway line authorised to be constructed pursuant to The Eastern Railway Extension Act, 1881 (44 Victoriae No. 18).

SECOND SCHEDULE.

Section 7.

The portion of land east of a line drawn from the intersection of the Mahogany Creek Deviation railway eastern boundary with the Bellevue-Mount Helena Railway northern boundary to a point on the southern boundary of the Bellevue-Mount Helena Railway being the prolongation in a northerly direction of the common boundary of lot 61 L.T.O. Diagram 19917 and lot 130 L.T.O. Diagram 267 and being more particularly described and delineated on C.E. Plan 55203 and finishing at the southern boundary of road No. 1781 adjacent to reserve No. 22303, which portion is part of the land shown as railway property on L.T.O. Plan Nos. 2054, 2055, 2090, 2420 and L.T.O. Diagrams 1167, 2979 Lands and Surveys Resumption No. 567 and E.E.L. Plan Nos. 8403, 8822 and Reserve No. 10238 less the portion excised by Lands and Surveys Diagram 44691.
