



Western Australia

## **Railway Discontinuance Act 2006**

---

As at 30 Mar 2006

Version 00-a0-09

Published on [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au)



# Railway Discontinuance Act 2006

## Contents

1.	Short title	2
2.	Commencement	2
3.	Terms used in this Act	2
4.	Discontinuance of scheduled railways, and incidental matters	2
5.	Disposition of land	3
6.	Power of Authority to deal with land	3

### **Schedule 1 — Scheduled land (Fremantle-Kwinana Railway)**

### **Schedule 2 — Scheduled land (Midland Junction-Welshpool Railway)**

### **Notes**

Compilation table	6
-------------------	---

### **Defined terms**



Western Australia

## **Railway Discontinuance Act 2006**

**An Act to provide for the discontinuance of certain portions of railway and to authorise the disposition of certain material and land, and for related purposes.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This is the *Railway Discontinuance Act 2006*.

**2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**3. Terms used in this Act**

In this Act —

**Authority** means the Public Transport Authority of Western Australia established by the *Public Transport Authority Act 2003* section 5;

**Minister for Lands** means the Minister to whom the administration of the *Land Administration Act 1997* is for the time being committed by the Governor;

**scheduled land** means the land described in Schedule 1 and Schedule 2;

**scheduled railways** means the portions of railway constructed on the scheduled land.

**4. Discontinuance of scheduled railways, and incidental matters**

- (1) The scheduled railways are discontinued.
- (2) The material comprising the scheduled railways, or any portion of that material, may be —
  - (a) used in the construction or maintenance of any Government railway, as defined in the *Government Railways Act 1904* section 2;
  - (b) used in the construction of any railway authorised to be constructed under any other Act; or
  - (c) sold, disposed of, or otherwise dealt with.

**5. Disposition of land**

- (1) The Minister for Lands is to transfer to the Authority in fee simple, under the *Land Administration Act 1997*, any land that becomes Crown land by the operation of section 4 of this Act and the *Land Administration Act 1997* section 266.
- (2) The Minister for Lands is to transfer land under subsection (1) without requiring the payment of any consideration in respect of that transfer.

**6. Power of Authority to deal with land**

- (1) With the approval of the Minister to whom the administration of the *Government Railways Act 1904* is for the time being committed by the Governor, the Authority may sell or otherwise dispose of any land transferred to it under section 5.
- (2) The Authority is to credit the proceeds of any sale or disposal of land under subsection (1) to the Public Transport Authority Account referred to in the *Public Transport Authority Act 2003* section 32.

**Schedule 1 — Scheduled land (Fremantle-Kwinana Railway)**

[s. 3]

That portion of the land acquired for the purpose of the Fremantle-Kwinana Railway under authorisation of the *Robb's Jetty-Woodman's Point Railway Act 1902* and the *Coogee-Kwinana Railway Act 1952*, more particularly being that portion of land, maintaining the integrity of the East Perth to Cockburn North section of railway, commencing in Spearwood at a line formed by the easterly projection of the southern boundary of Lot 3 on Plan 17373 and proceeding southerly for a distance of about 2.7 km, terminating at the northern extent of the discontinuance authorised under the *Railway (Coogee-Kwinana Railway) Discontinuance Act 1973*, which was 16 miles 70 chains by rail from Perth via Fremantle and is approximately 350 m north of Fairbairn Road, Coogee.



**Schedule 2 — Scheduled land (Midland  
Junction-Welshpool Railway)**

[s. 3]

That portion of land acquired for the purpose of the Midland Junction Railway under authorisation of the *Midland Junction-Welshpool Railway Act 1957* commencing at the intersection of the north-western side boundary of Pilbara Street, Welshpool with the southern boundary of Lot 451 on Plan 9521, from there proceeding westerly and southerly for a distance of about 2.9 km, terminating at the north-eastern boundary of Railway Parade, Welshpool where it adjoins the land in Diagram 34950.

**Notes**

<sup>1</sup> This is a compilation of the *Railway Discontinuance Act 2006*. The following table contains information about that Act.

**Compilation table**

---

<b>Short title</b>	<b>Number and Year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Railway Discontinuance Act 2006</i>	2 of 2006	30 Mar 2006	30 Mar 2006 (see s. 2)

---

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
Authority .....	3
Minister for Lands .....	3
scheduled land .....	3
scheduled railways .....	3