



Western Australia

## **Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973**



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## **Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973**

**An Act to authorise the discontinuance of portion of the railway from Bunbury to Boyanup and to revest in Her Majesty certain land comprised therein, to authorise the construction of a portion of railway between Bunbury and Boyanup and for incidental purposes.**

**1. Short title**

This Act may be cited as the *Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973*<sup>1</sup>.

**2. Commencement**

Sections 4 and 5 shall come into operation on a day to be fixed by proclamation<sup>1</sup>.

**3. Interpretation**

In this Act, unless the contrary intention appears —  
*railway land* means the land described in the Second Schedule;  
*scheduled railway* means the portion of the railway from Bunbury to Boyanup described in the First Schedule.

**4. Discontinuance of scheduled railway and matters incidental thereto**

On the coming into operation of this section, the scheduled railway shall cease to be operated, and on and from that date —  
(a) the material comprising the scheduled railway or any portion of that material may be —

- (i) used in the construction or maintenance of any Government railway as defined by section 2 of the *Government Railways Act 1904*;
  - (ii) used in the construction of any railway authorised to be constructed under any other Act, whether before or after the coming into operation of this Act; or
  - (iii) sold, disposed of, or otherwise dealt with;
- and
- (b) the costs 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*.

**5. Revestment**

On the coming into operation of this section, the railway land is revested in Her Majesty as of Her former estate and is removed from the operation of the *Transfer of Land Act 1893*.

**6. Authority to construct railway lines**

It shall be lawful to construct and maintain the railway described in the Third Schedule, with all the necessary, proper and usual works in connection therewith along the lines described in that Schedule.

**First Schedule — Discontinued railway**

[s. 3]

*[Heading amended: No. 19 of 2010 s. 4.]*

Commencing at a point 179.118 km or thereabouts from Perth on the Bunbury-Boyanup Railway and thence proceeding in a south east by east direction for a distance of 1592.647 m or thereabouts, thence in an east south east direction for a distance of 1090.099 m or thereabouts, thence in a south east by east direction for a distance of 147.858 m or thereabouts terminating at a point 181.948 km or thereabouts on the Bunbury-Boyanup Railway and being a total length of 2.83 km or thereabouts.

## **Second Schedule — Railway land**

[s. 3]

*[Heading amended: No. 19 of 2010 s. 4.]*

That portion of land commencing at a point 179.118 km from Perth and terminating at a point 181.841 km from Perth and being more particularly delineated and coloured yellow on CE. Plan 66142.



### **Third Schedule — Line of Bunbury-Boyanup Railway**

[s. 6]

*[Heading amended: No. 19 of 2010 s. 4.]*

- (a) Commencing at a point being 176.988 km or thereabouts from Perth on the East Perth-Bunbury Railway and proceeding thence in a west south westerly direction for a distance of 83.485 m or thereabouts, thence in a south south westerly direction for a distance of 166.969 m or thereabouts, thence in a south south easterly direction for a distance of 272.583 m or thereabouts, thence in an east south easterly direction for a distance of 317.845 m or thereabouts, thence in an east by north direction for a distance of 473.751 m or thereabouts, thence in an east south easterly direction for a distance of 327.904 m or thereabouts, thence in a south south easterly direction for 959.571 m or thereabouts, thence in a south easterly direction for 520.019 m or thereabouts terminating at a point 181.948 km or thereabouts from Perth on the Bunbury-Boyanup Railway and being a total length of 3.122 km or thereabouts.
  
- (b) Commencing at a point being 1.943 km or thereabouts on the Railway as described above and thence proceeding in a north westerly direction for a distance of 136.794 m or thereabouts, thence in a north north easterly direction for a distance of 337.962 m or thereabouts, thence in a north east by easterly direction for a distance of 1017.91 m or thereabouts, thence in a north east by northerly direction for a distance of 249.448 m or thereabouts, thence in a north west by northerly direction for a distance of 213.238 m or thereabouts, thence in a west north westerly direction for a distance of 177.028 m or thereabouts thence in a west by south direction for a distance of 221.285 m or thereabouts terminating at a point 175.298 km from Perth on the East Perth-Bunbury Railway and being a total distance of 2.354 km or thereabouts.

### Notes

- <sup>1</sup> This is a compilation of the *Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

#### Compilation table

Short title	Number and year	Assent	Commencement
<i>Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973</i>	71 of 1973	6 Dec 1973	Act other than s. 4 and 5: 6 Dec 1973 (see s. 2); s. 4 and 5: 29 Mar 2000 (see s. 2 and <i>Gazette</i> 28 Mar 2000 p. 1687)
<b>Reprint 1: The Railway (Bunbury to Boyanup) Discontinuance, Revestment and Construction Act 1973 as at 8 Apr 2005</b>			
<i>Standardisation of Formatting Act 2010</i> s. 4	19 of 2010	28 Jun 2010	11 Sep 2010 (see s. 2(b) and <i>Gazette</i> 10 Sep 2010 p. 4341)

**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>
railway land .....	3
scheduled railway .....	3