



Western Australia

Railway (Forrestfield-Airport Link) Act 2015

As at 02 Nov 2015

No. 34 of 2015

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Railway (Forrestfield-Airport Link) Act 2015

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Railway (Forrestfield-Airport Link) Act 2015

No. 34 of 2015

An Act to authorise the construction of a railway from Bayswater to Forrestfield (known as the Forrestfield-Airport Link).

[Assented to 2 November 2015]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary matters

1. Short title

This is the *Railway (Forrestfield-Airport Link) Act 2015*.

2. Commencement

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

3. Terms used

In this Act, unless the contrary intention appears —

airport section of the railway means so much of the railway as is constructed and maintained, or proposed to be constructed and maintained, on, over or under Perth Airport land;

Airports Act means the *Airports Act 1996* (Commonwealth);

Metropolitan Region Scheme has the meaning given in the *Planning and Development Act 2005* section 4(1);

Perth Airport land means the land described in the *Airports Regulations 1997* (Commonwealth) Schedule 1 Part 1.18;

Planning Commission means the Western Australian Planning Commission established by the *Planning and Development Act 2005* section 7(1);

railway means the railway the construction and maintenance of which is authorised by section 4;

underground section of the railway means so much of the railway as is constructed, or proposed to be constructed, underground, but does not include any part of a railway station, or any part of a related car park, public transport interchange facility or associated means of pedestrian or vehicular access, that is constructed, or proposed to be constructed, underground.

Part 2 — Authority to construct Forrestfield-Airport Link

4. Authority to construct railway

A railway, with all necessary, proper and usual works and facilities in connection with the railway, may be constructed and maintained along the line described in Schedule 1.

Part 3 — Application of written laws to airport section of railway

5. Compliance with Airports Act

A written law that applies in relation to the construction or maintenance of the railway applies in relation to the construction or maintenance of the airport section of the railway only to the extent that the written law is not inconsistent with the Airports Act.

6. Application of *Land Administration Act 1997*

- (1) The *Land Administration Act 1997* Parts 9 and 10 do not apply in relation to the acquisition of any interest in Perth Airport land required for the purpose of constructing or maintaining the railway.
- (2) The *Land Administration Act 1997* section 266 does not apply in relation to any interest in Perth Airport land acquired for the purpose of constructing or maintaining the railway.

7. Exercise by Public Transport Authority of powers under *Public Works Act 1902*

The Public Transport Authority must exercise its powers under the *Public Works Act 1902* section 99 in respect of the airport section of the railway in accordance with the Airports Act.

Part 4 — Application of Metropolitan Region Scheme

8. Planning approval not required for underground section of railway

For the purposes of the Metropolitan Region Scheme, the underground section of the railway is a development that may be commenced or carried out without the approval of the Planning Commission.

Schedule 1 — Line of Forrestfield-Airport Link

[s. 4]

The line of the railway commences at a point along the Perth to Midland railway line near the intersection of Cobden Street with Whatley Crescent, Bayswater that is approximately 5 kilometres from the East Perth Terminal, Summers Street (off Lord Street), East Perth and proceeds in a generally south-easterly direction for approximately 8.5 kilometres along the Tonkin Highway road reserve and Brearley Avenue road reserve, before passing through Perth Airport towards High Wycombe, terminating adjacent to the Forrestfield Rail Yard near Map Grid of Australia coordinates 404652 East and 6463348 North.

The course to be taken by the railway is shown as a red line on Public Transport Authority drawing no. 16-C-15-0002 Rev A.



Defined terms

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

The list is not part of the law.]

Defined term	Provision(s)
airport section of the railway	3
Airports Act	3
Metropolitan Region Scheme	3
Perth Airport land	3
Planning Commission	3
railway	3
underground section of the railway.....	3