



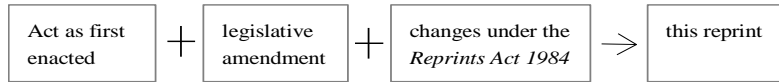
Western Australia

Railways (Standard Gauge) Construction Act 1961

Reprint 1: The Act as at 14 March 2003

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Railways (Standard Gauge) Construction Act 1961

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 14 March 2003

Railways (Standard Gauge) Construction Act 1961

An Act to authorise the construction of a railway from Kalgoorlie to Kwinana, Midland Junction to East Perth, Kewdale to Kwinana, and Kalgoorlie to Kamballie.

[Long title amended by No. 64 of 1963 s. 2.]

1. Short title

This Act may be cited as the *Railways (Standard Gauge) Construction Act 1961*¹.

2. Authority to construct railway lines

It shall be lawful to construct and maintain the several railways, with all necessary, proper and usual works and conveniences in connection therewith, along the lines described respectively in the First, Third, Fourth and Fifth Schedules.

[Section 2 amended by No. 64 of 1963 s. 3.]

3. Authority to deviate

Notwithstanding anything contained in the *Public Works Act 1902*, it shall be lawful to deviate from that portion of the line as described in the First Schedule which consists of the portion of the line from Kalgoorlie to Koolyanobbing to the extent of 10 miles on either side thereof, and to deviate from

s. 4

that portion of the line as so described which consists of the portion of the line from Koolyanobbing to East Northam to the extent of 5 miles on either side thereof, and to deviate from the balance of such line at a distance of one mile on either side thereof.

[Section 3 inserted by No. 64 of 1963 s. 4.]

4. State Transport Co-ordination Act 1933 s. 11(7) not to apply to railways

The provisions of section 11(7) of the *State Transport Co-ordination Act 1933*², do not apply to the construction of the several railways authorised by this Act.

First Schedule

[Section 2]

Kalgoorlie-Perth Railway

Description of Main Line of Railway

Commencing at a point in the Kalgoorlie station yard at which connection can be made to the existing 4 feet 8½ inches gauge Commonwealth railway and proceeding thence in a general westerly direction to a point adjacent to Koolyanobbing Hill on the area leased to Broken Hill Pty. Co. Ltd. (Yilgarn Loc. 1425) and thence in a general south-westerly and southerly direction to a point adjacent to Southern Cross Station and thence alongside the 3 feet 6 inches gauge railway built under Act number 55 Victoriae 12 of 1892³ to East Northam and thence in, a north-westerly direction along the valley of the Avon River to Toodyay and thence generally in, a north-westerly, westerly and south-westerly direction, along the valley of the Avon River to a point alongside The Midland Railway Company of Western Australia Limited's railway about 7½ miles north of Midland Junction and thence in a southerly direction alongside The Midland Railway Company of Western Australia Limited's railway to a point about 3 miles north of Midland Junction and thence in a south-easterly direction to a point alongside the 3 feet 6 inches gauge railway at Bellevue and thence alongside the 3 feet 6 inches gauge railway built under Act numbered 44 Victoriae 18 of 1881³ to a point between East Perth and Perth.

[First Schedule inserted by No. 64 of 1963 s. 5.]

[Second Schedule repealed by No. 64 of 1963 s. 6.]

Third Schedule

Third Schedule

[Section 2]

Midland Junction-Kewdale-Welshpool Railway

Description of Main Line of Railway

Commencing at a point in Midland Junction station yard and proceeding thence in a westerly direction to West Midland and thence in a southerly direction alongside the railway to Kewdale and Welshpool authorised under Act number 62 of 1957⁴.

[Third Schedule inserted by No. 64 of 1963 s. 7.]

Fourth Schedule

[Section 2]

Kewdale-Kwinana Railway

Description of Main Line of Railway

Commencing at a point in the Kewdale marshalling yard and proceeding thence generally in a southerly and south-westerly direction to junction with the Spearwood-Cockburn Cement railway constructed under Act number 33 of 1961⁵ and thence in both a southerly direction to the southern terminus of the Coogee-Kwinana railway and a westerly and northerly direction to North Fremantle parallel to the 3 feet 6 inches gauge railways built under Acts numbered 3 Edward VII 17 of 1904⁶, 61 Victoriae 31 of 1897³ and 42 Victoriae 27 of 1878³, and thence to Rocky Bay parallel to the railway built under Act number 63 Victoriae 51 of 1899³. Also from Robb Jetty to Woodman Point parallel to the railway built under Act number 2 Edward VII 40 of 1902⁶.

[Fourth Schedule inserted by No. 64 of 1963 s. 8.]

Total length of railways referred to in the above Schedules about 460 miles. The whole to be located as shown in red on maps marked C.E. Plans numbered 54405, 54406 and 54407 deposited pursuant to section 96 of the *Public Works Act 1902*.

[Inserted by No. 64 of 1963 s. 8.]

Fifth Schedule

[Section 2]

Kalgoorlie-Kamballie Railway

Description of Main Line of Railway

Commencing at a point in the Kalgoorlie station yard and thence proceeding generally in an easterly and south-easterly direction on the route of the railway constructed under Act 61 Victoriae number 18 of 1897³ and terminating at a point in the Kamballie station yard.

Total length about 5 miles to be located as shown in red on map marked C.E. Plan 51753 deposited pursuant to the *Public Works Act 1902*, section 96.



Notes

- ¹ This reprint is a compilation as at 14 March 2003 of the *Railways (Standard Gauge) Construction Act 1961* 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>Railways (Standard Gauge) Construction Act 1961</i>	27 of 1961	30 Oct 1961	30 Oct 1961
<i>Railways (Standard Gauge) Construction Act Amendment Act 1963</i>	64 of 1963	18 Dec 1963	18 Dec 1963

Reprint 1: The Railways (Standard Gauge) Construction Act 1961 as at 14 Mar 2003
(includes amendments listed above)

- ² Repealed by the *State Transport Co-ordination Act 1966* which was repealed by the *State Transport Co-ordination Act 1981* which was repealed by the *Acts Amendment and Repeal (Transport Co-ordination) Act 1985*.
- ³ Repealed by the *Statute Law Revision Act 1964*.
- ⁴ *Midland Junction-Welshpool Railway Act 1957*.
- ⁵ *Spearwood-Cockburn Cement Pty. Limited Railway Act 1961*.
- ⁶ Repealed by the *Statute Law Revision Act 1965*.