

Western Australia

Railways Discontinuance and Land Revestment Act 1970

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Railways Discontinuance and Land Revestment Act 1970

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Railways Discontinuance and Land Revestment Act 1970

**An Act to Authorize the Discontinuance of Certain Railways and
portion of a Certain Railway and to Revest in Her Majesty Certain
Lands comprised therein, and for incidental and other purposes.**

[Assented to 5 November 1970.]

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. Short title

This Act may be cited as the *Railways Discontinuance and Land Revestment Act 1970*.

2. Operation of Act

- (1) On the date this Act receives the Royal Assent sections 4, 5 and 6 of this Act shall operate in relation to the portion of the scheduled railways that consists of the East Northam-Merredin section and the portion of the railway land that is used in connection therewith.
- (2) On a date to be fixed by proclamation sections 4, 5 and 6 of this Act shall operate in relation to the portion of the scheduled railways that consists of the Merredin-Coolgardie section and

s. 3

the portion of the railway land that is used in connection therewith.

3. Definitions

In this Act, unless the contrary intention appears —

“railway land” means the land described in the Second Schedule to this Act;

“scheduled railways” means the railways or the portion of the railway described in the First Schedule to this Act.

4. Discontinuance of certain railways and portion of a railway

On the coming into operation of this Act in accordance with section 2 of this Act —

- (a) the scheduled railways shall cease to be operated;
- (b) the material comprising the scheduled railways 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 authorized 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.

5. Authority to omit costs of scheduled railways from accounts

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

6. Revesting of land

The railway land is hereby revested in Her Majesty as of Her former estate and is removed from the operation of the *Transfer of Land Act 1893*.

First Schedule

First Schedule

[s.3.]

- (1) Description of Northam-Southern Cross Railway.

Commencing at a point 67 miles 44 chains 60 links from Perth on the Northam-Southern Cross Railway and proceeding generally in an east by northerly direction for 169 miles 10 chains 40 links and terminating at a point 236 miles 55 chains 00 links from Perth on the Northam-Southern Cross Railway, a total length of 169 miles 55 chains 40 links being part of the Railway line authorized by The *Yilgarn Railway Act 1892* (55 Victoriae No. 12).

- (2) Description of the Southern Cross-Coolgardie Railway.

Commencing at a point 236 miles 55 chains 00 links from Perth on the Southern Cross-Coolgardie Railway and proceeding generally in a south-east by easterly direction for about 20 miles; thence in a generally east by northerly direction for about 55 miles; thence in an east-north-easterly direction for about 40 miles, and terminating at a point 351 miles 34 chains 00 links from Perth on the Southern Cross-Coolgardie Railway, a total length of 114 miles 59 chains being the whole of the Railway line authorized by The *Southern Cross-Coolgardie Railway Act 1894* (58 Victoriae No. 25).

- (3) Description of portion of the Coolgardie-Kalgoorlie Railway.

Commencing at a point 351 miles 34 chains 00 links from Perth on the Coolgardie-Kalgoorlie Railway and proceeding generally in an easterly direction for about 0 miles 40 chains 00 links; thence in a north-north-easterly direction for about 0 miles 15 chains 29 links and terminating at a point 352 miles 9 chains 29 links from Perth on the Coolgardie-Kalgoorlie Railway, a total length of 00 miles 55 chains 29 links being part of the Railway line authorized by The *Coolgardie-Kalgoorlie Railway Act 1895* (59 Victoriae No. 19).

Second Schedule

[s.3.]

- (1) The portion of land commencing on the eastern boundary of the Northam-Goomalling Railway at a point 68 miles 66 chains 80 links from Perth and finishing on the northern boundary of the Standard Gauge Railway at a point 69 miles 16 chains 90 links from Perth; and recommencing at the northern boundary of the Standard Gauge Railway at a point 70 miles 10 chains 35 links from Perth and finishing on the north-western boundary of the Standard Gauge Railway at a point 81 miles 52 chains 40 links from Perth; and recommencing on the south-eastern boundary of the Standard Gauge Railway at a point 81 miles 56 chains 70 links from Perth and finishing on the southern boundary of the Standard Gauge Railway at a point 85 miles 15 chains 00 links from Perth save and except for a small portion required for Standard Gauge Railway purposes at a point 80 miles 20 chains from Perth; and recommencing on the southern boundary of the Standard Gauge Railway at a point 87 miles 9 chains 00 links from Perth and finishing on the south-south western boundary of the Standard Gauge Railway at a point 88 miles 66 chains 50 links from Perth; and recommencing on the north-western boundary of the Standard Gauge Railway at a point 90 miles 57 chains 30 links from Perth and finishing on the north-north west boundary of the Standard Gauge Railway at a point 91 miles 1 chain 10 links from Perth; and recommencing on the southern boundary of the Standard Gauge Railway at a point 100 miles 62 chains 90 links from Perth and finishing on the south-south west boundary of the Standard Gauge Railway at a point 105 miles 17 chains 15 links from Perth; and recommencing on the south-south western boundary of the Standard Gauge Railway at a point 114 miles 77 chains 30 links from Perth and finishing on the southern boundary of the Standard Gauge Railway at 115 miles 29 chains 50 links from Perth save and except for the portion required for the Standard Gauge Railway; and recommencing on the north-north east boundary of the Standard Gauge Railway at a point 122 miles 34 chains 15 links from Perth and finishing on the north-north west boundary of the Standard Gauge Railway at a point 131 miles 52 chains 80 links from Perth; and recommencing on the south-south east boundary of the Standard Gauge Railway at a point 139 miles 61 chains 50 links from Perth and finishing on the

Second Schedule

south-south east boundary of the Standard Gauge Railway at a point 140 miles 19 chains 65 links from Perth; and recommencing on the south eastern boundary of the Standard Gauge Railway at a point 142 miles 29 chains 70 links from Perth and finishing on the north-west by west boundary of the Merredin-Bruce Rock Railway at a point 166 miles 19 chains 30 links from Perth; and recommencing on the south-east by east boundary of the Merredin-Bruce Rock Railway at a point 166 miles 24 chains 30 links from Perth and finishing on the south-south-west boundary of the Standard Gauge Railway at a point 167 miles 36 chains 50 links from Perth; and being more particularly described and delineated on the general plan and enlargements A to O inclusive on C.E. Plan 62979.

- (2) The portion of land commencing on the south by east boundary on the Standard Gauge Railway at a point 169 miles 1 chain 50 links from Perth and finishing on the south-west boundary of the Standard Gauge Railway at a point 189 miles 36 chains 30 links from Perth; and recommencing on the north-east boundary of the Standard Gauge Railway at a point 189 miles 38 chains 50 links from Perth, and finishing on the south-west boundary of the Standard Gauge Railway at a point 198 miles 5 chains 00 links from Perth save and except the portion required for the Standard Gauge Railway at or about a point 190 miles 7 chains 00 links from Perth; and recommencing on the north-east boundary of the Standard Gauge Railway at a point 198 miles 7 chains 40 links and finishing on the south-south-west boundary of the Standard Gauge Railway at a point 205 miles 55 chains 50 links from Perth; and recommencing on the north-north-east boundary of the Standard Gauge Railway at a point 205 miles 58 chains 20 links from Perth and finishing on the north-north-west boundary of the Standard Gauge Railway at a point 219 miles 78 chains 10 links from Perth, save and except for the portion required for the Standard Gauge Railway at the 217 miles 36 chains 00 links; and recommencing on the south-south-east boundary of the Standard Gauge Railway at a point 220 miles 1 chain 10 links from Perth and finishing on the western alignment of Londonderry Road in the Town of Coolgardie being a point 351 miles 69 chains 00 links from Perth on the Coolgardie-Kalgoorlie Railway and being more particularly described and delineated on the general plan and enlargements A-H inclusive on C.E. Plan 62994.

Notes

- ^{1.} This is a compilation of the *Railways Discontinuance and Land Revestment Act 1970* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Railways Discontinuance and Land Revestment Act 1970</i>	56 of 1970	5 Nov 1970	Proclaimed re Merredin-Coolgardie Railway (see section 2) (see <i>Gazette</i> 30 Mar 1972 p.724)