

Western Australia

**Railways Discontinuance and Land Revestment
Act 1974**

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Railways Discontinuance and Land Revestment Act 1974

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Railways Discontinuance and Land Revestment Act 1974

An Act to Authorize the Discontinuance of Certain Railways and to Revest in Her Majesty Certain Lands Comprised therein, and for incidental and other purposes.

[Assented to 29 October 1974.]

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 1974*.

2. Commencement

- (1) Subject to subsection (2) of this section, this Act shall come into operation on the day that it receives the Royal Assent.
- (2) Sections 3 to 8 (both inclusive) shall come into operation on such day or days as is or are, respectively, fixed by proclamation.

3. Discontinuance of railway First Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the First Schedule shall cease to be operated.

4. Discontinuance of railway Second Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the Second Schedule shall cease to be operated.

5. Discontinuance of railway Third Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the Third Schedule shall cease to be operated.

6. Discontinuance of railway Fourth Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the Fourth Schedule shall cease to be operated.

7. Discontinuance of railway Fifth Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the Fifth Schedule shall cease to be operated.

8. Discontinuance of railway Sixth Schedule

On and from the coming into operation of this section the railway described in paragraph (a) of the Sixth Schedule shall cease to be operated.

9. Use of materials and costs of railways

Where a railway ceases to operate pursuant to the provisions of this Act —

- (a) the material comprising the 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 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; and
- (b) the costs of the 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*.

10. Land revestment

Where a railway ceases to operate pursuant to the provisions of a section of this Act the land in paragraph (b) of the schedule mentioned in that section is revested in Her Majesty as of her former estate and any portion of that land that is under the *Transfer of Land Act 1893*, is hereby removed from the operation of that Act.

First Schedule

First Schedule

Kalgoorlie-Gnumballa Lake Railway

(a) Commencing at a point 603.92 km or thereabouts from Perth on the Kalgoorlie-Gnumballa Lake Railway and proceeding thence on a bearing of $43^{\circ} 30'$ for a distance of 266 m, thence on a bearing of $17^{\circ} 44'$ for a distance of 60 m, thence on a bearing of $50^{\circ} 44'$ for a distance of 119 m, thence on a bearing of $83^{\circ} 44'$ for a distance of 119 m, thence on a bearing of $116^{\circ} 44'$ for a distance of 119 m, thence on a bearing of $149^{\circ} 49'$ for a distance of 631 m, thence on a bearing of $161^{\circ} 57'$ for a distance of 711 m, thence on a bearing of $140^{\circ} 54'$ for a distance of 1 825 m, thence on a bearing of $155^{\circ} 00'$ for a distance of 150 m, thence on a bearing of $169^{\circ} 18'$ for a distance of 250 m, thence on a bearing of $161^{\circ} 7'$ for a distance of 389 m, thence on a bearing of $173^{\circ} 54'$ for a distance of 410 m, thence on a bearing of $138^{\circ} 25'$ for a distance of 679 m, thence on a bearing of $171^{\circ} 42'$ for a distance of 235 m, thence on a bearing of $142^{\circ} 48'$ for a distance of 215 m, thence on a bearing of $149^{\circ} 38'$ for a distance of 194 m, thence on a bearing of $139^{\circ} 06'$ for a distance of 210 m, thence on a bearing of $156^{\circ} 32'$ for a distance of 229 m, thence on a bearing of $114^{\circ} 0'$ for a distance of 271 m, and thence on a bearing of $136^{\circ} 32'$ for a distance of 295 m, and terminating at a point 611.212 km or thereabouts from Perth and being a total length of 7.292 km or thereabouts.

The whole being more particularly delineated and shown by a red line on C.E. Plan 66664.

(b) All that portion of land commencing at a point 604.258 km or thereabouts from Perth on the Kalgoorlie-Gnumballa Lake Railway and being more particularly from a line connecting an angle on the northern boundary of Outridge Terrace to the South west corner of Commonwealth land adjoining the western side of Kalgoorlie Lot 1881, and continuing along the Kalgoorlie-Gnumballa Railway to a point 611.212 km from Perth.

The whole being more particularly delineated and shown coloured yellow on C.E. Plan 66664.

Second Schedule

Boulder Townsite Loop Railway

(a) Commencing at a point 609.185 km or thereabouts from Perth on the Kalgoorlie-Gnumballa Lake Railway and proceeding thence on a bearing of $173^{\circ} 54'$ for a distance of 58 m, thence on a bearing of $201^{\circ} 00'$ for a distance of 116 m, thence on a bearing of $228^{\circ} 7'$ for a distance of 529 m, thence on a bearing of $200^{\circ} 27'$ for a distance of 148 m, thence on a bearing of $172^{\circ} 46'$ for a distance of 902 m, thence on a bearing of $136^{\circ} 38'$ for a distance of 157 m, thence on a bearing of $100^{\circ} 30'$ or a distance of 977 m, thence on a bearing of $66^{\circ} 0'$ for a distance of 280 m, thence on a bearing of $114^{\circ} 0'$ for a distance of 107 m, terminating at a point 610.784 km from Perth on the Kalgoorlie-Gnumballa Lake Railway and being a total length of 3.122 km or thereabouts.

The whole being more particularly delineated and shown by a red line on C.E. Plan 66664.

(b) Commencing at a point 609.185 km or thereabouts from Perth on the Kalgoorlie-Gnumballa Lake Railway and proceeding along the Boulder Townsite Loop and rejoining the Kalgoorlie-Gnumballa Lake Railway at a point 610.784 km or thereabouts from Perth.

The whole being more particularly delineated and shown coloured yellow on C.E. Plan 66664.

Third Schedule

Third Schedule

The Brown Hill Loop Kalgoorlie-Gnumballa Lake Railway

(a) Commencing at a point 611.212 km on the Kalgoorlie-Gnumballa Lake Railway and proceeding thence on a bearing of 107° 35' for a distance of 104 m, thence on a bearing of 78° 38' for a distance of 104 m, thence on a bearing of 49° 31' for a distance of 104 m, thence on a bearing of 20° 44' for a distance of 296 m, thence on a bearing of 33° 16' for a distance of 324 m thence on a bearing of 337° 4' for a distance of 752 m, thence on a bearing of 302° 25' for a distance of 336 m, thence on a bearing of 341° 23' for a distance of 433 m, terminating at a point 613.676 km via Kamballie from Perth on the Brown Hill Loop Kalgoorlie-Gnumballa Lake Railway and being a total length of 2.453 km or thereabouts.

The whole being more particularly delineated and shown by a red line on C.E. Plan 66664.

(b) Commencing at a point 611.212 km or thereabouts from Perth on the Kalgoorlie-Gnumballa Lake Railway and proceeding along the Brown Hill Loop to a point 613.676 km or thereabouts via Kamballie from Perth on the Brown Hill Loop Kalgoorlie-Gnumballa Lake Railway.

The whole being more particularly delineated and shown coloured yellow on C.E. Plan 66664.

Fourth Schedule

Coolgardie-Kalgoorlie Railway

(a) Commencing at a point 566.676 0 km or thereabouts from Perth on the railway authorized by Act No. 19 of 1895 and proceeding thence on a bearing of $76^{\circ} 52'$ for a distance of 210 m or thereabouts, thence on a bearing of $38^{\circ} 31'$ for a distance of 420 m or thereabouts, thence on a bearing of $26^{\circ} 14'$ for a distance of 1 312 m or thereabouts, thence on a bearing of $8^{\circ} 45'$ for a distance of 462 m or thereabouts, thence on a bearing of $19^{\circ} 45'$ for a distance of 369 m or thereabouts, thence on a bearing of $37^{\circ} 26'$ for a distance of 669 m or thereabouts, thence on a bearing of $24^{\circ} 00'$ for a distance of 659 m or thereabouts, thence on a bearing of $40^{\circ} 09'$ for a distance of 1 497 m or thereabouts, thence on a bearing of $51^{\circ} 07'$ for a distance of 5 238 m or thereabouts, thence on a bearing of $57^{\circ} 07'$ for a distance of 6 492 m or thereabouts, thence on a bearing of $43^{\circ} 45'$ for a distance of 612 m or thereabouts, thence on a bearing of $57^{\circ} 45'$ for a distance of 6 092 m or thereabouts, thence on a bearing of $42^{\circ} 41'$ for a distance of 600 m or thereabouts, thence on a bearing of $67^{\circ} 17'$ for a distance of 513 m or thereabouts, thence on a bearing of $57^{\circ} 47'$ for a distance of 8 235 m or thereabouts, thence on a bearing of $44^{\circ} 38'$ for a distance of 3 410 m or thereabouts, and terminating at a point 603.808 6 km or thereabouts from Perth on the Coolgardie-Kalgoorlie Railway.

(b) All that portion of land commencing at a point 566.298 0 km or thereabouts from Perth on the Coolgardie-Kalgoorlie Railway and terminating at a point 595.055 0 km from Perth and recommencing at a point 595.105 0 km and terminating at a point 596.201 6 km from Perth. The commencements and termini being more particularly delineated and shown coloured yellow on the insets on C.E. Plan 66889.

Fifth Schedule

Fifth Schedule

Coolgardie-Lake Lefroy Railway

(a) Commencing at a point 566.239 6 km or thereabouts from Perth on the railway authorized by Act No. 21 of 1906 and proceeding thence on a bearing of $76^{\circ} 52'$ for a distance of 311 m or thereabouts, thence on a bearing of $167^{\circ} 20'$ for a distance of 1 009 m or thereabouts, thence on a bearing of $179^{\circ} 01'$ for a distance of 943 m or thereabouts, thence on a bearing of $209^{\circ} 19'$ for a distance of 929 m or thereabouts, thence on a bearing of $201^{\circ} 31'$ for a distance of 1 217 m or thereabouts, thence on a bearing of $192^{\circ} 10'$ for a distance of 819 m or thereabouts, thence on a bearing of $206^{\circ} 24'$ for a distance of 798 m or thereabouts, thence on a bearing of $194^{\circ} 51'$ for a distance of 662 m or thereabouts, thence on a bearing of $212^{\circ} 06'$ for a distance of 408 m or thereabouts, thence on a bearing of $233^{\circ} 32'$ for a distance of 426 m or thereabouts, thence on a bearing of $210^{\circ} 40'$ for a distance of 966 m or thereabouts, thence on a bearing of $228^{\circ} 28'$ for a distance of 694 m or thereabouts, thence on a bearing of $207^{\circ} 38'$ for a distance of 1 347 m or thereabouts, thence on a bearing of $198^{\circ} 07'$ for a distance of 3 417 m or thereabouts, thence on a bearing of $207^{\circ} 36'$ for a distance of 1 014 m or thereabouts, thence on a bearing of $175^{\circ} 00'$ for a distance of 4 182 m or thereabouts, thence on a bearing of $137^{\circ} 00'$ for a distance of 9 792 m or thereabouts, thence on a bearing of $150^{\circ} 00'$ for a distance of 4 018 m or thereabouts, thence on a bearing of $134^{\circ} 00'$ for a distance of 12 260 m or thereabouts, thence on a bearing of $139^{\circ} 00'$ for a distance of 11 307 m or thereabouts, thence on a bearing of $119^{\circ} 40'$ for a distance of 639 m or thereabouts, thence on a bearing of $181^{\circ} 01'$ for a distance of 1 419 m or thereabouts, thence on a bearing of $136^{\circ} 01'$ for a distance of 712 m or thereabouts, thence on a bearing of $113^{\circ} 58'$ for a distance of 361 m or thereabouts, thence on a bearing of $145^{\circ} 18'$ for a distance of 604 m or thereabouts, thence on a bearing of $133^{\circ} 18'$ for a distance of 781 m or thereabouts, thence on a bearing of $143^{\circ} 18'$ for a distance of 368 m or thereabouts, thence on a bearing of $139^{\circ} 01'$ for a distance of 1 250 m or thereabouts, thence on a bearing of $154^{\circ} 01'$ for a distance of 7 698 m or thereabouts, thence on a bearing of $124^{\circ} 53'$ for a distance of 1 594 m or thereabouts, thence on a bearing of $115^{\circ} 18'$ for a distance of 2 637 m or thereabouts, thence on a bearing of $97^{\circ} 09'$ for a distance of 1 847 m or thereabouts, thence on a bearing of $113^{\circ} 40'$ for a distance of 464 m or thereabouts, thence on a bearing of $80^{\circ} 41'$ for a distance of 935 m or thereabouts, thence on a bearing of $149^{\circ} 45'$ for a distance of 1 262 m or

thereabouts, thence on a bearing of 114° 45' for a distance of 544 m or thereabouts, thence on a bearing of 88° 41' for a distance of 215 m or thereabouts, thence on a bearing of 100° 13' for a distance of 415 m or thereabouts, thence on a bearing of 68° 48' for a distance of 862 m or thereabouts, thence on a bearing of 55° 31' for a distance of 613 m or thereabouts, thence on a bearing of 100° 52' for a distance of 402 m or thereabouts, thence on a bearing of 143° 33' for a distance of 825 m or thereabouts, thence on a bearing of 155° 33' for a distance of 459 m or thereabouts, thence on a bearing of 103° 25' for a distance of 1 163 m or thereabouts, thence on a bearing of 150° 42' for a distance of 359 m or thereabouts, and terminating at a point 650.175 0 km or thereabouts from Perth on the Coolgardie-Norseman Railway.

(b) All that portion of land commencing at a point 566.298 0 km or thereabouts on the Coolgardie-Norseman railway and terminating at a point 649.973 8 km or thereabouts the commencement and terminus being more particularly delineated and shown coloured yellow on the insets on C.E. Plan 66889.

Sixth Schedule

Sixth Schedule

Tambellup-Ongerup Railway

(a) All that railway having a total length of 152.7 metres or thereabouts commencing at the south western alignment of Corbett Street and thence proceeding in an east by north east direction and terminating at the south western alignment of Whitehead Road, both being roads in the townsite of Gnowangerup.

(b) The whole of the land shown coloured red on C.E. Plan 66851.

Notes

- ^{1.} This is a compilation of the *Railways Discontinuance and Land Revestment Act 1974* 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 1974</i>	25 of 1974	29 Oct 1974	Sections 3 to 5: proclaimed 15 Mar 2000 (see <i>Gazette</i> 14 Mar 2000 p.1139); Sections 6 to 8: proclaimed 30 May 1975 (see <i>Gazette</i> 30 May 1975 p. 1590-1); balance on assent: 29 Oct 1974