

Western Australia

# **Railways Discontinuance and Land Revestment Act 1975**

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# **Railways Discontinuance and Land Revestment Act 1975**

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## **Railways Discontinuance and Land Revestment Act 1975**

**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 18 September 1975.]*

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 1975*.

**2. Commencement**

This Act shall come into operation on a date to be fixed by proclamation.

**3. Interpretation**

In this Act, unless the contrary intention appears —

**“railway land”** means the land described in paragraph (b) of the Schedule to this Act;

**“scheduled railways”** means the railways described in paragraph (a) of the Schedule to this Act.

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

On and from the coming into operation of this Act the scheduled railways shall cease to be operated, and on and from that date —

- (a) 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; and
- (b) 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*.

**5. Land Revestment**

The railway land 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.

### **Schedule**

(a) Dwellingup-Hotham Railway (Act No. 17 of 1911)

Commencing at a point being 111.105 km or thereabouts from Perth on the Dwellingup-Hotham Railway (Act No. 17 of 1911) and proceeding generally in an east southeasterly direction for a distance of 28 km or thereabouts, thence generally in an easterly direction for a distance of 18.8 km or thereabouts and terminating at the terminus of the Dwellingup-Hotham Railway being a point 157.943 km or thereabouts from Perth on the said railway.

Hotham-Crossman Railway (Act No. 14 of 1912)

Commencing at a point being 157.943 km or thereabouts from Perth on the Hotham-Crossman Railway (Act No. 14 of 1912) and proceeding generally in an easterly direction for 1 740 m or thereabouts and terminating at a point 158.118 km from Perth being the terminus of the said railway.

The total distance being 47.013 km.

The whole being more particularly delineated and shown by a red line on C.E. Plan 67297.

(b) Land Revestment

All that portion of land commencing at a point 111.105 km or thereabouts from Perth on the Dwellingup-Hotham Railway and terminating at a point 158.118 km from Perth or thereabouts on the Hotham-Crossman Railway. The commencement and terminus being more particularly delineated and shown coloured yellow on the insets on C.E. Plan 67297.

**Notes**

- <sup>1.</sup> This is a compilation of the *Railways Discontinuance and Land Revestment Act 1975* and includes all amendments effected by the other Acts referred to in the following Table.

**Compilation table**

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Railways Discontinuance and Land Revestment Act 1975</i>	47 of 1975	18 Sep 1975	14 Jun 1976 (see <i>Gazette</i> 2 Jul 1976 p.2276)