

Western Australia

Railways Discontinuance and Land Revestment Act 1978

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CONTENTS

1.	Short title	1
2.	Commencement	1
3.	Interpretation	1
4.	Discontinuance of railway and incidental matters	2
5.	Land Revestment	2

Schedule

NOTES

Railways Discontinuance and Land Revestment Act 1978

An Act to Authorize the Discontinuance of certain Railways and to Revest in Her Majesty certain land comprised therein, and for incidental and other purposes.

[Assented to 18 May 1978.]

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 1978*.

2. Commencement

This Act shall come into operation on a day 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.

Schedule

- (a) Portion of Fremantle Harbour Works and Tramway and the Quarry Railway Extension (*Fremantle Harbour Works and Tramway Act 1893 and Quarry Railway Extension Act 1928*)

All that portion of the Rous Head-Rocky Bay-Quarry railway starting at a point on the Perth-Fremantle Railway, situate 18.44 kilometres from the Perth Terminal and extending generally north-easterly through the Perth-Fremantle Railway Reserve, Stirling Highway, Vacant Crown Land, Lot P82, Craig Street, Thompson Road, North Fremantle Lot 282 (Reserve 5081), Class B Reserve 2976, Vacant Crown Land, North Fremantle Lots 323 and 236, Closed Road; thence generally north-easterly and south-easterly through Vacant Crown Land, generally south-easterly through Closed Road, Vacant Crown Land, Fairbairn Street, again Vacant Crown Land, Stone Street and again Vacant Crown Land to the north-western boundary of Swan Location 79, as shown on Western Australian Government Railways Plan PD.5095.

- (b) Land Revestment

All that portion of land comprising Reserves 2976 and 5081.

Notes

- ^{1.} This is a compilation of the *Railways Discontinuance and Land Revestment Act 1978* 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 1978</i>	24 of 1978	18 May 1978	1 Sep 1978 (see <i>Gazette</i> 1 Sep 1978 p. 3224)