

Western Australia

## **Bunbury Railway Lands Act 1985**

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As at 30 Mar 1998

Version 00-c0-02

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Western Australia

# Bunbury Railway Lands Act 1985

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## NOTES



## Bunbury Railway Lands Act 1985

**An Act revesting certain lands in Her Majesty, enabling the grant of certain lands to The Western Australian Government Railways Commission, closing certain roads and relating to certain reserves and other lands in Bunbury.**

*[Assented to 6 May 1985.]*

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. Citation**

This Act may be cited as the *Bunbury Railway Lands Act 1985*.

**2. Interpretation**

In this Act —

“**Commission**” means The Western Australian Government Railways Commission constituted under the *Government Railways Act 1904*;

“**the plan**” means Lands and Surveys Miscellaneous Plan No. 1520.

**3. Land revested in Her Majesty**

All that land —

**s. 4**

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- (a) taken or resumed for railway purposes as specified in the notice published at pages 850-851 of the *Government Gazette* of 24 August 1893; and
- (b) shown hachured green on the plan,

is hereby revested in Her Majesty as of Her former estate and constituted Crown land within the meaning of that expression in the *Land Act 1933*.

**4. Further land revested in Her Majesty**

All that land held in fee simple and shown coloured green on the plan is hereby revested in Her Majesty as of Her former estate, constituted Crown land within the meaning of that expression in the *Land Act 1933* and, where any such land is under the operation of the *Transfer of Land Act 1893*, is hereby removed from the operation of that Act.

**5. Road closures**

All —

- (a) those portions of Blair Street; and
- (b) that portion of Cobblestone Drive,

shown hachured black on the plan are hereby closed and, subject to this Act, the *Land Administration Act 1997* shall apply to that land as if the closures had been effected under that Act.

*[Section 5 amended by No. 14 of 1996 s.4; No. 31 of 1997 s.12.]*

**6. Reserve No. 9666 cancelled**

Reserve No. 9666, classified as of Class C, containing 1.3456 hectares or thereabouts and set apart for “Railway Purposes” is hereby cancelled.

**7. Reserve No. 24397 cancelled**

Reserve No. 24397, classified as of Class C, containing 33 square metres or thereabouts and set apart for “Railway Purposes” is hereby cancelled.

**8. Reserve No. 3753 amended**

Reserve No. 3753, classified as of Class B, containing 4 858 square metres or thereabouts, set apart for “Vehicle Parking” and vested in the City of Bunbury is hereby amended by excising an area of 3 640 square metres or thereabouts shown bordered on the plan by Blair Street and a red line.

**9. Reserve No. 15927 amended**

Reserve No. 15927, classified as of Class A, containing 8.2987 hectares or thereabouts and set apart for “Recreation” is hereby amended by excising an area of 1 640 square metres or thereabouts shown on the plan as lying to the west of the red line passing through that reserve.

**10. Reserve No. 31563 amended**

Reserve No. 31563, classified as of Class C, containing 7 907 square metres or thereabouts and set apart for “Parking and Recreation” is hereby amended by excising that area shown on the plan as lying to the west of the red line passing through the reserve.

**11. Disposition of land**

- (1) Subject to subsection (2) the Governor may grant to the Commission for an estate in fee simple without requiring the payment of any consideration in respect thereof, so much of —
  - (a) the land referred to in section 3, excluding that portion shown coloured yellow on the plan;

**s. 12**

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- (b) the land referred to in section 4, excluding that portion of Lot 61 to the west of Blair Street which is intended to be set aside for the purpose of a sewerage pumping station;
- (c) the land referred to in section 5 excluding that portion of Blair Street comprising 267 square metres or thereabouts shown coloured orange on the plan which is intended to be set aside for the purpose of an Historic Building (Country Women's Association) Reserve;
- (d) the land referred to in section 6;
- (e) the land referred to in section 7; and
- (f) the land excised under section 8,

as is not required to be set aside for road, railway or foreshore reserve purposes.

- (2) Subsection (1) does not apply to that area of 2 460 square metres marked on the plan as "City Park."

**12. Power of Commission to deal with land**

The Commission may, with the approval of the Minister for the time being administering the *Government Railways Act 1904*, sell or otherwise dispose of any land granted to it by the Governor under section 11 (1) and any proceeds thereof shall be applied for the purposes of the *Government Railways Act 1904*.



**Notes**

- <sup>1.</sup> This is a compilation of the *Bunbury Railway Lands Act 1985* and includes all amendments effected by the other Acts referred to in the following Table.

**Compilation table**

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| <b>Short title</b>   | <b>Number<br/>and year</b> | <b>Assent</b> | <b>Commencement</b>  |
|--|----------------------------|---------------|--|
| <i>Bunbury Railway Lands Act 1985</i>                                  | 32 of 1985                 | 6 May 1985    | Operative 3 Jun 1985   |
| <i>Local Government (Consequential Amendments) Act 1996, section 4</i> | 14 of 1996                 | 28 Jun 1996   | 1 Jul 1996 (see section 2)                                   |
| <i>Acts Amendment (Land Administration) Act 1997, Part 10</i>          | 31 of 1997                 | 3 Oct 1997    | 30 Mar 1998 (see s. 2 and <i>Gazette</i> 27 Mar 1998 p.1765) |

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