Western Australia

Railway (Tilley to Karara) Act 2010

Western Australia

Railway (Tilley to Karara) Act 2010

Contents

Part 1 — Preliminary

1. Short title 2

2. Commencement 2

Part 2 — Authority to construct railway

3. Authority to construct Tilley to Karara railway 3

Part 3 — Application of various written laws if construction of railway undertaken by contractor

4. Terms used 4

5. Application of Part 4

6. *Aboriginal Heritage Act 1972* 4

7. *Environmental Protection Act 1986* 4

Schedule 1 — Line of Tilley to Karara Railway

Notes

Compilation table 6

Defined terms

Western Australia

Railway (Tilley to Karara) Act 2010

An Act to authorise the construction of a railway from Tilley to Karara, and for related purposes.

The Parliament of Western Australia enacts as follows:

## Part 1 — Preliminary

##### 1. Short title

This is the *Railway (Tilley to Karara) Act 2010*.

##### 2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

## Part 2 — Authority to construct railway

##### 3. Authority to construct Tilley to Karara railway

A railway, with all necessary, proper and usual works and facilities in connection with the railway, may be constructed and maintained along the line described in Schedule 1.

## Part 3 — Application of various written laws if construction of railway undertaken by contractor

##### 4. Terms used

In this Part —

proposal has the meaning given in the *Environmental Protection Act 1986* section 3(1);

Public Transport Authority means the Public Transport Authority of Western Australia established under the *Public Transport Authority Act 2003* section 5;

specified means specified or described in the regulations.

##### 5. Application of Part

This Part applies if the Public Transport Authority enters into a contract or arrangement with another person (thecontractor) for the construction of all, or part, of the railway (the construction of the railway).

##### 6. *Aboriginal Heritage Act 1972*

For the purposes of the construction of the railway, the *Aboriginal Heritage Act 1972* applies in relation to any land required to be used for the construction of the railway as if the contractor were the owner of that land.

[Section 6 inserted: No. 23 of 2023 s. 32.]

##### 7. *Environmental Protection Act 1986*

For the purposes of the construction of the railway, the *Environmental Protection Act 1986* applies as if, despite anything else in that Act, the contractor had been nominated under section 38(6) of that Act as the person responsible for any proposal in respect of the construction of the railway.

Schedule 1 — Line of Tilley to Karara Railway

[s. 3]

1. The Tilley to Karara railway commences about 336.5 kilometres along the Avon Yard to Mullewa Railway line at point 1 in the sequence specified in the Table then continues, generally in an easterly or south‑easterly direction, along a straight line between each of the points in the sequence, and terminates at point 10, about 74 kilometres from point 1.

Table

| **Point no.** | **East** | **North** |
| --- | --- | --- |
| 1 | 404000 | 6773000 |
| 2 | 418900 | 6773000 |
| 3 | 420000 | 6773700 |
| 4 | 423803 | 6774160 |
| 5 | 428775 | 6770355 |
| 6 | 443240 | 6770410 |
| 7 | 450215 | 6772010 |
| 8 | 467440 | 6771655 |
| 9 | 471475 | 6772630 |
| 10 | 474220 | 6771125 |

2. The course to be taken by the railway is shown as a red line on Public Transport Authority Plan 17‑C‑15‑1001.

Note for this Schedule:

Coordinate references are to Map Grid of Australia 1994 grid coordinates in Zone 50 of the Universal Transverse Mercator Grid System based on the Geocentric Datum of Australia.



Notes

This is a compilation of the *Railway (Tilley to Karara) Act 2010* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

| **Short title** | **Number and year** | **Assent** | **Commencement** |
| --- | --- | --- | --- |
| *Railway (Tilley to Karara) Act 2010* | 25 of 2010 | 7 Jul 2010 | 7 Jul 2010 (see s. 2) |
| *Aboriginal Cultural Heritage Act 2021* s. 351 | 27 of 2021 | 22 Dec 2021 | 1 Jul 2023 (see s. 2(e) and SL 2023/40 cl. 2(b)) |
| *Aboriginal Heritage Legislation Amendment and Repeal Act 2023* s. 32 | 23 of 2023 | 24 Oct 2023 | 15 Nov 2023 (see s. 2(d) and SL 2023/161 cl. 2) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

construction of the railway 5

contractor 5

proposal 4

Public Transport Authority 4

specified 4

© State of Western Australia 2023.

This work is licensed under a Creative Commons Attribution 4.0 International Licence (CC BY 4.0). To view relevant information and for a link to a copy of the licence, visit www.legislation.wa.gov.au.

Attribute work as: © State of Western Australia 2023.

By Authority: GEOFF O. LAWN, Government Printer