

Western Australia

Railway Discontinuance Act (No. 2) 2006

As at 13 Dec 2006

No. 72 of 2006

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Railway Discontinuance Act (No. 2) 2006

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Schedule 1 — Scheduled railways

Defined Terms

Western Australia

Railway Discontinuance Act (No. 2) 2006

No. 72 of 2006

An Act to provide for the discontinuance of certain portions of railway and to authorise the disposition of certain material and land, and for related purposes.

[Assented to 13 December 2006]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Railway Discontinuance Act (No. 2) 2006*.

2. Commencement

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

3. Terms used in this Act

In this Act —

“**Authority**” means the Public Transport Authority of Western Australia established by the *Public Transport Authority Act 2003* section 5;

“**Minister for Lands**” means the Minister responsible for the administration of the *Land Administration Act 1997*;

“**scheduled railways**” means the railways and portions of railway described in Schedule 1.

4. Discontinuance of scheduled railways, and incidental matters

- (1) The scheduled railways are discontinued.
- (2) The material comprising the scheduled railways, or any portion of that material, may be —
 - (a) used in the construction or maintenance of any government railway, as defined in the *Government Railways Act 1904* section 2; or
 - (b) used in the construction of any railway authorised to be constructed under any other Act; or
 - (c) sold, disposed of, or otherwise dealt with.

5. Disposition of land

- (1) The Minister for Lands is to transfer to the Authority in fee simple, under the *Land Administration Act 1997*, any land dedicated for the scheduled railways that becomes Crown land by operation of the *Land Administration Act 1997* section 266.
- (2) The Minister for Lands is to transfer land under subsection (1) without requiring the payment of any consideration in respect of that transfer.

6. Power of Authority to deal with land

- (1) With the approval of the Minister responsible for the administration of the *Government Railways Act 1904*, the Authority may sell or otherwise dispose of any land transferred to it under section 5.
- (2) The Authority is to credit the proceeds of any sale or disposal of land under subsection (1) to the Public Transport Authority Account referred to in the *Public Transport Authority Act 2003* section 32.

Schedule 1 — Scheduled railways

[s. 3]

1. That portion of railway constructed under the authority of the *Geraldton and Northampton Railway Act 1873* (now repealed), commencing at a point at the common boundary of Geraldton Lot 3066 on Deposited Plan 219949 and Forrest Street in Geraldton and terminating at a point about 60 metres north-west from the south-westernmost point of Geraldton Lot 3046 on Deposited Plan 193132 at Bluff Point.
 2. That portion of railway constructed under the authority of the *Geraldton-Greenough Railway Act 1886* (now repealed) commencing at a point about 60 metres north-west from the south-westernmost point of Geraldton Lot 3046 on Deposited Plan 193132 at Bluff Point and terminating at a point established by the south-westerly projection of the south-eastern boundary of Lot 45 on Diagram 43882.
 3. The railway constructed under the authority of the *Geraldton Harbour Works Railway Act 1923* (now repealed).
 4. The railway constructed under the authority of the *Geraldton Harbour Works Railway Extension Act 1939* (now repealed).
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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)
Authority.....	3
Minister for Lands	3
scheduled railways	3