

**BELMONT BRANCH RAILWAY
DISCONTINUANCE AND LAND
REVESTMENT.**

5° Elizabeth II., No. XXXIV.

No. 34 of 1956.

**AN ACT to Authorise the Discontinuance of the
Belmont Branch Railway and to Revest in Her
Majesty the land comprised in that Railway.**

[Assented to 7th December, 1956.]

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. This Act may be cited as the *Belmont Branch Railway Discontinuance and Land Revestment Act, 1956.* Short title and citation.

2. In this Act—
“prescribed railway” means the railway described in the First Schedule to this Act. Interpretation.

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Revestment.

Discontinu-
ance of
railway.

3. The prescribed railway shall cease to be operated on and from the coming into operation of this Act.

Authority to
re-use or
dispose of
material.

4. (1) The Minister is authorised to direct that the material comprising the prescribed railway—

(a) be used in the maintenance of any Government Railway according to the meaning given to that expression by section two of the Government Railways Act, 1902;

(b) be used in the construction of any railway authorised, under section ninety-five of the Public Works Act, 1902, to be constructed, whether before or after the coming into operation of this Act, for Her Majesty in the State; or

(c) be sold, disposed of, or otherwise dealt with.

(2) A direction issued under this section by the Minister has, and shall be given, effect according to its tenor.

Authority to
omit cost
from
accounts.

5. The cost of the prescribed railway, as charged to the Government Railways Capital Account, may be omitted from the accounts prepared under Part IV. of the Government Railways Act, 1902.

Revesting of
land.

6. The land described in the Second Schedule to this Act, being the land comprised in the prescribed railway, is hereby revested in Her Majesty as of her former estate.

S. 2.

FIRST SCHEDULE.

Description of Railway.

All that railway commencing at a point approximately 4 miles 20 chains 42 links from Perth between Slade and Cobden Streets in Bayswater and proceeding generally in a southerly direction for a distance of 2 miles 7 chains 7 links or thereabouts to the northern boundary of Hardeys Road, Belmont, adjacent to Location 31. The line was officially opened for traffic on 1st January, 1895.

SECOND SCHEDULE.

S. 6.

Description of Land.

All those pieces of land being—

- (a) that portion of Swan Location T comprising an area of approximately 15 acres 2 roods 30.8 perches being part of the land delineated and coloured green on L.T.O. Plan 1766;
- (b) that portion of Swan Location U being portions of lots 1 and 2 comprising an area of approximately 2 acres 2 roods 22 perches being part of the land delineated and coloured green on L.T.O. Plan 1766 being the whole of the land comprised in Certificate of Title, Volume 131, Folio 52;
- (c) those portions of Swan Locations 31, 32 and 823 more particularly delineated and coloured green on L.T.O. Plan 1767 (save and except the portion resumed for road as comprised in and coloured brown on Survey Office Diagram 60634 and the portion transferred as comprised in and coloured green on L.T.O. Plan 5729);
- (d) portion of Swan Location U comprising an area of approximately 1 rood 5.5 perches being more particularly delineated and coloured green on L.T.O. Diagram 6655;
- (e) that portion of Swan Location T more particularly delineated and coloured green on L.T.O. Plan 3249 (save and except the portion resumed for road No. 10549 as marked on the said plan);
- (f) that portion of Swan Location T more particularly delineated and coloured green on L.T.O. Plan 2311 (save and except that portion resumed for road as comprised in L.T.O. Plan 4157);
- (g) that portion of Swan Location T comprising an area of approximately 2 roods 17 perches more particularly delineated and coloured green on L.T.O. Plan 1852;
- (h) that portion of Swan Location T being the land delineated and coloured green on L.T.O. Plan 4157 being the land comprised in Certificate of Title, Volume 696, Folio 47 (save and except the portion resumed for road No. 9387).