



**Technical Services Attachments  
ORDINARY COUNCIL MEETING  
Wednesday, 13 December 2017**

<b>REPORT NUMBER</b>	<b>REPORT TITLE AND ATTACHMENT DESCRIPTION</b>	<b>PAGE NUMBER(S)</b>
<b>9.2.1</b>	<b>Excise Land from Rail Reserve to Dedicate as Public Road</b> 1. Correspondence	1 – 3

**Jim Garrett**

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**From:** Guerrero, Christian [REDACTED]  
**Sent:** Tuesday, 28 November 2017 4:41 PM  
**To:** Jim Garrett; Chatter  
**Cc:** Nicolay, Stephen; Lau, Hin; Moretti, Paolo; Cabassi, Daniel  
**Subject:** INFORM: Assigning Road Manager for Level Crossing- North Link Stage 3

Hello Jim,

As per the emails below PTA, Arc and the Department of Land agree to remove the level crossing from the Rail Corridor and assign the Shire of Chittering as the Road Manager. Can you please confirm this item can now be added to the Council Meeting Agenda.

The below items below are required to be addressed by the Department of Lands. I have made notes in green.

1. Council to resolve to Dedicate that portion of road(Council resolution accepting Management over that portion)
2. Indemnify the Minister for Lands and DPLH against all costs and Claims
3. A plan of survey at Councils cost showing the portion proposed to be dedicated(Deposited plan).  
CPB will provide the Deposited Plan.
4. Consents/agreements from the current Land Manager ie PTA/Arc Rail

Please advise if you see any issue closing out the above items.

Kind Regards

**Christian Guerrero**

Project Engineer – Structures



Northlink Stage 3

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**From:** Brindal, Shelley [REDACTED]  
**Sent:** Tuesday, 28 November 2017 3:01 PM  
**To:** Guerrero, Christian; 'Ziatas, Chris'  
**Cc:** 'Baker, Robert'; 'DOL Proposals'; 'Northlink WA Stage 3 (Arc)'; Lau, Hin; Moretti, Paolo; Nicolay, Stephen; 'Contract183.15'  
**Subject:** RE: Assigning Road Manager for Level Crossing- North Link Stage 3

Hi Christian, Chris

Please be advised that PTA agrees (together with Arc Infrastructure) that the land shaded yellow below (indicative only) may be excised from the rail reserve to enable its dedication as public road (level crossing).

Ultimately the level crossing will be included in an Interface Agreement between the Shire of Chittering as road manager and Arc Infrastructure as rail manager in regards to its maintenance.

As advised previously the survey is to contain an Inset identifying the land being excised from the rail reserve (including m<sup>2</sup>) in order that I can excise it from the Arc Corridor first. I'm happy to review the survey while it's in Draft.

Please email if you have questions.

regards

**Shelley Brindal | Corridor Coordinator**

**Infrastructure Planning & Land Services Branch (IPLS)**

Public Transport Authority WA | PO Box 8125, Perth Business Centre, 6849



**From:** Guerrero, Christian [REDACTED]

**Sent:** Friday, November 24, 2017 11:07 AM

**To:** Ziatas, Chris; Brindal, Shelley

**Cc:** Baker, Robert; DOL Proposals; Northlink WA Stage 3 (Arc); Lau, Hin; Moretti, Paolo; Nicolay, Stephen; Contract183.15

**Subject:** RE: Assigning Road Manager for Level Crossing- North Link Stage 3

Hello Chris,

Thank you for your email. As CPB is assisting the Shire of Chittering with this process, please see your points addressed in yellow below.

1. Council to resolve to Dedicate that portion of road(Council resolution accepting Management over that portion) – I will pass onto the Shire of Chittering your email below (once PTA has confirmed with you they accept removing the level crossing from the rail corridor and assigning the Shire as the Road Manager) which will be enough for a vote to be scheduled for the Shire meeting. The Shire needs confirmation no later than 3/12/2017 so it can be included as a agenda item for the 20/12/2017 Shire meeting.
2. Indemnify the Minister for Lands and DPLH against all costs and Claims - I will pass this request onto the Shire of Chittering so they can include this requirement in the vote.
3. A plan of survey at Councils cost showing the portion proposed to be dedicated(Deposited plan). CPB will be conducting the Deposited Plan on behalf of the council at this stage. PTA has provided the requirements of the Deposited Plan.

4. Consents/agreements from the current Land Manager ie PTA/Arc Rail. **Shelley Brindal from PTA to confirm.**

**Shelley**, can you please confirm with Chris that PTA and Arc approve the level crossing being removed from the rail corridor for the Shire of Chittering to become the Road Manager.

Kind Regards,

**Christian Guerrero**

Project Engineer – Structures



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**From:** Ziatas, Chris [REDACTED]

**Sent:** Friday, 24 November 2017 8:19 AM

**To:** Guerrero, Christian

**Cc:** Baker, Robert; DOL Proposals

**Subject:** FW: Assigning Road Manager for Level Crossing- North Link Stage 3

Hi Christian

As discussed yesterday. The Department has no objections in principal to the proposal to dedicate that portion of the level crossing below subject to the necessary approvals and agreement being obtained from the current land Manager the Public Transport Authority (PTA) and Arc Rail. The land that is proposed to be dedicated will be required to be removed from the Rail corridor by the PTA before dedication can proceed. For this action to now proceed further the Shire of Chittering will be required to provide

- Council to resolve to Dedicate that portion of road(Council resolution accepting Management over that portion)
- Indemnify the Minister for Lands and DPLH against all costs and Claims
- A plan of survey at Councils cost showing the portion proposed to be dedicated(Deposited plan)
- Consents/agreements from the current Land Manager ie PTA/Arc Rail

Should you have any further enquiries please don't hesitate to contact me

Regards

**Chris Ziatas** | Manager | Case Management - Goldfields Esperance and Wheatbelt

Level 2, 140 William Street, Perth WA 6000

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**Department of Planning,  
Lands and Heritage**



*The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay*