



AGENDA ATTACHMENTS

Special Meeting of Council

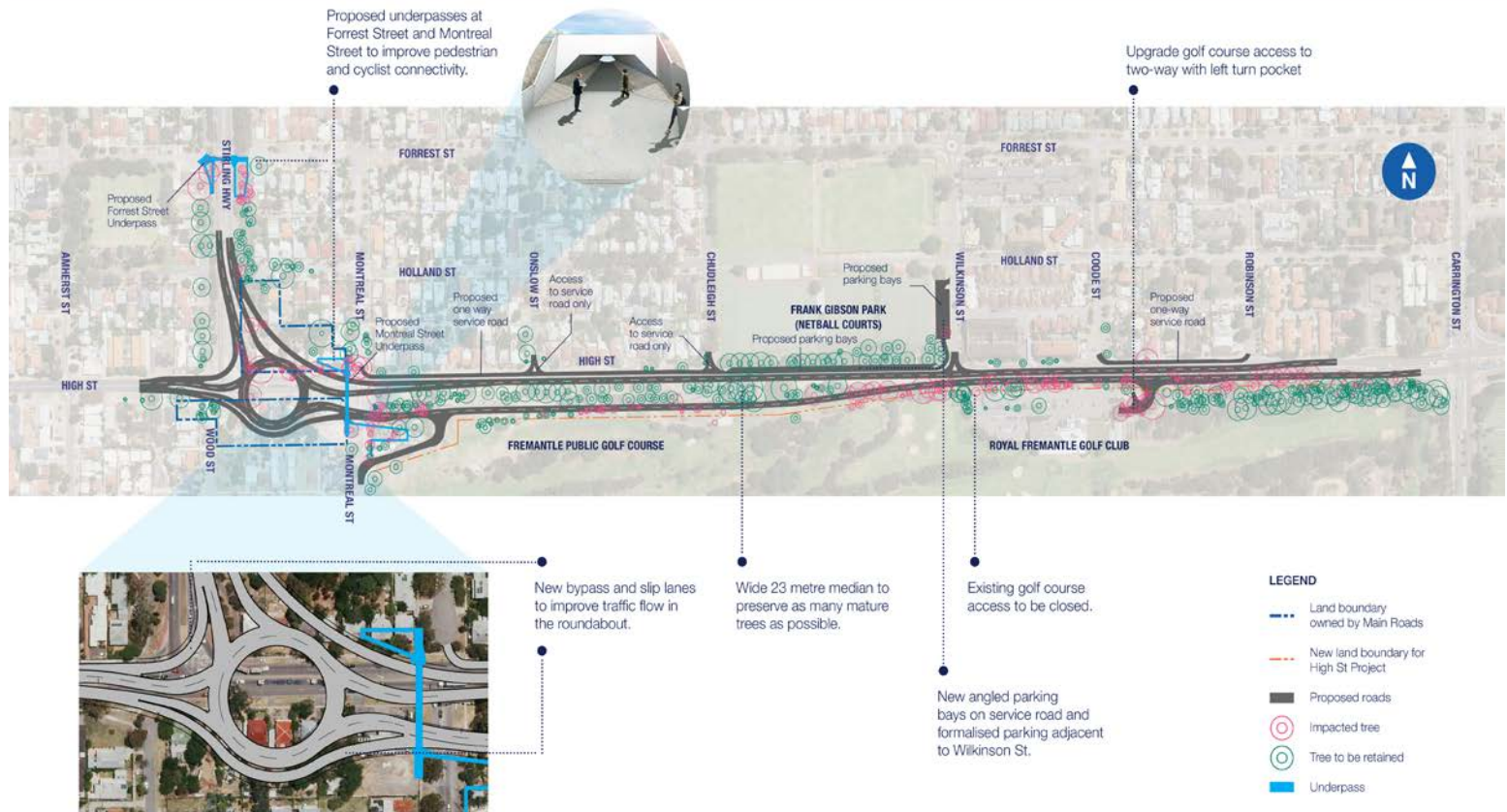
Wednesday, 29 August 2018, 6.00 pm

ATTACHMENT 1 - High Street & Stirling Upgrade High-level Concept Plan – (August 2018)

High Street Upgrade Concept Design – August 2018



Australian Government
BUILDING OUR FUTURE



ATTACHMENT 2 - MRWA letter dated 24 August 2018 (Ref. 15/576-02) for excision of road widening for High Street Upgrade, Fremantle



Enquiries: Nick Kitin
Our Ref: 15/576-02
Your Ref:

24 August 2018

Mr Philip St John
Chief Executive Officer
City of Fremantle
Fremantle Oval
70 Parry Street
Fremantle WA 6160

Dear Mr St John

EXCISION AND DEDICATION OF ROAD WIDENING FROM PORTION OF CLASS A RESERVE 6638 AND RESERVE 8860 – HIGH STREET UPGRADE, FREMANTLE

Main Roads Western Australia (MRWA) is undertaking a project to upgrade High Street, Fremantle, between Carrington Street and Stirling Highway.

MRWA in consultation with the City of Fremantle (City), has finalised the scope of the proposed upgrade works along High Street.

Enclosed is a copy of the concept design for the upgrade.

Based on the concept design, there will be a requirement to excise land from Reserves 6638 and 8860, and widen the road.

The proposed boundary for the road widening is shown as the orange dashed line on the concept design. The land requirements from both reserves are depicted on Main Roads drawing numbers 1160-283-3 and 1360-116-2. A copy of the drawings are enclosed.

Reserve 6638 is a Class A reserve set aside for the purpose of 'Recreation – Act 95 of 1973', with a management order granted in favour of the City, including the power to lease up to 42 years.

Reserve 8860 is set aside for the purpose of 'Recreation', with a management order granted in favour of the City, including the power to lease up to 42 years.

In order to excise the land from Reserves 6638 and 8860, and to dedicate it as a road widening, the following will be required from the City:

- consent to the excisions as the management body of the reserves;
- a statutory declaration in relation to any interests that have been granted by the City (registered or un-registered), that will be affected by the proposed dedications; and
- if the City has granted an interest over the land to be dedicated, that interest must be partially extinguished or surrendered prior to dedication.

Main Roads Western Australia
Don Aitken Centre, Waterloo Crescent, East Perth WA 6004
PO Box 6202, East Perth WA 6892

mainroads.wa.gov.au
enquiries@mainroads.wa.gov.au
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The statutory declaration is a requirement from the Department of Planning, Lands and Heritage to ensure that any affected interests are extinguished, allowing the road to dedicate free of encumbrances, in accordance with the *Land Administration Act 1997* (LAA).

MRWA is aware that the City has granted leases to the golf course operators, and one to the Fremantle Environmental Resource Network (FERN). It is MRWA's understanding that each lease will be affected by the proposed dedications.

MRWA is liaising with the golf course operators regarding the land requirements for the road widening, and the impact upon their operations. MRWA has agreed to fund (within reason), the costs associated with the changes to their operations.

Following agreement with the golf course lessee's, the City will be asked to arrange a partial surrender from both leases. If MRWA can provide any assistance with this process, please let me know.

The proposed boundary of Reserve 6638, will cross over a portion of the car parking bays of the private golf course. A retaining wall will be built adjacent to the parking bays (not over). The proposed boundary has been designed to allow MRWA sufficient space for maintenance of the retaining wall and footings.

To limit the impact upon the City and the private golf course operator, MRWA is willing to provide a lease or license, over the area of the existing car parking bays that will be located within the road reserve. If a lease or license is requested, the term will be consistent with the existing lease, and would be provided at a peppercorn rental.

With respect to FERN, MRWA understands that their lease is in a holding over provision, and will not be renewed, and they will vacate the site. Please confirm if this is correct, and whether a partial surrender of FERN's lease will be required.

Also, please confirm if the City have granted any other interests over either reserve that will be affected by the proposed widening.

In addition, MRWA has two existing stormwater drainage pipes located within portion of Reserve 8860. The indicative location of the pipes are shown on Main Roads drawing number 1360-116-2.

MRWA would like to protect its infrastructure by registering easements over the pipes.

MRWA is seeking the City's consent to register 5 metre wide easements over the pipes located within Reserve 8860. It is proposed to register easements created pursuant to section 144 of the LAA.

MRWA will pay the costs associated with the road widening and registration of the easements, including survey.

MRWA requests that a report is presented to council at the next ordinary, or special meeting of council, to pass the following resolution:

1. that the City of Fremantle consents to the excision of land shown on Main Roads drawing numbers 1160-283-3 and 1360-116-2 from Reserves 6638 and 8860, and for the land to be dedicated as a road under Main Roads' control;

2. following survey of the road widening's, request the Department of Planning, Lands and Heritage to amend Reserves 6638 and 8860, by excising the land shown on Main Roads drawings 1160-283-3 and 1360-116-2, and dedicating them as roads;
3. provide the Department of Planning, Lands and Heritage with a statutory declaration regarding any interests granted by the City of Fremantle, over Reserves 6638 and 8860 that will be affected by the road widening;
4. consent to the registration of 5 metre wide drainage easements over Main Roads' stormwater drainage pipes located within Reserve 8860, shown indicatively on Main Roads drawing number 1360-116-2. The easements to be registered in favour of the Commissioner of Main Roads; and
5. support the dedication of land shown on Main Roads drawing numbers 1160-281-2, 1160-283-3, and 1360-116-2, as roads under Main Roads' control, as part of the High Street upgrade project.

The excision from Class A Reserve 6638 will require tabling in both houses of Parliament.

The process of excising land from a Class A reserve is lengthy. Any assistance the City can provide in considering this proposal in a timely manner will be greatly appreciated.

If you have any enquiries, or require further information regarding the design and construction works, please contact the Project Manager, Richard Ananda on telephone 9323 6206.

If you have any queries regarding the reserve amendments or tenure, please do not hesitate to contact me by email at nick.kitin@mainroads.wa.gov.au or telephone on 9323 4358.

Yours sincerely



Nick Kitin
LAND ASSEMBLY MANAGER
PROPERTY MANAGEMENT BRANCH

Enc. – copy of Main Roads drawings
1160-281-2, 1160-283-3, 1360-116-2 and
concept design

