



## COUNCIL POLICY

1.5.1

### Works

<b>Title:</b>	<b>1.5.1 ROAD BUILDING MATERIAL ACQUISITIONS</b>
<b>Adopted:</b>	20 June 2018
<b>Reviewed:</b>	19 October 2022 (Amended)
<b>Associated Legislation:</b>	Local Government Act 1995
<b>Associated Documents:</b>	
<b>Review Responsibility:</b>	Works Manager

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Previous Policy Number/s-

#### **Objective:**

To ensure that the Shire of Mingenew provides fair and equitable compensation to all landowners for the acquisition of road building material.

#### **Policy Statement:**

The Shire will, when materials for construction and maintenance purposes need to be sourced from private land, obtain such material in consultation with the landowner or his/her authorised representative. Where such negotiations are successful the Shire will:

- a) Satisfactorily rehabilitate pit areas if requested, including drainage, upon completion of extraction;
- b) Construct where necessary and repair affected haul roads, gates, fences or other structures; and
- c) Negotiate compensation with the landowner for materials extracted from within the Shire district, up to a rate of \$2.00 (ex GST) per cubic metre .
- d) Negotiate compensation with the landowner for materials extracted from properties outside of the Shire district, up to a rate of \$2.00 per cubic metre.

The Shire will not pay a water gratuity to private landowners to obtain water for road construction and maintenance projects.

The Shire of Mingenew will not pay for road building material acquisitions by way of private works in lieu, on behalf of the landowner. However, the Shire is prepared to undertake private works for the landowner in accordance with the private works rate set by Council and at a time best suited for the Shire. Landowners will be invoiced for private works undertaken and payment made to the Shire as per all other private works activities.

Should an agreement for the removal of gravel not be reached with the landowner and the Chief Executive Officer (CEO) considers the acquisition of these materials in the best interest of the public, the CEO is to provide such notices, and take such actions, as are prescribed by the Local Government Act 1995 to secure these materials.

The compensation rate this policy sets extends to all landowners whose properties lie outside the boundaries of the Shire.