

7.1 Acquisition of Road Making Material

PART A - Policy

Objective

The objective of this Policy is to provide a framework and clear guidelines for the Shire of Dandaragan's (Shire) for the acquisition of gravel and sand for construction and maintenance purposes.

Policy Statement

The Shire, from time to time, requires road making materials from private property to utilise for a variety of public purposes such as road maintenance and construction.

The Shire and Council are committed to ensuring that when materials for construction and maintenance purposes need to be sourced from private land, it will endeavour to obtain such material by consultation with the landowner or his/her authorised representative, in accordance with Schedule 3.2 of the *Local Government Act 1995*, with the Shire responsible for:

- (i) Satisfactory rehabilitation of the pit area.
- (ii) Construction where necessary, and satisfactory repair of affected haul roads, gates, fences or other structures.
- (iii) Negotiated compensation to the landowner for materials extracted and associated justifiable imposts.

Where landowners contribute to road works by providing, without claim for compensation, gravel materials (for road construction or maintenance), or sand (for road construction, maintenance or general use), private works, at the request of the landowner, and to the valuation of the landowner's contribution to the road works, may be authorised.

PART B - Management Procedures

Definitions

Nil.

Detail

Locating a suitable quantity and quality of material is often difficult and the Shire will attempt to find the most advantageous deposits to reduce lead times and the cost to the ratepayer of Shire works.

1. Acquisition

The following procedure shall be the Shire's normal practice in securing road making materials from private property:

- (i) Request permission to search for materials from the owner. Entry powers to be used as a last resort.
- (ii) The approximate requirement for the project or yearly requirement of materials from the proposed pit shall be calculated, including the expected life of the pit.
- (iii) If suitable material is located a written agreement (as attached), is to be reached with the owner as to compensation for materials removed.
- (iv) Priority must be given at all times to reasonable negotiation to reach an amicable agreement mutually acceptable to the Shire and the owner.
- (v) Should agreement for the removal of the road making materials not be reached with the landholder, procedures to resume an area sufficient for immediate and future needs may be instigated.

2. Compensation

The rate of gravel and sand is to be aligned with the compensation rate listed in [Main Roads WA Operational Guideline 95 - Extracting Road Building Materials from Land in WA](#). An additional \$1 per m³ will be calculated on top of this rate.

Where landowners contribute to road works by providing, without claim for compensation, gravel materials (for road construction or maintenance), or sand (for road construction, maintenance, or general use), the Executive Manager Infrastructure be authorised to carry out private works at the request of the landowner, to the valuation of the landowner's contribution to the road works as assessed by the Executive Manager Infrastructure.

Such works may include works on the landholder's property such as grading, gravel sheeting, drainage works, or works to enlarge on improved entrances, or merely pushing gravel for the owner

The private works above may only be carried out on the property from which materials have been extracted and subject to plant availability.

3. Pit Rehabilitation

Works to rehabilitate the gravel pit, once materials have been removed, shall take place and will take the form of such works agreed upon, before material extraction commences. These works may include;

- (i) fencing;

- (ii) tree planting;
- (iii) deep ripping;
- (iv) levelling; and
- (v) stockpiling of original topsoil and spreading after extraction is completed

4. Completion of Works

Upon completion of all requirements of the Agreement in Part 1 (iii), the Executive Manager Infrastructure shall ensure the landholder is adequately satisfied by way of written confirmation.

5. Delegated Authority

Negotiations and final approval for gravel agreements is delegated to the Chief Executive Officer or Executive Manager Infrastructure.

Forms



SHIRE OF DANDARAGAN GRAVEL / WATER AGREEMENT

Preamble:

0001

This is an agreement between the Shire of Dandaragan (the Shire) and the Landholder / Manager of the property in respect to the removal of gravel / water by the Shire.

Details:

Property Name: _____

Landholder / Manager: _____

ABN: _____

Postal Address: _____

Telephone: _____

Email Address: _____

Location of Pit / Water Source: _____

Agreement:

- The Shire of Dandaragan intends to remove approximately _____ m³ / kL of gravel / water from the above location and will compensate the Landholder / Manager at the rate of \$ _____ per m³ / kL.
- The Shire will keep all records of gravel removed.
- The Shire agrees to reinstate the pit and haul roads after the completion of extraction, as agreed with the Landowner and at the expense of the Shire.
- Payment will be within 14 days of receiving an invoice from the Landholder / Manager.

Notes: _____

Signed: _____

(for Shire of Dandaragan)

Signed: _____

(for Landholder / Manager)

Name: _____

Name: _____

Date: _____

Date: _____

Policy Number	7.1 – Acquisition of Road Making Material
Adopted by Council	23 May 2019
Amended	