

R 13 – Use of Section 3.27 for Taking of Materials from Private Land

1 Policy

The taking of materials from private land under S 3.27 of the Local Government Act not occur where the material is to be extracted from a pit that has been granted Planning Approval or an Extractive Industry Licence by the Shire (either Extractive Industry – On Site Works or Extractive Industry – Standard). Nothing is to stop however the Shire utilizing S 3.27 of the Local Government Act to access gravel from another portion of the same property where it is clear that the Shire’s extraction activities are separate from the private extraction activities of the land owner”.

2 Applicable Legislation and Documents

Act	<i>Local Government Act 1995</i> s.2.7(2)(b) – The council is to determine the local government’s policies s.3.27 – Particular things local governments can do on land that is not local government property Schedule 3.2 – Particular things local governments can do on land even though it is not local government property
Regulation	N/A
Local Law	N/A
Shire Policies	LUP 11 – Extractive Industries Policy R 9 – Gravel Road Development & Maintenance R 12 – Gravel Procurement
Related Documents	N/A
Related Procedure	N/A

3 Administration

Original Adoption Date	31 March 2005
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