

**NUMBER:** STRAT0042/INFRASTRUCTURE SERVICES  
**ACT:** LOCAL GOVERNMENT ACT 2009  
**POLICY TITLE:** PRIVATE WORKS

**1. PURPOSE AND SCOPE**

This policy has been developed to:

- a) Establish policy regarding the circumstances in which Infrastructure Services will perform private works.
- b) Detail the manner in which costs and liability for performing private works is to be determined, allocated and charged.
- c) Establish a procedure for the guidance of the public desirous of applying for private works and for staff in the assessment and determination of any application received.

**2. COMMENCEMENT OF POLICY**

This Policy will commence from 18 July 2018. It replaces all other policies or directives relating to private works.

**3. APPLICATION OF POLICY**

This policy is to be implemented by officers involved in the private works process.

**4. DEFINITIONS**

Private Works	Work that is outside the scope of Council core business. Private works includes the provision of services, the provision of plant and labour. Note: The provision of materials will be coordinated by the Corporate & Customer Services Directorate.
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**5. POLICY PROVISIONS**

**5.1 Preamble**

It is recognised that private works is not “core business”. It should be recognised that a key factor in Council not promoting itself for conducting private works is to avoid competing against individuals and/or businesses operating and/or engaged in the provision of such services within the community.

Generally, Council will only undertake private works which fall within its usual areas of operations. Works within private property will only be undertaken if:

- a) no local contractor is available to carry out the work; or
- b) no local contractor is capable of carrying out the work.

It is recognised that, at all times, Council core business takes precedence over any agreed or perceived obligation to carry out private works.

Council’s schedule of fees and charges lists some of the private works offered at a set rate by Council. All other private works are discharged per this policy.

Private works must be either pre-paid or eligible debtors can authorise with an official purchase order number. Eligible debtors are at the discretion of the Manager Finance.

**5.2 Sundry Private Works**

Council will undertake private works in accordance with the undermentioned conditions. Unless specified in the schedule of fees and charges, the fee for undertaking the private works shall be per the quoted amount.

**5.3 Limitations of Hire**

Unless specified in the schedule of fees and charges, floating plant, loose tools or equipment which do not require an operator for its operation shall not be made available for hire.

Generators, caravans and ablution blocks will be hired out at the discretion of the relevant Director.

#### 5.4 Fire Fighting

Under no circumstances shall Council equipment, be used for the fighting of fires or for any other unsafe use or for which the particular item of plant or equipment is not designed, desired or approved for use by its manufacturer.

#### 5.5 Lending Out of Free Hire

Unless otherwise specifically resolved by Council, no plant or equipment may be 'loaned out' to any person or association for any purpose.

#### 5.6 Indemnity

In requesting and authorising the Charters Towers Regional Council to carry out private works, the applicant shall indemnify the Charters Towers Regional Council against any claim, action or process for damage or injury which might arise during the process of such works and shall keep indemnified the Charters Towers Regional Council against any claim, action or process for damage and/or injury which might arise from the existence of such works unless such damage and/or injury is due to or contributed to by an act or omission of the Charters Towers Regional Council, its employees or agents.

#### 5.7 Application for Private Works

Applications for private works to be performed by Council shall be per the application form (F0387/IS). Applications will only be accepted following assurance from the applicant that local suppliers have also been asked to quote for the works. A list of pre-qualified suppliers will be made available to the applicant.

A fee will be levied for lodging a private works application to defray the cost of quotation and investigation. This fee is published in Council's Register of Cost-Recovery Fees and Commercial Charges available on Council's website. If there is no need for investigation, at the discretion of the Director Infrastructure Services, this fee may be waived.

Applications shall be assessed by competent staff and a recommendation submitted to the Director Infrastructure Services addressing, among other things:

- a) whether the item of plant or equipment can be made available for the purpose at or near the time proposed having regard to Council's existing work schedule;
- b) whether the scope of works applied for is of a nature provided for by other businesses operating within the region or readily accessible by the business within the region and if so the reasons why application has been made to Council; and
- c) quoted cost.

Determinations as to whether the application is approved or refused will be made by relevant Director. If approved, applications will be notified via T0039/RI Private Works Response Letter.

Private works must not occur until applicants sign and return the Private Works Authorisation Form. The quotations and acceptance shall be forwarded to the Finance Department.

#### 5.8 Return Margin

A return margin of 10% shall be applied to every quotation exclusive of GST.

### 6. POLICY REVIEW:

The policy is to be reviewed whenever legislation changes, OR every two years if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

## Variations

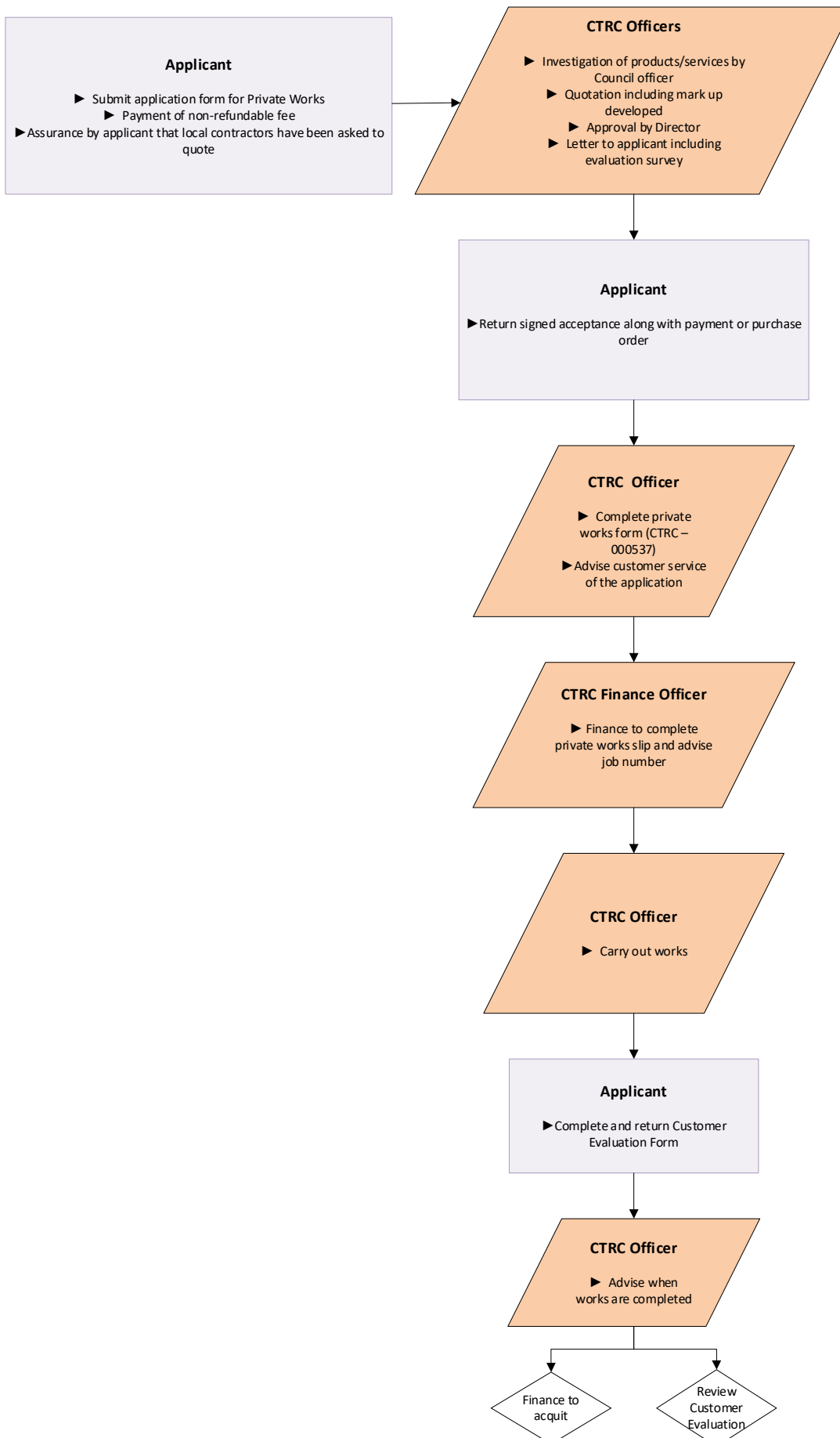
CTRC reserves the right to vary, replace or terminate this Policy from time to time.

## Appended Documents

- Process Flowchart

## Associated Documents

- T0039/RI Private Works Response Letter
  - F0387 - Application for Private Works
  - Community Grants Policy
  - Schedule of Fees and Charges
  - Request Private Works (blue form) CTRC - 000537
  - Private Works Slip (yellow form) CTRC - 000536
  - List of approved Debtors (that is, those approved to order works using a Purchase Order Number)
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*Official Use Only:*

**POLICY VERSION AND REVISION INFORMATION**

Policy Authorised by: Council

Original issue: 9/11/2011

Title: Private Works

Policy Maintained by: Cameron Scott

Current version: 9

Title: Director Infrastructure Services

Review date: 24 months from last review date

CEO Signature:

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**DIRECTIVE TO P&C:**

Key Stakeholders identified and engaged within this development process	Customer Service Infrastructure Services Finance
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**Distribution & Dissemination** of approved:

Policy / Administrative Directive / Procedural Guidelines / Other:

Process	Stakeholders identified	Date completed
Email	Administration Officers	
Notices		
Noticeboards		
P&C Newsletter		
Corporate Newsletter		
Payslips		
Section/Toolbox meetings	IS Administration	
Other:		

Signed (for and on behalf of P&C):

Date:

Recorded/evidence in Document Management System (ECM):