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## PRIVATE WORKS POLICY

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*Version 1 Adopted on 22/06/2017 by Council Resolution 0617/017*

### 1. OBJECTIVES

The objectives of this policy are:

- To outline a systematic, transparent and equitable framework for the conduct of private works; and
- To ensure that a process and criteria are established for recovery of amounts owing for activities conducted as private works.

### 2. REPEAL

This policy repeals all previous policies relating to private works, plant hire and private use of Council facilities.

The following policies are repealed:

- ENG003 – Hire of Council Plant (last reviewed 20 January 2010)

### 3. SCOPE

This policy applies to all private works undertaken by Council on behalf of an external applicant including the supply of labour, materials, plant and services.

### 4. DEFINITIONS

In this policy:

**Private Works** means work undertaken by Council on behalf of a private client.

**Council** means Carpentaria Shire Council.

**Council Facilities** means Carpentaria Shire Council Works Depots, Workshop, wash-down bays and associated structures.

**Hirer** means external applicant.

**Major Private Works** means external works greater than \$5,000 in value.

**Minor Private Works** means external works up to \$5,000 in value.

**Plant** means motor vehicles, road making machinery and small plant and equipment.

**Quarry Material** means any material taken from Council controlled quarries.

## 5. POLICY

1. It is Council's preference that all private works be undertaken by private contractors in the first instance.
2. Council will not undertake any Private Works where the performance of the works would adversely affect the completion of Council's annual works programs or the achievement of Council's operational plan.
3. Council reserves the right to refuse a request for private works if it is deemed to be outside of Council's capabilities, resource availability or for any other reason deeming the works unachievable by Council.
4. Council will not perform any work unless the customer accepts full responsibility for gaining any approvals associated with the contracted work.
5. All requests for Private Works outside of the Carpentaria Shire area must be approved by the Mayor and Chief Executive Officer.

### **Major Private Works**

6. Major Private Works will only be considered in the following circumstances:
  - There is no private sector provider available to undertake the work; and
  - The project would be of strategic economic, social or environmental benefit to the region; and
  - There is insufficient work available to keep the workforce fully engaged and extra work is required as a temporary measure; or
  - The project would assist to train or build capacity in Council's workforce.
7. A decision whether to undertake Major Private Works shall not be undertaken without the consent of Council by resolution.

### **Minor Private Works**

8. A decision whether to undertake Minor Private Works shall be made by the Director of Engineering subject to the signed consent of the Chief Executive Officer.

### **Plant Hire**

9. Council will not hire plant without an approved Council operator.
10. Council is responsible for the payment of Council operators engaged on private works. No other payment arrangements are permissible.
11. Where Council agrees to undertake Private Works and the works are not on private property, the hirer shall have adequate public liability insurance to cover the activities of the hired plant and evidence of that insurance should be presented to Council prior to commencement of the works.

12. Small plant such as chainsaws, lawn mowers, brush cutters, wacker packers etc. are not to be hired out without the approval of the Director of Engineering and subject to the signed consent of the Chief Executive Officer

### **Use of Council Facilities**

13. Council Facilities shall not be used for Private Works unless approved by the Director of Engineering and subject to the signed consent of the Chief Executive Officer.
14. Council employees are not permitted private use of Council Facilities without the approval of the Director of Engineering and subject to the signed consent of the Chief Executive Officer.

### **Scope of Works**

15. A scope of works is to be included with all estimates and quotes for private works.
16. The scope of works must clearly describe the works to be undertaken, estimated quantities of materials to be used and an estimate of timeframes in which the work is to be undertaken.
17. All scope of works for Major Private Works must include design drawings and specifications where appropriate.

### **Costings**

18. Where an application for Major Private Works has been approved, a firm quotation must be provided.
19. All quotations must be in writing and must be accepted by the applicant in writing prior to commencement of the works. Quotations shall be valid for 30 days only, after which an updated quotation will be provided on request.
20. Where an application for Minor Private Works has been approved, an estimate of costs may be provided.
21. All estimates and quotations will include a provision for a profit margin of 10%.
22. All estimates and quotes provided are GST-inclusive.
23. Hire rates for Council plant must comply with the Schedule of Fees and Charges as adopted by Council each financial year or as revised by Council thereafter.
24. A minimum charge of four (4) hour plant hire for each machine will apply to private works.
25. Where plant/equipment is hired outside of normal working hours, the applicant will be charged the applicable operator overtime or penalty rates as prescribed in the relevant industrial award.

## Quarry Material

26. Material from Council controlled quarries may be used for private works where Council has agreed to perform the work.
27. All other request for the purchase of Quarry Material must be approved by Council.

## 6. ASSOCIATED DOCUMENTS

28. This policy should be read in conjunction with the following documents:

- *There are no documents associated with this policy.*

## 7. NEXT REVIEW

29. This policy remains in force until amended or repealed by resolution of Council.
30. Council will review the policy at least every three years.
31. Next scheduled review date is 2020.

## 8. RESPONSIBLE OFFICER

32. It is the responsibility of the Director of Engineering to ensure strict compliance with this policy.

## 9. RESOLUTION

Adopted at the Ordinary Meeting of Council held on the 22<sup>nd</sup> June 2017 by Council Resolution 0617/017.



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Chief Executive Officer

12.4.18

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Date