POLICY: PRIVATE WORKS

Purpose

The purpose of this policy is to establish a clear and consistent framework for the approval, management and delivery of private works undertaken by Council on behalf of landowners or other parties.

This policy ensures that private works are conducted transparently, equitably, and in a manner that protects Council's resources, legal obligations, and public interest, while ensuring appropriate cost recovery and risk management.

Policy Statement

Barcoo Shire Council will undertake private works for Barcoo Shire residents, using the Council's plant and equipment if the following conditions are met:

- Council has the capacity to conduct the private works requested.
- Council works are prioritised over private works, which will be scheduled to minimise disruption to Council operations.
- all private works are conducted according to Council's standard operating procedures and in compliance with Council's risk management procedures.
- all private works are authorised and costed according to standard Council procedures.

Scope

This policy applies to all private works and all Community members who wish to hire Council plant and equipment. This policy does not apply to works undertaken by Council on a contractual basis for a third party, such as Department of Transport & Main Roads contracts and the supply of concrete to Council Contractors.

Definitions

Applicant

Means a person, business, organisation, Councillor or Council employee who submits an application requesting Council to undertake private works.

Private Works

Means works undertaken by Council at the request of an applicant, which are not part of Council's adopted programs or operational plans and are conducted on land or property owned or controlled by the applicant.

Applicant's Land or Property

Means land, works or infrastructure that is legally owned, leased, or otherwise controlled by the applicant, and for which the applicant has authority to permit the works to be undertaken.

Outstanding Fees or Charges

Means any rates, charges, fees, fines, or other monies that are due and payable to Council by the applicant at the time an application is made.

Council On-Costs

Means all additional costs incurred by Council in delivering private works, including but not limited to labour, plant, materials, supervision, administration, overheads, insurance, depreciation, and compliance costs.

Full Cost Recovery

Means the recovery of all direct and indirect costs incurred by Council in undertaking private works, with no subsidy, discount or preferential treatment applied.

Inspection
Means an assessment undertaken by Council to confirm that private works have been completed in accordance with the approved application and agreed scope of works.

Responsibilities

- **Chief Executive Officer:** Oversee the policy and approve private works over $20,000 or any exceptions.
- **Council:** Ensure private works are fair, transparent, and do not impact core Council services.
- **Council Officers:** Assess, manage, and deliver private works in line with Council procedures and full cost recovery.
- **Applicant:** Submit a valid application, have authority over the land, and pay all required costs.
- **Councillors and Council Employees:** Follow the same processes and receive no preferential treatment.

Eligibility and Approval Requirements

- Council will not dry hire plant equipment or fleet vehicles that can be wet hired, with the exception of equipment associated with batching concrete, or at the discretion of the Chief Executive Officer.
- For all works with a value of up to and including an estimated $20,000, a Private Works Application Form (contained in the Private Works Application books) must be completed.
- Once approved and signed by both parties, the Application will be transferred to the Customer Request System. The works may then commence and are allocated, tracked, invoiced, receipted and recorded within the Customer Request System.
- In the case of a community organisation or club wishing to apply for private works to be undertaken at a reduced or nil cost, the organisation or club must make an application through the Community Grants Program and the fully costed amount, including both labour and plant hire rates, must be requested as a grant.
- If an appropriately qualified and licensed Council staff member is willing to supply voluntary labour for the community organisation's project, this must be conducted outside the usual work hours for that employee.
- The labour hire costs are then deducted from the overall charge-out amount for the project. A Council staff member cannot provide voluntary labour within his/her usual work hours.
- If the grant is approved, a works request must then be made through the Private Works Application book and transferred to the Customer Request System as above.
- For private works which are estimated to cost over an estimated $20,000, the applicant must make a written application to the Chief Executive Officer, following which negotiations will be held and a written contract prepared and executed.

Governing Legislation and Regulations

Local Government Act 2009
Local Government Regulation 2012

Policy Owner:	Director of Engineering
Policy Reference No.:	BSC - 027
Related Policies:	BSC – 001 Procurement BSC – 037 Revenue Policy BSC – 007 Community Grants Policy
Related Forms:	Private Works Application (book)
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Council Resolution No:	2026.05.008
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Review:	This Policy is to be reviewed at intervals of no more than two years.