DISTRICT COUNCIL OF Streaky Bay
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PRIVATE WORKS POLICY

Policy No: **DCSB-FM-07.11**	Approved on: **19 May 2026**	Administered by: **General Manager of Infrastructure** **General Manager of Business**
Last Reviewed: **August 2016**	Review Date **May 2028**	Record No: **480150**
Classification: **Financial Management**		

Strategic Plan link:
A Council that is Actively Responsive to Community Needs and Deliver Financial Sustainability, Governance and Leadership

References and related Policies, Procedures and Forms:
Local Government Act 1999
Local Government (Financial Management) Regulations 2011
DCSB-G-09.01 Code of Conduct for Elected Members
DCSB-HR-12.02 Code of Conduct for Council Employees
DCSB-FM-07.04 Debt Collection Policy
DCSB-IFM-13.01 Records Management Policy
DCSB-ESP-06.01 Council Plant and Equipment Use Policy
DCSB-I-14.01 Engineering and Design Standards (Infrastructure)
DCSB-07 Form 47 – Private Works Quotation Acceptance

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1. Definitions

Private Works is defined as:

The undertaking of works and/or services on private land for a private entity/individual, by Council employees using Council plant and equipment, on a 'fee for service' basis where the provision of these works and/or services is beyond the ordinary responsibilities of the Council.

2. Introduction

Section 188 of the Local Government Act 1999 (Fees and Charges) allows Council to impose fees and charges for services supplied or carried out for a person at his or her request (subsection 1a, 1b and 1c).

This Policy sets out Council's position on the undertaking of private works by Council (or by sub-contractor engaged by Council) to a person(s) or company at their request. These works herein shall be referred to as "Private Works".

This policy does not cover any arrangement that may be entered into between the District Council of Streaky Bay and any other Council's from time to time, this shall be at the discretion of the Chief Executive Officer.

3. Policy Statement

The objectives of this policy are:

- To allow Council to undertake private works for the financial benefit of Council without prejudice to municipal works
- To ensure Council's processes for the quotation and undertaking of private works is undertaken in a fair, prudent, and transparent manner; and
- To ensure that a process and criteria are established for the recuperation of monies owed and/or monies required to be paid prior to the commencement of work.

4. Policy Detail

5.1 UNDERTAKING OF PRIVATE WORKS

The Delegated Officer reserves the right to refuse private works if it is deemed to be outside of Council's scope of works, timelines cannot be met, resource availability or for any other reason deeming the works unachievable by Council.

When undertaking private works Council Officers shall ensure that all relevant approvals and/or information (e.g. building, native vegetation, and underground services) have been sought by the person(s) requesting the works and copies obtained by Council.

All works relating to new, upgraded or redevelopment of Council infrastructure shall be undertaken in accordance with Council's DCSB-I-14.01 Engineering and Design Standards (Infrastructure) and other relevant related policies.

No private works shall be undertaken until a formal written agreement signed by both parties is in place as prescribed below.

5.2 COMPETITION

Private work is not a core function of Council and is provided in circumstances where an alternative is not available.

All private work is “contestable” and applicants may seek alternative quotations or plant hire options through other organisations.

5.3 DISCLAIMER

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

The Council will not be responsible for any insurance including public liability, personal injury insurance or home/content insurance associated with the operation or storage of machinery whilst undertaking private works, and all such responsibility rests solely with the person(s) or organisations in which the private works are being undertaken on behalf of.

5.4 SCOPE OF AGREEMENT

The following thresholds will apply for the level of agreement that is required:

Works to the Value of	**Agreement Type**
<$20,000 (ex GST) and assessed low risk	Basic Formal Private Works Agreement
$20,001 to $50,000 (ex GST) and assessed low risk	Basic Formal Private Works Agreement
>$50,001 (ex GST) and/or any works assessed as high risk	Formal Written Contract (cost of contract shall be the responsibility of the person or company who is requesting works)

5.5 FEES AND CHARGES

Costs for any private works will be determined by the relevant General Manager, in accordance with Council’s fees and charges and authorised by the Chief Executive Officer.

5.6 QUOTATIONS

Quotations shall be valid for a period of 30 days, quotations for works above $$20,000 (inc. GST) shall be subject to a provision of quotation fee as set in Council’s Fees and Charges.

5.7 PAYMENT/DEPOSITS

Prior to commencement of any works, payment of monies or deposits due as identified by the written contract or quotation must be received in full.

Value of Works	Payment Terms
< $2,000 (GST excl)	Deposit not required, but at the discretion of the Manager
$2,001 to $5,000 (GST excl)	Costs to be paid prior to commencement of works
$5,001 to $20,000 (GST excl)	$5,000 Deposit or cost of materials (whichever is higher) prior to the commencement of the works.
$20,001 to $50,000 (GST excl)	$10,000 Deposit or cost of materials (whichever is higher) prior to the commencement of the works, unless alternative payment arrangements are made
>$50,000 (GST excl)	Require a formal written contract and will include an agreed schedule of payment(s)

Council may refuse to continue with the undertaking of any works should any prescribed monies due not be paid in full or within required time frames.

A compliant Tax Invoice shall be issued for any monies due as per relevant contract details and in accordance with Council's debtor policy.

The recovery of any monies due shall be recovered in accordance with Council's Debt Collection Policy.

5. Delegations

The following delegations shall apply;

Value of Works	Delegation
Greater than $100,000 (ex GST)	Council Approval Required
$50,000 - $100,000	Chief Executive Officer
Up to $50,000	Department Manager

6. Records Management

All records shall be kept and disposed of in accordance with Councils Records Management Policy and Procedure and the current General Disposal Schedule.

7. Further Information and Policy Availability

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.streakybay.sa.gov.au

District Council of Streaky Bay
29 Alfred Terrace
Streaky Bay SA 5680

Copies will be provided to interested parties upon request. Email dcstreaky@streakybay.sa.gov.au

8. Document History

Version No	Issue Date	Description of Change	Date Endorsed / Minute Number
3.00	February 2026	Removed Charging costs – to be included in Fees and Charges Review of Values and Delegation Values	May 2026 097/26

9. Acknowledgment

I, _____ *(print full name)* have read and understood the District Council of Streaky Bay's <insert policy name> and I agree to abide by this policy which is outlined above.

Employee Signature: _____Date Signed: _____