



Private Works Policy

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| Policy Classification | Council Policy |
| First Issued: | 11 May 2021 |
| Review Date: | Within 12 months of a general election |
| Version Number: | 2 |
| Applicable Legislation: | <i>Local Government Act 1999</i> |
| Related Policies or Documents: | Fees & Charges Schedule Financial Delegation Policy Procurement Policy |
| Associated Forms: | Schedule of Financial Delegations |
| Responsible Manager: | Director Works & Infrastructure |
| Approved by Council: | 11 May 2021 |
| Minutes Reference: | C488:2023 |

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Private Works Policy

1. Preamble

- 1.1. The Council's objective is to have a consistent and transparent approach in the provision of private works and associated costs for the work, for the general public and other agencies.

2. Purpose

- 2.1. The purpose of the Policy is to:

- a) Create a framework for undertaking private works, that is transparent, objective and consistent (Section 8(h)) of the Local Government Act 1999 requires Council to ensure that it uses its resources fairly, effectively and efficiently); and
- b) Ensure a clear understanding of the roles and responsibilities of each party entering into private works activities.

3. Scope

- 3.1. This policy applies to any work undertaken by KIC upon agreement with a landowner, on private lands and/or public lands outside the responsibility of Council. This policy specifically excludes work performed on Council owned or controlled assets.

4. Definitions

- 4.1. **CEO** means the Chief Executive Officer of the Kangaroo Island Council.
- 4.2. **Council** means the Elected Body.
- 4.3. **Kangaroo Island Council (KIC)** means the administration.
- 4.4. **Private Works** means where KIC resources are used to undertake work outside of normal KIC operations, and the beneficiary of that work makes payment for the works provided.

5. Policy Statement

- 5.1. Priority for use of KIC's plant, equipment, labour and other resources is to be given to KIC's own work program at all times, before entering into a private works arrangement, Consideration should be given to the usage of contracted service delivery for completion of private works.
- 5.2. KIC reserves the right to refuse a request for private works if it is deemed to be outside of KIC's capabilities, resource availability or for any other reason deeming the works unachievable by KIC.

Private Works

- 5.3. Major Private Works will only be undertaken after considering the following criteria;

- a) Viable alternative, is there a Kangaroo Island based contractor available to undertake the work.
 - b) The project would be of strategic economic, social or environmental benefit to the community.
 - c) KIC have the available resource capacity to engage in the project.
 - d) The proposed project has alignment with the Kangaroo Island Strategic Plan document.
 - e) It provides a valuable training opportunity for the Staff.
- 5.4. Any procurement required to carry out the private works must be compliant with Council's Procurement Policy.
- 5.5. Private works will be charged out at a rate based on KIC's plant hire rates or alternatively through the submission of a formal tender/quotation process resulting in a formal contract.
- 5.6. Contracts and tender/bids for private works can be entered into up to the limits provided within the Council's Financial Delegations Policy. Contracts, Tenders or Bids that exceed the financial delegation levels provided for KIC will require Council endorsement.
- 5.7. KIC is responsible for the payment of KIC staff and any of its own sub- contractors engaged on private works and reserves the right to engage them in any capacity deemed necessary to order undertake the private works project.

6. Availability of the Policy

- 6.1. This Policy will be available for inspection at the Council's Offices 43 Dauncey Street, Kingscote during ordinary business hours and via the Council's website: www.kangarooisland.sa.gov.au
- 6.2. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.



SIGNED: Chief Executive Officer (Acting)

Date: 09 September 2023

| History: | | |
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| Date Reviewed: | Version: | Reason for Amendment: |
| 11 May 2021 | Version 1 | New Policy minute: C157:2021 |
| 7 August 2023 | Version 2 | Revision update |