COUNCIL POLICY

Private Works - Local Clubs/Organisations

Policy Number: 7.6

Policy Subject: Private Works - Local Clubs/Organisations

Objectives: The purpose of this policy is to provide a fair and practical framework for considering requests from local clubs and community organisations for works undertaken using Shire employees, plant, equipment or materials.

The policy aims to support works that provide a demonstrated community benefit while ensuring that:

- the Shire's statutory responsibilities, emergency response capability, programmed works and normal service delivery are not adversely affected;
- the cost and value of works undertaken is identified and recorded;
- any reduction or waiver of normal private works charges is appropriately authorised;
- work health and safety, environmental and risk management requirements are met;
- decisions are consistent, transparent and appropriately authorised; and
- the Shire does not unreasonably compete with local commercial service providers.

Policy Statement: Council supports the undertaking of private works for local clubs and community organisations where the works provide a demonstrated benefit to the Katanning community.

1) The Shire may, at its discretion, undertake private works for local clubs and community organisations. Where the works provide a demonstrated community benefit, Council or the Chief Executive Officer (within delegated authority) may approve a concession or reduction in the applicable private works charges.
2) All requests for private works must be approved by the Chief Executive Officer prior to the works commencing. Where a concession or waiver of charges is proposed, the approval must be in accordance with the Chief Executive Officer's delegated authority and any applicable Council policy or resolution. Requests that exceed the Chief Executive Officer's delegated authority must be referred to Council for consideration.
3) In considering a request, the Chief Executive Officer is to have regard to:
    a. the demonstrated community benefit;
    b. the cost and resources required to undertake the works;
    c. the availability of Shire employees, plant and equipment;
    d. whether the works would adversely affect emergency response, statutory functions, programmed maintenance, capital works or normal service delivery; and

e. whether undertaking the works would unreasonably compete with local commercial service providers.

4) Approval is discretionary and will be considered on a case-by-case basis. Approval of one request does not create an entitlement or precedent for the applicant or any other organisation.
5) Works are to be undertaken during normal Shire operating hours unless otherwise approved by the Chief Executive Officer.
6) Where proposed works are beyond routine maintenance and have the potential to result in a capital improvement to the grounds, facilities or assets of a club or organisation, the request must be presented to Council for approval prior to the works commencing. Council will determine the level of contribution, if any, having regard to the merits and community benefit of the proposal.
7) Private works are to be charged in accordance with the Shire's adopted private works rates and applicable Fees and Charges unless a concession has been approved in accordance with this policy and the Chief Executive Officer's delegated authority.
8) All private works must be planned and undertaken in accordance with applicable work health and safety legislation, Shire requirements and approved safe systems of work.

Note: Where a concession or waiver of private works charges is requested:

1) the full value of the proposed works must first be calculated using the Shire's adopted private works rates and applicable Fees and Charges;
2) the amount proposed to be paid by the applicant, and the value of the proposed concession must be separately identified;
3) the Chief Executive Officer may approve a concession of up to $1,000, in accordance with Delegation DA09 Waiver or Concessions – Granting, where satisfied that the works meet the community-benefit and assessment criteria of this policy;
4) a concession exceeding $1,000 must be presented to Council for consideration and approval before the works commence;
5) related works forming part of the same request, project, site or purpose must be considered together when determining the value of the concession and must not be separated to remain within the delegated limit;
6) approval of the concession must be recorded in writing before the works commence and must identify the value of the concession, the reason for granting it and the applicable budget or account; and
7) approval of a concession does not remove the requirement for the applicant to accept the scope, conditions and amount payable for the works in writing.

Policy Implications: Local Government Act 1995
Delegation DA90 – Waiver or Concessions – Granting
Annual Fees and Charges
Work Health and Safety Act 2020

Guidelines:

1. Requests for private works must be submitted in writing and include sufficient information to assess:
   a) the applicant organisation;
   b) the nature, scope and location of the works;
   c) the demonstrated community benefit;
   d) the requested completion date;
   e) landowner authority and any required approvals;
   f) the resources required; and
   g) whether a concession is requested.
2. The responsible officer must prepare a written estimate or quotation showing:
   a) the full value of the works calculated using adopted private works rates and applicable Fees and Charges;
   b) the proposed amount payable by the applicant;
   c) the proposed concession, expressed as a dollar value;
   d) the account or budget from which the concession will be recognised; and
   e) any assumptions, exclusions or conditions applying to the works.

Approval

3. A request for a concession must be supported by a written assessment addressing:
   a) the demonstrated community benefit;
   b) the reason a concession is considered appropriate;
   c) the availability of Shire resources;
   d) the effect on programmed and operational works;
   e) the availability of local commercial service providers;
   f) the full value of the proposed works;
   g) the amount payable by the applicant; and
   h) the value of the proposed concession.

Note: The Chief Executive Officer may approve a concession of up to **$1,000** under

Delegation DA09 Waiver or Concessions – Granting.

4. A proposed concession exceeding **$1,000**, or otherwise outside the conditions of DA09, must be presented to Council for consideration before the works commence.
5. Related or staged works associated with the same request, project, site or purpose must be aggregated when determining whether the concession is within the $1,000 delegated limit.
6. A concession must not be applied retrospectively unless permitted under DA09 and the applicable legislation. Approval should be obtained before the applicant accepts the quotation and before the works commence.

Written acceptance

7. Following approval, the applicant must receive and accept a written quotation or agreement identifying:
   a) the approved scope of works;
   b) the full value of the works;
   c) the approved concession;
   d) the balance payable by the applicant;
   e) the quotation assumptions and conditions;
   f) responsibilities for permits, access, services and site information; and
   g) the process for approving variations.
8. Works must not commence until:

a) the private works request has been approved;
b) any concession has been separately approved;
c) the applicant has accepted the quotation or agreement in writing; and
d) all required approvals, insurance information and safety documentation have been received.

Concessions register

9. Each concession approved under DA90 must be entered into the Shire's delegation or concessions register.
10. The register must include, as a minimum:
    a) unique record or job number;
    b) the date the request was received
    c) the name of the applicant organisation;
    d) a brief description and location of the works;
    e) the demonstrated community benefit
    f) the estimated full value of the works;
    g) the amount payable by the applicant;
    h) the approved value of the concession;
    i) the reason for granting the concession;
    j) the relevant budget or general ledger account;
    k) the approval date;
    l) the approving officer;
    m) the delegation reference, being DA09;
    n) the private works job, quotation or purchase order reference;
    o) the completion date;
    p) the actual final cost of the works; and
    q) the final value of the concession after reconciliation.
11. The written approval, quotation, applicant acceptance, cost calculation and supporting assessment must be retained with the register entry in accordance with the Shire's records-management requirements.

Resolution No:	Committee:	T149/95
	Committee:	T77/96
	Full Council:	FC175/95
	Full Council:	FC51/96
	Ordinary Council	
Resolution Date:	28 September 1995	
Amended:	23 November 2000	OC120/01
	26 November 2003	OC79/04
	24 August 2005	OC32/06
	22 October 2014	OC/106/14
	18 December 2018	OC168/18
	22 December 2022	OC159/22
	27 October 2026	OC145/26

Source:	Infrastructure
Date of review:	October annually
Review Responsibility:	General Manager Operations