

# PRIVATE & OTHER THIRD PARTY WORKS

## POLICY

POL-FCM 05

### Objective:

To define the City's position in relation to the conduct and pricing of private and other works paid for by third parties.

### Statement:

The City of Mandurah (the 'City') receives a range of requests to undertake a variety of works for other organisations. In addressing requests for these works, the City sets out the following processes.

#### **Private Works**

The City will not carry out private works. These are defined as being the administration, inspection, and operation of work carried out on property not under the care, control and management of the local government.

#### **Third Party Works**

The City may undertake works paid for by either a public or private organisation:

- on land which Council owns, controls or manages; or
- on land which is owned, controlled or managed by a State or Federal Government agency.

#### **Scope of Authority**

Where the value of the works:

- a. exceeds \$150,000, Council approval must be sought prior to the works commencing; alternatively,
- b. for values below this threshold, the works must be authorised by the Chief Executive Officer or Director Works and Services prior to commencement.

In calculating the cost of works to be provided, account must be taken of all direct, indirect, administrative and overhead costs. Work must not be carried out unless all parties have signed an agreement outlining who is to pay for all costs associated with the work.

The City 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.

The City reserves the right to refuse 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.

<b>Responsible Directorate:</b>	Corporate Services
<b>Reviewer:</b>	Manager Financial Services
<b>Creation date:</b>	Minute G.26/9/16, 27 September 2016
<b>Amendments:</b>	Minute G.12/7/19, 23 July 2019
<b>Related Documentation and/or Legislation:</b>	<p><i>Local Government Act 1995</i> s.3.59 Commercial enterprises by local governments</p> <p><i>Local Government (Functions and General) Regulations 1996</i> r.9 - Amount prescribed for major trading undertakings</p> <p>Application of the competition principles agreement to local government activities and functions under the National Competition Policy Package 1996</p>