



Version Control and Objective ID	Version No: 1	Objective ID: A9082828
Adopted at Council Ordinary Meeting on	22 June 2023	
Date of Review	23 June 2027	

1. Statement

The objective of this policy is to provide guidance to council officers and property owners regarding the construction, maintenance and management responsibilities of public works activities being performed on privately owned land.

2. Purpose and Principles

Council will ensure that public works activities within our local government area are constructed, maintained and managed in accordance with this policy.

Council's role and core focus is on the conduct of public works and Council does not in the normal course of operations conduct works on private land that would otherwise be the responsibility of a private property owner. Council seeks to remain focused on its core role and to avoid competing against individuals and businesses operating or engaged in the provision of such services within the community

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme/s:

- Vibrant and Growing
- Natural and Sustainable
- Trusted and Leading Organisation

4. Regulatory Authority

- Local Government Act 2009
- Local Law 7 – Local Government-Controlled Areas and Roads
- Relevant Council Standards (drawings/plans)

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

This policy applies to all councillors, council staff, contractors, and others that act on Council’s behalf to ensure they work in accordance with the policy principles and in accordance with the relevant legislation.

7. Roles and Responsibilities

The General Manager (Assets and Infrastructure Services) is the custodian of this policy and is responsible for maintaining its currency.

8. Key Stakeholders

The following will be consulted during the review process:

- Councillors
- Executive Leadership Team
- Works and Field Services Branch, Assets and Infrastructure Services Department
- Capital Program Delivery Branch, Assets and Infrastructure Services Department

9. Policy Details

- 1.** The property owner is responsible for the construction, maintenance, management and cost of works to be performed on private land.

- 2.** Under the following special circumstances, the General Manager (Assets and Infrastructure Services) has the discretion to authorise maintenance or construction works on private land, with Council meeting the cost if appropriate, if:
 - a)** it is in the public interest to complete the repairs or undertake construction; or
 - b)** there is damage or disruption to the private property for which Council is responsible; or
 - c)** a significant or adverse impact may result on Council’s reputation or good standing in the community if Council does not intervene; or
 - d)** there is an imminent safety risk that warrants intervention by Council to make repairs; or
 - e)** other extenuating circumstances warrant the work being undertaken by Council in the overall public interest.

- 3.** In extenuating and exceptional circumstances and with approval by the General Manager (Assets and Infrastructure Services), agreement may be reached between Council and the private property owner for Council to complete works with the costs to be met by the property owner.

10. Application for Public Works

1. Applications for public works on private land to be performed by Council must be via application to Council.
2. Applications will be assessed by competent staff and a recommendation submitted to the General Manager, Assets and Infrastructure Services Department addressing but not limited to the following:
 - a) Whether Council activities were responsible for the damage or disruption to the private property.
 - b) Whether Council resources can be made available (such as plant, staff or equipment) for the purpose, at or near the time proposed having regard to Council's existing work schedule.
 - c) Whether the scope of works applied for, is of a nature that could be provided by other businesses.
 - d) Quoted cost.

11. Monitoring and Evaluation

This policy will be reviewed in accordance with Council's four (4) year review cycle or sooner if required.

12. Related Documents

N/A

13. Policy Owner

The General Manager, Assets and Infrastructure Services Department is the policy owner and the Manager, Works and Field Services is responsible for authoring and reviewing this policy.