

**New South Wales Consolidated Acts****LOCAL GOVERNMENT ACT 1993 - SECT 67 Private works****LOCAL GOVERNMENT ACT 1993 - SECT 67****Private works****67 PRIVATE WORKS**

(1) A council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land.

**Note :** Examples of the kind of work that a council might carry out under this section include--

- paving and roadmaking
- kerbing and guttering
- fencing and ditching
- tree planting and tree maintenance
- demolition and excavation
- land clearing and tree felling
- water, sewerage and drainage connections
- gas and electricity connections.

(2) A council must not carry out work under this section unless--

(a) it proposes to charge an approved fee for carrying out the work as determined by the council in accordance with Division 2 of Part 10 of Chapter 15, or

(b) if it proposes to charge an amount less than the approved fee, the decision to carry out the work is made, and the proposed fee to be charged is determined, by resolution of the council at an open meeting before the work is carried out.

(3) A council must include details or a summary of any resolutions made under this section and of work carried out under subsection (2)(b) in its next annual report.

(4) A report of work to which subsection (2)(b) applies must be given to the next meeting of the council after the work is carried out specifying--

- the person for whom the work was carried out
- the nature of the work
- the type and quantity of materials used
- the charge made for those materials
- the total of the number of hours taken by each person who carried out the work
- the total amount charged for carrying out the work (including the charge made for materials)
- the reason for carrying out the work.

(5) This section does not apply to work carried out by a council, or by two or more councils jointly, for another council or for a public authority.

(6) This section does not apply to any graffiti removal work carried out by a council in accordance with Part 4 of the [Graffiti Control Act 2008](#) .