06 HIRE OF COUNCIL PLANT FOR PRIVATE WORKS

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Strategic Outcome:	Good government
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Responsible Officer:	Director Technical Services

1. POLICY STATEMENT

Plant owned by Berrigan Shire Council may be available for use and/or hire by third parties. This provides a useful service for local contractors, community groups and the general public, however it comes with inherent risks.

It is important that a framework is in place to ensure that such use and/or hire is properly regulated to mitigate the risks involved.

2. PURPOSE

The policy regulates the hire of Council plant to ensure it is used correctly, work health safety measures are followed and that hire charges are correctly applied and recovered.

3. SCOPE

This policy applies to all use and/or hire of Council plant outside the normal Council works program. This may include:

- Use by private contractors and/or developers
- Use by community groups
- Use by other government organisations (other Councils, NSW Rural Fire Service etc.)

4. OBJECTIVE

This policy is developed to assist the Council with Delivery Plan Objective 2.2.2

> *Council operations support ethical, transparent and accountable corporate governance*

5. DEFINITIONS

Council plant: large mobile earthmoving and road construction equipment such as graders, bulldozers, excavators, rollers, tankers, tippers, tractors, loaders and the like. It does **not** include small, portable, generally hand held or propelled equipment, such as chainsaws, trimmers, mowers, blowers and like.

Dry hire: Hire where the hirer provides the operator – i.e. a non-Council employee operator

6. POLICY IMPLEMENTATION

6.1. General

In line with the Council's Council-Owned Enterprises Policy, the Council will not hire out its plant on a commercial basis unless it is in the Council's or the community's interest to do so.

The Council's plant may only be hired for use on private works with the explicit approval of the Director Technical Services. Any decision to hire out Council plant will be made taking to account the Council's own work requirements.

Council plant must not be dry hired – only suitably qualified and authorised Council employees will be permitted to operate Council plant.

6.2. Charges

Unless otherwise determined by the Council via resolution, all hire of Council plant is to be charged the appropriate fee as set by the Council via the User Fees and Charges Policy.

Hirers are to comply with the Council's Commercial Credit Policy.

6.3. Use by community organisations

Subject to approval by the Director Technical Services, the Council will allow community organisations to hire Council plant with a volunteer Council employee as operator.

In these cases:

- The volunteer Council employee must be qualified and authorised to operate the item(s) of plant in question, and abide by all Council safe work methods
- The work must take place outside normal Council working hours and in the volunteers own time.
- The relevant hire charge will be adjusted to remove the component to the charge applicable to wages.

With the exception of a Volunteer Committee of Council, the community group must still comply with the Council's Commercial Credit Policy.

In the case of a volunteer Committee of Management, the General Manager or Director Technical Services may waive any plant hire charge. This is to be confirmed in writing prior to works being carried out.

6.4. Use in the case of natural disaster

The use of Council plant in the case of natural disaster by NSW Rural Fire Service, Fire & Rescue NSW, NSW State Emergency Service or NSW National Parks and Wildlife will be in line with the established policies and procedures governing their use.

The Council will keep accurate records of their use in these cases for reimbursement through the appropriate channels.

7. RELATED POLICIES OR STRATEGIES

7.1. Legislation

- *Local Government Act* 1993

7.2. Policies and other documents

- Berrigan Shire Council Code of Conduct
- Risk Management Policy and Framework
- Fraud Control Policy and Framework
- Council-Owned Enterprises Policy
- Commercial Credit Policy
- Request for Donations and Financial Assistance Policy
- User Fees and Charges Policy