

	<h1>District Council of Cleve</h1>	Version No:	3.0
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		Next Review:	2024

Policy Name: **8.2 - Hire of Plant Equipment Policy**

1. INTRODUCTION

The policy outlines the procedure that must be followed to hire plant and equipment for private use. The policy applies to Council employees as well as the general public to ensure that the community has confidence that plant and equipment hire is the same for everyone and that the process is transparent. Exemption to this policy is Resource Sharing agreements.

2. PURPOSE

The purpose of this policy is to ensure that the hire of equipment for private works is transparent and in accordance with Council's Code of Conduct.

3. DEFINITIONS

- **Usual Operator:** a person that has been formally inducted in the use of that particular item and uses that item of plant as either primary user or relief operations.
- **Major Plant:** Mobile Plant such as Graders, Loaders, Rollers, Backhoes, Excavators, Vehicles, trucks as listed under Costed Plant Schedule
- **Equipment:** kerb makers, air compressor and the like as listed as Non-Costed.
- **Small Plant:** chainsaws, hand tools, posthole borers, wackers, vibrating plates, concrete mixers, electrical tools and the like as listed as Non-Costed.
- **Resource Sharing** - The sharing of plant, equipment and other resources between Councils charging cost recovery rates (internal rates).
- **Community Service / Not for Profit Groups:** E.G. Lions Club, Community Hall Groups and the like. These Community Groups must not be a committee of Council.
- **Personal Use:** The use of Small Plant, Plant and Equipment as defined shall not be used on a third parties' property. Personal use is for one's individual use on one's own property.

4. POLICY

The hire of Council's plant and equipment shall be permitted in accordance with the following conditions:

- The plant and equipment is hired during normal working hours or after hours at the appropriate penalty rates in accordance with Council Costed and Non-Costed hire rates for private works.
- The plant and equipment is available and does not adversely affect Council's usual operations

- Small Plant and equipment items are not hired out, however upon written request to Council, Small plant and Equipment may be hired for particular activities to Community Service Groups or organisations where there is a general benefit to the Community. Change to hire rates is by written request to Council.
- Council may hire out Major Plant at reduced rates to Community Service Groups or other organisations where proof is provided that the particular activity is of general benefit to the Community. All plant must be operated by Council Staff.
- No council Major plant is to be hired out without the usual operator
- The plant and equipment is hired at the External Hire Rate and the applicable operator rate of pay in all circumstances. Hire Rates are reviewed annually.
- The plant and equipment is used only for private works and is not to be used for commercial gain.
- The potential hirer needs to contact the appropriate Works Supervisor or Works Manager to arrange an estimate to be prepared for the hire
- All private works will be invoiced on completion of the project. All services provided will attract GST.
- Any private works project which exceeds \$5,000 shall be presented to Council for approval prior to undertaking the works.
- Council does not provide engineering supervisory functions in normal plant hire operations. In these circumstances it is the responsibility of the hirer to organise, supervise and explain all proposed works to the plant operator so that the requested works can be completed in an efficient and expeditious manner.
- The applicant is responsible to discuss with the operator the standard of work to be achieved or to terminate the plant operation at any time if the work does not meet the applicant's satisfaction.
- Works will be completed with all care and efficiency, but no responsibility will be taken for the effectiveness or quality of the completed works.
- Council will not be held responsible for any loss or damage incurred by recall or withdrawal of plant or staff from any works.
- Any damages or injury caused to persons or property by the operation of Council plant (whilst on hire) shall be the responsibility of the hirer, e.g.: accidental injuries, vehicle / equipment damage, damage to water lines, electricity, telecommunications or other buildings or property.
- All previous plant hire debtor accounts are to be paid prior to any additional works being undertaken by Council.
- Council reserves the right to refuse any application for the private hire of plant/equipment/labour.
- All plant hire for the first 4 hours will be at Council's cost, subsequent hours will be charged at cost recovery.

5. COUNCIL STAFF

- Personal use of Council Plant, Small Plant and Equipment by Council Staff will not be permitted without approval from the CEO or person/s delegated by the CEO. Council Staff will be required to complete a private works order and will attract Internal Rates as per the Costed Schedule, and 2/3 the rate as listed in the Non – Costed Schedule.

6. **INDEMNITY**

In requesting and authorising the District Council of Cleve to carry out private works (projects or plant hire), the applicant shall indemnify the District Council of Cleve against any claim, action or process for damage or injury which might arise during the progress of such works and shall keep indemnified the District Council of Cleve against any claim, action or process for damage and/or injury which might arise from the existence of such works unless such damage and/or injury is due or contributed to by an act or omission of the District Council of Cleve, its employees or agents.

7. **COMPETITION**

Private work is not a major or core function of Council and is usually provided so as to supply a reasonable economical means of a landholder securing access to earthmoving plant. This work is "contestable" and Council does not wish to promote or seek any monopoly over these functions. As such, applicants may wish to seek alternative quotations or plant hire options through other earthmoving organizations. In all cases written quotations will be issued, with acceptance by Signed Agreement required for all work.

Council may provide a subsidy to community based or charitable organisations in respect of plant hire. All costs incurred by Council in respect to labour and materials are charged against the organisation concerned.

8. **LEGISLATION**

Nil.

9. **AVAILABILITY OF THE POLICY**

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website <http://www.cleve.sa.gov.au>. Electronic versions are the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

10. **ADOPTION OF POLICY**

This Policy was adopted by the Council at its Ordinary Council meeting on 13th April 2021.



Peter Arnold

Chief Executive Officer

11. **DOCUMENT REVIEW**

This document will be reviewed by the District Council of Cleve following Council elections every (4) four years.

12. REVIEW HISTORY

Version	Issue Date	Author	Reason for Change
3.0	13/04/2021	Jodie B	Minor updates following Council election 2018 Formatting Added legislation, availability of policy, adoption of policy, document review and review history sections.