


# Hay Shire Council Policy



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| <b>Title of Policy</b>                                      | Community Amusement Equipment                                     |                             |  |
| <b>This applies to</b>                                      | All Eligible Hirers   |                             |   |
| <b>Author</b>   | Amanda Spalding   | <b>Date Approved:</b>       | 24 <sup>th</sup> April 2018   |
| <b>Position of Author</b>                                   | General Manager   | <b>Authorised by:</b>       | Council   |
| <b>Legislation, Australian Standards, Code of Practice.</b> | Local Government Act 1993<br>Public Health Act 1997               |                             |   |
| <b>Related Policies/Procedures</b>                          | Community Amusement Equipment Procedures<br>Special Events Policy |                             |   |
| <b>Attachments</b>  |   |                             |   |
| <b>Aim</b>  |   |                             |   |
| <b>Version</b>  | <b>Details</b>  | <b>Date</b>                 |   |
| Version 1   | Initial Issue   | 24 <sup>th</sup> April 2018 |   |
| <b>Superseded Policies</b>                                  |   |                             |   |
| <b>The Policy</b>   |   |                             |   |

## PURPOSE

Hay Shire Council maintains an Inflatable Slide that it makes available for the community to use. The purpose of this policy is to:

- Identify conditions under which Council is prepared to loan Hay Shire Council Amusement Equipment; and
- Clearly define users' obligations and to provide a clear understanding of their responsibilities when using Hay Shire Council Amusement Equipment.
- Outline how the community can access Amusement Equipment and the general conditions under which it is available.

This policy also states Council's commitment to ensuring that a consistent, equitable and transparent approach is undertaken when hiring Council Amusement Equipment to the community, and considers the needs of the intended user, other facility users and the wider Hay Shire community.

This policy will be reviewed as necessary by Council or the General Manager

## SCOPE

This policy applies to eligible organisations that wish to use Hay Shire Council Amusement Equipment.

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# **POLICY**

## **1. General**

Hay Shire Council will be guided by the following principles when determining hire approvals:

- Consistency in the treatment of Amusement Equipment
- Equipment shall only be made available to non-commercial hirers that are based within the Hay Shire Area
- Hay Shire Council will not hire equipment to private/individual hirers
- Equipment will only be loaned for significant community events such as School Fetes as determined by the General Manager
- Equipment will only be made available for a community event when a responsible Council officer is available to oversee the safe operation of the equipment
- Responsibilities must be clearly developed in conjunction with user groups and communicated at appropriate times (e.g. at AGM to new Office Bearers)

## **2. Fees and Charges**

As part of its community service strategy of promoting events and activities, Council will not impose a fee for the use of the amusement equipment for significant community events. This is part of Council's contribution towards community events.

## **3. Insurance**

All Community Organisations that hire Amusement Equipment must have Public Liability Insurance Cover. Organisations must be covered for a minimum of \$10 million against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against the Organisation arising out of or in relation to allocation of the Amusement Equipment. A copy of the certificate of currency must be attached to the application.

The user must not do or leave undone or permit to be done anything, which might affect Council insurance policies relating to fire or public risk at the venue.

The user must indemnify Council to the extent that those policies are affected by any failure to comply with this obligation.

Workers compensation, Personal Accident, Theft or Breakages insurances will be the responsibility of the Hirer.

In addition the user must indemnify the Council against all demands, claims, suits and actions which may arise from injury, death or damage caused to any person or property by the setting provided by the Hirer.

## **4. Community Equipment User Applications**

Amusement Equipment user Applications will be implemented by the Council for all bookings. These applications document the agreed times and usage as well as noting the conditions applicable for use. Only an Organisations President or Secretary can sign the Application on behalf of the club or Organisation.

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The General Manager may delegate responsibility for approving Amusement Equipment Applications to a Council Officer for processing on the Council's behalf. The approval process will be undertaken in accordance with the Council's Special Event Policy.

## 5. Conditions of Use

### 5.1 Induction

Hay Shire Council will provide a Safety Induction to hirers for the set up, erection and dismantling of the Inflatable Slide.

### 5.2 Collection

Council will arrange delivery and collection of equipment unless other arrangements are agreed to at application

### 5.3 Sub-letting of Equipment

No organisation shall sub-let any part of the equipment during the allocated period. Non-compliance may result in the Council withdrawing the allocation.

### 5.4 Cleaning

Organisations are responsible for cleaning of all equipment prior to it being collected by Hay Shire Council. It must be cleaned and maintained in a state suitable for use by all clubs and organisations, incumbent clubs and any community group that use the facilities. Missing or damaged equipment found must be reported upon returning to Hay Shire Council, so replacement equipment can be arranged.

## 6. Cancellation or Refusal

Council reserves the right to refuse an application for use, or to cancel any reservation already made. Council will endeavor to provide reasonable notice when a booking is cancelled. Council may cancel a booking if:

- Council becomes aware that any event, goods or service proposed by the hirer is/are objectionable, dangerous, prohibited by law, pose a safety threat, or may have inappropriate impact on local residents,
- The equipment is required for Council functions
- Maintenance or repairs are being carried out on the equipment,
- Any other unforeseeable event or situation that may render the equipment unfit or unavailable for use.

## 7. Programs/activities involving Children

It is the responsibility of the user or using group to comply with the Child Protection (Working with Children) Act 2012.

## 8. Obligations of user

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- The extent that the obligation is relevant to the type of equipment being hired, The user must:
  - Use Hay Shire Council Amusement Equipment only for the purpose for which it was designed.
  - Take good care of Hay Shire Council Amusement Equipment and ensure it is properly maintained and serviced as directed.
  - Ensure that Equipment is used in accordance with the relevant operating instructions, procedures and/or guidelines attached.
- The user is not permitted to make any alterations or additions to the Amusement Equipment.
- The user is not authorised to sub-hire or loan the Amusement equipment to any other person or group during the term of the hire agreement.

## 9. Responsibilities of User

- The user must provide appropriately experienced persons to assist with the operation of the equipment
- The user shall assist with the assembly and disassembly of the Hay Shire Council Amusement Equipment under the direction of the Council officer.
- The user must complete all necessary forms and assessments as required by Councils operating procedures
- The user must comply with any and all directions as determined by Hay Shire Council Workplace Health and Safety Representative
- The user shall ensure that Equipment is properly cleaned and packed and ready for return to the Hay Shire Council
- The user shall be responsible for any damages to the equipment caused by inappropriate or unauthorised use.

## 10. Responsibilities of Hay Shire Council

- Hay Shire Council will be responsible for the transportation of the Hay Shire Council Amusement Equipment to and from the Council Depot to the community event within the Shire
- Hay Shire Council will provide a Safety Induction to users for the set up and construction and dismantling of the equipment hired.
- Hay Shire Council will provide an appropriately trained officer to oversee the operation of the equipment

## 11. Damages

- Hay Shire Council will undertake an inspection of the Equipment prior and post the hire period.
- Hay Shire reserves the right to seek reimbursement of costs resulting from damage caused by misuse of equipment

## 12. Definitions

### Community Equipment

The following is the range of HSC Community Amusements that are available for hire by the community:

- Inflatable Slide

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**Commercial Hirers**

Are defined as those who undertake activities for the purpose of generating a profit, which is then distributed to individual members.

**Non-Commercial Hirers**

**Community Groups:** Groups who meet for the purpose of providing a service for the benefit of the community. Such groups will only be recognized through a statement of incorporation, or sponsorship through an auspice body

**Not-For-Profit Groups:** An organisation not seeking profit and which does not disperse excess income to its members in the form of dividends or otherwise

**Private/Individual Hirers**

Those who undertake activities for the purpose of private events and activities such as weddings or birthdays.

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