

PLAYGROUND EQUIPMENT DONATIONS POLICY

(1) OBJECTIVE

To allow local community groups to gain access to surplus play equipment when such equipment becomes available

(2) PRINCIPLES

- 2.1 Surplus play equipment may become available from time to time when it is replaced with new equipment.
- 2.2 No guarantee can be given as to the availability of surplus play equipment in any particular year.
- 2.3 If such equipment becomes available, no guarantee can be given by the Town that it is fit for purpose and due allowance must be made any recipient for total disposal, repair or re-configuration of some or all of the play equipment.
- 2.4 The Town will not fund any repairs or improvements to surplus play equipment in order to make it available for re-use by a community group.

(3) ISSUES

- 3.1 Public safety is a major concern where the Town donates equipment for use by a community group. Play equipment may be damaged or in poor condition requiring extensive repairs for re-use. It may be 'out of date' in terms of current Australian Standards and community expectations.
- 3.2 Community groups may see the use of redundant play equipment as a low cost way of replacing or upgrading existing play equipment. Such groups must understand that costly repairs may be needed to make redundant play equipment fit for purpose.
- 3.3 The Town may be joined in a public liability claim in the event of a playground accident where the Town has handed over play equipment that is not fit for purpose or it undertakes repairs or meets the cost of repairs thereby giving an implied warranty that the equipment is fit for purpose.
- 3.4 While the cost of public liability claims may be insured against, the time and expense in defending such claims and the threat to child safety in the first instance should be minimised if not eliminated.

TOWN OF COTTESLOE POLICY

(4) POLICY

Playground Equipment Donation

- (a) **General**

The Town replaces old play equipment in public playgrounds at various times. These replacements may make available old equipment or components which may still have a useful life, if properly repaired, relocated and installed by local community groups on land that is not under the care, control or management of the Town.
- (b) **Availability**

The Town's 5 year Public Playground Capital Improvement Program is revisited every year. This may constrain any commitment by the Town that particular play equipment will be replaced in any financial year. No early guarantee of the availability of redundant play equipment is therefore possible.
- (c) **Any community group receiving surplus play equipment from the Town will be fully responsible for the assessment of condition and suitability for re-use of the items made available. Such assessment and any repairs, relocation and re-assembly for re-use shall be undertaken by properly trained and qualified contractors to ensure Australian Standards are complied with.**
- (d) **Once such surplus play equipment is removed from a public playground by a community group, it shall be a condition of removal between the Town and the community group that the Town ceases to have any legal or financial interest in the equipment and that all future responsibility and liability rests with the community group.**
- (e) **List of Applicable Community Groups**

The Town will maintain a list of local community groups interested in receiving any available surplus play equipment. Listed groups shall be informed of the planned replacement of public play equipment when each financial year's budget is adopted, to allow assessment of potential equipment available and the submission of an interest in obtaining such equipment. Any 'clash' between competing groups shall be decided on by the CEO at his/her complete discretion.

RESOLUTION NO:

ADOPTION: 15 December, 2008

REVIEW: December, 2012