

NARACOORTE LUCINDALE COUNCIL

COUNCIL POLICY

MOTOR VEHICLES, PLANT AND MACHINERY

No. 81
Version 7

RESPONSIBLE OFFICER:

Chief Executive Officer

RELEVANT DELEGATIONS:

Director Corporate Services

Director Operations

LEGISLATION AND REFERENCES:

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- Fringe Benefits Tax Assessment Act 1986

PURPOSE OF POLICY

To define the parameters under which employees, elected members and other authorised persons utilise Council vehicles, including light fleet, plant and machinery.

It is a requirement that vehicles are operated by trained and qualified operators and within the requirements of the Work Health and Safety Act 2012 and Work Health and Safety Regulations 2012.

DEFINITIONS

Vehicle(s) includes cars, utilities, motorbikes, trucks, graders and any other motor vehicle, plant or machinery driven or controlled by an employee or elected member

Motor Vehicle(s) includes cars, vans, utilities and wagons

Assign Motor Vehicle(s) includes motor vehicles provided to the Mayor, CEO or Category A – C

DELEGATIONS

Council's Director Corporate Services is delegated authority for the provision, replacement and maintenance of Council's light fleet (motor vehicles).

Council's Director Operations is delegated authority for the provision, replacement and maintenance of Council's vehicles, excluding light fleet.

A recommendation to increase the number of vehicles in Council's fleet must be approved at a meeting of Council by formal resolution.

EXCLUSIONS

This policy does not apply to vehicles provided to community and sporting organisations in accordance with Council Policy 60 - Use of Council Equipment by Community and Sporting Organisations.

The terms of this policy may be modified by formal agreement to enable the efficient and effective sharing of resources between local government organisations.

BACKGROUND

Council owns and operates an extensive fleet of motor vehicles, plant and machinery.

Traditionally the provision of a motor vehicle for private use has been included in employment packages for senior and middle managers, where it is recognised that significant additional hours will be worked as a normal part of the position. A motor vehicle may also be provided where a position has been identified as difficult to attract or retain staff.

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It is recognised that there may be a mutual benefit to Council and employees in the supply of a motor vehicle in lieu of the payment of overtime and other penalties.

This policy does not grant an automatic right to an employee to be provided with a motor vehicle for private use or home to work use. A decision to provide a motor vehicle as a component of a remuneration package will be determined by the Chief Executive Officer, except in relation to the provision of a motor vehicle to the Chief Executive Officer.

The provision of a motor vehicle for the Chief Executive Officer will be as negotiated by Council in the employment contract.

Fringe Benefit Tax liability, is a tax to recognise the private benefit obtained by an employee being granted private use of a motor vehicle. To minimise this liability, other methods of recognition may be introduced as a benefit in lieu of overtime and other penalties, for example payment of an allowance, ability to novate the lease of a motor vehicle, leaseback options, etc.

Provision of a motor vehicle for the Mayor will be as determined by this Policy.

PROVISION OF MOTOR VEHICLES

Mayoral Vehicle

<i>Vehicle Type</i>	To be determined by Council
<i>Provision</i>	Fully maintained motor vehicle for authorised Council business and in exercising Mayoral duties and activities.
<i>Private Use</i>	Strictly prohibited
<i>Approved Drivers</i>	Mayor; Spouse or De-Facto Partner; Appropriately licenced and authorised employees and elected members; Any other appropriately licensed person while accompanied by the Mayor
<i>Insurance Excess</i>	No excess payable
<i>Fuel</i>	All refuelling will be at Council expense
<i>Conditions</i>	As per general conditions of use included in this policy

Chief Executive Officer

Motor vehicle type, provision, additional conditions, fuel and private use of the motor vehicle will be as negotiated in the employment contract.

<i>Conditions</i>	As per general conditions of use included in this policy
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Category A

<i>Eligibility</i>	Directors
<i>Vehicle Type</i>	As determined by the Chief Executive Officer and specified in the remuneration package

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<i>Provision</i>	Fully maintained motor vehicle in lieu of overtime and other penalties
<i>Private Use</i>	Generally unrestricted (or as negotiated by the Chief Executive Officer and specified in the remuneration package)
<i>Approved Drivers*</i>	Employee; Spouse or De-Facto Partner; Member of the Employee's Immediate family; Any other appropriately licensed person while accompanied by the employee
<i>Insurance Excess</i>	Whilst the motor vehicle is being used for approved purposes – no excess payable
<i>Contribution</i>	May be required to contribute to the costs associated with private use of the motor vehicle in order to minimise Council's FBT Liability (will be specified in the remuneration package)
<i>Fuel</i>	All refuelling will be at Council expense
<i>Conditions</i>	As per general conditions of use included in this policy

Category B

<i>Eligibility</i>	Senior Managers
<i>Vehicle Type</i>	Dual Cab Utility, AWD or other vehicle as determined by the Chief Executive Officer and specified in in the remuneration package or employment letter
<i>Provision</i>	Fully maintained motor vehicle in lieu of overtime and other penalties
<i>Private Use</i>	Generally unrestricted (or as negotiated by the Chief Executive Officer and specified in the remuneration package)
<i>Approved Drivers*</i>	Employee; Spouse or De-Facto Partner; Any other appropriately licensed person while accompanied by the employee
<i>Insurance Excess</i>	Whilst the motor vehicle is being used for approved purposes – no excess payable
<i>Contribution</i>	May be required to contribute to the costs associated with private use of the motor vehicle in order to minimise Council's FBT Liability (will be specified in the remuneration package).
<i>Fuel</i>	Limited to refuelling at Council's expense for private travel within a radius of 100km of the Naracoorte Lucindale Council area. During periods of annual or long service leave all fuel is to be supplied by the employee.
<i>Conditions</i>	As per general conditions of use included in this policy.

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Category C

<i>Eligibility</i>	As determined by the Chief Executive Officer
<i>Vehicle Type</i>	Dual Cab Utility, Small AWD or Sedan as determined by the Chief Executive Officer
<i>Provision</i>	Fully maintained motor vehicle in lieu of overtime and other penalties
<i>Private Use</i>	Generally unrestricted (or as negotiated by the Chief Executive Officer and specified in the remuneration package)
<i>Approved Drivers*</i>	Employee; Any other appropriately licensed person while accompanied by the employee
<i>Insurance Excess</i>	Whilst the motor vehicle is being used for approved purposes – no excess payable.
<i>Contribution</i>	May be required to contribute to the costs associated with private use of the motor vehicle in order to minimise Council's FBT Liability (will be specified in the remuneration package)
<i>Fuel</i>	Limited to refuelling at Council's expense for private travel within the Naracoorte Lucindale Council area During periods of annual or long service leave all fuel is to be supplied by the employee
<i>Conditions</i>	As per general conditions of use included in this policy

Category D

<i>Eligibility</i>	May be provided for employees who need to respond to after hour calls on a regular basis at short notice or are required to carry large, unwieldy items with them between home and work.
<i>Vehicle Type</i>	To be determined taking into consideration the requirements of the position
<i>Provision</i>	Fully maintained motor vehicle for home to work use only
<i>Private Use</i>	Strictly prohibited
<i>Penalties</i>	If an employee utilises the assigned motor vehicle in such a way as to cause the Naracoorte Lucindale Council to incur a fringe benefit liability, then the said employee will be required to reimburse the Council the amount of that fringe benefit liability in full, or such lesser amount as may be determined by the Chief Executive Officer.
<i>Approved Drivers*</i>	Employee
<i>Insurance Excess</i>	Whilst the vehicle is being used for approved purposes – no excess payable
<i>Conditions</i>	As per general conditions of use included in this policy

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Fleet Vehicles

<i>Vehicle Type</i>	Cars, utilities, motorbikes, trucks, graders and any other motor vehicle, plant or machinery driven or controlled by an employee or elected member
<i>Approved Drivers</i>	Appropriately licenced and authorised employees and elected members
<i>Insurance Excess</i>	Whilst the vehicle is being used for business purposes and <u>not</u> in contravention of this policy – no excess payable
<i>Fuel</i>	All refuelling will be at Council expense
<i>Conditions</i>	As per general conditions of use included in this policy

Pool Car (Garaged at the Naracoorte Council Office)

<i>Vehicle Type</i>	Sedan or Small AWD
<i>Approved Drivers</i>	Appropriately licenced and authorised employees and elected members
<i>Insurance Excess</i>	Whilst the vehicle is being used for business purposes and <u>not</u> in contravention of this policy – no excess payable
<i>Fuel</i>	All refuelling will be at Council expense
<i>Conditions</i>	As per general conditions of use included in this policy
<i>Special Conditions</i>	A log book is to be used to record driver, date of use, destination, purpose and mileage. Bookings are managed by the Corporate Services Department. It is the driver's responsibility to return the pool car clean, free of rubbish and with a minimum ½ tank of fuel. Non-compliance with special conditions will result in removal of right to access the pool car.

** Refers to approved drivers when using the vehicle for private use or home to work use as specified in Category D.

GENERAL CONDITIONS OF USE

1. Council motor vehicles will be available as fleet vehicles even though private use may apply. This means that whilst an employee who has been allocated a motor vehicle is at work, the motor vehicle must be available for use by them, other employees or elected members for business purposes.
2. No person other than those specified in this policy shall be permitted to drive a Council vehicle, except in an emergency, whilst undertaking authorised repairs and maintenance on the vehicle or as specifically authorised to do so by the Chief Executive Officer.
3. Where an employee has been provided with a Council motor vehicle for private use, the employee must not exchange the motor vehicle or use another Council motor vehicle for private use, without the prior approval of the Director Corporate Services or Chief Executive Officer.
4. Employees may be required to maintain a log book recording specified data from time to time. As a minimum, employees will need to provide their current odometer reading upon request.

5. Employees will be required to complete a 'motor vehicle handover/received form' each time a motor vehicle is purchased, sold or exchanged.
6. Employees will be required to complete a 'daily machinery/plant safety sheet' and any other documentation required for data collection, audit purposes, employee safety and vehicle maintenance for all vehicles where direct costing allocation is applied.
7. Under no circumstances shall Council vehicles be used for personal commercial gain, including transport to or from an additional place of employment.
8. Employees or other authorised persons who are required to drive Council vehicles must hold a current valid driver's licence.
9. Smoking is not permitted in or on any vehicle.
10. The employee must not wilfully or recklessly misuse or mistreat the vehicle.
11. The employee must not do anything that might result in any insurance on or relating to the vehicle becoming void or which might increase the premium on any policy. If any insurance premium, excess charge or other charge increases are incurred as a result of the use to which the vehicle is put by the employee, the employee shall pay the additional amount.
12. Property damage suffered by third parties caused by employee-owned boats, trailers etc., whilst being towed by Council vehicles, will be covered by Council's Vehicle Insurance. However, damage to the trailer, caravan or boat itself is not covered, and it is suggested that the employee arrange comprehensive insurance in this instance.

An employee involved in an accident whilst towing a trailer which does not have current registration will be liable for all costs associated with the repair of the vehicle/vehicles.
13. An employee convicted of drink driving in association with an accident will be liable for all costs associated with the repair of such vehicle/vehicles.
14. The vehicle may not compete in any car rally or competition, or be used for commercial purposes or otherwise contrary to the terms of Council's vehicle insurance policy.
15. No advertising, sporting or promotional stickers or similar material is to be affixed to any part of Council's vehicles (safety, other statutory requirements and Council identification stickers excepted).

This condition shall not apply to certain vehicles at the discretion of the Chief Executive Officer.
16. In the event that a Council vehicle incurs a traffic infringement notice the responsibility for payment of any related expiation fee or Court-imposed fine will rest with the driver in control of the vehicle at the time the offence was committed.

In the event that the driver responsible for such a traffic infringement notice cannot be identified the employee to whom the vehicle is assigned for private use shall be required to pay any expiation fee or Court-imposed fine in relation to that infringement.
17. A Council fuel card(s) and/or fuel tag will be assigned for each vehicle and/or employee as appropriate. The odometer reading, vehicle number and any other required information must be provided at the time of refuelling.

All fuel receipts, including those for private travel (whether paid for personally or with a Council fuel card), must be provided to Council's Corporate Services Department.

18. RAA Roadside Assistance, or similar, will be provided for all motor vehicles that will be driven outside the Council district on a regular basis.
19. Monitoring devices may be installed in vehicles to improve safety of the driver and monitor efficiency of use.

CANCELLATION OR SUSPENSION OF DRIVERS LICENCE

Employees who require a licence to carry out their work and who have their licence cancelled or suspended, either fully or partially, shall immediately notify the Director Corporate Services. Failure to notify will be considered a serious misdemeanour, which may result in suspension or termination of employment.

The employee may be temporarily or permanently redeployed to a position where a licence is not an integral requirement of the position, if such a position is readily available.

Where a position is not readily available, and a driver's licence is an integral requirement of the position, employment may be suspended or terminated.

The provision of a Council motor vehicle may be terminated until the licence is reinstated.

VEHICLE SERVICING AND MAINTENANCE

1. All vehicles are to be serviced at scheduled intervals.
2. The employee or Elected Member assigned a Council motor vehicle shall be responsible for ensuring proper and adequate care, usage and maintenance of the motor vehicle including garaging/off street housing, regular cleaning both internal/external and ensuring regular checks of running items including:
 - a. Fuel Level
 - b. Engine oil level
 - c. Engine coolant level
 - d. Brake fluid level
 - e. Tyres including spare
 - f. Lights
 - g. Windscreen washers and wipers
 - h. General roadworthiness of vehicle

Vehicles are to be maintained at all times in accordance with the driver instruction manual and the manufacturer's handbook supplied with the motor vehicle. Defects must be reported to the Corporate Services Department.

Cleaning and regular checks of the motor vehicle shall take place outside of working hours.

3. The Corporate Services Department is responsible for coordinating servicing and maintenance of assigned motor vehicles and the pool car.
4. Council's Workshop is responsible for coordinating servicing and maintenance of all other vehicles.

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5. It is the responsibility of the employee to ensure that the workshop or Corporate Services Department, as relevant, is advised of impending servicing or maintenance requirements at least 14 days or 1,000km before they become due.
6. The employee to whom a motor vehicle is assigned may arrange servicing or general maintenance of the motor vehicle at their convenience, but must notify the Corporate Services Department of such work.

LIGHT FLEET – REPLACEMENT AND FITTING OF ACCESSORIES

1. Motor Vehicles will be replaced every five (5) years or at other times as determined to provide the optimum benefit to Council.
2. The Director Corporate Services is authorised to approve the acquisition and trade-in of motor vehicles involving like for like. All other acquisitions and trade-ins must be approved by the Chief Executive Officer.
3. The Director Corporate Services is solely authorised to negotiate and conclude the acquisition and trade-in of motor vehicles.
4. Other employees are not to enter into discussions or negotiations with Dealers for the supply, changeover or disposal of motor vehicles, or for the supply/fitment of accessories and/or options on Council's motor vehicles.
5. The following equipment is to be fitted or supplied to motor vehicles as standard equipment:

Air Conditioning
Towbar
Seat Covers
Floor Mats
Window tinting
Blue Tooth/Phone Kit
Cruise Control
Reversing Camera
Reversing Sensors
UHF Radio (subject to requirements of position)
Safety Hazard Lights (subject to requirements of position)
First Aid Kit

If it is deemed a requirement of the position or deemed necessary to protect the motor vehicle and/or driver, the following optional equipment may be fitted to motor vehicles, subject to approval by the Director Corporate Services in consultation with the Chief Executive Officer:

Bull Bar	Driving Lights	Side Steps
Water Tank (under tray for hand washing)	Tool Box (under tray)	Rubber Matting
Canopy	Lifter	Fire Extinguisher
Cargo Barrier	Roof Racks	Monitoring Device

5. Optional equipment may be fitted to vehicles under Categories A, B and C, at the employee's own expense subject to approval from the Director Corporate Services in consultation with the Chief Executive Officer.
4. Employee funded equipment may where practical be transferred from one vehicle to another, provided the vehicle is left in its original condition, and that the employee meets all costs associated with such transfers.

All equipment transfers are to be completed with the approval of the Director Corporate Services.

VEHICLES (excluding Light Fleet) – REPLACEMENT

1. Vehicles will be replaced as defined in Council's Plant & Machinery Replacement Plan to provide the optimum benefit to Council.
2. The Director Operations is authorised to approve the acquisition and trade-in of vehicles to the value of \$100,000. All other purchases must be approved by the Chief Executive Officer. This Clause is subject to Clause 3 below.
3. Purchases and sales of major plant are to be reviewed by the Strategic Asset Management Committee prior to recommendation to Council (*refer resolution 198/15*).

OTHER RELEVANT POLICIES / PROCEDURES

Other Council Policies and Procedures which may be relevant and require consideration when applying this policy include –

32	Drug & Alcohol Policy
32A	Drug & Alcohol Procedure
60	Use of Council Equipment by Community and Sporting Organisations
64	Internal Controls
92	Procurement
104	Risk Management
112	Sale or Disposal of Land and Other Assets
	Council Delegations and Sub-Delegations

POLICY REVIEW

This Policy will be reviewed every four years.

AVAILABILITY OF POLICY

The public may inspect a copy of this policy, without charge, at the Council's Naracoorte and Lucindale offices during office hours, and may obtain a copy for a fee fixed by Council.

The Policy is also available on Council's website www.naracoortelucindale.sa.gov.au

Any grievances in relation to this policy or its application should be addressed to the Chief Executive Officer.

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ADOPTION AND AMENDMENT HISTORY

<i>Date</i>	<i>Authorised by</i>	<i>Minute Reference</i>
March 2024	Next Review Due	
May 2020	Council	543/20
22 March 2016	Council	254/16
25 May 2010	Council	Amended - Resolution 476 / 10
26 February 2008	Council	275/08
25 September 2007	Council	87/08
27 February 2007	Council	352/07
28 February 2006	Council	196/06