

Motor Vehicle Procedures 2012, as at 1 Nov '12

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Vehicle usage schemes – conditions overview

Every employee and Councillor of Wyong Shire Council is subject to the conditions of these procedures and the associated Motor Vehicle Policy when driving or operating a Council vehicle or item of plant (hereafter all are referred to as "vehicle").

The table below shows which conditions apply to you, whether you have access to a vehicle allocated to you or not. It is your responsibility to be aware of all relevant material that is provided to you and ask about any issues that concern you.

The General Provisions and the Manufacturer's Motor Vehicle Manual / Service Book requirements apply to all Council employees. In addition, one of the Specific Conditions (A to C) will apply to you. If you do not have a vehicle allocated to you, it will be "Specific Conditions (C)" that is applicable.

	Private use leaseback scheme (A)	SDO contract leaseback scheme (A-SDO)	Tool of Trade Vehicles with Commuter Use scheme (B)	All other Vehicles & Plant including pool vehicles (C)
WSC Motor Vehicle Policy	✓	✓	✓	✓
General Provisions – All categories	✓	✓	✓	✓
Manufacturers Motor Vehicle Manual / Service Books	✓	✓	✓	✓
Specific Conditions (A)	✓			
Specific Conditions (A-SDO*)	✓	✓		
Specific Conditions (B)			✓	
Specific Conditions (C)				✓

* SDO = Senior Designated Officer

General Provisions – All Categories

Vehicle Acquisition, Replacement and Disposal

The Manager Plant & Fleet is responsible for determining the timing of replacement of vehicles having regard to Council's requirements and market forces. The replacement timing of passenger car and light commercial vehicles will generally be 80,000 - 150,000 km (3-6 years). For all other items, timeframes will be based upon lowest whole of life cost to Council. An indication of average lifespan by category is listed in the plant item register within the Fleet module of Oracle.

A member of the Plant & Fleet team will notify the allocated employee when a vehicle is due for replacement and work with them to ensure an appropriate replacement is obtained.

The employee allocated to the vehicle is to promptly make their vehicle available for changeover at the date they are advised a replacement will be available. Vehicles must be returned thoroughly cleaned before approval for the change over will be completed.

Only those vehicles deemed suitable by the Manager Plant & Fleet as maintaining a favourable image and cost benefit to Council and Employee will be purchased. Generally, black vehicles and other colours considered detrimental to resale will not be considered. Choice of colour is at the discretion of Fleet Management and depends on stock availability, with employee preferences met when practical (Private Use scheme only). Operational use vehicles shall be white wherever available.

The Manager Plant & Fleet reserves the absolute right to re-allocate or rotate vehicles in order to achieve efficiencies and/or maximise benefits to Council.

All vehicles must comply with the following:-

- Availability under NSW State Government Contract or other formally approved Contract
- Purchase price below ATO Luxury Car Tax Threshold (cars and utes) excluding Mayoral/General Manager vehicles.
- Demonstrate environmental leadership while minimising the financial impact on the organisation in the provision of tools and equipment. All General Fleet (excluding SDO) passenger cars and light commercial vehicles shall be 4 cylinders unless no practical alternative exists.
- Life Cycle Cost (total cost of ownership) - the life cycle cost of the vehicle, including any potential Tax liability, is to be considered in the interests of selecting vehicles which represent the total cost of ownership to Council.
- Be in line with the reasonable expectations of the Community
- Only automatic vehicles will be selected (unless no practical alternative exists)

Drivers Licence

An employee must provide evidence of a current New South Wales driver's licence of an appropriate class or equivalent workcover ticket/certification of competency (as appropriate for the vehicle being operated) and must be the holder of that licence/ticket/competency for the duration of their use of any Council vehicle as required at that time.

All employees are to immediately notify their Supervisor/Manager and also the Manager Plant & Fleet if a licence/ticket etc is suspended or revoked (i.e. resulting from a driving offence or other reason). The employee will immediately forfeit use of or access to any Council vehicles. Employees with a private use vehicle who lose their licence and forfeit their use of the vehicle

will be required to continue to meet the vehicle contributions for private use until the vehicle can be reallocated.

An employee who is convicted of a driving offence that involves the loss of their licence, who needs to drive a vehicle as part of their regular work, will need to meet with their supervisor to develop a plan of alternative arrangements to continue to carry out their duties.

Authorised Drivers – during working hours

All Council Employees (permanent, temporary, casual and for General Provisions & Specific Conditions C, also covers Apprentices, Trainees and Temporary Contract Personnel) who have read and formally acknowledged (signed & returned) their agreement to abide by the Policy and Procedure are permitted to operate vehicles for work-related purposes provided they have been instructed to do so and hold the appropriate qualifications/licence/training to do so. Unless a vehicle is formally assigned to the individual, usage is limited to infrequent incidental use of the light vehicle fleet (passenger cars, utes, vans) and the journey must be approved by the individual's Supervisor/Manager. Consultants and general contractors are not permitted to use/operate any Council vehicles.

No employees are permitted to use a Council vehicle outside working hours unless they have formal approval to do so (ie are participants in the Private Use or Commuter Use schemes)

Whilst ever the participating employee is officially in attendance at work on a given day, the vehicle allocated to them must be "at work" and fully available for Council use. The vehicle is not permitted to be used by non-employees during the working day.

Non permitted activities

Council will not pay any cost in relation to damage caused to a vehicle or property by an unauthorised driver or use of the vehicle in an unlawful manner. All such costs attributable to the Council vehicle will be the responsibility of the allocated driver or the authorised driver.

Council vehicles are not to be utilised as a means of displaying personal statements or advertising by the way of bumper or window stickers, etc. Only Council approved adhesive display insignia/sticker, supplier, number plate frames and RTA required labels are permitted on the vehicle.

No Council vehicle is to be used for off-road driving on unformed roads (4 wheel driving) activities. This applies to all vehicles in the fleet regardless of their capability (eg 2WD, AWD, 4WD). The only exceptions will be positions where approval is specifically given and this is strictly limited to work-related needs and the driver must have completed a WSC-approved 4WD training course. No vehicle will be permitted to be accessorised to make the vehicle suitable for off-road usage.

No Council vehicle is to be utilised for other business/commercial purposes (ie only work required as part of the driver's employment with Wyong Shire Council is permitted).

No Council vehicle shall be used for competition or participation in any car rally or similar event.

Drivers and passengers in Council vehicles must observe Council's non-smoking policy at all times.

Council responsibility – maintenance & repair

Plant & Fleet are responsible for all servicing and maintenance of vehicles provided under the policy.

All vehicles will be registered and comprehensively insured by Council.

Two-way radios and special accessories where a position requires such, shall be fitted, installed and removed at the employee's Business Unit's cost.

Employee responsibility - maintenance, repair & record keeping

Council has a right to expect that the vehicle assigned to an employee will be cared for as though it were in the private ownership of that employee, regardless of the usage scheme.

Every person operating a vehicle shall ensure:

- Proper and adequate care and usage at all times. Proper care includes under cover or secure parking wherever available, regular cleaning both inside and out, and ensuring that normal running items such as fuel, oil, battery, radiator, tyre pressures, etc are checked at regular intervals not exceeding fortnightly (cars/light commercials) or more frequently as otherwise directed (light commercials with special attachments/fit-outs, trucks and plant). Condition will be judged based upon reasonable expectations relative to the work-related use of the role;
- All maintenance/repair issues are promptly reported to the mobile plant workshop;
- Any accident or damage to a vehicle is reported to Council's Risk Management Section within one week of the incident;
- That the Mobile Plant Workshop is alerted and the vehicle booked in for routine servicing on or before the due date/mileage
- They maintain and provide any records required by Council, including the completion of vehicle log sheets if so requested.

The condition of vehicles will be checked regularly including at the time of servicing and vehicle changeover. Vehicles deemed to be below reasonable condition will be drawn to the attention of the Business Unit Manager in conjunction with the Manager, Human Resources and action will be taken accordingly. The degree of action will depend upon the severity of the breach, in line with the guidelines in the Disciplinary Policy. This includes charging an excess to the Unit/Employee the vehicle is allocated to in order to have the vehicle brought up to the required standard. The Unit may choose to claim any excess from the allocated person that has Private Use entitlement or employee who has been the driver. Plant & Fleet will not accept a vehicle for exchange if it is in an unacceptable condition, pending resolution as per above.

Employee responsibility - operation of the vehicle

Every Council vehicle, whether car, light commercial vehicle, truck or plant must at all times be operated and maintained in accordance with all statutory requirements. This includes (and is not limited to):-

- Licences and/or legally recognised certificate of competency to operate the class of vehicle
- Compliance with all requirements associated with driving and/or operating that vehicle such as vehicle load restrictions, appropriate covering and securing loads, road regulations, Workcover regulations, National Heavy Vehicle Scheme where applicable etc.

Furthermore, they must be operated and maintained on a routine basis in accordance with the manufacturer's handbook and Council SWMS.

Council identification of vehicles

All Council vehicles will be fitted with permanent Council stickers.

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Vehicles that are provided under the Private Use scheme will be fitted with a sticker on the rear window of the vehicle containing Council's website.

All other Council vehicles will have at least two Council emblems permanently attached in highly visible locations. Where practical/available, these are to be on front doors.

Other markings or identifying features are to be installed as directed by the Manager Plant & Fleet from time to time.

Driving infringements

All drivers of Council vehicles will conform to all of the regulations enforceable under the Motor Vehicle Traffic Act and any parking ordinance or regulations and shall assume personal liability for any fine or imposition that may result from breach or infringement.

All traffic fines and penalties incurred by a Council vehicle will be paid by the driver of the vehicle or if the driver cannot be identified, the infringement notice will generally be returned to the issuing agency with the name and personal details of the person allocated the vehicle at the time of the offence.

It shall be the responsibility of each person assigned a vehicle to ensure a system is maintained (e.g. vehicle logbook) to record the drivers of a vehicle at a given time to assist in the identification of a driver in the event of a driving or toll infringement.

Road tolls - usage & payment

Drivers are responsible to organise payment of electronic road tolls through internet, telephone or their own private e-tags. Where the travel is for business purposes, the toll cost may be claimed from Council through the expense claim system.

Council reserves the right to charge drivers all infringement and penalty charges as well as a Council administration fee of up to \$30 per infringement to recover the cost to document and process road toll infringement notices. If applied, this charge would be incurred irrespective of whether the toll is incurred for business or private travel.

Damage to vehicles/Breakdown/Mechanical Failure

In the event of a breakdown or motor vehicle accident, the Manager Plant & Fleet will make reasonable effort to source a replacement vehicle for the employee's use. If no vehicle is available, private use benefit (if applicable) will lapse for the period whilst repairs are undertaken and the employee will be responsible for their private travelling arrangements. Any employee contributions for use of the vehicle will be suspended during such periods.

Where a Council employee to whom a motor vehicle has been assigned under this procedure is frequently involved in causing damage to Council vehicles and/or third party property, Council reserves the right to take action through the direction of the Manager Human Resources. Employees who have had two at fault accidents or damage in any calendar year will be asked to contribute towards the excess (up to \$1,000) for any subsequent at fault accident or damage. The action taken will be with due consideration to the nature of the damage and the degree of negligence on the part of the employee and may also include the withdrawal or suspension of private use privileges for a period determined by the General Manager.

Repairs are not to be made to the vehicle e.g. body repairs, without reference to Risk Management. The only exceptions to this rule are emergencies e.g. a broken windscreen, vehicle breakdown which occur outside regular business hours. Council's accident form should be completed by the driver in respect to the incident and returned to Risk Management promptly.

Theft and/or damage of personal property

Council will not accept responsibility for the theft and/or damage of items/equipment which are the personal property of the employee that are left in a Council vehicle unless:-

- The damage incurred and/or the loss sustained is a direct consequence of an accident and/or injury which is sustained in the normal course of employment and for which a claim for compensation may be lodged
- Council is demonstrated to have been negligent either by way of action or circumstance which results in the damage and/or loss of such item/equipment

All employees must ensure that when the vehicle is not in use, it is parked legally and where possible, in a secured location under cover. All doors must be locked, any security devices activated and all keys are removed from the vehicle. Where applicable any load and/or equipment are to be secured.

In addition, vehicles carrying Council owned operational tools and materials shall not be parked in areas where there is risk of theft or damage and these items shall be removed or secured out of sight.

Fuel

Plant & Fleet is responsible for supplying a fuel card for the purchase of fuel (generally restricted to Private Use scheme vehicles), fuel key (for access to Council's fuel bowsers) or refuelling via a Council fuel delivery service (select Mobile Plant).

Fuel shall not be used for any other vehicle or purpose than fuelling the vehicle identified on the card/key. The card/key will be programmed to only allow issue/purchase of the fuel appropriate to that vehicle.

Lost fuel cards/keys must be reported immediately to the Fleet Administration Officer for deactivation and replacement. A fee may be charged for the replacement of a lost fuel card/key.

It is important that the odometer (or hour meter) reading is accurately recorded when the vehicle is refuelled. In the event of an error when entering a reading, the Fleet Administrator must be notified within 2 working days so the reading can be corrected in the fuel management system.

Accessories including tow bars and roof racks

With the approval of the Manager Plant & Fleet, accessories such as tow bars and roof racks may be fitted to Council vehicles.

Approval will only be given for those accessories which do not cause any damage to the vehicle, are approved by the vehicle manufacturer, do not impact on the vehicle warranty, present an acceptable image to the public and do not compromise the Council use of the vehicle. Once fitted, accessories shall only be removed with the approval of the Manager Plant & Fleet.

Council will only meet the cost of accessories essential to perform the employee's role such as ute canopies, two way radios etc. regardless of the usage scheme the vehicle is on. Council will only provide tow bars and roof racks for light commercial vehicles and trucks where essential to performing the role. Council will not cover the cost of these particular accessories on passenger cars without approval from the General Manager.

Only employees on the Private Use scheme are permitted to tow private property with a Council vehicle.

FBT liability

No vehicle entitlement will be permitted unless the allocated employee is funding the full offset of FBT liability (subject to transition as per the Award to 20% FBT). Where an arrangement will result in an FBT liability being incurred by Council, the arrangement will cease given a reasonable period of notice or not be permitted to commence.

Vehicle availability for pool use

All vehicles are available for pool use and, notwithstanding any private/commuter agreement, Council reserves the right to have first call on all vehicles at all times.

Where any Council vehicle is used by employees other than the authorised driver, the vehicle shall be returned to the authorised driver on expectation that reasonable care will be taken of the vehicle, including the removal of rubbish, generally clean and re-fuelled if required.

A vehicle may be allocated to a Business Unit or Section for specific use as a Pool Vehicle (not allocated to an individual). The full contribution cost of this vehicle is charged to the Business Unit. Utilisation, routine maintenance and cleaning of the vehicle are the responsibility of that Unit Manager.

Any vehicle returned to Plant & Fleet for a short period of time may be utilised as a pool vehicle. Where a vehicle is able to be fully re-deployed elsewhere, the home Business Unit will not be charged for the vehicle.

Vacant positions

When any position that includes private or commuter use of a vehicle becomes vacant (or a new role is created), the role (excluding SDO) will initially be advertised without a vehicle entitlement. In the event an applicant of sufficient calibre cannot be attracted to a role, Human Resources will examine all aspects of the position and, as appropriate, recommend to the General Manager whether private or commuter use will be offered. The intention is to ensure ongoing best value to Council.

The vehicle (including all Council-funded accessories and keys/remotes) left vacated by a terminating or transferred employee must be returned in a clean and presentable state to the Fleet Administration Officer prior to the departure of the employee.

Where there was private or commuter use and the vehicle is not adequately cleaned upon return, Council reserves the right to charge the person a cleaning fee estimated to be in line with the cost Council will incur. If necessary, HR will not release the final pay for a terminating employee pending this being resolved. Any funds not recovered will be charged to the home Unit.

Travel allowances (Private vehicle and Travel)

Employees using a Council vehicle to travel between home, their home base and any work location, whether on Private or Commuter Use or as a passenger, must agree to not claim any form of travelling allowance unless otherwise agreed in writing by the General Manager. The alternative is that they forfeit entitlement to private or commuter use of the vehicle (or, for passengers, to travel in the Council vehicle to/from home).

Spare keys/remotes

As standard procedure, only one set of keys (and/or remote control) will be issued per vehicle. The employee agrees to reimburse Council for the cost to replace any set(s) of keys/remote(s) in excess of one set in any 2 year period.

Where it is formally agreed by the employee's Unit Manager that there is sufficient work-related need to have a second set of keys issued, the home Unit is to provide a job number to cover the cost of an additional (third) set of keys.

A second set of keys/remote will be issued to Private Use staff upon request on the basis that the employee formally commits (refer attachment 1) to reimburse Council the cost to replace lost keys/remote(s) in excess of one set in any 2 year period together with all costs to transport a stranded vehicle.

Specific Conditions (A) - Private Use leaseback scheme

General

To be read in conjunction with "General Provisions – All Categories"

In general, private use of a vehicle will not be advertised as part of remuneration when filling vacant/new positions.

The General Manager may approve the provision of a private use vehicle to an employee where a vehicle of suitable type/model is an essential component to effectively perform the functions of the role, or where provision of a vehicle is regarded as an industry standard. Approval will only be granted at the sole discretion of the General Manager.

Where an employee is requesting entitlement to a Private Use vehicle, the General Manager will authorise private use eligibility. The provision of a private use leaseback vehicle is not to be interpreted as a precedent by employees on the same Salary Band and Level. As a guide only, roles requiring a vehicle to be allocated in order to effectively undertake their duties will also require an OCR Work Value Point of 258 as a minimum before any consideration will be given to requests for Private Use entitlement.

A vehicle under the Private Use scheme can not be fitted out with tool boxes, lights or other high cost and/or distinguishing items. It must not be required to transport equipment that would make it impractical for that vehicle to be used for private use. The employee's role must be a "single person operation", not requiring the vehicle to be shared between two or more employees other than being available during the working day for general pool use. Unavailability of this vehicle whilst a person is on leave must not adversely impact Council's operations.

Vehicles are not to be provided to employees on a reward basis or for any other purpose without approval of the General Manager. A Director, Manager or Supervisor who does this may be subject to disciplinary action.

Vehicles are not to be allocated to other employees during the absence of the employee who usually has the vehicle allocated to them. Any unusual circumstances which arise should be first checked with the Manager Human Resources before a vehicle is temporarily allocated.

An employee who declines the offer of a private use benefit vehicle during the recruitment process will not subsequently be offered or entitled to a private use benefit vehicle during their employment in that role.

Vehicle selection

A limited selection of various sizes of base model vehicles shall be offered.

Vehicles will be grouped into categories based on vehicle characteristics, sizing and whole of life costs.

The selection of vehicles in each category may change from time to time at the discretion of the Manager Plant & Fleet as a result of factors such as model changes and changes in whole of life costs. The Manager Plant & Fleet may assess (due to changes in model characteristics or whole of life costs of particular vehicles) that a vehicle be transferred from one category to another.

Employees will be permitted to select a vehicle from the available range subject to that vehicle be suitable to meet or exceed the requirements of the role. Depending upon marketplace dynamics, the range may usually include:

Category	Description
1	Small, base model
1W	Small, base model wagon
2	Medium, base model
2H	Medium, base model Hybrid
3W	Family sized wagon
LCV 1	Light commercial ute – 2WD
LCV 2 (4WD)	Operation roles only - Light commercial ute – 4WD – only available where deemed essential to perform the role.

Details of available vehicles and employee contribution rates will be advised to users at the time of vehicle purchase or changeover and is published on Share Point.

The General Manager has the discretion to approve the provision of an alternative type or class of vehicle (with due regard to the conditions above) if satisfied that in the particular circumstances of the case, the best interests of the Council including recruitment, would be served. The employee contribution rate applicable for these vehicles will be in accordance with the calculation methodology in this document.

Contribution rates

The contribution payment for private use of each category of vehicle shall be calculated based upon the whole of life cost of a suitable vehicle as calculated using the NRMA Business Wise subscription calculator ("NRMA calculator"), less a nominal contribution by Council.

The following inputs/assumptions apply to the contributions formula:

Calculator item	WSC description/value	Calculator item	WSC description/value
Purchase price	State Govt Purchase Price (note 1)	Spare parts discount	Nil
Accessories	WSC std fitments (floor mats etc)	Kilometres pa	Fleet average (note 2)
Dealer delivery fee	Nil cost	Days private use	365
Business insurance pa	Comprehensive at average cost/vehicle	Assumed % private use	40%
Average labour cost/hr	NRMA calculator value	Employee contributions incl. in NRMA Calc	Nil (note 3)
Fuel costs (cpl)	NRMA calculator value	Administration fee	Overhead recovery (note 4)
Roadside membership cost pa	NRMA calculator value	Basis of cost splitting	Nominal Contribution (note 5)
Interest rate	NRMA calculator value	<i>GST on Post Tax</i>	<i>The previous 10% gst charged on post tax contributions will no longer be applied (note 6)</i>

Notes:-

1 – Updated as at 1 June +/- 14 days for each financial year

2 – Fleet average kilometres – the NRMA calculator only allows increments of 5,000km pa. The calculated cost will be extrapolated 'outside the calculator' from the nearest 5,000 increment to the fleet annual average.

3 – Employee contributions in the calculator create a misleading report if included. The only purpose of having this in the calculator is to offset FBT (which Council does anyway). Please refer to Remuneration Manager or members of the Vehicle Consultative Committee if you require a greater level of understanding.

4 – Administration fee = recovery of overheads based upon the asset value (Purchase Price + WSC std accessories) of the vehicle (refer item 1 above) as a % of the asset value of the full Fleet.

5 – Nominal contribution – Council will incur 60% of the whole of life cost of a base model Camry. The remaining whole of life cost balance is to be paid by the employee through post tax (to offset all FBT liability) with any residual contribution able to be paid through Salary Sacrifice.

6 – The employee post tax contribution attracts a 10% gst charge. Council will absorb this cost in lieu of adjusting several default inputs within the NRMA calculator to reflect "WSC actuals" in the interests of simplicity and transparency.

All contribution rates will be revised each financial year. In the event of substantial increases or decreases to input costs, rates can be revised on a second occasion in a financial year either across the board or by individual category.

Calculations shall be done for each vehicle category.

The Manager Plant & Fleet may determine that due to similar contribution rates of like vehicles, a particular model be transferred from one category to another as part of the annual review or that vehicles not conforming to the categories be calculated individually in accordance with the methodology.

The contribution is to be paid by the employee using a combination of post tax (to an amount to fully offset the FBT of that category of vehicle) and any residual amount via salary sacrifice.

Vehicle hand back (surrender of entitlement)

An employee may surrender participation in the Private Use Scheme with four (4) weeks notice. A decision by the employee to cease private or commuter use, once made and accepted by WSC cannot generally be reversed. The General Manager may however consider an application in extenuating circumstances.

Where an employee elects to cease private benefit use, commuter use will only be granted in exceptional circumstances by the General Manager if deemed necessary for operational reasons and the role complies with the requirements of *Specific Conditions: (B) - Tool of Trade with commuter use*. The vehicle provided will be the lowest whole of life cost vehicle suitable to performing the functions of the position.

Authorised drivers – outside working hours

The Private Use scheme allows an employee with this entitlement to make use of a Council vehicle subject to the reasonable expectations of the Community with regard to care, maintenance and operation.

Private Use vehicles may be operated "after hours" by the employee to whom the vehicle is allocated. It may also be used, without the authorised driver in the vehicle, by:-

1. A spouse of the employee; or
2. A de facto spouse, who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; or
3. A child or an adult child (including an adopted child, a step child, foster child or an ex nuptial child), parent (including a foster parent, step parent and legal guardian), parents of spouse, grandparent, grandchild or sibling (including half, foster and step sibling) of the employee or spouse or de facto spouse of the employee; providing in each case they live in the same household as the employee or
4. A same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
5. A relative of the same employee who is a member of the same household.

providing the individual is 21 years of age or older and that person holds a full drivers licence.

Persons holding a Learner's Permit or Probationary Licence (and/or under 21yo) are only authorised to drive a Private Use Council vehicle when the participating employee or their spouse/de facto/partner is in the vehicle. When controlling an L plater, the participating employee/spouse must be in a fit/legal state to do so.

Under unusual circumstances and strictly with the written consent of the Manager, Plant & Fleet, employees who are holders of a Probationary Licence (and/or under 21yo) may be granted permission to drive a Private Use Council vehicle.

Other fully licensed persons are only permitted to operate the vehicle if accompanied by the employee to whom the vehicle is allocated. The exception will be on an infrequent basis to return the vehicle to the residence of the employee when the employee has been dropped off at a railway station (or similar) or other nearby location or if the employee is in an unfit state to drive the vehicle. The route taken to return the vehicle must be the most direct that is reasonably available. Longer periods of such use must be formally approved by the General Manager.

The participating employee must have their vehicle available for work purposes whilst ever they are in attendance at work. Whilst the employee is in attendance at work, the vehicle is not permitted to be used by the employee's spouse/de facto/partner or family member.

Leave

Council's leave policies detail conditions associated with vehicles whilst the allocated employee is on leave. Any participating employee who commences paid leave in excess of one month has the following options when taking paid leave:

- Keep the vehicle for a maximum of 13 weeks continuous leave and continuing to pay for it, or
- Formally seek approval via their Unit Manager (who will seek guidance from the Manager Human Resources) to return the vehicle to Council for the period of leave. If that request is granted, employee contributions would cease for the duration approved. Should that occur and Plant & Fleet are not able to fully re-allocate the vehicle, the employee's home Unit will incur the full contribution charge. A formal notice period of at least three months shall be provided by the employee to the Unit Manager and the Manager Plant & Fleet if the employee is requesting to hand back the vehicle whilst on leave. A minimum of 4.5 weeks leave must be taken when requesting to hand back the vehicle.

The maximum continuous paid leave period where private usage of the vehicle can continue is 13 weeks. Any paid leave request in excess of 13 continuous weeks will only be considered following formal application to and approval by the General Manager. The staff member will also be required to pay Council's full cost (the Nominal Contribution) of the vehicle for use on paid leave beyond 13 continuous weeks. Unless an extension is granted, the employee is required to return the vehicle to Plant & Fleet at or before the end of the 13th week of leave. Employee contributions for the returned vehicle will only cease if approved as per above is given, or as from the end of the 13th week. The Home Unit will be charged the full cost of the vehicle if it can not be fully reallocated.

Employees are required to pay the full cost of the vehicle (including Council contribution) for any period of Leave Without Pay of greater than five days.

Note: Refer to the *Use of Private Vehicles and other equipment while on Leave* policy for further details, particularly leave entitlements for new employees.

Fuel

The Manager Plant & Fleet will issue a fuel card for the purchase of private and business fuel. For any usage outside NSW/ACT, Council will cover the cost of fuel up to a maximum of \$100 per week, averaged over the duration of each single period of leave. Costs in excess of this amount are to be personally covered by the employee and can not be claimed back from Council. Should staff exceed this amount, they are responsible to track the value and reimburse Council within 2 weeks of their return from leave. Any costs found to be in excess of the \$100 per week maximum limit that remains outstanding after 2 weeks will be recouped from the employee and an administration fee of \$200 will be charged to cover the time for reconciliation and documentation preparation.

Use of the fuel card will be under the terms and conditions of this policy and the station at which fuel is being purchased. The fuel card shall not be used for any other vehicle or purpose other than fuelling the vehicle identified on the card. Should the situation arise that the fuel card fails to operate, the employee shall purchase fuel and seek reimbursement through the petty cash system. Claims for petty cash reimbursement for purchased petrol, oil etc are to be signed by the employee's Supervisor.

Fuel is also supplied at Charmhaven and Long Jetty Depots using a data fuel key system.

Maximum vehicle usage per year

The maximum kilometres that can be covered by a Council vehicle on a Private Use scheme without question in any 12 month period is 50,000 kms (or pro-rata if vehicle is assigned to an individual for less time). It is at the General Manager's discretion to charge an excess usage fee for travel in excess of this distance. The amount of work-related travel will be a major consideration when assessing this to ensure fairness for staff who travel significantly for their role or their vehicle has extensive pool car use.

Accessories including tow bars and roof racks

Please read in conjunction with "General Provisions – All Categories" above

Where an employee on the private usage scheme requests accessories for the vehicle that are not essential to performing the role, the employee is to meet the full up-front cost of purchase and installation of accessories each time a vehicle is replaced. The employee will be able to choose to personally retain ownership of these items when the vehicle is being disposed of or swapped between users on the strict proviso that the employee meets the full cost to remove the item and to rectifying any resultant damage or required restoration to the vehicle as a result of removal of the item.

Should an employee choose to have a tow bar and/or roof racks fitted and later removed to a vehicle (new or transferred from one car to another), they can choose to do so at their own cost and in their own time using an external business that has appropriate industry qualifications for carrying out these duties and subject to approval by the Manager Plant & Fleet. Removal of such accessories must not delay the surrender of the vehicle for replacement or return to Fleet. A copy of the receipt for completing any such installation or removal work is to be provided to the Manager Plant & Fleet as way of proof that the work has been carried out to comply with all industry standards.

Council retains the right to rotate vehicles travelling well in excess or well below the fleet average kilometres in order to minimise vehicle depreciation cost. Any employee that has fitted accessories does so on the understanding that if the vehicle is rotated, Council will not reimburse the employee for any accessories or cost to transfer those accessories.

Property damage to third parties caused by employee-owned boats, trailers etc, whilst being towed by Council vehicles, will be covered by Councils motor vehicle insurance subject to the boat, trailer etc being towed in accordance with all road rules and the manufacturers guidelines. However damage to the trailer, caravan, boat etc itself is not covered and it is recommended that the employee arrange their own insurance in this instance.

The final approval relating to accessories will be at the sole discretion of the Manager Plant & Fleet subject to the decision made in the best business interests of WSC.

Employees in passenger cars who had accessories (tow bars/roof racks) fitted to their vehicle as at June 2000 (ie are under the "pre-June 2000 agreement") will continue to have their replacements funded by Council through until end December 2015. The tow bar and/or roof rack is to be of equivalent standard. This right will be maintained even if the staff member does not require the item to be provided for a specific replacement vehicle.

Fleet optimisation

There is a focus on overall utilisation of passenger vehicles and utes and minimising whole of life costs. Employees in vehicles covering lower annualised kilometres (<15,000km) and higher annualised kilometres (>35,000km) are required to enter into self-managed partnerships with each other. In the event employees do not proactively undertake this, Council will formally reassign vehicles in order to average out the kilometres travelled by each vehicle.

Novated Leasing

Council will not enter into Novated lease arrangements with employees.

During recruitment of an external applicant, the General Manager may approve acceptance of an existing Novated Lease Agreement if it is in the overall best interest of Council. Any agreement for Council to participate in that Novated Lease arrangement will be limited to the terms of the lease including duration as at the date of employment offer with Wyong Shire Council, and no new Novated lease term will be considered upon expiry of the transferred Novated lease.

Restricted Private Use - closed scheme

This scheme is now closed. Employees participating in the Restricted Private Use (RPU) scheme as at 30 June 2012 will have two options:-

Option 1 - remain on the RPU scheme until 30th June 2015 as Present Occupants Only; Until that date, contribution rates will continue to increase (from the current rate) in line with the 75:25% split and full offsetting of FBT, capped by any restrictions imposed by the Award. After that date, any remaining Present Occupant Only employees will be automatically transferred onto the Private Use scheme and their contribution rates will be calculated based upon the Private Use scheme. However increases would still be capped by any restrictions imposed by the Award until the contributions matched the Private Use rate.

Those choosing to remain on this closed RPU scheme will be required to strictly abide with the criteria associated with that scheme which include:-

1. A vehicle is currently assigned to that position;
2. The vehicle is assigned to the supervisory and technical support positions which are single person operations.
3. The provision of such a vehicle is recognised as industry standard for like positions;
4. The vehicle is not fitted out with tool boxes, lights or other high cost and/or distinguishing items. Also, it is to not be required to transport equipment and people which would make it impractical for that vehicle to be used for private use;
5. That unavailability of this vehicle whilst a person is on leave does not adversely impact on Council's operations.
6. Approval is consistent with other roles within the organisation.
7. The maximum individual instance for which a vehicle can be used whilst on leave away from Council is 3 weeks for restricted private use.
8. The Restricted Private Use scheme does not allow for staff to take a vehicle on extended periods of leave, part time employment or transition back to/from work. The vehicle is a requirement of the role and must remain available for operational use.

The provision of such a vehicle is by way of 'allocation' to a position and not to the incumbent of the position.

The make, model and configuration of the vehicle will be determined in accordance with operational requirements and then-current procurement practices. Generally the default vehicle will be a base model commercial vehicle e.g. Ford utility or Toyota Hilux Workmate unless

operational requirements necessitate an alternate vehicle. The vehicles will generally not be required to display insignia although the use of removable insignia may be required for Council duties from time to time. Accessories such as tow bars will only be provided on the basis of an operational need of the role.

Option 2 - elect to transfer any time before the 30th June 2015 onto the Private Use scheme: Provided the vehicle category remains the same (light commercial vehicle categories), the employee's contributions will be calculated as per the Private Use scheme, however increases would be capped in line with the Award until the contributions matched the Private Use rate.

In the event a passenger car suitable to undertake the role is available for selection (which is to be agreed between the Unit Manager and Fleet Manager based upon a reasonable level of investigation), the employee can select that vehicle when their current vehicle is due for replacement. Contribution rates would be as applicable to the replacement vehicle category. To transfer to this scheme, the employee must submit their request in writing to their Unit Manager who will approve the request. Should it be found that the vehicle selected is unsuitable to perform the duties of the role, the employee must agree to accept and pay the contribution rates for a vehicle from an alternative vehicle category considered to be suitable or agree to return to the original vehicle category at then-current contribution rates for Present Occupants.

Specific Conditions: (A-SDO) – SDO contract leaseback scheme

General

To be read in conjunction with "General Provisions – All Categories" and also "Specific Conditions (A) – Private Use"

This scheme is only open to employees on a Senior Designated Officer (SDO) employment contract and offers certain benefits as a component of the total remuneration arrangement between Council and these employees. Note that these contracts provide a lower level of security of employment compared to employees under the Award.

The scheme generally applies the elements of the Private Use scheme with amendments detailed in a separate SDO procedure.

Specific Conditions: (B) - Tool of Trade with commuter use scheme

General

To be read in conjunction with "General Provisions – All Categories"

This user group includes those employees who have a vehicle permanently issued and in constant use by that employee in the performance of their duties. This includes passenger cars, light commercial vehicles, trucks & plant that meet all of the conditions below.

To be granted commuter use will require that the vehicle does not attract a fringe benefit tax (FBT) liability for Council and it must be shown that granting Commuter Use is in the best overall interest of Council. Typically such roles will be on call and/or start & finish in the field (both likely in excess of 90% of the time).

The provision of a vehicle in these instances is by way of "allocation to a position" and not to the incumbent of the position.

A vehicle as determined by the Manager Plant & Fleet as appropriate to carry out the duties associated with the role shall be made available. The make, model and configuration of the

vehicle will be the lowest whole of life cost vehicle that meets the operational requirements of the role and current procurement practices.

Vehicles are not to be allocated to other employees during the absence of the employee who usually has the vehicle allocated to him/her. The exception is where that other employee requires the vehicle to undertake the position, is formally assigned to perform the duties of the position and also meets all of the conditions above during the relieving period. It is the responsibility of the Home Unit Manager to obtain approval from the General Manager before a vehicle is temporarily re-allocated.

The provision of commuter use entitlement is not to be interpreted as a precedent by employees on the same salary band and level.

Contribution rates

Commuter users are classified into two categories:

- Category 1 – Those employees in positions where the calculated* distance of their home is no greater than 30 kilometres beyond the Shire boundary. Employees meeting the criteria of this category are not required to contribute to the running cost of the vehicle.
- Category 2 – As above, except the calculated* distance between home and worksite is greater than 30 kilometres beyond the Shire boundary. These employees are required to cover the full whole of life cost per kilometre (as determined by the Manager Plant & Fleet) of any travel in excess of 30 kilometres of the Shire boundary. The contribution is an annual fee which will be paid weekly via salary sacrifice payroll deductions. The contribution will be revised each financial year and, in the event of substantial movements in calculation inputs in either direction, can be revised on a second occasion in a financial year.

* Google Maps (or equivalent) will be used to determine the distance of the most direct route from the workplace to the employee's home. Regular deviations including collecting fellow work mates will be included in the calculated distance travelled.

Employees with an entitlement as at 30 June 2012 will retain that entitlement.

Authorised drivers - outside working hours

Only the allocated Council driver shall be permitted use of the Council vehicle and that permission is strictly limited to commuting between their home and work site and only on one occasion each way per day. The conditions of use include:

- The most practical and direct route shall be used
- No other private use shall be allowed unless it is incidental to the trip to and from home to work. Incidental use includes picking up fellow employees, stopping at a shop or gym, dropping off or collecting items or children at school etc, provided these are generally on the route to or from work
- Incidental use must not result in unreasonable deviation from the most direct and/or practical route. The employee shall notify their Supervisor of proposed incidental use where practical
- Under no circumstances is any incidental use allowed unless related to commuting to/from home/work, as described in the second bullet point above
- The vehicle is to be brought on to the job every day during employment
- Commuter use vehicles carrying operational tools and materials shall not be parked in areas where there is an unreasonable risk of theft or damage
- Vehicles will be available for pool purposes during normal working hours

- The employee allocated the vehicle is required to maintain the vehicle in a clean condition inside and out. This is to be done outside work hours

Leave

The vehicle must be left at work during periods of planned leave. In the event of unplanned sick leave, Council reserves the right to collect the vehicle for Council use. Council will not be responsible for an employee's travelling arrangements associated with planned or unplanned leave.

Fuel

The Manager Plant & Fleet will issue a fuel key for the dispensing of fuel. In certain circumstances, a fuel card may be issued at the discretion of the Manager Plant & Fleet. Use of the fuel card will be under the terms and conditions of this policy and the station at which fuel is being purchased.

The fuel key/card shall not be used for any other vehicle or purpose other than fuelling the vehicle identified on the card. Should the situation arise that a fuel key/card fails to operate, the employee shall purchase fuel and seek reimbursement through the petty cash system. Claims for petty cash reimbursement for purchased petrol, oil etc are to be signed by the employee's Supervisor. Fuel must not be purchased on Procurement Cards.

Vehicle servicing/breakdown – alternative commuter transport

Council will not provide alternative transport for travel to/from home when vehicles are being serviced, repaired or otherwise unavailable. It is the employee's responsibility to make their own transport arrangements whilst ever the allocated vehicle is unavailable.

Specific Conditions: (C) – all other vehicles including pool car use**General**

To be read in conjunction with "General Provisions – All Categories"

This comprises all other users/operators/vehicles including pool cars, light commercial vehicles, trucks & plant, whether a vehicle is permanently or casually allocated to an employee.

These vehicles must be returned to their nominated Council parking location at the end of each working day. These vehicles are not authorised to be driven home or to any other non-work related location at any time.

The responsibility for routine inspections, cleaning and delivering the vehicle for scheduled servicing and repairs sits with the Unit Manager the vehicle is allocated to.

Employee Sign-off sheet

I acknowledge I have read and understood the Vehicle Policy and the General Provisions and specific conditions of these procedures and I agree to abide by them. I also agree for Council to deduct relevant vehicle contributions, if required, out of my pay in accordance with these procedures.

I understand that if I have Private Use entitlement and I choose to move to a different vehicle category, any resulting increase or decrease in contribution rate is not subject to the 10% maximum increase in contributions per year specified in the Local Government Award.

Name:	
Pay No.:	
Drivers licence No:	
Distance from home to workplace (one way) – private use and commuter use schemes only	
Signed:	
Date:	

This page must be returned to the Operations section in Human Resources who must forward a copy to the Plant & Fleet Administrator prior to the employee gaining access to or operating any Council vehicle.

Refusal to sign this procedure will result in the individual being prohibited from using a Council vehicle. Subsequent use of a Council vehicle will result in disciplinary action. Council will also not cover any costs associated with vehicle incidents or damage.

Attachment 1 – Issue of 2nd set of keys/remote

PRIVATE USE ENTITLEMENT STAFF ONLY

**ACKNOWLEDGEMENT OF RECEIPT OF SECOND KEY AND/OR REMOTE FOR
VEHICLE ALLOCATED TO ME**

AND

AGREEMENT TO DEDUCTION FROM SALARY OR WAGES

I, _____ hereby:

1. acknowledge receipt of a second spare electronic vehicle key in respect of the vehicle allocated to me, whether short or long term;
2. agree that in the event I am unable to return to Council when the vehicle is being changed over, or at any time I am requested to present both sets (given four weeks notice), both the original and the spare vehicle keys/remotes (subject to the agreed loss allowance of up to one set in any 2 year period), that I am indebted to Council for the reasonable costs incurred by Council. This includes the replacement cost of the keys/remote(s) and any other reasonable costs incurred by Council to retrieve and transport a stranded vehicle for any reason relating to a lost key/remote,
3. authorise Council to deduct from any salary or wages due to me an amount equivalent to such reasonable cost, in instalment amounts not exceeding a total of 12 weeks, until the full amount of the debt is paid. The payment is to be made post tax.
4. and agree that this cost is not to be calculated as part of the Award restriction of a maximum 10% increase in contributions in any 12 months period.

Name (print):- _____

Signed _____

Date _____

Vehicle rego:- _____

Plant No:- _____