

	<h1>Community Bus Hire Policy</h1>	Version No:	3.2
		Issued:	September 2008
		Last Review	May 2016
		Next Review	May 2019

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Next review date:	Council will endeavour to review this policy every 3 years, including within 6 months following a Council election
Applicable Legislation:	Heavy Vehicle National Law (South Australia) Act 2013 SA Road Traffic Act 1961 Liquor Licensing Act 1997
Related Policies:	Nil
Related Procedures / Standards:	Nil

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1. OBJECTIVES

The Wudinna District Council Community Bus is made available only for use by community residents and groups to support activities and programs which benefit our residents.

Any residents or groups from outside of the community wishing to hire the bus must apply in writing to Council. Please note that Council meet on a monthly basis, therefore it is advisable to make an early application as permission to use the bus cannot be granted without Council approval.

2. THE COMMUNITY BUS

The Community Bus [“the bus”] is a 1998 Toyota Coaster, registration number WFL979, with a seating capacity of 19 including the driver. It contains four seatbelts, one for the driver and three for the front passengers. The bus has a maximum road speed of 100kph and an approximate fuel tank range of 500km. The bus has a five speed forward gearbox with one reverse gear.

3. APPLICATION AND BOOKING PROCEDURE

The Community Bus is available on a casual basis. Any user wishing to hire the bus is required to complete an “Application to Hire Community Bus” form available on the Council website, at the Council Office, 11 Burton Tce, Wudinna, or by phoning the Office on 08 86802002, during normal office hours 8.30am to 5.00pm Monday to Friday (excluding public holidays). Completion of an “Application to Hire Community Bus” is required before the booking is confirmed. Bookings for the bus are processed in order of receipt and depend upon availability of the bus.

The applicant must nominate the approved driver who will be responsible for the bus and observing all traffic and parking laws and regulations. Once a booking is accepted the user must organise for their driver to come to Council’s Office and fill in the appropriate forms and have their licence sighted (this can be done at the same time the keys are collected). This is the only person who will be authorised to collect, drive and return the bus. Council reserves the right to deny a booking.

Hirers of the Community Bus have an obligation as part of the ‘Chain of Responsibility’ under the Heavy Vehicle Speed Legislation to ensure that driving schedules are set out so as not to encourage the driver to speed. For further information please refer to the Department of Planning, Transport and Infrastructure (DPTI), Phone 1300 784 344 or their website www.sa.gov.au.

4. DRIVER(S)

- Hirers of the bus will have to provide their own driver(s), who will need to hold an appropriate and current drivers licence [i.e. class LR, MR, HR, HC or MC] as determined by DPTI. Name/s of nominated drivers are required to be included on the application form.
- Every driver must complete a “Driver Declaration” form which forms part of the “Application for Community Bus Hire” at least once every 12 months. At this time, an appropriate driver’s licence must be produced for photocopying and this copy will be kept on record along with the Driver Declaration.
- Drivers who have previously completed a “Driver Declaration” form must have their driver’s licence sighted by Council office staff before they can operate the bus.
- The driver must maintain a zero blood alcohol level at all times when he/she is driving or in control of the bus.
- The driver must understand their responsibilities under the Heavy Vehicle National Law (HVNL) and maintain a Work Diary for travel outside the Council area.
- The bus must not be driven by any person other than the nominated authorised driver unless prior notice is provided.

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5. PASSENGERS

The total number of persons travelling in the bus should not exceed the number of passengers for which the bus is licenced (18). Only one person (child or adult) per single seat is allowed.

Users of the bus are responsible for the behaviour of the passengers.

6. FEES AND CHARGES

Hire charges for the Community Bus are set by Council as part of the annual budget process. The hire rate is lower for non-profit community groups. A higher fee applies to commercial operations. Fees are available by contacting the Council Office or from our website www.wudinna.sa.gov.au.

Additional cleaning charges may apply if the bus is returned in an unsatisfactory condition.

7. COLLECTION AND RETURNING OF BUS

The key to the bus will only be issued to the nominated driver. If there is a change in the driver, users are required to notify Council before collecting the bus so that the required documentation can be completed.

The bus can be collected from the Wudinna District Council office between 8:30am and 5:00pm or the Council depot between 7:00am and 5:00pm Monday to Friday (excluding public holidays). Please ensure when making the booking that staff are aware of the date, time and location you require for the collection of the bus. If you need to alter these arrangements please contact the Council Office as soon as possible. Any changes to the pickup or drop-off time that are not communicated to Council may result in delays being experienced in the collection or returning of the bus.

An inspection sheet will be filled out by Council's fleet manager at the beginning and end of each booking. A detailed list and photographs of pre-existing damage to the bus is kept on record. Any new damage identified at the completion of a booking will be the responsibility of the hirer.

If the Council Office is closed when returning the bus, it is to be parked at the rear of the Council Office, locked and the key inserted into the collection box at the front entrance. You will not be able to return the bus to the Council Depot outside of opening hours.

8. CLEANING

All users must leave the bus in a clean and tidy condition. As a minimum hirers must ensure the following:

- The bus is swept out
- If the floor is excessively dirty or muddy, the floor must be mopped
- All waste is removed
- All personal belongings are removed

A cleaning fee of \$50 per hour will be charged if the bus is returned in an excessively dirty condition.

Council will endeavour to keep the bus in a clean and tidy condition. If the hirer wishes to have the bus detailed for a special occasion or event, they will be required to do so at their own cost.

9. FUELLING AND USE OF FUEL CARD

The Council is responsible for the cost of refuelling the bus. In circumstances where the bus needs to be refuelled by the user, the bus must be refuelled at a Caltex Service Station and a Caltex Fuel Card is provided on the key ring for this purpose.

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The driver of the bus must retain the receipt for refuelling and this should be returned to the Council office along with the keys and completed log sheet. Where a Caltex Service Station is not available the user will be required to refuel the bus at their own expense. In this instance the hirer should retain a compliant tax invoice/receipt and present it to Council upon return of the bus and reimbursement shall be provided.

10. SERVICING AND MAINTENANCE

Council shall be responsible for all servicing and maintenance. Council will not refund the cost of any unauthorised service or repair and this will be carried out at the user's own cost. In the event that unplanned/emergency servicing is required users should in the first instance seek authorisation from Council. Council can provide a purchase order for payment. In the event that this is not possible the hirer must retain a compliant tax invoice/receipt and provide to Council for reimbursement upon returning the bus.

11. DAMAGE AND UNFORESEEN MAINTENANCE

Where damage to the bus is caused by the user from vandalism, irresponsible use, or malicious damage, then it will be the responsibility of that user to cover all costs incurred by Council in preparing it for further use. In the case of a major accident requiring an insurance claim, the hirer will be responsible for payment of the relevant excess for the claim. Future access to the bus may be denied if the bus is returned damaged.

In the case of a breakdown it is the user's responsibility to arrange for the bus to be taken to a garage. Please note that a user may only call the RAA if they are a member themselves. Under no circumstances are any repairs to be made or allowed to occur without the express permission of Council. The following contact numbers should be used to obtain that permission:

Council Office: 08 8680 2002
 Depot Office: 08 8680 2400
 Works Manager: 0427 802 358

12. ACCIDENTS AND INCIDENTS

Notify the Wudinna District Council immediately of any accident or incident (contact numbers above). Make no statements and do not admit liability under any circumstances. You are only obliged to give your name, address, the owner's name and the name of the insurance company (Local Government Risk Services).

Ensure that you have all the details of the accident, including a sketch plan that will assist in the completion of further forms. You must notify the Police of any incident or accident involving a third party and you must record the number of the police report. Any infringements incurred will be the responsibility of the driver.

In the event of an accident involving another vehicle or property, the hirer/driver must obtain all necessary information including description of other vehicle, registration number, driver's name and address, owners name and address, owners phone number, insurance company and type of cover, damage to vehicle, any injured persons details, details of any property damage, etc.

Both the vehicle and passengers are fully covered by Council's insurance, provided the authorised driver is driving the vehicle at the time of the accident and that the law has not been broken.

13. HEAVY VEHICLE DRIVER FATIGUE LAWS

The driver of the bus is required to follow the fatigue laws of the Heavy Vehicle National Law (HVNL) set out by the National Heavy Vehicle Regulator (NHVR). For more information you can visit the NHVR website www.nhvr.gov.au/ or call 1300 696 487.

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Drivers must comply with the following rules:

Driving within 100kms of Wudinna (within the Council area)

1. Manage driver fatigue and take all steps to ensure that a person does not drive fatigued and works within the minimum work/minimum rest hours defined by Standard Hours (as defined by the Heavy Vehicle National Law).
2. Keep a record of the hours driven in a Work Diary or similar record.

Driving further than 100km from Wudinna (outside the Council area)

1. Manage driver fatigue and take all steps to ensure that a person does not drive fatigued and works the minimum work/minimum rest hours defined by the Standard Hours.
2. Complete a National Driver Work Diary record for each day that they are undertaking 100 plus km work and keep in the vehicle (they are driving) a diary containing information for the preceding 28 days.
3. Drivers must, within 21 days of completing a record, give Council Office staff:
 - The duplicate of their Work Dairy page
 - A printout of an approved Electronic Work Diary; OR
 - A copy of any supplementary record made.

NB: An approved Electronic Work Diary may be used instead of a National Driver Work Diary.

14. SMOKING AND DRUGS

Smoking and/or the use or possession of illicit drugs is not permitted on the bus.

15. ALCOHOL

Hirers are permitted to consume, supply or sell liquor on the bus, however they must be aware and comply with the licensing requirements outlined below. Council requests that all hirers who intend to consume, supply or sell liquor on the bus obtain an appropriate license to do so. Any infringement or incident resulting from the unauthorised consumption, supply or sale of liquor on the bus will be the responsibility of the driver.

Information provided is obtained from Consumer and Business Services. Hirers should check their website for updates prior to applying for an application.

If you are intending to host a party or you are organising an event (or series of events) where liquor will be sold, you will need a limited liquor license. If you intend to “sell” liquor (as defined below) you will need a limited liquor license. If you are holding a function on regulated premises, even if you are not selling liquor, you will need a limited liquor license.

Consumption of Liquor on a Regulated Premises

Whether or not you are selling liquor you will need a limited liquor license even if you are simply supplying or consuming liquor on a regulated premises. Regulated premises are defined to include a public conveyance, e.g. bus, limousine, boat.

Sale of Liquor

For the purposes of the *Liquor Licensing Act 1997* the term “sale” is defined broadly to include:

To barter or exchange; to offer or expose for sale; to supply in circumstances in which the supplier derives, or would derive, a direct or indirect pecuniary benefit; to supply or offer to supply gratuitously but with a view to gaining or maintaining custom, or otherwise with a view to commercial gain. If the sale of liquor falls in to any one of these categories you will need a license. It is an offence to sell liquor without a license.

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Some examples of events which would be defined as “selling” liquor include:

Where there is a cover charge but liquor is BYO; where the consumption of liquor is included in the cover charge e.g. food, drinks and entry included in the one ticket price (even at a private home); where entry is by donation; where wine tasting is being offered with a view to selling wine, whether at the event or in future; where liquor is supplied as part of a pooled money arrangement; where liquor is offered as a “gift” when an item is purchased.

Applying for a Limited License

You can apply for a limited license by contacting Consumer and Business Services.

In applying for a license you may need to notify the Police. Applications should be lodged at least 14 days prior to hiring the bus.

You can apply online or download an application form from www.cbs.sa.gov.au.

16. FOOD

The consumption of food and drink (non-alcoholic) is at the discretion of the driver, however a common sense approach should be taken in regards to the type of food and cleaning responsibilities.

17. SAFETY AND SECURITY

Please check that the bus is locked when unattended and kept in a safe and secure environment whilst in your care.

18. REFERENCE TO OTHER DOCUMENTS AND FORMS

- Community Bus – Application for Hire
- Community Bus – Driver Declaration
- Community Bus – Checklist
- Community Bus – Log Sheet
- Community Bus – Operation

19. FAILURE TO COMPLY

Failure to abide by any of the conditions outlined in this document and/or associated procedures will jeopardise future access to the bus.

20. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council’s principal office during ordinary business hours and on the Council’s website www.wudinna.sa.gov.au Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.