

TENTERFIELD SHIRE COUNCIL

POLICY STATEMENT

HEADING:

Impounding – Abandoned Motor Vehicles

MEETING ADOPTED AND RESOLUTION NO.:

**23 August 2017
168/17**

HISTORY OF DOCUMENT PREVIOUSLY ADOPTED:

24 August 2000	746/00
22 August 2012	314/12
26 August 2015	268/15

Introduction:

Council is charged with administering The Impounding Act 1993 which provides for the impounding of animals and articles on public places.

This policy is to provide for a unified approach to the impounding of abandoned motor vehicles; and is to be read in conjunction with section six (6) of Council's Local Orders Policy.

Policy:

- 1.0 When a motor vehicle is suspected of having been abandoned Council's Rangers shall carry out an inspection and record details of the vehicle.
- 2.0 Details to be obtained include:-
 - (a) Make of vehicle;
 - (b) Type of vehicle;
 - (c) Colour;
 - (d) Registration number if any;
 - (e) Receipt number and expiry date of registration label;
 - (f) If access can be gained to engine bay area, the vehicle identification number, chassis number and engine number, are to be obtained if possible;
 - (g) Photographs of any items of value within the vehicle.
- 3.0 Police are to be contacted and provided with the above details and requested to advise whether the vehicle is reported stolen. If stolen no further action is to be taken unless requested by Police.
- 4.0 If vehicle is not stolen then it is to be photographed and notes made of other particulars such as deflated tyres, missing wheels, broken windows and other damage. Police are to be notified that is intended to impound the vehicle, as per Section 19 of the Impounding Act 1993.
 - 4.1 If the vehicle is causing an obstruction to vehicular or pedestrian traffic, or is likely to create a danger to the public, arrangements are to be made with a

Policy Statement No. 3.090

Date of Effect: 23 August 2017

Name of Policy: Impounding – Abandoned Motor Vehicles

Review Date:

August 2020

Responsible Officer:

Chief Operating Officer

towing contractor to remove the vehicle as soon as possible to Council's appointed impounding yard, for storage and owner details and notification procedure commenced. (*Section 16(5) of the Act*).

4.2 If the vehicle is not causing an obstruction or threat to public safety the owner details and notification procedure is to be commenced.

5.0 Owner Details and Notification Procedures

(a) Complete Request for Owner Details Information form and take to Police (*Section 43 of the Act*).

(b) Upon receipt of reply:-

(i) If no ownership details are available for the vehicle organise its removal to Council's appointed impounding yard (*Section 16(2) of the Act*).

(ii) If ownership details are available notify owner on Notice of Intention to Impound Motor Vehicle form. If the vehicle is not removed within seven (7) days, have the vehicle towed to Council's appointed impounding yard (*Section 16(3) of the Act*).

(c) If ownership details are available and the vehicle has been removed because it was causing an obstruction or safety hazard notify the owner via Notice of Impoundment form. (*Section 20(3) of the Act*).

6.0 Procedure for Disposal of Impounded Vehicles

If the vehicle is valued at less than \$500 it is to be disposed of immediately. (*Section 16(4) of the Act*). If the vehicle is valued at more than \$500 it is to be kept for twenty-eight (28) days and advertised for sale by tender or auction. (*Section 20(5) of the Act*).

7.0 Notification of Disposal of Vehicle

After disposal of vehicle the Officer in Charge of the Police Station is to be notified of the details. (*Section 19 of the Act*).

Our Ref: RG0109:
Staff Contact:



_____ (Date)

NOTICE OF IMPOUNDED MOTOR VEHICLE

In accordance with the Impound Act, 1993 under Section 16, notice is hereby given to:

NAME:

ADDRESS:

of information received which shows that you are the owner of the following vehicle:

MAKE:

COLOUR:

CHASSIS NO:

ENGINE NO:

MODEL OR TYPE:

REGISTRATION NO:

which has been abandoned at:

LOCATION:

Council wishes to advise that the above vehicle has been impounded in accordance with Section 16(5) of the Impounding Act, 1993 on _____

If the value of the vehicle is less than \$500.00, Council may then destroy or otherwise dispose of it and recover any costs incurred from you, unless within seven (7) days from this date, _____, you contact Council and make application for the release of the subject vehicle.

Please note there is provision for a penalty of \$550.00 for abandoning a motor vehicle in a public place.

For any enquiries, please contact Tenterfield Shire Council on (02) 6736 6000 or Council's Rangers on 0411 864 042 & 0411 862 531.

Authorised Officers Title.

TENTERFIELD SHIRE COUNCIL
PO BOX 214, TENTERFIELD NSW 2372
PHONE: (02) 6736 6000



For telephone enquiries concerning this mater please ask for:

ABANDONED VEHICLE
Reference/Impounding No.
Request for Owner Detail Information Form

To: The Officer in Charge:

Under the provisions of Section 43 of the Impounding Act 1993, Council requests that available ownership details of the vehicle listed below be supplied to Council:

State of Registration: **Registration No.:**.....
Receipt No.:
Engine No.:
Chassis No.:
Make: **Model:**
Colour:

Authorised Officer Requesting Information Date:
.....

FOR POLICE USE:

Owner(s) details

Name:
Address:.....
.....

Please notify Council if this vehicle has been reported stolen **YES / NO**
Name of Officer Supplying Information (Optional) Date:

**TENTERFIELD SHIRE COUNCIL
IMPOUND ITEM REGISTER**



DATE OF IMPOUNDMENT / / FILE

IMPOUNDING NO OF

DESCRIPTION OF ITEM/S

REASON FOR IMPOUNDMENT

LOCATION AT WHICH ITEM WAS IMPOUNDED

ITEM/S STORED AT

OWNER DETAILS

OWNER DETAILS RECEIVED FROM ON / /

..... ON / /

NOTIFICATION SENT TO OWNER ON / /

OWNER CONTACTED BY PHONE ON / /

OWNERS' COMMENTS/INSTRUCTIONS

PROOF OF OWNERSHIP/STATUTORY DECLARATION AS FOLLOWS

RECEIVED/SIGHTED BY..... POSITION

IMPOUNDING COSTS: DETAILS OF RELEASE/DISPOSAL

TRANSPORT: \$.....

PREP. FOR TRANSPORT: \$.....

ADMINISTRATION: \$.....

STORAGE: \$.....

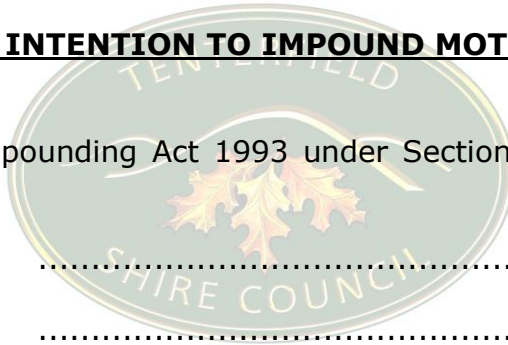
TOTAL: \$.....

RECEIPT NUMBER:

DATE:..... / /

TENTERFIELD SHIRE COUNCIL

NOTICE OF INTENTION TO IMPOUND MOTOR VEHICLE



In accordance with the Impounding Act 1993 under Section 16, notice is hereby given to:-

NAME:

ADDRESS:

Information received which shows that you are the owner of the following vehicle:-

MAKE:

COLOUR:

CHASSIS OR ENGINE NO.:

REGISTRATION NO.:

which has been abandoned at:-

LOCATION:

Council wishes to advise that the above vehicle will be impounded and disposed of in accordance with the Impounding Act, 1993 if not removed within seven (7) days from this date.

If the value of the vehicle is less than \$500.00, Council may then destroy or otherwise dispose of it and recover from you the costs incurred.

Please note there is provision for a penalty of \$550.00 for abandoning a motor vehicle in a public place.

For any enquiries please contact Tenterfield Shire Council on (02) 6736 6000 or Council's Ranges on 0411 864 042 & 0411 862 531.

AUTHORISED COUNCIL OFFICER: _____

Dated: / /