

## **ORDINARY COUNCIL MEETING**

**WEDNESDAY, 25 NOVEMBER 2020**

### **ATTACHMENT BOOKLET 5**

Attachment No. 9	Update – Fund Raising Stalls Policy 1.060
Attachment No. 10	Update – Busking Policy 3.022
Attachment No. 11	Obsolete – Impounding – Abandoned Motor Vehicles Policy 3.090
Attachment No. 12	Obsolete – Class 4 Noxious Weeds Program Policy 3.031
Attachment No. 13	Obsolete – Noxious Weeds Policy 3.140
Attachment No. 14	Update – Asset Management Policy 1.014





# FUND RAISING STALLS

**Summary:**

The purpose of this policy is to provide clear direction for a workable system of fund raising that is acceptable to; fund raising committees, businesses, the public and Council.

<b>Policy Number</b>	1.060
<b>File Number</b>	N/A
<b>Document version</b>	V11.0
<b>Adoption Date</b>	25 November 2020
<b>Approved By</b>	Council
<b>Endorsed By</b>	Council
<b>Minute Number</b>	
<b>Consultation Period</b>	N/A
<b>Review Due Date</b>	November 2023 – 3 years
<b>Department</b>	Office of Chief Corporate
<b>Policy Custodian</b>	Manager Open Space, Regulatory & Utilities
<b>Superseded Documents</b>	27 April 2000 334/00 20 September 2006 553/06 25 April 2009 713/09 22 July 2009 1017/09 23 June 2010 427/10 23 March 2011 145/11 22 August 2012 292/12 26 March 2014 75/14 23 September 2015 304/15
<b>Related Legislation</b>	<ul style="list-style-type: none"> <li>• Tenterfield Shire Council - Local Approvals Policy – Policy Number 3.121</li> <li>• NSW Food Act 2003</li> <li>• NSW Food Regulations 2010</li> <li>• Legislation Act 2003</li> </ul>
<b>Delegations of Authority</b>	<ul style="list-style-type: none"> <li>• Manager Open Spaces, Regulatory and Utilities Manager</li> <li>• Planning &amp; Development Services</li> <li>• Chief Executive</li> <li>• Chief Corporate Officer</li> </ul>

**1. Overview**

Council adopted a policy on "Street Stalls and Raffles" on 21 March 1996. This policy went some way to provides a workable system of fund raising that is acceptable to; committees, businesses, and Council.

~~However, This Policy seeks to alleviate concerns around the number of fundraising held on any one day and the siting allocation allotted to the stall holder by the application .has come under scrutiny in recent times with the main complaint being that there should only be one fund raising event permitted on any one day. There was also the problem of fund raising committees not abiding by the siting allocation allotted to them by Council. As a result, a revised "Fund Raising Stall" policy has been developed.~~

## 2. Policy Principles

Council recognises the need for community charities/groups to raise funds from the general public to support their activities. However it is desirable for fund raising activities in the main business area of Tenterfield to be regulated for a number of reasons including:

- to allow all community charities or groups to approach the public for funds;
- to prevent any individual community charity or group from monopolising fund raising in the business areas;
- to prevent undue inconvenience or annoyance to the public that may arise by an excess of fund raising activities on any particular day.

## 3. Policy Objectives

### Fund Raising Stalls

- Only one fund raising stall will be permitted on any given day.
- ~~Fund raising stalls will only be approved for organisations having local committees or affiliations.~~ Fund raising stalls will only be approved for having Tenterfield Shire Council committees or affiliations.
- The fund raising stall site is to be in front of either "**Bruxner Park, Town Square Stage Structure**" or 220 Rouse Street, Tenterfield as displayed in the attached photographs.
- Fund Raising Raffle display area i.e. Wood Raffle are ONLY to use the one carpark area as defined in the attached photographs. The towing vehicle is to be parked in the Western carpark to the rear of Rouse Street. The type of display is limited to a trailer (single or dual axle) or utility and loads are not to exceed the approved Gross Vehicle Mass (GVM). Trucks are not permitted to utilise the carpark space for the purposes of Fund Raising Stalls.
- Fund Raising Stalls will only be permitted on Thursdays, Fridays and Saturdays.
- Applications for a fund raising stall must be made on a ~~pre-printed~~ Fundraising Stall application form at least twenty eight (28) days before the

~~desired proposed date. Written notification will be sent to the fund raising committee together with a copy of the application form (which will include a copy of the Fund Raising Stall Policy).~~

- ~~Authorised approval will be emailed to the applicant and need to be displayed throughout during the approved time.~~
- Fund raising stall dates cannot be booked more than six (6) months in advance.
- Fund raising committees will be permitted to have four (4) fund raising stalls per annum, one (1) in each period January to March, April to June, July to September and October to December.
- Where a fund raising stall date remains available seven (7) days or less beforehand, any fund raising committee may take the booking on a 'first come' basis.

*(Note: This booking will be counted as one (1) of the four (4) bookings allowed each year.)*

- The length of the fund raising stall on the footpath is not to exceed 2.5 metres by 1 metre as displayed in the attached photographs.
- Volunteers of fund raising committees are not permitted to spruik (i.e. verbally harass a member of the public into buying something).
- ~~The fund raising committee must display an official "Tenterfield Shire Council Fund Raising Stall" sign.~~

~~*(Note: This sign will need to be collected from the Tenterfield Shire Council office on the morning of the stall and returned to Council prior to 4.30 p.m.)*~~

- **Each nominated organisation Fund raising committees must ensure that they abide by the conditions specified in this Policy and in particular the site allocated to them. Council will patrol fund raising stalls on a regular basis and if a fund raising committee is found to be in breach of this Policy then they may be required to either cease immediately, or move to the designated location, in addition to being precluded from holding a fund raising stall for a period of twelve (12) months.**

#### 4. Policy Statement

The Purpose of this policy is to identify position on fundraising practice and expected standards the organisations, public and Council should uphold.

#### 5. Scope

To define the requirement for any person or group seeking to conduct street stalls in accordance with both Legislation and this Policy.

#### 6. Accountability, Roles & Responsibility

### **Elected Council**

Adopt the policy to provide guidance to the activity

### **Chief Executive, Executive and Management Teams**

Open Spaces Regulatory & Utilities Manager is responsible for the development, approval and maintenance of procedures/protocols that support the Council's Policies.

### **Council Staff**

Will provide administration support and accept applications

## **7. Definitions**

**Fundraising** – the seeking of financial support for a charity or other enterprise

**Stall** – a stand, booth or compartment for the sale of goods.

## **8. Related Documents, Standards & Guidelines**

- Tenterfield Shire Council - Local Approvals Policy – Policy Number 3.121 -
- Food Act 2003 (NSW)
- NSW Food Regulations 2015
- Legislation Act 2003

## **9. Version Control & Change History**

<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Details</b>
V1.0	27/04/00	Council	Adoption of Original Policy (Res No. 334/00)
V2.0	20/09/06	Council	Review/Amended (Res No. 553/06)
V3.0	25/04/09	Council	Review/Amended (Res No. 713/09)
V4.0	22/07/09	Council	Review/Amended (Res No. 1017/09)
V5.0	23/06/10	Council	Review/Amended (Res No. 427/10)
V6.0	23/03/11	Council	Review/Amended (Res No. 145/11)
V7.0	22/08/12	Council	Review/Amended (Res No. 292/12)
V8.0	26/03/14	Council	Review/Amended (Res No. 75/14)
V9.0	23/09/15	Council	Review/Amended (Res No. 304/15)
V10.0	23/08/17	Council	Review/Amended (Res No. 168/17)



**TENTERFIELD SHIRE COUNCIL**  
**FUND RAISING STALL APPLICATION FORM**

Name of Fund Raising Committee: .....

Address of Fund Raising Committee: .....

Contact Person: Mr/Mrs/Miss/Ms .....

Position Held: .....

Telephone Number: .....

Date Requested: .....

Is this a Wood Raffle: Yes  No

I/We hereby certify that I/We have read the Fund Raising Stall Policy on the back of this application form and I/We agree to be bound by the conditions stated therein.

.....  
Signed for and on behalf of Fund Raising Committee

**1.1 OFFICE USE ONLY**

Is date requested available Yes   
No

Does fund raising committee satisfy Policy guidelines Yes   
No

Requested date of ..... has/has not been approved.

Allocation is in front of *(Please tick your preferred option)*

**"Bruxner Park, Town Square Stage Structure" Rouse Street, Tenterfield.**  
**(Option 1)**

**Benevolent Society, 220 Rouse Street, Tenterfield** **(Option 2)**

.....  
Council Officer

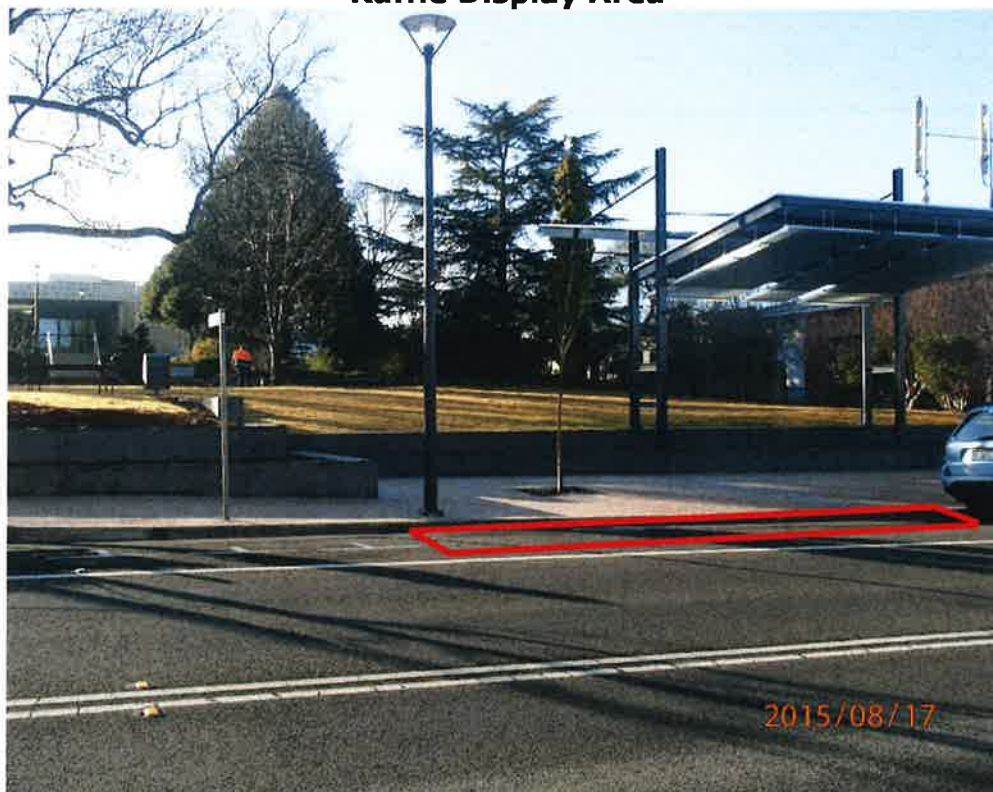
.....  
Date Actioned

**Option 1  
Stall Area**



Stall Area 2.5 metres long X 1 metre deep

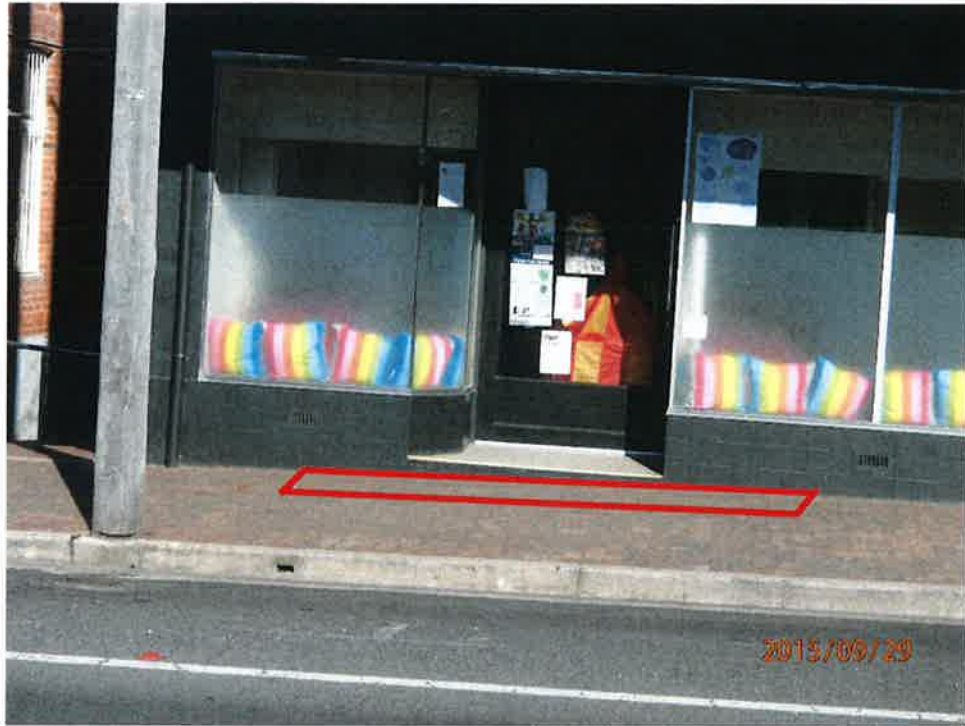
**Raffle Display Area**



Raffle Display Area for Goods  
i.e. Wood Raffles



**Option 2  
Stall Area**



Stall Area 2.5 metres long X 1 metre deep

**Raffle Display Area**



Raffle Display Area for Goods  
i.e. Wood Raffles



# BUSKING

**Summary:**

The purpose of this policy is to provide clear direction for members of the community who wish to obtain a busking approval for the Tenterfield Shire. Any approval given is to adhere to the conditions outlined in this policy.

<b>Policy Number</b>	3.022
<b>File Number</b>	
<b>Document version</b>	V3.0
<b>Adoption Date</b>	25 November 2020
<b>Approved By</b>	Council
<b>Endorsed By</b>	Council
<b>Minute Number</b>	(Insert)
<b>Consultation Period</b>	(Insert dates) – 14 days unless statutory period
<b>Review Due Date</b>	November 2023 – 3 years
<b>Department</b>	Office of the Chief Corporate
<b>Policy Custodian</b>	Manager <del>Planning &amp; Development Services</del> Open Spaces, Regulatory & Utilities Services
<b>Superseded Documents</b>	23 August 2017 - Busking Policy 23 July 2014 – Busking Policy
<b>Related Legislation</b>	<ul style="list-style-type: none"> <li>• Tenterfield Shire Council - Local Approvals Policy</li> <li>• Local Government Act 1994</li> <li>• Local Government Act (Regulations) 2005</li> </ul>
<b>Delegations of Authority</b>	<ul style="list-style-type: none"> <li>• Chief Executive,</li> <li>• Chief Corporate Officer</li> <li>• Manager Open Spaces, Regulatory and Utilities</li> <li>• Manager Planning &amp; Development Services,</li> <li>• Ranger</li> </ul>

**1. Overview**

The purpose of this policy is to provide a frame work that supports performers and mitigates any risks which could arise from busking.

This policy provides the conditions under which busking is permitted in the Tenterfield Local Government Area on community land controlled by Tenterfield Shire Council.

## 2. Policy Principles

Tenterfield Shire Council recognises that:

- Buskers make an important contribution to the cultural life of the Shire.
- Buskers provide entertainment and experiences for tourists and residents of the Shire.
- Busking should not interfere with pedestrian traffic, the conduct of business, or contribute to a lack of safety.

## 3. Policy Objectives

This policy has been developed:

- To encourage busking in the Tenterfield Shire;
- To identify locations suitable for different busking types; and
- To minimise complaints, criticism, accidents and other problems associated with buskers operating in the Tenterfield Shire.

## 4. Policy Statement

This policy supports Tenterfield Shire Councils Community Strategy Plan 2017-2027, through Councils community goals.

These goals are:

- Encouraging Tenterfield Shire to become a vibrant, welcoming and safe community;
- Supporting a wide range of recreation and leisure opportunities;
- Providing a welcoming, friendly and inclusive where diverse backgrounds are respected and celebrated; and
- To have the community learn and grow together and adopt an involvement in community and a creative environment.

### Approval Process

To obtain approval, buskers must apply from the Tenterfield Shire Council by completing a Busking Permit Application Form and Agreement. Application forms are available on Councils website.

Pursuant to Sections 113 (1) and 113 (5) of the Local Government Act 1993 requires the Tenterfield Shire Council to keep a record or register of any person or persons approved to busk in the Shire of Tenterfield Local Government Area. The information contained in this register is to be made available for public inspection upon request.

Busking permits are valid for 12 months and the fee is displayed in Councils Current Fees and Charges. Buskers under 18 years of age require consent from a parent/guardian.

### ~~GENERAL CONDITIONS~~ PERFORMANCE CONDITIONS

In relation to busking in all public areas of the Shire the following conditions apply:

1. Buskers not part of a festival, event or carnival must register with Council to busk in Tenterfield Shire. Registration to busk will be for a set time period.
2. Registering to busk with the Council allows the individual or group to be covered by the Council's public liability insurance when they busk, as often as they want during the set time period.
3. Registration with Council to busk is not transferrable to another busker.
4. Buskers must not interfere with pedestrian flow or cause obstruction. There must be a minimum of 1.4 metre corridor on the footpath for pedestrian flow. This distance may be varied on a case by case basis.
5. No equipment is to be placed within 600mm of the kerbside.
6. Buskers may receive voluntary donations from the audience but may not solicit funds.
7. Buskers must provide a duty of care and keep the site in use clean and ensure that their use of the site does not pose a threat to public safety and amenity.
8. Where amplified sound equipment is used, it must **not** be powered by mains power or generators. Only battery power from sealed (gel) or dry cell batteries may be used unless an application under the local approvals polices has been obtained.
9. The use of amplified sound equipment by groups of 3 or more is permitted only in the parks.
10. Buskers may not offer goods and services for sale apart from those consisting of the buskers own work.
11. Authorised officers of the Tenterfield Shire Council or the NSW Police Force may at any time request a busker to cease busking if the officer is of the opinion that the performance is causing public nuisance, offense or is likely to cause harm to the public or property. The busker must immediately comply with such a request.
12. Buskers must also comply with directions issued by Ambulance, SES, Fire and Rescue and any other Emergency Services personnel.
13. Buskers may not perform near retail outlets without permission of the shop or property owners, whilst the businesses are open.
14. Buskers must be aware that when performing in the vicinity of food outlets and serving areas, they must not use animals or materials that may leave a residue on tables, chairs or eating utensils (e.g. bubbles).

## **USE OF DANGEROUS MATERIALS AND IMPLEMENTS**

Tenterfield Shire Council recognises that buskers may use materials and implements that may be viewed as dangerous. Tenterfield Shire Council acknowledges that, in the hands of skilled and experienced buskers, the use of dangerous materials and implements is visually exciting and popular with the viewing public.

In relation to the use of dangerous materials and implements in busking the following extra conditions apply:

1. Buskers not part of a festival, event or carnival using dangerous materials and implements must register with Council **and** apply for a permit to busk using dangerous materials and implements in the Shire.
2. Buskers not part of a festival, event or carnival using dangerous materials and implements must supply Council with a copy of their minimum \$10,000,000 public liability insurance when registering with Council.
3. Busking using dangerous materials and implements is permitted only in the areas listed on the permit.
4. The busker must, at all times ensure the health and safety of the audience watching the performance.
5. The busker must ensure that public property is not damaged before, during or after the performance.
6. The busker must, at all times define the performance space by establishing a physical boundary of at least 2 metres between herself/himself and the audience utilising either a roped or chained off area, portable traffic barriers or fence.
7. The busker must have a first aid kit with them that is accessible throughout the performance.
8. If using flammable liquids, the busker must have a fire blanket with them that is accessible throughout the performance.
9. If using flammable liquids, fuels are limited to kerosene, firewater or scented lamp oils (e.g. citronella) only. No other fuels will be permitted.
10. Storage and transport of any flammable liquids permitted will be in accordance with Section 7 of the Australian Dangerous Goods Code, that is:
  - Portable plastic containers of no greater than a 5 litre capacity;
  - Containers must be conspicuously marked with the words;
  - 'HIGHLY FLAMMABLE', in capital letters on both sides of container and 'Class 3 Flammable liquids'; and
  - The name of the liquid must be clearly marked on the container.
11. When using flammable liquids a busker must use a bucket as a drip tray for flares or torches, or preferably use a pre-soaking method for the flares or torches. Tenterfield Shire Council will not tolerate drip stains on ground surfaces that are not immediately removed, or able to be removed by the busker after the act has been completed.
12. If using dangerous materials or implements in a performance the busker must hold the appropriate licence or certificate e.g. Chain saw operator's certificate, pyrotechnics certificate.
13. Council reserves the right to withdraw a permit for Busking using dangerous materials and implements based on Council's risk assessment and continual review of hazard identification.

14. Council reserves the right not to issue a permit for Busking using dangerous materials and implements base on Councils risk assessment process.

## **FEES**

This policy is in accordance with Council's adopted fees and charges.

## **PUBLIC LIABILITY**

Festivals, events or carnivals organised by a third party not part of Tenterfield Shire Council must have public liability insurance to cover all festival, event or carnival activities. Buskers that are part of such a festival, event or carnival should be covered under that festival, event or carnival's public liability insurance. It is the responsibility of the individual to make themselves aware of their legal liability and or insurance obligations with the festival, event or carnival organiser.

Buskers who are not part of a festival, event or carnival can be covered by Tenterfield Shire Council's public liability insurance if they have registered with Council.

Buskers that use dangerous materials and implements must have their own minimum \$10,000,000 public liability insurance as they will not be covered by Tenterfield Shire Council's public liability insurance.

## **5. Scope**

To define the requirement for any person or group seeking to busk in accordance with both legislation and this policy.

## **6. Accountability, Roles & Responsibility**

### **Elected Council**

Adopt the policy to provide guidance to the activity

### **Chief Executive, Executive and Management Teams**

Open Spaces Regulatory & Utilities Manager is responsible for the development, approval and maintenance of procedures/protocols that support the Council's Policies.

### **Council Staff**

Will provide administration support and accept applications

## **7. Definitions**

For the purposes of this policy the following definitions apply:

**Busker:** An entertainer who provides performances for the public such as playing a musical instrument, dancing, singing, clowning, juggling, reading fortunes including tarot cards and palm readers or doing other acts of a similar nature in public places.

- Artists selling previously produced work, masseurs or masseuses, vendors of any kind and solicitors of money for any purpose are not considered to be buskers.

**Soliciting of funds:** The act of asking, begging or requesting money or goods from members of the public.

**Offering for sale:** The display or demonstration of items, particularly multiples of items, with an implication that they are available for sale or otherwise in exchange for money.

**Dangerous materials and implements:** Materials and implements that pose or perceive to pose a risk, hazard or uncertain outcomes for people.

- *Dangerous materials* include flammable materials and chemicals, fire, fireworks, explosives, smoke, flares, heated elements, or anything giving off a level of heat or toxicity.
- *Dangerous implements* include knives, spears, swords, spikes, and sharp implements of any kind.

**Offensive acts:** Any act by way of direct or implied sexual or discriminatory nature or inappropriate language, content or behaviour that causes a person in the audience to feel resentful, upset, or annoyed.

## 8. Related Documents, Standards & Guidelines

Tenterfield Shire Council - Local Approvals Policy

Local Government Act 1994

## 9. Version Control & Change History

Version	Date	Modified by	Details
V1.0	23/07/14	Council	Adoption of Original Policy(Res No. 253/14)
V2.0	23/08/17	Council	Review/Amended (Res No. 168/17)

**POLICY STATEMENT**

**HEADING:**

**Impounding – Abandoned Motor Vehicles**

**MEETING ADOPTED  
AND RESOLUTION NO.:**

**23 August 2017  
168/17**

**HISTORY OF DOCUMENT  
PREVIOUSLY ADOPTED:**

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

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**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



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 matter 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: \$.....

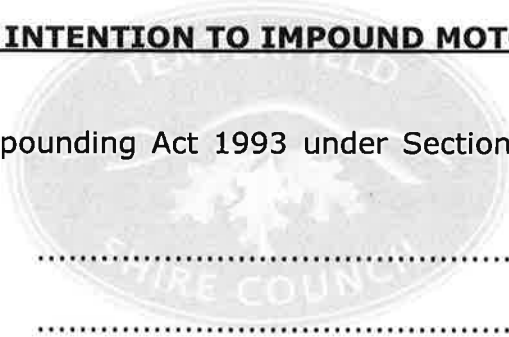
TOTAL: \$.....

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:    /    /

**TENTERFIELD SHIRE COUNCIL**

**POLICY STATEMENT**

**HEADING:**

**Class 4 Noxious Weeds Program**

**MEETING ADOPTED  
AND RESOLUTION NO.:**

**23 August 2017  
168/17**

**OBSOLETE**

**HISTORY OF DOCUMENT  
PREVIOUSLY ADOPTED:**

**22 February 2012    97/12  
25 February 2015    21/15**

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**Introduction:**

The following plants, listed under the *Noxious Weeds Act 1993* as Class 4 in the New England Tablelands (Noxious Plants) County Council are included in this program. Under the Act "The growth of the plant must be managed in a manner that reduces its numbers, spread and incidence and continuously inhibits its reproduction." For several Class 4 weeds there is an extra clause "... and the plant must not be sold, propagated or knowingly distributed." These are Blackberry, Chilean Needle Grass, Harrisia Cactus, Mintweed, Mother of Millions, Prickly Pear, Serrated Tussock, Spiny Burgrass.

**Policy:**

The requirement for **Bridal Creeper**, long-leaf willow primrose, is that "The plant must not be sold, propagated or knowingly distributed".

Requirements for the management of **Privet** is that "The growth of the plant must be managed in a manner that reduces its numbers, spread and incidence and continuously inhibits its flowering and reproduction.

Requirements for the management of **Rhus tree** are that "The growth must be managed in a manner that prevents any above ground part of the plant from encroaching within 2 metres of the property boundary and the plant must not be sold, propagated or knowingly distributed."

Requirements for the management of **Lippia** are "The plant must not be sold, propagated or knowingly distributed other than a person involved in hay or lucerne production and the growth of the plant must be managed in a manner that reduces its spread and continually inhibits its reproduction."

**Program Aim**

To strategically manage Class 4 weed infestations to comply with the requirements of the *Noxious Weeds Act 1993* and reduce the extent of infestations to minimise impacts on the environment, primary production and human health.

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**Policy Statement No. 3.031**

**Date of Effect:** 23 August 2017

**Name of Policy:** Class 4 Noxious Weeds Program

**Review Date:**

August 2020

**Responsible Officer:**

Chief Operating Officer

<b>Common Name</b>	<b>Scientific Name</b>
African boxthorn	Eragrostis curvula
Bathurst/Noogoora/Hunter/ South American/Californian/cockle burrs	Xanthium species
Blackberry	Rubus fruticosus aggregate species except cultivars Black Satin, Chehalem, Chester Thornless, Dirksen Thornless, Loch Ness, Murrundi, Silvan, Smoothstem, Thornfree
Bridal Creeper	Asparagus asparagoides
Chilean Needle Grass	Nassella neesiana
Columbus grass	Sorghum x alnum
Crofton Weed	Ageratina adenophora
Golden dodder	Cuscuta campestris
Harrisia Cactus	Harrisia species
Hemlock	Conium maculatum
Johnson grass	Sorghum halepense
Lippia	Phyla species
Long-leaf willow primrose	Ludwigia longifolia
Long-style feather grass	Pennisetum villosum
Mother of Millions	Brophyllum delagoense Brophyllom x houghtonii, Brophyllum pinnatum
Nodding Thistle	Carduus nutans
Pampas grass	Cortaderia species
Pattersons Curse, Vipers bugloss, Italian bugloss	Echium species
Prickly pear	Cylindropuntia species
Privet (Broad-leaf)	Ligustrum lucidum
Privet (Narrow leaf / Chinese)	Ligustrum sinense
Rhus tree	Toxicodendron succedaneum
Scotch Broom / English Broom	Cytisus scoparius
Spiny burrgrass	Cenchrus incertus
Spiny burrgrass	cenchrus longispinus
Sweet Briar	Rosa rubiginosa

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## **Definitions**

<b>Absent</b>	target weed does not occur
<b>Rare and isolated</b>	less than 5% of ground cover
<b>Marginal</b>	10-30% of ground cover
<b>Core</b>	greater than 30% of ground cover

## **Objectives**

- Prevent the spread of all Class 4 weeds into areas where they are not present;
- Control all rare and isolated infestations;
- Effectively manage weed infestations in areas where they are established;
- Implement education and awareness programs for all stakeholders;
- Promote vegetation and rehabilitation with appropriate species to prevent re-infestation as part of and following weed management programs and
- Protect high value conservation and agricultural areas from infestation.

## **Goals**

- Effectively manage infestations to minimise the likelihood of establishment in areas where is it absent;
- Effectively manage infestations on roadsides in areas where the weed is rare and isolated;
- Control infestations along highways and roads accessing areas where any Class 4 weed is absent or rare and isolated;
- Undertake annual/biennial control programs in marginal and core areas;
- Undertake annual/biennial/triennial control programs for blackberry throughout the Council area;
- Fully control all Class 4 weeds on private property in areas where they occur as rare and isolated infestations and
- Manage Class 4 weeds to minimise further spread in areas where infestations are marginal or core.

## **Commitment and Cooperation**

- Ensure all land managers work together to implement effective and mutually supportive weed management programs and projects and



- Work with community weeds committees, Catchment Management Authorities, Landcare and other “care” groups to ensure a coordinated approach to weed management programs over all tenures.

### **Council Management**

- Prepare and implement management plans for individual Class 4 weeds;
- Target areas where there are no or only isolated, scattered light infestations of any Class 4 weed to ensure effective management programs are undertaken;
- Provide information and advice to new landholders to ensure awareness of their responsibilities to manage Class 4 and other listed noxious weeds;
- Work with other vegetation managers and land management agencies to ensure Class 4 weed management programs are included in vegetation management programs and
- Promote vegetation rehabilitation as a key part of weed management.

### **Notes**

In marginal or core areas, where the extent of a Class 4 weed is such that a long term program is required to manage a Class 4 weed, Weed Officers may work with the owner and /or occupier to develop and implement an agreed management plan aimed at reducing the extent and impact of the weed and rehabilitating areas affected by the weed to reduce the likelihood of re-invasion of that or other weeds. Such plans will include regular re-inspection to ensure short and long term targets are achieved. In marginal or core areas, where individual landholdings have only rare and isolated infestations of a Class 4 weed, those owners or occupiers must fully and continuously suppress and destroy the infestations. Neighbouring landholders must maintain a minimum of 20 metre weed-free zone along boundaries adjoining the clean areas.

Appropriate control measures will be outlined in each of the Class 4 Weed Management Plans.

**TENTERFIELD SHIRE COUNCIL**

**POLICY STATEMENT**

**HEADING:**

**Noxious Weeds**

**MEETING ADOPTED  
AND RESOLUTION NO.:**

**23 August 2017  
168/17**

**HISTORY OF DOCUMENT  
PREVIOUSLY ADOPTED:**

<b>27 July 2000</b>	<b>645/00</b>
<b>22 August 2012</b>	<b>318/12</b>
<b>26 August 2015</b>	<b>268/15</b>

**OBSOLETE**

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**Introduction:**

Council is required to administer the terms and regulations of the Noxious Weeds Act 1993 with respect to:-

- Crown Land
- Council Land
- Private Land

Landholders are required under the Act to take reasonable and effective measures to control noxious plants on their property according to the type of weed and its classification. Notices can be served on landholders compelling action to be taken. Non compliance may result in Council carrying out the control work and recovery costs from the owner or in legal proceedings being instituted leading to substantial fines.

**Policy:**

- 1) That Council's aim be to obtain maximum co-operation and participation of landholders in the implementation of weed control programs.
- 2) That emphasis be placed on the control of the following weeds because of the likelihood of them causing greater economic loss.
  - All control class 1 Weeds, 2 & 5 Weeds
  - St John's Wort
  - Serrated Tussock
  - Giant Parramatta Grass – outside core areas
  - Chilean Needle Grass
- 3) That landholders with large infestations of noxious weeds be required, in consultation with Council's Weeds Inspector, to formulate an ongoing control program to eradicate the problem over a period of time.
- 4) Control any new and emergency weeds found within Council boundaries.

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**Policy Statement No. 3.140**  
**Date of Effect:** 23 August 2017  
**Name of Policy:** Noxious Weeds

**Review Date:**  
August 2020

**Responsible Officer:**  
Chief Operating Officer

## Noxious weed declarations for Tenterfield Shire Council

The following weeds are declared noxious in the control area of Tenterfield Shire Council:

Weed	Class	Legal requirements
African boxthorn [ <i>Lycium ferocissimum</i> ] A Weed of National Significance	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
African feathergrass [ <i>Pennisetum macrourum</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
African turnip weed [ <i>Sisymbrium runcinatum</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
African turnip weed [ <i>Sisymbrium thellungii</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Alligator weed [ <i>Alternanthera philoxeroides</i> ] A Weed of National Significance	2	The plant must be eradicated from the land and the land must be kept free of the plant
Anchored water hyacinth [ <i>Eichhornia azurea</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Annual ragweed [ <i>Ambrosia artemisiifolia</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Arrowhead [ <i>Sagittaria montevidensis</i> ]	4	The plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Artichoke thistle [ <i>Cynara cardunculus</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Athel pine [ <i>Tamarix aphylla</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Bathurst/Noogoora/Hunter/South	4	The growth of the plant must be managed in

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American/Californian/cockle burr [ <i>Xanthium</i> species]		a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Bear-skin fescue [ <i>Festuca gautieri</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Black knapweed [ <i>Centaurea nigra</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Blackberry [ <i>Rubus fruticosus</i> 4 aggregate species] except cultivars Black satin Chehalem Chester Thornless Dirksen Thornless Loch Ness Murrindindi Silvan Smooth stem Thornfree	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Boneseed [ <i>Chrysanthemoides 2 monilifera</i> subspecies <i>monilifera</i> ] A Weed of National Significance	2	The plant must be eradicated from the land and the land must be kept free of the plant
Bridal creeper [ <i>Asparagus 4 asparagoides</i> ] A Weed of National Significance	4	The plant must not be sold propagated or knowingly distributed
Broomrapes [ <i>Orobanche</i> species] 1 Includes all <i>Orobanche</i> species except the native <i>O. cernua</i> variety <i>australiana</i> and <i>O. minor</i>	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Burr ragweed [ <i>Ambrosia confertiflora</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Cabomba [ <i>Cabomba</i> species] 5 Includes all Cabomba species except <i>C. furcata</i> A Weed of National Significance	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Cayenne snakeweed [ <i>Stachytarpheta 5 cayennensis</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Chilean needle grass [ <i>Nassella 4 neesiana</i> ] A Weed of National Significance	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed
Chinese violet [ <i>Asystasia gangetica</i> ]	1	The plant must be eradicated from the land

subspecies <i>micrantha</i> ]		and the land must be kept free of the plant. This is an All of NSW declaration
Clockweed [ <i>Gaura parviflora</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Columbus grass [ <i>Sorghum x alnum</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Corn sowthistle [ <i>Sonchus arvensis</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Crofton weed [ <i>Ageratina adenophora</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Dodder [ <i>Cuscuta</i> species] Includes All <i>Cuscuta</i> species except the native species <i>C. australis</i> , <i>C. tasmanica</i> and <i>C. victoriana</i>	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
East Indian hygrophila [ <i>Hygrophila 4 polysperma</i> ]	4	The plant must not be sold propagated or knowingly distributed
English broom [ <i>Cytisus scoparius</i> ]		See Scotch broom
Espartillo [ <i>Amelichloa brachychaeta</i> , 5 <i>Amelichloa caudata</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Eurasian water milfoil [ <i>Myriophyllum 1 spicatum</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Fine-bristled burr grass [ <i>Cenchrus 5 brownii</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Fountain grass [ <i>Pennisetum 5 setaceum</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Gallon's curse [ <i>Cenchrus biflorus</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration

Giant Parramatta grass [ <i>Sporobolus 3 fertilis</i> ]		The plant must be fully and continuously suppressed and destroyed
Glaucous starthistle [ <i>Carthamus 5 glaucus</i> ]		The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Golden dodder [ <i>Cuscuta campestris</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Golden thistle [ <i>Scolymus hispanicus</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Green cestrum [ <i>Cestrum parqui</i> ]	3	The plant must be fully and continuously suppressed and destroyed
Groundsel bush [ <i>Baccharis 3 halimifolia</i> ]		The plant must be fully and continuously suppressed and destroyed
Harrisia cactus [ <i>Harrisia species</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Hawkweed [ <i>Hieracium species</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Hemlock [ <i>Conium maculatum</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Heteranthera [ <i>Heteranthera 1 reniformis</i> ]		The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Horsetail [ <i>Equisetum species</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Hydrocotyl [ <i>Hydrocotyl 1 ranunculoides</i> ]		The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Hygro [ <i>Hygrophila polysperma</i> ]		See East Indian hygrophila
Hymenachne [ <i>Hymenachne 1 amplexicaulis</i> and hybrids]		The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
A Weed of National Significance		This is an All of NSW declaration
Italian bugloss [ <i>Echium species</i> ]		See Paterson's curse, Vipers bugloss, Italian

		bugloss
Johnson grass [ <i>Sorghum halepense</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Karoo thorn [ <i>Acacia karroo</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Kochia [ <i>Bassia scoparia</i> ] except <i>Bassia scoparia</i> subspecies <i>trichophylla</i>	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Kosters curse [ <i>Clidemia hirta</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Lagarosiphon [ <i>Lagarosiphon major</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Lantana [ <i>Lantana</i> species] A Weed of National Significance	4	The plant must not be sold propagated or knowingly distributed
Leafy elodea [ <i>Egeria densa</i> ]	4	The plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Lippia [ <i>Phyla canescens</i> ]	4	The plant must not be sold propagated or knowingly distributed by any person other than a person involved in hay or lucerne production and the growth of the plant must be managed in a manner that reduces its spread and continuously inhibits its reproduct This is an All of NSW declaration
Long-leaf willow primrose [ <i>Ludwigia longifolia</i> ]	4	The plant must not be sold propagated or knowingly distributed
Long-style feather grass [ <i>Pennisetum villosum</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Mesquite [ <i>Prosopis</i> species] A Weed of National Significance	2	The plant must be eradicated from the land and the land must be kept free of the plant
Mexican feather grass [ <i>Nassella tenuissima</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Mexican poppy [ <i>Argemone mexicana</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with

Miconia [ <i>Miconia</i> species]	1	This is an All of NSW declaration The plant must be eradicated from the land and the land must be kept free of the plant.
Mikania [ <i>Mikania micrantha</i> ]	1	This is an All of NSW declaration The plant must be eradicated from the land and the land must be kept free of the plant.
Mimosa [ <i>Mimosa pigra</i> ] A Weed of National Significance	1	This is an All of NSW declaration The plant must be eradicated from the land and the land must be kept free of the plant.
Mossman River grass [ <i>Cenchrus 5 echinatus</i> ]		This is an All of NSW declaration The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with
Mother-of-millions [ <i>Bryophyllum 4 species</i> ] Species included are <i>Bryophyllum delagoense</i> <i>Bryophyllum x houghtonii</i> <i>Bryophyllum pinnatum</i>	4	This is an All of NSW declaration The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed
Nodding thistle [ <i>Carduus nutans</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Noogoora burr [ <i>Xanthium</i> species]		See Bathurst/Noogoora/Hunter/South American/Californian/cockle burr
Pampas grass [ <i>Cortaderia species</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Parkinsonia [ <i>Parkinsonia aculeata</i> ] A Weed of National Significance	2	The plant must be eradicated from the land and the land must be kept free of the plant
Parthenium weed [ <i>Parthenium 1 hysterophorus</i> ] A Weed of National Significance	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Paterson's curse, Vipers bugloss, 4 Italian bugloss [ <i>Echium species</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Pond apple [ <i>Annona glabra</i> ] A Weed of National Significance	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Prickly acacia [ <i>Acacia nilotica</i> ] A Weed of National Significance	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration



Prickly pear [ <i>Cylindropuntia</i> species] A Weed of National Significance	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Prickly pear [ <i>Opuntia</i> species] Includes all <i>Opuntia</i> species except <i>O. ficus-indica</i> A Weed of National Significance	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Privet (Broad-leaf) [ <i>Ligustrum lucidum</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its flowering and reproduction
Privet (Narrow-leaf/Chinese) [ <i>Ligustrum sinense</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its flowering and reproduction
Red rice [ <i>Oryza rufipogon</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Rhus tree [ <i>Toxicodendron succedaneum</i> ]	4	The growth of the plant must be managed in a manner that prevents any above ground part the plant from encroaching within 2 metres of the property boundary and the plant must not be sold propagated or knowingly distributed This is an All of NSW declaration
Rubbervine [ <i>Cryptostegia grandiflora</i> ] A Weed of National Significance	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Sagittaria [ <i>Sagittaria platyphylla</i> ] A Weed of National Significance	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Salvinia [ <i>Salvinia molesta</i> ] A Weed of National Significance	2	The plant must be eradicated from the land and the land must be kept free of the plant
Scotch broom [ <i>Cytisus scoparius</i> ] A Weed of National Significance	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Senegal tea plant [ <i>Gymnocoronis spilanthoides</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant.

Serrated tussock [ <i>Nassella trichotoma</i> ] A Weed of National Significance	3	This is an All of NSW declaration The plant must be fully and continuously suppressed and destroyed and the plant must not be sold propagated or knowingly distributed
Siam weed [ <i>Chromolaena odorata</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Silverleaf nightshade [ <i>Solanum elaeagnifolium</i> ] A Weed of National Significance	3	The plant must be fully and continuously suppressed and destroyed
Smooth-stemmed turnip [ <i>Brassica barrelieri</i> subspecies <i>oxyrrhina</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Soldier thistle [ <i>Picnomon acarna</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Spiny burrgrass [ <i>Cenchrus incertus</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed
Spiny burrgrass [ <i>Cenchrus longispinus</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction and the plant must not be sold propagated or knowingly distributed
Spotted knapweed [ <i>Centaurea stoebe</i> subspecies <i>micranthos</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
St. John's wort [ <i>Hypericum perforatum</i> ]	3	The plant must be fully and continuously suppressed and destroyed
Sweet briar [ <i>Rosa rubiginosa</i> ]	4	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction
Texas blueweed [ <i>Helianthus ciliaris</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Tropical soda apple [ <i>Solanum viarum</i> ]	2	The plant must be eradicated from the land and the land must be kept free of the plant
Water caltrop [ <i>Trapa</i> species]	1	The plant must be eradicated from the land

		and the land must be kept free of the plant. This is an All of NSW declaration
Water hyacinth [ <i>Eichhornia crassipes</i> ]	3	The plant must be fully and continuously suppressed and destroyed
Water lettuce [ <i>Pistia stratiotes</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Water soldier [ <i>Stratiotes aloides</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Willows [ <i>Salix</i> species] Includes all <i>Salix</i> species except <i>S. babylonica</i> , <i>S. x reichardtii</i> , <i>S. x calodendron</i>	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration
Witchweed [ <i>Striga</i> species] <i>Striga</i> species except the native <i>Striga parviflora</i>	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Yellow burrhead [ <i>Limnocharis flava</i> ]	1	The plant must be eradicated from the land and the land must be kept free of the plant. This is an All of NSW declaration
Yellow nutgrass [ <i>Cyperus esculentus</i> ]	5	The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with This is an All of NSW declaration

### **Schedule 3**

Weeds are often classed in broad groups depending on their characteristics and impacts. The main groups of weeds are

- Noxious weeds
- Weeds of National Significance (WONS) and
- National Environmental Alert List Weeds.

Many weeds can be classified in more than one of these groups. For example, blackberry can be classed as a noxious weed, environmental weed and agricultural weed, depending on its situation and is also listed as one of Australia's Weeds of National Significance (WONS).

## Noxious Weeds

Some serious weeds are required by law to be controlled by all landholders in an area. These are known as noxious weeds and the law that controls these in NSW is the *Noxious Weeds Act 1993*.

Weeds that are declared noxious are those weeds that have potential to cause harm to the community and individuals, can be controlled by reasonable means and most importantly, have the potential to spread within an area and to other areas.

A weed is declared noxious because its control will provide a benefit to the community over and above the cost of implementing control programs.

Many 'bad' weeds do not meet the criteria for declaration. Noxious weeds will have limited distribution with the potential to become more widespread and will cause impact on agriculture, human health or the environment.

In New South Wales the administration of noxious weed control is the responsibility of the Minister for Primary Industries under the *Noxious Weeds Act 1993*. The Act is implemented and enforced by the Local Control Authority (LCA) for the area, usually local government.

The Act imposes obligations on occupiers of land to control noxious weeds declared for their area.

There are five classes of noxious weeds identified in the Act (see Table 1). All Noxious Weeds in NSW are listed in the Noxious Weeds database.

Table 1 Control classes of noxious weeds

<b>Control class</b>	<b>Weed type</b>	<b>Example control requirements</b>
Class 1	Plants that pose a potentially serious threat to primary production or the environment and are not present in the State or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant.  The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.
Class 2	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies and are not present in the region or are present	The plant must be eradicated from the land and the land must be kept free of the plant.  The weeds are also "notifiable"

only to a limited extent.

and a range of restrictions on their sale and movement exist.

Class 3	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies, are not widely distributed in the area and are likely to spread in the area or to another area.	The plant must be fully and continuously suppressed and destroyed.*
Class 4	Plants that pose a potentially serious threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.	The growth of the plant must be managed in a manner that reduces its numbers spread and incidence and continuously inhibits its reproduction*
Class 5	Plants that are likely, by their sale or the sale of their seeds or movement within the State or an area of the State, to spread in the State or outside the State.	There are no requirements to control existing plants of Class 5 weeds.  However, the weeds are "notifiable" and a range of restrictions on their sale and movement exists.

NOTE: All Class 1, 2 and 5 weeds are prohibited from sale in NSW.

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## ASSET MANAGEMENT POLICY

### Summary:

The purpose of this policy is to provide clear direction for the management of Council controlled assets and to ensure that Council is able to best deal with the delivery of services and infrastructure to meet community needs in accordance with legislation under the Local Government Amendment (Planning and Reporting) Act 2009.

This policy forms a key part of Councils asset management framework, which provides guidelines to ensure that sound asset management practices and procedures are fully integrated into Council's strategic and operational planning, community consultation and decision making processes.

The policy refers to all fixed assets owned or managed by Council, regardless of their purpose or source of acquisition.

<b>Policy Number</b>	1.014
<b>File Number</b>	CAS-02770-TDQW
<b>Document version</b>	V3.0
<b>Adoption Date</b>	25 November 2020
<b>Approved By</b>	Council
<b>Endorsed By</b>	Executive Management Team
<b>Minute Number</b>	
<b>Consultation Period</b>	10 November to 24 November 2020
<b>Review Due Date</b>	November 2024 – 4 years
<b>Department</b>	Office of Infrastructure
<b>Policy Custodian</b>	Director of Infrastructure
<b>Superseded Documents</b>	Asset Management Policy V2.0 (2016)
<b>Related Legislation</b>	Local Government Amendment (Planning & Reporting) Act 2009. NSW Local Government Act 1993. Civil Liability Act 2002.
<b>Delegations of Authority</b>	Chief Executive, Directors, Managers

## **1. Overview**

This policy serves to ensure that the community and all stakeholders are informed in a clear manner of Council's position and approach with regard to the management of Council owed assets.

It further aims to ensure that a comprehensive framework and sound asset management practices and procedures are implemented and are fully integrated into Council's strategic and operational planning processes.

The implementation of such will ensure that elected members, management and all stakeholders recognise the fundamental responsibility and significant challenge to Council in ensuring intergenerational equity in the provision of infrastructure and services to the community within limited resources.

It will also ensure that Council identifies and addresses all opportunities, challenges and threats associated with operating, maintaining, renewing and replacing its asset portfolio in a holistically sustainable manner.

## **2. Policy Principles**

Council assets exist in order to either directly or indirectly support community service delivery. This underpins the below broad principles of asset management for Tenterfield Shire Council:

1. Asset acquisition, disposal and lifecycle management decisions are integrated into the Council's community strategic plan, resourcing strategy and corporate planning;
2. Asset planning decisions are based on a thorough analysis, (including the evaluation of alternatives), which assesses risks, benefits and overall serviceability and value for money across the asset's entire lifecycle;
3. An effective data capture and control structure is established for asset management and other inter-related functions;
4. An accountability structure is established and understood for all asset responsibilities, including maintenance, operation, data capture, condition, performance and reporting; and
5. Asset replacement, renewal, disposal and expansion decisions are based on an analysis of the holistic impacts, benefits and opportunities of such and should ultimately achieve the best possible intergenerational outcomes and net return.

## **3. Policy Objectives**

In conjunction with Council's Community Strategic Plan and Resourcing Strategy, this policy provides specific asset management objectives to ensure Council's asset stewardship requirements are met, they include:

1. Establishing a comprehensive Asset Management Framework that outlines the entire asset management environment and highlights the interdependencies within such;
2. Establishing and routinely reviewing an Asset Management Strategy, (min 10 year period), as the overarching strategy to provide and maintain asset services to current and future generations;

3. Managing assets through the development and continuous updating of individual Asset Management Plans in accordance with relevant legislation and recognised best practice for each major asset group;
4. Through the Community Strategic Plan and long-term financial modelling ensure that future funding needs are identified, affordable, agreed upon, and allocated, so that assets can meet their defined levels of service in consultation with the community;
5. Ensuring that the impact of Council's decisions with regard to desired social, economic and environmental outcomes on both existing assets and new assets is clearly understood and communicated prior to decisions being made;
6. Developing and reporting annually on established performance indicators relevant to asset management;
7. Recording assets and collecting data in accordance with the requirements of the appropriate asset accounting standards, local government financial reporting requirements and internal asset management information protocols and procedures;
8. Maintaining an asset management information system with comprehensive knowledge of all physical assets, including lifecycle data, condition, behaviour and unit costings;
9. Fostering asset management awareness throughout the council, supported at a whole of organisation level through the formation of an asset management oversight group.

#### **4. Policy Statement**

Asset management is an essential component of good governance in the local government sector and should be aligned to and integrated with the entity's strategic, corporate, financial and workforce planning.

Council exists to provide services to the community and many of these services are supported and provided by infrastructure assets. The provision of assets operated and maintained to meet community needs and expectations is fundamental to the economic, environmental and social strength of the Tenterfield Shire community.

Council's overall goal in managing infrastructure assets is to provide the required level of community service, as determined in consultation with the community, in a sustainable manner for both current and future generations.

A well-structured, practical asset management framework will assist in providing clarity to the local community and other stakeholders as to the linkages between asset portfolios, their condition, maintenance and renewal, and the outcomes expected to be delivered by the Council. This in turn aides decisions on service levels, financing and workforce management.

The management of infrastructure assets is a key function of council.

This policy addresses legislative requirements under the Local Government Amendment (Planning and Reporting) Act 2009 and will be revised in accordance with any future legislative changes.



## **5. Scope**

This policy applies to all areas of Council's activities in the delivery of its functions as a Local Government organisation.

## **6. Accountability, Roles & Responsibility**

### **Elected Council**

- Provide strategic direction and stewardship;
- Consider the impact on Council's asset base of planning, financial and service level decisions;
- Adopt the Asset Management Policy and Strategy.

### **Chief Executive, Executive and Management Teams**

- Ensure that sound business principles are reflected in the Asset Management Strategy and plans that are developed;
- Ensure the impact on Council's asset base is considered when making recommendations to Council in relation to planning and financial matters or the delivery of services;
- Support the implementation of the Asset Management Strategy and associated Asset Management Improvement Program;
- Approve the Asset Management Plans;
- Ensure the integration and compliance of the Asset Management Policy and Strategy with other policies, protocols and business practices of the organisation;
- Ensure compliance with all legal obligations;
- Facilitate appropriate 'Better Practice in Asset Management'.

### **Asset Management Team**

- Review the Asset Management Policy, Framework and Strategy;
- Take responsibility for the implementation of the Asset Management Improvement Program;
- Identify and develop appropriate policies and procedures to ensure effective Asset Management across the organisation.

### **Individual Asset Managers**

- Develop and maintain Asset Management Plans;
- Develop and maintain asset maintenance and renewal plans;
- Provide professional advice and comment to other departments of Council in relation to assets contained within their specific service area/s;
- Develop and maintain the Asset Management Information System to facilitate efficient and effective asset management.

## **7. Definitions**

### **Asset**

A fixed item or facility used to satisfy a service potential or enabling the Council to meet its corporate objectives. A Council's physical asset base can generally be divided into four broad types of asset:

Transport Assets – these include; roads, bridges, car parks, footpaths, cycleways, kerb and gutter and traffic infrastructure.

Cultural/Community Assets – these include; parks, playgrounds, aquatic centres, halls and community buildings, sporting facilities and public amenities.

Environmental Assets – these include; water supply, sewerage service, waste management and stormwater assets.

Corporate Assets – these include; Administration buildings, depot buildings, plant and fleet, equipment and furniture and assets held by Council for strategic or investment purposes.

### **Asset Management**

A systematic process to guide the planning, acquisition, operation and maintenance, renewal and disposal of assets to provide the required level of community service in the most efficient and effective manner.

### **Asset Management Information System**

Is the home of all asset management knowledge. It is a combination of procedures and information managed to provide the essential outputs for efficient and effective asset management.

The Asset Management Information System links to other information systems within Council including the Property System, Geographic Information System, Finance System, Risk Management System, Project Management System and Document Management System.

### **Asset Management Strategy (AMS)**

Is a documented strategy that forms one part of Councils resourcing strategy along with the Long Term Financial Plan and Workforce Management Strategy. It is a summary level strategy that takes in information about the planning and implementation of programs for asset creation, operation, maintenance, rehabilitation/replacement, disposal, performance monitoring and reporting from all of Councils individual detailed Asset Management Plans, to ensure desired service outcomes can be delivered in a sustainable manner.

The Asset Management Strategy typically has a 10 year horizon and integrates Asset Management with Councils other Resourcing Strategy documents and the Community Strategic Plan.

### **Asset Management Plan (AMP)**

The detailed asset management plan for each major class of assets. The asset management strategy is primarily made up of the summary data from each of these operational level plans.

They consist of asset details and descriptions, condition, value, maintenance plan, capital program, risk management considerations, a development plan and financial data and modelling to provide the approach employed to best manage the asset for the expected duration of the service to be provided by the asset.

### **Level of Service**

The defined quality and quantity of services to meet community expectations delivered by Council, as determined in consultation with the community and giving consideration to cost, equity and deliverability.

## 8. Related Documents, Standards & Guidelines

In addition to complying with all relevant legislation in the implementation, monitoring and review of the Tenterfield Shire Council (TSC) asset management policy and framework, Council will also have regard to all relevant related standards, guidelines and documents, including but not limited to:

- The Australian National Audit Office (ANAO) – Best practice guidelines for asset management in government organisations;
- IPWEA NAMS Guidelines;
- NSW Local Government Capital Expenditure Guidelines 2010;
- Australian Accounting Standard AASB116 – Property, Plant & Equipment;
- Australian Accounting Standard AASB136 – Asset Impairment;
- The International Standard for Asset Management - ISO 55001:2014;
- The International Standard for Project Management - ISO 21500:2012;
- TSC Asset Management Strategy;
- TSC Asset Management Plans;
- TSC Community Strategic Plan;
- TSC Long Term Financial Plan;
- TSC Workforce Management Strategy;
- TSC Services Business Plans;
- TSC Annual Operational Plan;
- TSC Asset Management Protocols and Procedures;
- TSC Business Continuity Plan – Critical Assets;
- TSC Risk Management Policy;
- TSC Audit & Risk Committee Charter.

## 9. Version Control & Change History

Version	Date	Modified by	Details
V1.1	26/06/2013	Council	Adoption of Original Policy – Res No. 213/13
V2.0	9/11/2016	GM	Draft – Complete AM framework review
V2.0	10/11/2016	Council	Adoption of Revised Policy – Res No. 284/16
V3.0	25/11/2020	Council	Review/Amendment of Policy - Res No.