

## Policy

# Strategic Asset and Service Management Program

Version 1.1

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# Strategic Asset and Service Management Program

## Policy Objective

Create, construct, manage, supervise, control, inspect, maintain and repair all assets under the care, custody, control and management of Council to a safe standard and in a safe condition which is, in fact, the highest standard and condition that Council has determined it can reasonably afford in all of its circumstances and having regard to all of its statutory obligations and financial, economic, environmental, aesthetic, social or political factors or constraints.

## Definitions

Expressions or words used in this policy have the meaning ascribed to them in this section or in the dictionary, and this policy is to be interpreted having regard to their particular definitions.

- a) For ease of reference the individual assets which comprise each particular asset group, are hereinafter referred to as “the assets” or “the asset”, or by their individual common name.
- b) “Management standard(s)” includes: relevant statutory standards; the level and standard of management, supervision, control, design, construction, inspection, maintenance, repair, cleaning, enforcement and lifesaving and rescue activities.
- c) The Strategic Asset & Service Management Program Policy may be referred to by this name or, for convenience, as “the policy”, “this policy” or as “the SAMP”.

## Policy Background

This Policy is being developed for the community to outline Council's Policy on strategic asset and service management program.

## Policy

### Decisions to Be Limited By Funds And Resource Availability

Management standards set out in all Parts and Sections of this policy and any determination concerning management standards made by the general manager, a delegate or a responsible person **SHALL ALWAYS** be subject to and limited by:

- the funds and resources (“resource availability”) voted and resolved by Council; or
- operational limitations;

in accordance with the provisions of the policy.

## **Responsible Person To Act In Good Faith**

Subject to Part 3, Division 2 of the Local Government Act 1993, a decision made by a responsible person in carrying out the functions of the policy shall be a decision of the Council **PROVIDED ALWAYS** that a responsible person has acted in good faith for the purpose of executing this policy.

## **Application Of Policy, Legislative Compliance And Statewide Best Practice Manuals**

### **Application of Policy**

The asset groups to which this policy applies are set out in Schedule 1. The individual assets attaching to each asset group are listed in Council's relevant Asset Register.

### **Legislative Compliance**

Where anything in this policy conflicts with competent legislation the management standard contained in the relevant legislation shall apply.

### **Statewide Mutual Best Practice Manuals**

The Statewide Mutual Liability Scheme ("Statewide") Best Practice Manuals ("the manuals") are guidelines which provide information which may, if considered relevant by Council, be used to assist it in the development of its own management standards and systems. Accordingly:

1. The manuals do not form any part of this policy or any other Council policy;
2. The manuals must be relevantly considered in the preparation of all management standards;
3. A responsible person shall determine whether or not any part of any particular manual is relevant to the development of a particular management standard and approve or disapprove its use and integration into SAMP; and
4. A permanent record must be kept of any determination, including the reasons for any such determination, to include or exclude a particular manual or any part of a particular manual
5. Despite 3, no part of any manual is to be adopted and incorporated into this policy without firstly:
  - consulting with and obtaining advice from Council's risk manager and LOGOV; and
  - evaluating the financial and operational implications on existing works or services programs to ensure that resource availability limitations are maintained.

## Headings

The headings used throughout this policy are intended for convenience only and shall in no way effect the construction or interpretation of this policy.

## Schedules

a) The following Schedules are part of this policy:

**Table 1—Table of Schedules**

<b>SCHEDULE</b>	<b>SUBJECT</b>
1	Asset Groups attaching to policy.
1A	Council supervised (patrolled) beaches
2	Determination of Responsible Persons.
3	Asset Classification Standards— <i>to be developed by General Manager</i>
4	Maintenance and Service Level Specifications—to be developed by General Manager.
4A	Management Plan—Swimming Centres— <i>Preserved Standards</i>
5	Classification of Assets and Services into Maintenance or Service Level Standards— <i>to be developed by General Manager</i>
6	Signage—Determination to Erect Signs.
7	Tree Inspection—Determination of Authorised Persons
8	Enforcement—Determination of Authorised Persons
9	Customer Service Standards
10	Codes of Practice and Work Method Statements

b) The general manager may determine to add new schedules, or vary or rescind the content, standard or procedure of any Schedule attaching to this policy.

## Determination of Responsible Persons

“responsible person(s)” shall be determined by the general manager. The determination of responsible persons is set out in Schedule 2.

## Terms and Conditions Of Entry

The general manager may, subject to any Council policy or legislative requirement or limitation, determine the terms and conditions of entry or use of the assets or services the subject of this policy.

## The Logov Reports

- a) Apart from the matters dealt with in this policy no further action shall be taken to implement any of the recommendations set out in any of the documents which comprise the **LOGOV** Risk Analysis and Report.
- b) **PROVIDED ALWAYS** that if, in the opinion of the general manager, a delegate or responsible person it is considered desirable to review any matter in the **LOGOV** Report, then a report and recommendation — including all costs of implementing any such recommendation — shall be put to the Council for its consideration and decision.
- c) A recommendation to Council in b) shall be accompanied by advice from **LOGOV**.
- d) No inspection shall be conducted to discover whether or not any risk enumerated in any of the volumes comprising the **LOGOV** Risk Analysis and Report is present at any of the asset groups or assets specified in **Schedule 1**, or at any asset or asset group not specified in **Schedule 1**.

## Customer Service Standards

- a) All customer service standards shall be determined and approved by the general manager prior to implementation.
- b) Prior to the general manager approving customer service standards he/she shall cause to be prepared a detailed analysis of the following matters:
  - i) the effect and operational impact of each particular customer service level recommendation upon achieving the management standards set out in any **Schedule** attaching to this policy;
  - ii) the cost—in dollar and resource terms—of implementing each particular customer service standards recommendation;
  - iii) the degree of operational reactiveness likely to be expected, expressed as 'full-time equivalent persons' needed to service each particular customer service standards; and
  - iv) if determined relevant by the general manager, an analysis of the predicted corporate risk management exposure and effects of Council adopting each particular customer service standards — this analysis is to be carried out by the relevant responsible person and/or the appointed risk management consultant in conjunction with the general manager and relevant responsible person.
    - a) All customer service standards shall be expressed in performance standards that are unambiguous and measurable.
    - b) Current customer service standards are set out in **Schedule 9**.

- c) Unless determined to the contrary in **Schedule 9**, the following customer service standard shall apply:

**Table 2 — Response Time Standards**

Item	Customer Service Description	Response (Time) Standard	
		Safety (working hours)	Non-safety (working days)
1	All safety complaints	5	0
2	All non-safety complaints	0	10

- a) No rescission, variation, alteration or change shall be made to any customer service standards without the general manager’s prior consent.

**Management Standards—Effect Of Complaints And Work Requests**

As a matter of clarification and amplification and subject to d):

- a) All management standards set out in this policy, and in particular those standards set out in Section 14 hereunder or in accordance with any schedule, code of practice or work method statement, shall be performed subject to resource availability, operational limitations and the complaints and works request provisions set out in Section 14.17.
- b) Any determination by the general manager, his/her delegate or a responsible person to change the management standards in this policy can only be done in accordance with resource availability, operational limitations and the complaints and works request provisions set out in Section 14.17.
- c) An inspection shall be carried out in accordance with Section 14.17 and **Schedule 9** of all complaints where the complainant alleges that an unsafe defect or condition exists on or about an asset or property owned, occupied or controlled by the Council. All non-safety complaints shall be inspected pursuant to **Schedule 9**.
- d) In Section 14 the use of the word “shall” is used to set clear standards “as at” the date of the policy’s adoption by Council. Thereafter, the “as at” standards may change given the variability (and volatility) of funding and resource availability, operational limitations and changing political, social, economic and financial priorities. The general manager, a delegate or a responsible person will make these changes in accordance with the delegation granted in **Section 15** and **Schedule 2**.

## **PART 2 - Matters to be determined by General Manager, a Delegate or a Responsible Person**

### **Determination Of Management Standards By The General Manager, A Delegate Or A Responsible Person**

- a) The general manager or his/her delegate or a nominated responsible person shall determine, establish and implement management standards for the assets and services which is the highest standard and level that can reasonably be achieved within the limits of the budget and resource availability approved by Council; and operational limitations which may prevail from time-to-time.
- b) In this Part (including the whole of s.14) a function delegated to the general manager or by him/her to his/her delegate or a nominated responsible person to determine, establish and implement management standards for the assets or services includes the power to vary, change, amend, alter or rescind such management standards in accordance with the provisions of this policy.
- c) Unless otherwise determined to the contrary by the Council, general manager, or by his/her delegate or a nominated responsible person, the following management standards set out in Section 14 and attaching Schedules and Codes of Practice shall apply.

### **Supervision of Assets or Services and People using Assets or Services**

Except as provided in Schedule 4, all assets in Schedule 1, and all people using the assets shall be unsupervised. The word “people” has the same meaning as “the public”.

### **Decisions by Decision-Makers to be Recorded**

All determinations made by the general manager, a delegate or responsible person in carrying out the functions of this policy shall be recorded and maintained.

### **Asset Classification Standards**

—Spare—

The general manager shall incrementally develop asset and service classification standards as resource availability permits.

### **Assignment of Assets into Asset Classification Standards**

—Spare—

The general manager shall incrementally develop asset and service classification standards as resource availability permits.

### **Maintenance or Service Level Specifications**

- a) Each Maintenance or Service Level Specification (“MSLS”) shall be developed by relevantly taking into account:
  - the desired asset outcome;
  - an assets life cycle; or



- an assets duty cycle; and
  - an assets usage factors and availability requirements;
  - an assets depreciation and obsolescence factors and any recapitalisation requirements;
  - routine inspection and preventative and routine maintenance requirements; and
  - any other matter which in the opinion of a responsible person is relevant to developing a particular MSLS.
- b) The MSLS shall be determined by calculating the minimum resources required to practicably achieve the outcome of the particular asset or service.
- c) In determining the minimum resources required to perform a MSLS, the conditions under which each activity is to be performed shall be stated.

### **Community Services, Corporate Planning and Development —Standards and Levels of Service to Apply**

- a) The Community Services, Corporate Planning and Development departments shall manage their respective assets and services (and the assets or services forming part of those divisions) and which are yet to be treated under this policy shall be strictly managed in accordance with resource availability.
- b) Management standards shall be determined by the respective responsible person set out in **Schedule 2**.

### **Changes to MSLS Management Standards**

No addition, deletion, change or variation be made to the Maintenance Service Level (Specification) Standards (MSLS) set out in Schedules attaching to this policy.

### **Codes of Practice and Work Method Statements**

- a) Codes of Practice (“COP”) and Work Method Statements (“WMS”) shall be determined and implemented for all relevant activities set out in each of the MSLS established pursuant to this policy and shall be reviewed on a continuing basis.
- b) The method, level and standard of work set out in each COP and WMS is exhaustive in that it reflects the limit or extensiveness of the application of each particular COP and WMS according to resource availability.
- c) A COP or WMS shall not be developed, rescinded, changed or altered without the approval of a responsible person.

### **Rectification of Defects**

- a) The rectification of any defect discovered during the conduct of the risk analysis and report inspections by **LOGOV** and which cannot be rectified within voted maintenance budgets shall be carried out in the order of priority and within the time limits specified by a responsible person.

- b) Provided Always that where a defect is determined by **LOGOV** or a responsible person to be unsafe, safety measures shall be erected and maintained until it is convenient to eliminate or remediate the defect to a safe condition.

## **Trees**

### **Statement of Environmental Significance, Value and Amenity to the Community**

Trees are environmentally and aesthetically significant community assets. This is particularly so with street trees which are widely recognised for their aesthetic value and contribution to the community's pleasure, comfort and well being.

Trees play a major role in defining the character of the shire, and they provide shade and reduce solar radiation and assist in noise reduction and air purification. The cost in dollar terms of establishing a tree, and its continued management and maintenance over its lifetime, which can equal and is often greater than a human life span, is very considerable.

This section of the policy is drafted to recognise the environmental, aesthetic, social and economic importance of trees to Council and its community.

### **Tree Inspection & Authorised Persons**

- a) Except as provided for in **Schedule 4**, **no inspection** of any tree shall be carried out;
- b) When a tree is required to be inspected, the inspection shall only be undertaken by an declared 'authorised person', as determined by a responsible person;
- c) Subject to d), when a tree is inspected, it will only be inspected for visually obvious defects;
- d) A detailed technical inspection of a tree will only be undertaken if, and only if, a visual inspection reveals the need to do so;
- e) Declared authorised persons are set out in **Schedule 7**.

In determining an 'authorised person' a responsible person shall have regard to the level and standard of:

- experience;
- skill;
- competence; and
- education;

required to be possessed by an 'authorised person' to enable that person to satisfactorily discharge his or her function, powers and duties.

## **Tree Inspection—The Discovery of Sick, Injured or Hazardous Trees and Damage or Injury to Persons or Property - Except as provided for in Schedule 4:**

- a) No Inspection of any tree shall be carried out to discover:
  - i) any tree which is sick, injured or diseased;
  - ii) any tree which has or may possess the known or suspected propensity to injure persons or to damage any building or structure, road, footpath, cycleway, walking track or trail, sewer, drainage, water, gas, telecommunication or public utility system through: tree root exposure, invasion and infestation; 'sudden branch drop syndrome'; the dropping of leaves, flowers, fruit, gum; or by the existence of poisons, allergens etc.; and
  - iii) whether or not any injury to persons or damage to property is occurring, has occurred or is likely to occur as either a direct or indirect consequence of:
  - iv) tree root invasion into, or root damage to, any private dwelling or public building; utility service such as but not limited to water, sewer, gas, telecommunication or electricity services;
  - v) sick or dying trees or tree root systems, falling limbs, branches, fruit, flowers, seeds, gum, sap, berries etc;
  - vi) tree root damage to any public road; bridge, culvert or crossing; any stormwater, drainage or floodway system, pipe, gutter or kerb; footpath, pathway, walking trail or track; car park; cycleway; fire trail or emergency access track or road; any paved or unpaved pedestrian surface; any public place; any public reserve; park or nature reserve; any public open space area, any playing field or oval; saleyard; cemetery; shopping centre or mall; any building or structure; any dam, weir, or embankment; and anything forming part of anything whether mentioned in this subsection or not.
- b) Subject to c), when a tree inspection is carried out in accordance with this policy the inspection shall be limited to the discovery of visually obvious defects or disease;
- c) A technical inspection shall only be carried out if, and only if, a visual inspection reveals the need to do so.

## **Tree Removal**

- a) Subject to b) and c), no tree shall be removed by reason only that it is determined to be of a species that has the known or suspected propensity to cause injury to persons or damage to property by tree root exposure, invasion or infestation; or by naturally occurring 'sudden branch or limb drop syndrome'.
- b) Reasons for the removal of a tree shall include it being declared:
  - on inspection; and
  - by an authorised person;

- to be a danger to human life or property.
- c) Provided always that a tree declared to be a danger to human life or property:
- shall be removed or made safe at the earliest possible opportunity; and
  - a tree shall not be declared a danger merely because it may naturally drop sap, gum, flowers, fruit, seeds and shed leaves, twigs or branches etc. over which people may slip, trip or fall on or otherwise suffer injury or property damage.
- d) For the purpose of c), the terms:

“**made safe**” include the erection of safety measures or by rendering a tree safe by pruning, lopping or pollarding.

“**naturally drop**” includes the shedding or dropping or excreting of sap, gum, flowers, fruit, seeds, leaves, twigs or branches etc due to seasonal, environmental stresses (eg. drought or excessive wet conditions), adverse weather conditions or disease.

### **New Tree Planting**

- a) Subject to c), no tree shall be planted in any road reserve, public place or at any other place which has the known propensity to cause injury to persons or damage to any property by: root exposure, invasion or infestation to buildings and structures; sewer, water, gas, electricity, telecommunication and public utility systems; or ‘sudden branch drop syndrome’.
- b) A tree which falls within the category of tree in a) shall not be excluded from being planted in a road reserve, public place or at any other location by reason only that it may:
- drop sap, gum, fruit, seeds and shed leaves and branches etc. which when dropped may reasonably foreseeably cause persons to trip, slip and fall, or be struck by a branch or limb—or cause damage to motor vehicles or to any other property; or
  - infest and damage any private or public property or cause injury to any person who owns, occupies, uses, visits or merely crosses such property.
- c) Where, for compelling environmental or aesthetic reasons, it is desirable to plant a tree contrary to a):
- a risk assessment, in accordance with the principles in AS 4360:1999—Risk Management, shall be carried out by a responsible person to determine the likely impact of planting the tree in terms of those things mentioned in a); and
  - a plan of management, incorporating the risk assessment, shall be developed, implemented and maintained to manage, abate and control the tree so as to eliminate or reduce any risk of injury or damage.

- d) For the purpose of a), “**known propensity**” means a tree species which has been determined by a recognised scientific, academic or professional authoritative published source to be of a species known to cause injury to persons or damage to property.
- e) For the purposes of c), “**compelling environmental or aesthetic reasons**” means that such a planting is, in the opinion of a responsible person’, essential to preserve:
- the visual or scientific integrity of an existing shire or rural treescape amenity; or
  - to preserve the integrity and/or continuity of a rare or endangered species.

### **Tree Maintenance**

A responsible person shall develop and implement management standards for the maintenance and inspection of trees on all property owned or controlled by Council.

### **Lighting**

- a) No removal, addition, change or alteration to existing lighting, systems or structures be carried out or be provided at any of the assets.
- b) The present level, type, style and quality of lighting at or on any of the assets remain unchanged.
- c) Except as provided for in **Schedule 4**, no lighting system, structure or light shall be inspected at any of the assets.
- d) All new lighting shall comply with the relevant Australian Standard, and if no relevant Australian Standard exists, to a standard determined by a responsible person.
- e) Except where a public authority, electricity supplier or telecommunications provides, owns or controls and maintains lighting, a lighting system or structure, a responsible person shall design and implement management standards for inspection and maintenance of lighting, systems and structures.
- f) No lighting system or structure is to be substantially modified unless the prior approval is obtained from a responsible person.
- g) Definitions:
- “structure” includes poles and lighting towers.
  - “substantially modified” means a change, or a proposed change, from the manufacturer or supplier or designers (collectively “the manufacturer”) technical specification, but excludes routine or preventative maintenance, minor repairs, and technical upgrades authorised by law or by the manufacturer.

## Signs

Unless otherwise **resolved** by Council, all signs, including general or specific information, hazard, safety, caution and prohibition signs shall be erected in English only and be supported, where appropriate, by symbolic symbol (“pictogram”) signs which have been adopted by Standards Australia **provided always** that:

- a) No pictogram (including a graphic symbol or public information symbol sign) is to be designed, manufactured and/or used, erected or displayed unless:
  - it has been adopted by Standards Australia; or
  - a responsible person certifies that a Pictogram that is proposed to be used and which has not been adopted by Standards Australia complies with Australian Standards AS 2342—1992, AS 2416—2002, as amended, and any other relevant Australian Standard; and
  - it shall be at the discretion of a responsible person to determine whether or not a Pictogram symbol sign is appropriate for use in any particular circumstance.
- b) All existing signs, irrespective of type, shall be replaced in accordance with a) over time, on a progressive basis as and when existing signs require replacement due to physical deterioration, vandalism, theft or damage.
- c) No initial or other inspection shall be carried out to discover whether or not any sign complies with this policy.
- d) All signs shall be inspected in accordance with **Schedule 4**.
- e) Subject to f) no new signs shall be installed.
- f) All new signs installed, erected or placed at the designated assets shall be recorded in **Schedule 6**.
- g) No sign or warning shall be erected at or about any watercourse or body of water warning of any artificial or natural danger or hazard inherent in at or about any watercourse or body of water **unless the Council by express resolution has designated** such watercourse or body of water or any part or parts thereof for swimming, wading, aquatic sports of any type, or the safety and suitability of water contained therein for any recreational use, or for human or stock consumption.
- h) No sign or warning shall be erected warning of the existence of **any naturally occurring hazard or danger** to all humankind — including but not limited to the hazards or dangers attaching to water or the use of water, any watercourse or body of water, wave motion on rocks, foreshores or any structure, freshwater or marine dwelling fish whether or not any such fish is known to be dangerous in any way to humankind, animals, reptiles and insects, or any land dwelling animal, reptile, insect, bird, beaches, cliffs, escarpments, steep slopes, uneven and/or slippery surfaces, trees, shrubs or other flora — within the shire at, along, in, about or around any foreshore, watercourse, or public place, park or reserve.

- i) Subject to j), Australian Standard AS 1742—Manual of Uniform Traffic Control Devices, as amended, and where determined appropriate by a delegate or responsible person, shall be used for the design, construction, management, traffic control, maintenance and repair of public roads under the control and management of Council.
- j) Signs conforming with Australian Standard AS 2416—1985: Design and Application of Water Safety Signs, as amended, and subject to any statutory requirement to the contrary, shall be used where bathing, water sports or other aquatic activities have been designated by Council to be undertaken. Such signs shall also be used where a responsible person determines it desirable and appropriate to do so in the interest of public safety.
- k) A database of all signs shall be developed incrementally over time.
- l) For the purpose of k), “**designated by Council**” mean by resolution of the Council.

#### **Enforcement and Enforcement Manpower Levels**

- a) Enforcement of regulations, Council policy and signage prohibiting certain activities shall be carried out:
  - within manpower levels approved by Council; and
  - only by authorised persons.
- b) A responsible person shall determine authorised persons and their responsibilities and functions; and
- c) Notwithstanding b) it shall be at the discretion of an authorised person in any particular circumstance whether or not to exercise his or her functions to enforce compliance with regulations, Council policy and signage prohibiting or regulating certain activities.
- d) Authorised persons are set out in **Schedule 8**.

#### **Hours of Performance**

- a) No provision shall be made to transfer or provide additional staff for the performance of any management standard:
  - outside of ordinary hours;
  - on weekends;
  - on Public Holidays;
  - during school holidays;
  - on rostered days off;
  - during industrial disputes;
  - for absenteeism, sickness, long service or annual or special leave;
  - during staff training; or
  - for any other reason whatsoever.
- b) Management standards shall be relevantly adjusted to allow for the effect of decreased resource availability.

## Playground Equipment and Playgrounds

- a) No new playground equipment shall be purchased, manufactured, supplied, erected or installed.
- b) The existing type, style and quality of playground equipment at the assets shall be maintained and that no addition, removal, change or alteration to the existing type, style and quality of playground equipment be made, carried out or provided.
- c) Inspection and maintenance programs shall be designed in accordance with the principles set out in AS/NZS 4486.1:1997—“Playgrounds and playground equipment: Part 1: Development, installation, inspection, maintenance and operation”.
- d) Playground equipment and playgrounds shall be inspected and maintained in accordance with the requirements set out in **Schedule 4**.
- e) Under surfacing (impact absorbing material) shall be installed under or around all playground equipment where it is reasonably foreseeable that a child may fall from any height onto a hard unprotected surface. Surfacing material used must comply with AS/NZS 4422: 1996—“Playground surfacing - Specifications, requirements and test method”.
- f) Playground equipment shall not be removed from service by reason only that it does not conform to current technical standards AS/NZS 4486.1:1997 and AS 1924, Parts 1 and 2, published by Standards Australia.
- g) **Provided always** that when an item of playground equipment is found not to comply with a current technical standard published by Standards Australia, and such non-compliance may, in the opinion of a responsible person, expose a user to actual or potential injury, then the offending equipment shall be modified to achieve compliance, or if this is not possible, it shall, as soon as is reasonably practicable, be removed from service.
- h) If, on being found unsafe, an item of playground equipment cannot be modified or removed from service in accordance with g), then safety measures shall be taken to render the offending equipment inoperable or inaccessible to all users.
- i) All new playgrounds must be designed using the relevant principles set out in AS 4486.1:1997, AS/NZS 4422:1996, AS 1924, Parts 1 and 2, and AS 2555—1982 for supervised adventure playgrounds.

## Fencing

- a) No new or additional fencing shall be erected on, at or about any of the assets.
- b) No existing fencing at any of the assets shall be demolished, removed or replaced.
- c) **Provided always** that before a determination is made by a responsible person pursuant to a) and b) the following matters shall be considered:
  - the purpose of the fence;



- safety issues including the age and class of person exposed or likely to be exposed to any risk, and the severity and magnitude of any risk;
  - environmental effects;
  - aesthetic considerations;
  - recurrent inspection and maintenance requirements;
  - resource availability; and
  - any other matter considered relevant by a responsible person.
- d) When practicable and appropriate and without compromise to the safety of children of tender years, suitable flora shall be planted or gardens established instead of traditional types of fencing as a means of creating an environmental and safety buffer zone to reasonably confine and control people to a particular area, or to restrict access to natural or artificial hazards.
- e) A permanent record shall be kept of all matters considered, and of any determination made under this section.

### **Customer Requests**

Nothing in this section has any effect on any of the management standards expressed elsewhere in this policy. The management standards in this section (i.e. s.14.17) are independent of and supplementary to any other management standard in this policy and relate only to customer requests.

### **Investigation and Inspection of Customer Requests**

- a) Except as provided in b), all customer requests (including complaints and work requests from Councillors, customers, the public, employees, agents, contractors) shall be responded to in accordance with the provisions of **Schedule 9**.
- b) Where it is alleged by the person making a complaint that the matter complained of may affect the safety of a person or property, an inspection shall be undertaken within five (5) working hours from the time of notification.

### **Unsafe Defects**

- a) If, upon inspecting a customer request, a responsible person decides that an unsafe defect exists, he/she shall:
- i) arrange for the unsafe defect to be rectified immediately; or
  - ii) erect or cause to be erected temporary safety measures; or
  - ii) temporary safety measures are inappropriate the asset or service must be closed to the public until permanent safety measures are erected.
- b) If temporary safety measures are erected then, except in an emergency, these must be replaced with permanent safety measures before nightfall on the same day.
- c) Closure of an asset or service will be achieved by the erection of safety measures which effectively render the affected asset or service safe by warning and/or protecting people or property from the unsafe condition.

### **Safety Complaints—Response Procedure (The 5 Hour Rule)**

- a) A “safety complaint” is a complaint made by a customer or by any other person and where the customer or person is of the opinion that a asset, service, defect or condition may be a risk, hazard or danger to a person or to property.
- b) All safety complaints must be inspected.
- c) Subject to an emergency, resource availability or operational limitations, if a safety complaint is received alleging that a matter may affect the safety of a person or property:
  - i) A responsible person shall take immediate steps to cause an inspection to be carried out within five (5) working hours following the receipt of the complaint;
  - ii) If an inspection cannot be carried out within five (5) working hours, a responsible person may, at his/her discretion determine and direct that the inspection be deferred **provided always** that:
    - a) A date/time is set for the inspection to be carried out at the earliest possible opportunity following the expiry of the five (5) working hours; and
    - b) Subject to c). and d), where the complainant has provided a telephone or facsimile number then, but only then, two (2) attempts be made to contact the complainant by telephone or once (1) by facsimile if telephone contact is not possible or unsuccessful, advising the complainant:
      - the reasons why the inspection cannot be undertaken until the date/approximate time specified; and
      - the date and approximate time that the inspection will be carried out.
    - c) If, as required in c) ii) the attempt to contact the complainant is unsuccessful no attempt shall be made to contact the complainant in person.
    - d) No action will be taken under c) ii) if the inspection will be carried out by 12 noon on the next working day.

### **Non-Safety Complaints & Work Requests—Inspection and Rectification**

All non-safety complaints or work requests:

- a) Shall be inspected within the time limits in **Schedule 9**; and
- b) If an inspector determines that any work or service is to be provided, that work or service will be programmed and carried out in accordance with (and within) customer service and repair and maintenance priorities and procedures established in accordance with this policy.
- c) The purpose of the inspection in a) is to determine:

- what action, if any, is to be carried out; and
- the necessary resources required to provide the requested service or to carry out works;

so that any action required to be taken in b) can be carried out in a cost efficient and timely manner.

### **After Hours Response to Customer Requests**

The following procedure applies to customer requests made outside of Council's ordinary working hours:

- a) Non-safety complaints or work requests will not be inspected;
- b) Complaints or work requests alleging an unsafe defect or condition on or with a Council asset, service or works will be responded to within five (5) working hours of notification;
- c) A request for assistance by a statutory authority, member of the NSW Police Service, or a statutory emergency service, will be responded to within five (5) working hours where that request:
  - involves an accident on a Council asset, service or in a public place; or
  - is in relation to a reported dangerous or hazardous condition arising from or affecting a Council asset or service; or
  - is in relation to Council's responsibilities under the State Emergency and Rescue Management Act 1989 and the State Disaster Plan (Displan).
- d) Where Council is requested to respond to a hazardous or dangerous situation or condition involving chemical, nuclear or biological substances, then:
  - its assistance will be limited to securing the perimeter of the area affected; and
  - no Council employee, unless the employee has the proven expertise, training and competency, must become involved in the actual containment or clean-up of the situation or condition.

### **Inspection and Reinspection of Works**

- a) No independent reinspection shall be undertaken following the completion or satisfaction of any of the activities set out below:
  - construction works;
  - re-construction works;
  - maintenance works;
  - repair works;
  - restoration works;
  - the erection of safety measures; or
  - a customer request:

hereinafter referred to as “the work”.

- b) Inspection of the work shall be satisfied by the responsible person in charge of the work or by the person who actually carried out the work attesting:
- that the work was executed according to any relevant management standard specifically applying to the work;
  - that the work was completed in a sufficient manner; and
  - that the work was left in a reasonably safe condition.
- c) A record of inspection referred to in b) shall be kept and maintained.
- d) The following definitions apply:
- “independent reinspection” means an inspection carried out by a person other than the person who actually carried out the work or who responded to a complaint or work request to check that the works were done in accordance with the things set out in b).
  - “in a sufficient manner” means in accordance with the relevant management standard adopted by or under this policy or in accordance with good practice.
  - “reasonably safe condition” has the meaning ascribed in the Dictionary.

### **Records—Inspection, Maintenance, Repair**

The following minimum detail shall be relevantly recorded for all customer requests, reactive or programmed routine or preventative inspection and maintenance activities, breakdowns or repairs respectively:

- name, address, telephone and facsimile number of customer
- date/time of customer request
- details of request or complaint
- the department the customer request was referred to for action
- the name of the person responsible for actioning the customer request
- identification of the affected asset/service (name and description)
- location of asset/service
- date/time when inspection carried out
- name of inspector
- details of work or defects discovered
- details of service provided or repairs carried out and materials used.
- date/time work or defects rectified or repair effected
- details of any safety measures erected or safety precautions taken.
- name and signature of responsible person who provided the service or who rectified defects or carried out repairs.

### **Safety Measures—No Inspection Outside of Ordinary Working Hours**

Unless provided for in **Schedule 4**, and except where the inspection or maintenance of such safety measures is required by statute to be undertaken, safety measures erected

at any of the assets or services shall not be inspected outside of ordinary working hours to determine whether or not they have been:

- tampered with;
- vandalised;
- affected by storm or tempest or by any other natural or artificial cause whatsoever; or
- affected by unauthorised human intervention

### **Safety Measures—When to be Inspected**

- a) Safety measures, once erected, will be inspected on a continuing basis until the unsafe condition is eliminated:
  - during ordinary working hours
  - on a once daily basis (at any time during the day as determined by a responsible person); or
  - in response to a customer request.
- b) The frequency and time of inspection stated in a) (ii) may be varied by and at the discretion of a responsible person in accordance with resource availability or operational limitations.
- c) In this section permanent road signs erected pursuant to AS 1742 are not 'safety measures'.

### **Safety Measures—When to be Erected**

Safety measures shall be erected:

- a) Whenever a reasonably foreseeable risk, hazard or danger exists which may affect the safety of persons or property **provided always** that Council has a duty of care to erect safety measures; or
- b) When safety measures are required by any relevant legislation to be taken, erected or installed.

### **Temporary Safety Measures**

- a) In circumstances where reasonable safety measures cannot be taken immediately to secure the safety of persons or property to a reasonable common law standard, temporary safety measures will be erected.
- b) Despite a), permanent safety measures must be erected within five (5) working hours but in any event before nightfall on the same day.

### **Decommissioning of Safety Measures**

- a) Safety measures must not be decommissioned unless the unsafe defect or condition has been eliminated.
- b) A responsible person will determine when safety measures can be decommissioned.

- c) The following record must be kept of all decommissioned safety measures:
- i. asset/service identification;
  - ii. weather conditions;
  - iii. location of safety measures;
  - iv. date/time of decommissioning of safety measures;
  - v. the reason for decommissioning of safety measures;
  - vi. a statement that the work or service was left in a reasonably safe condition;
  - vii. name and signature of the person who authorised the decommissioning of the safety measures.
  - viii. name and signature of the person who actually decommissioned the safety measures; and
- d) The person referred to in c)vii and viii can be the same or an independent person.

### **Safety Measures—Form of Records to be Kept**

The following information shall be kept and maintained in relation to safety measures erected or taken:

- asset/service identification;
- location;
- date/time of erection of safety measures;
- details of the unsafe defect;
- details of action taken to rectify the unsafe defect;
- weather conditions;
- details of safety measures taken or erected; and
- name and signature of responsible person certifying the erection of the safety measures.

### **Safety Measures—When Records to be Kept**

- a) Details of safety measures taken, erected or installed shall be recorded:
- immediately following erection or installation;
  - at the cessation of work each day;
  - before leaving a work site at any time; or
  - at any other time if a responsible person thinks it is appropriate to do so and a reasonably foreseeable risk, hazard or danger to people or property exists.
- b) If, in the opinion of a responsible person, safety measures **are not** required to be taken, erected or installed, a record shall be kept and maintained to that effect.

### **Restoration of Works for Public Authorities and Others by Council—Conditions Under Which Works to be Undertaken**

If a restoration order or request to restore temporary works carried out on a Council asset is received from:

- a) a public authority (e.g. Sydney Water, Integral Energy); or

- b) a public corporation providing statutory services (e.g. AGL, Telstra, Optus);
- c) a ratepayer, builder, developer, construction company, contractor and the like (hereinafter collectively referred to as “the builder”);

requesting that Council restore the temporary works to a permanent standard, the restoration work shall be carried out:

- in accordance with any written agreement between the Council, statutory authority, public corporation service provider or builder; or if no such agreement exists; then
  - in accordance with a management standard established in accordance with this policy; and
  - as soon as is reasonably practicable.
- d) When Council receives a notification for the restoration of works from a public authority, public corporation or builder, **no inspection** shall be carried out by Council to determine whether or not the works carried out by a public authority, public corporation or builder have been left in a reasonably safe condition.
  - e) Council will develop management standards for the restoration of:
    - public roads (including cycleways)
    - public footpaths (including walking trails and tracks);
    - holes, trenches and excavations in public parks, public places and sporting facility playing surfaces;

and issue such standards to a builder at the time the builder makes application to Council to carry out the works.

- f) The management standards in e) must be provided to all public authorities and public corporations so that they can restore their works on Council assets to the standard required by Council.
- g) The management standards in e) will be developed incrementally and only if resource availability permits.

### **Council Work Affecting Other Public Authority Services & Assets**

- a) Except in an emergency, no work or excavation (“work”) shall be carried out by Council in a public road reserve, or at any other location, if such work will or is likely to interfere with or damage public utility services (“services”) belonging to a public authority or public corporation **unless** the relevant public authority or corporation:
  - i) has been advised in writing, or verbally in the case of an emergency, of the impending work; and
  - ii) has provided Council with detailed plans of the nature, type and precise location of its services; or

- iii) has tasked an employee or agent to provide on-site advice as to the exact whereabouts of its services.
- b) Where verbal notification is given pursuant to a)i), the following information shall be recorded:
  - the name of the person to whom notification was given
  - the date/time and substance of the notification; and
  - details of any response or approval.
- c) Where in a)iii) a public authority tasks an employee, or a contractor on its behalf, to provide on-site advice concerning the location of its service, the following information shall be recorded:
  - the name of that person
  - the date/time advice was provided; and
  - details of any advice given.
- d) A responsible person shall determine the manner and form of records required to be kept.
- e) For the purpose of this section “public utility services” includes ‘water, sewer & drainage’, ‘electricity’, ‘gas’ and ‘telecommunications’;

### **Public Roads**

Subject to 14.23.1, the following management standards for public roads (including bridges) shall be adopted unless otherwise provided for in Schedule 4.

### **Determination of Management Standards**

A responsible person shall determine the management standards for all public roads, road reserves and bridges respectively.

### **Routine and Preventative Maintenance Inspections**

No routine or preventative maintenance inspection of any public road, or public road reserve, shall be carried out.

### **Technical Inspections**

A technical inspection of public roads, or road reserves, shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.



## **Mowing, Slashing & Herbicide Treatment of Roadside Grass and Vegetation**

No mowing, slashing or herbicide treatment of grass or any other vegetation within a public road reserve, including grass or vegetation in or about any table drain or any other drainage system, shall be carried out.

## **Tree & Shrub Inspections**

No inspection of trees or shrubs shall be undertaken.

## **Marking, Identification and Recording of Defects in or on Public Roads, Car Parks & Footpaths etc.**

This section also applies to ss.14.24 and 14.25 respectively:

- a) The identification, marking, or recording of any defect in or on a public road, including a defect in or on a public footpath, walking trail or track, or car park (free standing) shall be purely for the purpose of determining a program of construction, maintenance or repair.
- b) Marking of a defect will be done using high visibility non-slip paint.
- c) When a responsible person determines that a particular defect constitutes an unsafe defect or condition, he/she shall take immediate steps:
  - to eliminate or cause to be eliminated the unsafe defect or condition, or if this action is not reasonably practicable;
  - to take immediate steps to erect or cause to be erected permanent safety measures; or if this is not reasonably practicable;
  - to erect or cause to be erected temporary safety measures, provided always that permanent safety measures shall be erected as soon as reasonably practicable but in any event before nightfall.
- d) Whether or not a defect constitutes an unsafe defect or condition shall be determined by and at the discretion of a responsible person.

## **Bridges**

- a) All timber bridges under the management and control of Council will be inspected and maintained in accordance with the principles set out in the Queensland Main Roads Bridge Inspection Manual Version 1, January 2000 ("QMRBIM").
- b) For timber bridges a Level 1 (QMRBIM) inspection will be carried on each bridge once annually.
- c) No inspection shall be carried out on any concrete bridge.
- d) No signs shall be erected on any bridge prohibiting or warning that it is dangerous to dive or jump from a bridge (whether or not water is present under a bridge).

- e) Despite d), a sign regulating undesirable behavior on a bridge may only be erected for enforcement purposes.
- f) In respect to d) and e), “bridge” includes a pedestrian bridge or overpass.

### **Public Footpaths, Walking Trails & Tracks**

Subject to ss.14.23.6 and 14.24.1, the following management standards for public footpaths, walking trails and tracks (hereinafter referred to collectively as “public footpaths”) shall be adopted unless otherwise provided for in **Schedule 4**.

### **Determination of Management Standards**

A responsible person shall determine the management standards for all public footpaths, walking trails and tracks.

### **Routine and Preventative Maintenance Inspections**

No routine or preventative maintenance inspection shall be carried out.

### **Technical Inspections**

A technical inspection of public footpaths shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.

### **Mowing, Slashing & Herbicide Treatment of Grass and Vegetation**

No mowing, slashing or herbicide treatment of grass or any other vegetation on or alongside a public footpath including grass or vegetation in or about any table drain or any other drainage system shall be carried out.

### **Tree & Shrub Inspections**

No inspection of trees or shrubs shall be carried out.

### **Repair and Maintenance of Paved or Unpaved Surfaces**

#### **General Standard**

No maintenance, repair or rectification shall be carried out to any paved or unpaved public footpath or edge drop-off where deformation or damage is caused by:

- general wear and tear;
- soil expansion and/or contraction;
- general or localised settlement of soil, paved or unpaved surfaces or brick pavers, howsoever caused;

- tree or tree root damage; or
- any natural phenomena.

### **Asphalt and Concrete Surfaces**

No repair or maintenance shall be carried out where the vertical and/or horizontal displacement of a paved pedestrian surface is:

- **for an asphalt surface**—less than fifty (50) millimetres when measured from a one (1) metre straight edge placed across the deformed surface; and
- **for a concrete surface discontinuity**—thirty (30) millimetres when measured vertically and twenty five (25) millimetres measured horizontally.

### **Pavers and Brick Paved Footpaths**

No repair or maintenance shall be carried out where the vertical and/or horizontal displacement or depression:

- a) of an individual paver or brick is less than fifteen (15) millimetres when measured at any point of the deformation; or
- b) where a general depression (comprising the collective and generally even depression of many pavers or bricks) of an affected area is less than 50mm when measured at any point from a one (1) metre straight edge placed across the deformed area.

### **Edge Drop-offs—Maintenance Etc. of**

- a) Subject to c), no maintenance, repair or rectification shall be carried out to any edge drop-off's on any paved footpath where the vertical edge drop-off from the top of a footpath (pedestrian surface) to the ground surface level is less than one hundred (100) millimetres over 75% of a ten (10) metre run of footpath.
- b) For the purpose of a), if at least four (4) of five (5) equally spaced measures over the ten (10) metre run exceed 100mm, reinstatement of the drop-off shall be carried out in accordance with the relevant Code of Practice.
- c) If, on inspection, an edge drop-off is determined to be caused by poor or inadequate:
  - design;
  - construction; or
  - maintenance, repair or rectification;

then the edge drop-off shall be reinstated, irrespective of the drop-off measurement, in accordance with the relevant Code of Practice or the public warned and/or protected from the defective drop-off.

## Unpaved and Unformed Footpaths—Maintenance Etc

No maintenance, repair or rectification shall be carried out on any unpaved or unformed footpath.

## Planted Trees—Damage to Footpaths, Roads or Adjoining Properties

- a) If, on routine inspection or on inspection of a customer request, a public footpath, road or adjoining property is discovered to be damaged by tree roots (whether planted by Council or not):
- (i). such damage shall be repaired; or
  - (ii). the offending root, or roots, shall be removed and measures taken to prevent further root invasion; or
  - (iii). safety measures shall be taken to warn and/or protect the public from the damage.
- b) **Provided always** that:
- (i). defect measurement shall be carried out in accordance with 14.24.6;
  - (ii). no footpath shall be repaired where the damage is superficial cracking or the vertical and/or horizontal displacement or edge drop-off is less than specified in 14.24.6;
  - (iii) despite a)(i) and (iii), safety measures will only be erected if a responsible person determines that a defect:
    - is not ordinary and obvious; and
    - is a reasonably foreseeable risk to person or property.

## Temporary Safety Warnings on Public Footpaths

- a) When a safety measure is required to be erected on a sealed (concrete, bitumen or asphaltic concrete) public footpath, walking trail or track then:
- i) For vertical/horizontal deformations or displacements on concrete paved footpaths, a 130mm wide hazard-yellow (anti-slip) band shall be painted across the horizontal width of the defect on both sides; and the vertical edge shall be painted with the same paint; and
  - ii) For edge drop-offs along concrete paved footpaths that do not exceed 300mm, and which are not visually obvious, shall be painted with a 130mm wide hazard-yellow (anti-slip) band along the pavement surface edge for the length of the drop-off. The vertical side edge of the drop-off shall not be painted;

- b) For all other defects a responsible person will determine the type and standard of safety measure to be erected; and
- c) The defects referred to in a) i and ii shall be repaired or otherwise eliminated within forty (40) working days of the defect being painted.

### **Marking, Identification and Recording of Defects in or on Public Roads, Car Parks & Footpaths etc.**

To be carried out in accordance with s.14.23.6.

### **Roads, Footpaths, Pathways, Tracks & Trails Developed Through Public Use**

This section applies to all asset groups and the individual assets comprising such asset groups.

Unless a road, footpath, pathway, walking trail or track (collectively referred to as “access roads”) is or has been designed and constructed by Council or by a competent public authority and is expressly designated as an access road, then the following rules shall apply to any non-designated access road that is or has been developed by public usage in or about a public road reserve, park, reserve or garden or sporting facility, public place, car park or on or across any community or operational land:

- a) Access roads shall not be inspected or maintained.
- b) No inspection shall be carried out to discover the existence of any such access road.
- c) No sign shall be erected at or about any access road warning the public not to use it.
- d) Signs shall not be erected on or about any access road specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person.
- e) An access road specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person shall not be regarded as a designated access road.
- f) For the purpose of f), “**public usage**” includes:
  - illegal or unlawful access;
  - an access road developed by people taking a short cut from point A to B, or by “cutting” an access road across or through an asset by departing from a designated access road;
  - access where the public has forced or developed an access road whether through bush, scrub, grass or over dune areas or across protected or rehabilitated beach dune areas or parks and gardens;
  - “**public usage**” excludes a designated access road.

- g) “**expressly designated**” means by resolution of the Council or determined by the general manager or by a delegate to be a designated access road and included in the relevant asset register as such..

### **Car Parks (Free Parking Areas)**

Subject to 14.25.1, the following management standards for car parks (free standing) shall be adopted unless otherwise provided for in **Schedule 4**.

#### **Determination of Management Standards**

A responsible person shall determine the management standards for all car parks (free standing).

#### **Management, Supervision & Maintenance**

Car parks (free parking areas) shall not be managed, supervised or maintained.

#### **Preventative Maintenance Inspections**

No routine or preventative maintenance inspection of any car park shall be carried out.

#### **Technical Inspections**

A technical inspection of car parks shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.

#### **Mowing, Slashing & Herbicide Treatment of Grass and Vegetation**

No mowing, slashing or herbicide treatment of grass or any other vegetation shall be carried out within or about a car park, including grass or vegetation in or about any table drain or any other drainage system.

#### **Marking, Identification and Recording of Defects in or on Public Roads, Car Parks & Footpaths etc.**

To be carried out in accordance with s.14.23.6.

#### **Tree & Shrub Inspections**

No inspection of trees or shrubs shall be undertaken.

#### **Stormwater and Drainage Systems**

- a) Subject to 14.26.1, the following management standards for stormwater and drainage systems shall be adopted unless otherwise provided for in **Schedule 4**.

- b) This section relevantly applies to all asset groups subject to this policy.

### **Determination of Management Standards**

A responsible person shall determine the management standards for all stormwater drainage and management systems.

### **Preventative or Routine Maintenance Inspection**

No preventative or routine maintenance inspection of any stormwater or drainage system shall be carried out.

### **Technical Inspections**

A technical inspection of stormwater or drainage systems shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.

### **Stormwater Drainage Management & Systems**

- a) All existing stormwater drainage system capacity standards be maintained and no modification or change to existing capacity standards be made.
- b) Subject to c), all stormwater and drainage systems appurtenant works and components (“drainage systems”) shall be designed in accordance with:
- i). all relevant statutory requirements; and
  - ii). the principles set out in the ‘Australian Rainfall and Runoff’ (“ARR”) published by The Institution of Engineers, Australia, as amended; and
  - iii). the principles set out in the relevant manual referred to in s.733 (4) and (5) of the Local Government Act 1993; and
  - iv). in accordance with any other matter considered relevant by a qualified and competent professional engineer; and
  - v). the principles of sound engineering and professional practice.
- c) **Provided always** that the constructed capacity standard of any stormwater drainage system—that is the ‘average recurrence interval’ (“ARI”) or ‘annual exceedance probability’ (“AEP”) as the case may be to which a particular stormwater drainage system capacity is designed to—shall not exceed the voted budget and resource availability in any particular circumstance.
- d) For the purposes of this section:

- a responsible person shall determine the constructed capacity standard for all stormwater drainage systems; and
- “sound engineering and professional practice” means “good” but excludes “best” engineering and professional practice.

### **Fencing Etc. of Storm/Flood Water Pits, Pipes & Channels**

Subject to 14.26.5, no fencing, grates or vortex minimising structures shall be erected in, on, over or around any storm/flood water entry pit, pipe, channel or retarding/retention/detention basin located on, in or attached to or forming an integral part of any flood, floodplain or stormwater drainage system.

### **Fitment of Lock Down Devices Etc. on Pit Lid, Covers and Grates**

Subject to 14.26.5, no lock down device or mechanism shall be fitted to any storm/flood water entry pit lid, cover or grate located on, in, attached to or forming an integral part of any flood, floodplain or stormwater drainage system.

### **Modification to Flood, Stormwater & Drainage Systems**

- a) No stormwater system, structure or device is to be substantially modified from its approved design unless the prior approval is obtained from a responsible person.
- b) Definitions:
  - “**structure**” includes a pit cover, grill or grate lock down device or thing.
  - “**device**” includes control valves, regulating systems and surcharge mechanisms.
  - “**substantially modified**” means a change, or a proposed change, from the manufacturer or supplier or designers (collectively “the manufacturer”) technical specification, but excludes routine or preventative maintenance, minor repairs, and technical upgrades authorised by law or by the manufacturer.

### **The Protection of Persons or Property**

- a) A responsible person shall determine either generally or on a case by case basis the level and standard of signage, fencing, railing, barriers, grates, grills, vortex minimising structures, lock down devices or mechanisms to be erected or installed at, in or about any:
  - dam, spillway and appurtenant works;
  - floodway or floodplain system and appurtenant works; or
  - stormwater drainage system and appurtenant works.
- b) Before determining the level and standard of any of the things mentioned in a), a responsible person shall:
  - Ensure that the erection or installation of any of the things mentioned in a) do not interfere with the efficient functioning of a flood, floodplain or stormwater



- drainage system and appurtenant works so as to cause or exacerbate the flooding of any property beyond the designed constructed capacity; and
- Consult with the Council's risk manager or in his/her absence, LOGOV, concerning the adequacy or otherwise of any statutory or common law measures to be taken to protect persons or property from injury or damage which may arise from a reasonably foreseeable risk.
  - In assessing and treating risk the risk manager shall apply the principles set out in the Standards Australia/Standards New Zealand publication AS/NZS 4360:1999—Risk Management.

### **Parks, Reserves & Sporting Facilities**

Subject to 14.27.1, the following management standards for public parks and reserves etc shall be adopted unless otherwise provided for in the Preserved Standards or in **Schedule 4**.

#### **Determination of Management Standards**

A responsible person shall determine the management standards for all parks and reserves.

#### **Preventative or Routine Maintenance Inspection**

- a) No preventative or routine maintenance inspection of any park & reserve shall be carried out.
- b) No inspection of any grassed area, and this includes any lawn area, shall be carried out.
- c) Where an inspection of a park or reserve etc. or grassed area is specified in **Schedule 4**, it shall be undertaken by a responsible person on foot carrying out a visual inspection.
- d) The inspection in b) shall be undertaken by a responsible person walking parallel inspection lines approximately 20m apart, or such other distance or method of inspection as may be determined in a particular Code of Practice or at the discretion of a responsible person.
- e) The inspector will visually inspect the area in front of and between the inspection lines for visually obvious defects.

#### **Tree & Shrub Inspection**

No preventative or routine maintenance inspection of any tree or shrub shall be carried out.

#### **Foreshore, Cliff and Escarpment Environmental Buffer Zones**

- a) Where in the opinion of a responsible person it is reasonably practicable to do so, foreshore, cliff and escarpment environmental buffer zones shall be established

along developed parks and reserves with foreshore, cliff or escarpment features to:

- protect foreshore, cliff and escarpment areas from erosion;
  - to discourage the public from venturing too close to natural cliffs and escarpments; and
  - to discourage the public from venturing too close to watercourses or bodies of water.
- b) A foreshore, cliff and escarpment environmental buffer zone shall be established:
- by allowing any existing flora including native or introduced grasses, shrubs and trees to establish with or without artificial assistance; or
  - by a program of artificial cultivation and planting.
- c) The size and shape of a foreshore, cliff and escarpment environmental buffer zone shall be determined by a responsible person having regard to:
- the existence of reasonably foreseeable risk.
  - environmental and aesthetic considerations; and
  - available funding.
- d) No foreshore, cliff and escarpment environmental buffer zone shall be inspected or maintained.
- e) Subject to 14.16 and 14.26.8 b) dot point 2, no fencing shall be erected or installed at, along or about any foreshore, cliff and escarpment environmental buffer zones.

#### **Parks & Reserves, Open Space Recreational Areas and Sports Ovals—The Standard of the General Level of Grassed Surfaces**

- a) The grassed pedestrian or playing surface (“grassed surface(s)”) of parks and reserves, open space recreational areas and sports ovals (for the purposes of this section collectively referred to as “open space”) shall be maintained so as to be reasonably even in their general level provided always that grassed surface imperfections, irregularities and conditions such as but not limited to:
- i). general or isolated surface undulations;
  - ii). grass or turf being slippery when wet;
  - iii). isolated sinking of soil, turf or grass;
  - iv). reactive soil movement including cracking, expansion and contraction;
  - v). scouring by watering, erosion, storm or flood; and
  - vi). general imperfections caused by wear and tear;

shall not be remediated, repaired or maintained unless otherwise provided for in **Schedule 4**.

- b) If, on inspection, a grassed pedestrian or playing surface imperfection, irregularity or condition is deemed, in the opinion of the responsible person carrying out the inspection, to be an unsafe defect, then the unsafe defect shall be eliminated at the earliest possible opportunity but provided always that in the meantime safety measures shall be taken to warn and/or protect the public against such unsafe defect.
- c) For the purpose of 14.27.5 “**grassed pedestrian or playing surface**” includes a planted and maintained lawn or turf surface, a natural grassed surface whether the grass species is native or planted and whether or not it is maintained.

### **Mowing, Slashing & Herbicide Treatment of Grass and Vegetation**

- a) No mowing, slashing or herbicide treatment of grass or any other vegetation within or about any public park or reserve, open space recreational facility, flood or drainage system or retarding or detention or retention basin, including grass or vegetation in or about any land under the control and management of Council, shall be carried out.
- b) Notwithstanding any standard or frequency of mowing set out in **Schedule 4**, or anywhere else in this policy, it shall be at the discretion of a responsible person to determine the frequency of mowing having regard to weather conditions or cyclical or seasonal growth patterns affecting vegetation, grass or turf.
- c) Records shall be kept and maintained about any change to mowing frequency caused by weather conditions or cyclical or seasonal growth patterns affecting vegetation, grass or turf. Records shall include:
  - date/time of change to **Schedule 4** management standards;
  - assets affected by proposed change to management standards;
  - statement of weather conditions causing the change to management standards;
  - statement of cyclical or seasonal growth patterns causing change to management standards; and
  - name and signature of responsible person who determined the change to management standards.

### **Public Wharves, Jetties and Boat Ramps**

#### **Determination of Management Standards**

- a) Subject to b), the following management standards for all public wharves, jetties and boat ramps shall be adopted unless otherwise provided for in **Schedule 4**.
- b) A responsible person shall determine the management standards for all public wharves, jetties and boat ramps.
- c) No routine or preventative maintenance inspection shall be carried out.

## Technical Inspections

A technical inspection of public wharves, jetties and boat ramps shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.

## Signage

Signs shall be relevantly erected in accordance with **Schedule 6**.

## Maintenance Intervention Standard—Pit Cover and Automatic or Manual Sprinkler Head Tolerances

- Subject to b), the following management standards for pit covers and automatic or manual sprinkler heads shall be adopted unless otherwise provided for in **Schedule 4**.
- A responsible person shall determine management standards for all pit covers, manual and automatic sprinkler heads respectively.
- The maintenance intervention standards set out in Table 11 shall apply to all of Council's pit covers, or automatic or manual sprinkler heads, located in, on or about the locations stated in the Table.
- Any pit covers or manual or automatic sprinkler heads which do not belong to or are not under the control of Council will not be inspected or maintained.

**Table 3—Maintenance Intervention Standards**

LOCATION	MAINTENANCE INTERVENTION STANDARD			
	PIT COVERS		SPRINKLER HEADS	
	ABOVE SGL	BELOW SGL	ABOVE SGL	BELOW SGL
Parks & Reserves (passive, non-sporting use)	>20mm	>50mm	>20mm	>40mm
Urban Open Space and Flood Retention or Detention Basins (passive non-sporting)	>20mm	>50mm	>20mm	>40mm
Sporting Ovals, Fields and Courts	Level	>15mm	Level	>20mm
Public Roads	>50mm	>50mm	Not Applicable	
Public Footpaths	>30mm	>30mm	Not Applicable	

- e) The following definitions shall apply:
- i). **“maintenance intervention standard”** means that a pit cover or manual or automatic sprinkler head shall not be maintained, repaired or otherwise made level with the surrounding ground level unless the stated measurements in Table 11 are exceeded.
  - ii). **“pit cover”** means a cover, lid, grill or grate fitted to any stormwater, drainage, sewer, irrigation, water, pit or trench for which Council is responsible for.
  - iii). **“surrounding ground level (SGL)”** means in the case of:
    - a) ***a maintained turf or grass sporting surface***: level with the ground where the turf or grass immediately enters the ground;
    - b) ***a paved or unpaved footpath***: level with the top of the pedestrian surface;
    - c) ***a public road***: level with the top of the surface upon which vehicles travel;
    - d) ***a paved, sealed or artificially surfaced playing field or court***: level with the top of the paved, sealed or artificial playing surface.
    - e) ***recreational centres and swimming pools***: as for (a) for grassed or turf areas; as for (b) for paved areas; and as for (d) for artificially surfaced active use areas; and
    - f) ***urban open space and flood retention or detention basins (passive non-sporting)***: as for (a).
- f) A pit cover or manual or automatic sprinkler head which is found, on inspection, to be within the tolerance specified in the maintenance intervention standards set out in Table 12:
- shall not constitute an unsafe defect by reason only that it is within the specified tolerance; and
  - safety measures shall not be erected unless a responsible person determines that a reasonably foreseeable risk exists.
- g) Where, on inspection, a responsible person finds that a pit cover, which is part of a stormwater drainage system, exceeds the tolerance specified in the maintenance intervention standards set out in Table 11, s.14.26.6 shall be relevantly complied with before any fencing or permanent safety measures are erected.
- h) Provided always that if, in the opinion of a responsible person, the exceedance of a particular Maintenance Intervention Standard set out in Table 11 is caused by a design or construction fault or by improper maintenance procedure, any such exceedance shall be eliminated or appropriate safety measures taken to warn and/or protect the public.

- i) For the purpose of g), the following definitions apply:

“**design fault**” means the ‘exceedance’ was present in plans, specifications, drawings or instructions for the manufacture, construction, installation or erection of the pit cover or manual or automatic sprinkler.

“**construction fault**” means that the ‘exceedance’ was created by the act of not constructing in accordance with proper plans, specifications, drawings or instructions.

“**improper maintenance procedure**” means that the ‘exceedance’ was caused by a failure to follow the established maintenance protocol or code of practice.

### **Murwillumbah, Kingscliff and Tweed Heads Swimming Pools, and Ocean Beaches**

Subject to 14.29.1, the following management standards for the Murwillumbah, Kingscliff and Tweed Heads swimming centres shall be adopted unless otherwise provided for in **Schedule 4A**.

#### **Determination of Management Standards**

A responsible person shall determine the management standards for the Murwillumbah, Kingscliff and Tweed Heads swimming centres.

#### **Inspection & Maintenance**

- a) Subject to b), the Murwillumbah, Kingscliff and Tweed Heads swimming centres shall be inspected and maintained in accordance with the levels and standards set out in **Schedule 4A**.
- b) The Kingscliff swimming centre shall be managed, inspected and maintained in accordance with the current contractual arrangements.

#### **Management & Supervision**

##### **The Swimming Centres**

- a) Subject to b), the Murwillumbah and Tweed Heads swimming centres shall be managed and supervised in accordance with **Schedule 4A**.
- b) The method, technique and standard of patrolling and supervision of patrons shall be determined at the sole discretion of a responsible person.
- c) The Kingscliff swimming centre shall be managed and supervised in accordance with the current contractual arrangements.

## Signage

### Generally

- a) Subject to 14.29.4.2, signs shall be erected in accordance with **Schedule 6**.
- b) Despite **Schedule 6**, in accordance with the Local Government (General) Regulation 1999 (Part 6, s41), any sign used to “control bathing” (and “bathing” includes surfing and any other similar form of recreation) must comply with Australian Standard AS 2416—2002. This applies to the whole of s.14.29.

### Placement & Density of Signs

A responsible person shall, after consulting with Council’s Risk Manager, determine the location and density (number of signs) to be placed at the respective assets mentioned in **Schedule 6**.

### Public (Ocean) Beach Reserves

#### Application of Policy

- a) The beaches to which this policy applies are set out in Schedule 1A.
- b) This section does not apply to, and excludes entirely, the Service Agreement between the Council and Surf Life Saving INC.
- c) Subject to 14.30.2, the following management standards shall be adopted unless otherwise provided for in Schedule 4, 4A, or 6.

### Determination of Management Standards

A responsible person shall determine the management standards for all public beach reserves respectively.

### Supervision of Beaches, Coastline and Other Locations

- a) Except as provided for in Schedules 1A, 4, 4A or 6 respectively:
- b) All beaches within the Tweed shire area shall be unsupervised.
- c) The entire coastline, tidal and/or rock pools, foreshores, estuaries, rivers, lakes, lagoons, dams and the like within or immediately adjacent to Council’s defined shire area shall be unsupervised; and
  - No sign will be erected at any beach informing the public:
  - that a beach is unpatrolled;
  - that rescue services are not provided;
  - the location of the nearest patrolled beach;
  - that bathing or surfing at a particular beach may be hazardous; or

- that hazardous bathing or surfing conditions or dangerous sea creatures may exist at any particular beach.

## **Beaches—Erection of Signs**

Subject to s.18.53.5:

- a) All beaches listed in Schedule 1A shall have the following signs erected advising the public:
  - i. Where a beach or part of a beach is not patrolled. At each designated entry point erect a sign in accordance with Schedule 6 (Item 2); and
  - ii. Where a beach is supervised. In accordance with Clause 2.2 of Australian Standard AS 2416—2002, inform the public:
    - the beach is only patrolled between the flags; and
    - bathing should only be undertaken in the designated patrolled area between the flags.
- b) All beaches other than those listed in Schedule 1A shall have signs erected in accordance with Schedule 6 (Item 2) at each designated entry point provided always that if no designated entry point exists at a beach then no sign shall be erected at the particular beach.
- c) Due to the uncertainty of public telephone placement or services (over which Council has no control), the location of the nearest public telephone (in case of an emergency) shall not be included on any sign.
- d) “Designated entry point (s)” means at each entry point to a beach that has been constructed by the Council, or by a competent public authority, for the purpose of permitting pedestrian or vehicular access to a beach reserve.

## **Placement & Density of Signs**

- a) A responsible person shall, after consulting with Council’s Risk Manager, determine the location and density (number of signs) to be placed at the respective assets mentioned in Schedule 6.
- b) A detailed plan shall be prepared and maintained of the location of all signs determined in accordance with a).
- c) An inspection program will be developed for all signs determined in accordance with a).
- d) Despite a), signs shall only erected or placed at a designated entry point(s) and not at any other location on a beach.
- e) Where, at any particular beach, there is no designated entry point:
  - no designated entry point shall be constructed or provided; and



- no sign shall be erected or placed at a beach where no designated entry point exists.
- f) No sign shall be erected at or about any road, pathway, track or trail leading to any particular beach where the road, pathway, track or trail has been established by public usage.
- g) Signs shall not be erected on or about any road, track or trail specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person.
- h) A road, track or trail specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person shall not be regarded as a designated entry point.
- i) For the purpose of f), “public usage” includes:
- illegal or unlawful access;
  - access where the public has forced or developed an entry onto a beach whether through scrub or over dune areas or across protected or rehabilitated beach dune areas or parks and gardens, and this includes a road, pathway, track or trail constructed by any person. But “public usage” excludes a road, track or trail constructed by Council or a public authority where the road, track or trail has been constructed for the express purpose of providing a designated entry point to a beach or to any particular part of a beach.

## **Lighting**

- a) All beaches currently without lighting shall remain unlit;
- b) The present location, standard, level, type, style and quality of lighting at on or about any of the beaches shall remain unchanged;
- c) Except as provided for in Schedule 4 or 4A no lighting system or light shall be inspected or maintained at any of the beaches;
- d) All new lighting shall comply with the relevant Australian Standard;
- e) Despite c), this section does not prevent:
- any maintenance or repair activities being carried out to any lighting system, device, apparatus or thing; and
  - any addition, modification or change to existing or future lighting or lighting systems;
- being carried out in response to a Customer Request.

## **Rescue Services**

- a) Rescue services may be contracted out or Council may employ lifeguards.
- b) If rescue services are contracted out the contractor shall perform its contracted responsibilities in accordance with the level and standard of service provided for and subject to the terms and conditions of the contract.
- c) The following rules shall only apply when rescue services are provided by Council and performed by its employees.

## **Emergency Response Rule**

- a) The general five (5) hour response rule in this policy does not apply to a notification:
  - about a rescue emergency on any beach listed in Schedule 1A; and
  - which occurs during the stated Period of Supervision and Limit of Supervision in Schedule 1A; and
  - which occurs within a designated patrolled bathing or surfing area.
- b) All other notifications must be responded to in accordance with the Customer Request procedure of this policy;
- c) A lifeguard must respond to an emergency as quickly as possible. This means that a lifeguard or responsible person must quickly carry out an assessment of what, if any, action should be taken;
- d) The following terms have the meaning ascribed to them:
  - “as quickly as possible” and “quickly” mean subject to resource availability and operational limitations and having regard to the process in 14.30.7.2; and
  - “rescue emergency” mean a rescue response to a person (or persons) within a designated patrolled bathing or surfing area who is in peril and requires rescue.

## **Process to be Applied Before, and After Undertaking a Rescue**

### **Before Rescue**

- The general process to be applied before a rescue is undertaken is:
- Receive rescue notification
- Inspect and assess the situation and surf conditions
- Consider whether the beach should be closed during rescue
- Assess the response required
- Determine the action and resources to be applied

- Prioritise the order of rescue (if more than one person to be rescued)

### **After Rescue**

The general process to be applied **after** a rescue is undertaken is:

- Provide first aid treatment as required
- Arrange for emergency medical treatment and evacuation of injured person(s).
- Debriefing and analysis of rescue and procedures
- Recover and maintain rescue equipment
- Train lifeguards in any new process or procedure
- Complete all relevant records.

### **Clarification**

In most situations many of the points in 14.30.6.2.1 will be simultaneously considered and determined by a lifeguard. However, complex and dangerous rescue situations (and multiple rescues) do occur and these situations demand a professionally considered strategy before a rescue is attempted. An unprincipled immediate response to rescue can result in:

- a failed rescue
- exacerbation of the condition of the person being rescued; or
- a lifeguard(s) safety being compromised;

these things can be eliminated, or the risks substantially reduced to acceptable limits, by effective planning and the efficient execution of a rescue.

### **Rescue Beyond Designated Flagged Swimming Areas**

Notwithstanding that the primary responsibility of lifeguards is to protect the public who are swimming or otherwise recreating within the designated flagged safe swimming or surfing area, a rescue may be undertaken outside of this area only in the following circumstances:

- a) That prior to the rescue being undertaken the patrolled beach and the designated safe swimming or surfing area shall be closed in accordance with Section 2.2.2 of AS 2416—2002; and
- b) That two (2) lifeguards shall respond to the rescue.

## Lifeguard Safety

It is of paramount importance that the safety of a lifeguard takes precedence over the life of a person in peril. Accordingly, the following rules must be followed:

- a) No designated safe swimming or surfing area is to be declared at any beach unless there is two (2) qualified lifeguards are on duty at all times;
- b) Subject to e), no rescue is to be attempted unless the rescue can be controlled, co-ordinated, executed and monitored by two (2) lifeguards;
- c) No rescue attempt is to be made, if, in the opinion of a lifeguard, he or she considers that:
  - his or her competency or experience;
  - the prevailing operational conditions; or
  - operational limitations;

are such that to attempt a rescue may endanger his or her life;

- d) A rescue must be aborted if, in the opinion of the lifeguard attempting a rescue, he or she considers that his or her safety may be jeopardised by:
  - the condition (e.g. bleeding attracting sharks);
  - the action (e.g. disobedience, panic or fear); or
  - the mass (e.g. live or dead-weight);

of person being rescued.

- e) If, in the opinion of the senior lifeguard present, a rescue can be safely carried out by a single lifeguard without assistance, then, and only then, will a single lifeguard be permitted to attempt a rescue.

## Limitation on the Provision of Rescue Equipment Etc

Rescue equipment, apparatus, devices or aids shall be provided:

- a) Only at supervised beaches listed in **Schedule 1A**; and
- b) Only within, or within the immediate vicinity of a designated safe swimming or surfing area.
- c) For the purpose of b), of a responsible person will determine what constitutes “**within or within the immediate vicinity of the designated safe swimming or surfing area**” given the prevailing operational limitations.

## Skateboard & BMX Facilities

Subject to 14.31.1, the following management standards for Skateboard and BMX facilities shall be adopted unless otherwise provided for in **Schedule 4**.

## **Determination of Management Standards**

A responsible person shall determine the management standards for the Skateboard and BMX facilities.

## **Preventative Maintenance Inspections**

No preventative maintenance inspections shall be carried out.

## **Technical Inspections**

A technical inspection of the Skateboard or BMX facilities shall be carried out:

- as and when determined necessary; and
- at a level and standard

determined by a responsible person.

## **Mowing, Slashing & Herbicide Treatment of Grass and Vegetation**

No mowing, slashing or herbicide treatment of grass or any other vegetation, including grass or vegetation in or about any table drain or any other drainage system, shall be carried out.

## **Tree & Shrub Inspections**

No inspection of trees or shrubs shall be carried out.

## **Public Buildings & Facilities**

Subject to 14.32.1, the following management standards for public buildings and facilities shall be adopted unless otherwise provided for in Schedule 4.

## **Determination of Management Standards**

A responsible person shall determine the management standards for all public buildings and facilities respectively.

## **Preventative Maintenance Inspections**

No routine or preventative maintenance inspection of any public buildings and facilities shall be carried out.

## **Technical Inspections**

A technical inspection of public buildings and facilities shall be carried out:

- as and when determined necessary; and
- at a level and standard;

determined by a responsible person.

### **Mowing, Slashing & Herbicide Treatment of Roadside Grass and Vegetation**

No mowing, slashing or herbicide treatment of grass or any other vegetation including grass or vegetation in or about any table drain or drainage system in the immediate vicinity of public buildings and facilities, shall be carried out.

In this section “immediate vicinity” means within the parcel of land upon which the particular building or facility is situated.

### **Tree & Shrub Inspections**

No inspection of trees or shrubs shall be undertaken.

### **Private Awnings**

No inspection of private awnings shall be undertaken.

“private awning” means an awning overhanging a public footpath and which is attached to or forms part of a building.

“public footpath” means that part of a road as is set aside or formed as a pathway for pedestrian traffic (whether or not it may also be used by bicycle traffic).

### **Flood Levee Walls**

- a) No warning signs shall be erected on, at or about any flood levee wall (“wall”) warning any person that it may be hazardous to climb onto a wall or to walk or run along a wall.
- b) No fencing shall be erected to prevent any person from climbing onto a wall.

### **Public Created Pathways Along Flood Levee Banks or Through Parks & Reserves or Foreshore Areas**

No signs, barriers, fencing or safety measures shall be erected across any public created pathway along any flood levee bank, through a park or reserve or any foreshore area to warn and/or protect any person against using such pathways.

“public created pathway” means a pathway created by the public through common use. It is a pathway which has not been created, maintained or its use sanctioned by Council.

### **Stormwater and Drainage Channels**

No warning signs, fencing or path or cycleway line (edge) marking of any type shall be erected, installed or placed along any stormwater or drainage channel (“channel”) to warn and/or protect any person from any obvious risk inherent to any particular channel.

For the sake of clarity, no fencing of any type shall be erected along any pathway or cycleway constructed along the bank of any channel to delineate the edge of the

pathway or cycleway from the channel or from any slope leading into a channel where the risk is obvious.

**Instrument Of Delegation**

- (1) Subject to compliance with the requirements of the Local Government Act 1993 and Regulations and any express policy or direction of Council, the Council pursuant to the provision of Section 377 of the Local Government Act 1993, hereby delegates to the general manager, authority to exercise and perform on behalf of Council, all functions, powers, authorities, duties and matters (hereinafter referred to as “the delegated functions”) contained in the Strategic Asset & Service Management Policy (“the SAMP policy”).
- (2) The delegated functions include the power and authority to determine management standards, and to suspend, change, amend, alter, vary, or modify the SAMP policy in response to Council resolutions which impact upon and are relevant to this policy and budgetary or resource availability constraints and operational limitations.
- (3) Subject to the provisions of Section 378(2) of the Local Government Act, 1993, the general manager may sub-delegate any of the delegated functions contained in (1) and (2) **provided always** that any sub-delegation **shall not include** the power of delegation; and except to the extent provided for in the SAMP policy and **Schedule 2**, the power or authority to repeal, revoke, rescind, amend, alter or vary the SAMP policy.
- (4) The general manager, a delegate or a responsible person must record, in writing, all decisions made under delegated authority.

**Implementation**

This policy shall take immediate operational effect from the date of the Council’s resolution to adopt this policy.

**Dictionary**

WORD OR PHRASE	DEFINITION
<i>“acted upon”</i>	includes, for the purpose of s.14.17, an inspection
<i>“all hazards found shall be made safe immediately.”</i>	has the same meaning as “reasonably safe condition”, and “immediate” has the meaning ascribed to it in this dictionary.
<i>“and/or”</i>	means “A or B or both”.



WORD OR PHRASE	DEFINITION
<b>“any artificial or natural danger or hazard inherent in at or about any watercourse or body of water”</b>	includes for the purpose of 14.12 g) a dam wall, weir, crossings, bridges, wharves, jetties, boat ramps, the presence of shallow water, submerged or floating objects, deleterious material, polluted water, slippery or uneven surfaces etc.
<b>“artificial”</b>	includes anything created or modified by human intervention.
<b>“as determined by a responsible person”</b>	means: <ul style="list-style-type: none"> <li>• a decision by a responsible person specified in Schedule 2; and</li> <li>• a decision made pursuant with the execution of this policy and the functions, powers and duties set out therein.</li> </ul>
<b>“asset”</b>	an item of physical property or a council community service and relevantly includes without restriction or limitation: <ol style="list-style-type: none"> <li>1. a road, footpath, walking trails &amp; tracks, park, reserve, swimming pool, tidal pool, tree or shrub, building, playground, playground equipment, stormwater drains &amp; pits, outdoor lighting systems, vehicles and plant, fences, bridges, sporting ovals, facilities, statues and artefacts etc; or</li> <li>2. the management and supervision of childcare centres or services, a library service, social justice programs, swimming centres, beaches lifeguard services and aged care centres.</li> </ol>
<b>“Australian Standard”</b>	means a technical standard approved and published by Standards Australia (usually denoted by the prefix <b>AS</b> ) and includes the following joint standards: <ul style="list-style-type: none"> <li>• Australian/New Zealand Standards denoted by the prefix <b>AS/NZS</b>; and</li> <li>• Australian/New Zealand ISO Standard denoted by the prefix <b>AS/NZS ISO</b>.</li> </ul>
<b>“authorised person(s)”</b>	means a person authorised by a responsible person to carry out a particular function(s).
<b>“best engineering and professional practice”</b>	means the highest standard that can be achieved and which is “ <i>reasonably practicable</i> ” and within the constraints of “ <i>resource availability</i> ”.



WORD OR PHRASE	DEFINITION
<p><b>“body water”</b> of</p>	<p>includes a:</p> <ul style="list-style-type: none"> <li>• swamp</li> <li>• billabong</li> <li>• ocean or sea</li> <li>• lake, dam, rural or urban dam</li> <li>• flood detention/retention/retarding basin</li> <li>• designated wetlands</li> <li>• decorative pond or fish pond.</li> </ul>
<p><b>“car parks (free parking areas)”</b></p>	<p>means any area of public land (other than a public road) for the accommodation of vehicles without payment of a fee or charge.</p>
<p><b>“child”</b> or <b>“children of tender years”</b> or <b>“young children”</b></p>	<p>means a child under five years of age</p>
<p><b>“cleaning frequency”</b></p>	<p>means:</p> <ol style="list-style-type: none"> <li>1. That cleaning shall be carried out at any time during the stated time period or interval.</li> <li>2. That a delegate or a responsible person may, at his or her discretion, during the stated time period or interval, change the day and/or time that cleaning shall be carried out at will in accordance with resource availability, or an emergency.</li> </ol>
<p><b>“code practice”</b> of</p>	<p>means: a document which states method, procedure and standard of work or services for a particular activity, action or task which is <i>“reasonably practicable”</i> and within the constraints of <i>“resource availability”</i>. See also <i>Work Method Statement</i>.</p>
<p><b>“complaint”</b></p>	<p>see “customer request”.</p>
<p><b>“constructed capacity standard”</b></p>	<p>means the design standard to which a floodplain, or stormwater drainage system, is designed and refers to a systems capacity to carry a sudden, excessive run-off of water following a storm of a particular magnitude expressed in terms of “average recurrence interval” (ARI) or “annual exceedance probability” (AEP) as is appropriate in each particular circumstance.</p>

WORD OR PHRASE	DEFINITION
<b>“corporate risk: or “corporate risk management exposure”</b>	includes any reasonably foreseeable risk of a corporate governance, political, social, economic, financial, legal, contractual, environmental, compliance, due diligence and human resource management character.
<b>“Council”</b>	means Tweed Shire Council and relevantly includes councillors, management and employees.
<b>“customer request”</b>	<ol style="list-style-type: none"> <li>1. Is a notification made about any matter or thing to Council by any person: <ul style="list-style-type: none"> <li>• in writing; or</li> <li>• by telephone; or</li> <li>• by facsimile; or</li> <li>• by email; or</li> <li>• in person.</li> </ul> </li> <li>2. Includes a request, complaint, work request or request for service.</li> <li>3. Is independent of and arises independently from any other management standard in this policy and does not replace or modify any other management standard.</li> </ol>
<b>“customer service level(s) and standards”</b>	means any standard and level of service determined by the Council or by the general manager to be a “customer service level” and which is entered in Schedule 9.
<b>“danger” or “dangerous”</b>	means that a member of the public or a particular class of identified person will be liable to exposure to injury or damage from an identified source of harm unless adequate steps are taken to warn and/or protect such persons against the danger.
<b>“defect” or “defective”</b>	means in relation to an asset or service or a component or part thereof a falling short or imperfection from the stated policy outcome, standard or intervention level but it excludes an ‘unsafe defect’..

WORD OR PHRASE	DEFINITION
<p><b>“determination”</b> or <b>“determine”</b> or <b>“determined”</b> or <b>“to determine”</b></p>	<p>includes a decision made by a delegate, responsible person or employee in the context of the relevant section, subsection, paragraph or schedule of the policy:</p> <ul style="list-style-type: none"> <li>• a decision to: exercise or not exercise a function, add, remove, change, amend, vary, replace, modify, rescind, revoke, suspend, or create a management standard; set a frequency or level or standard;</li> <li>• the act of executing or implementing or complying with the respective terms of the policy.</li> </ul>
<p><b>“earliest possible opportunity”</b></p>	<p>means as soon as is reasonably practicable but subject to <i>“resource availability”</i> as defined.</p>
<p><b>“emergency”</b></p>	<p>means the effect of a civil disturbance, a motor vehicle accident, an industrial accident, withdrawal of labour by an industrial union, bush fire or imminent threat of bush fire, storm and tempest, flood whether by overtopping of a natural water course or artificial or natural drainage system, petroleum products or chemical spill, gas leak or escape, request by police or another public authority for assistance, or any matter or thing which in the opinion of Council or a responsible person constitutes a threat to people, property or Council’s services or operations, thereby necessitating an immediate application and transfer of resources from established works and services programs and customer service standards.</p>
<p><b>“enforcement”</b> or <b>“enforcement activities”</b></p>	<p>includes regulating the use of Council’s property, services, public land and enforcing legislation, policy, by-laws, local laws, regulations or Council policy.</p>
<p><b>“environment”</b> or <b>“environmental”</b></p>	<p>includes all aspects of the surroundings of human beings, including:</p> <ul style="list-style-type: none"> <li>• the physical factors of those surroundings, such as the land, the waters and the atmosphere; and</li> <li>• the biological factors of those surroundings such as the animals, plants and other forms of life; and</li> <li>• the aesthetic factors of those surroundings, such as their appearance, sounds, smells, tastes and textures.</li> </ul>

WORD OR PHRASE	DEFINITION
<b>“fencing”</b>	<p>includes:</p> <ul style="list-style-type: none"> <li>• any barrier or structure erected to delineate one area from another;</li> <li>• a boundary or security fence;</li> <li>• a fence erected for the purpose of warning and protecting persons from a danger or hazard;</li> <li>• any railing erected to assist people whilst using steps, stairs or ramps;</li> <li>• any safety fence or railing;</li> <li>• any flora planted as a barrier or to delineate one area from another or as an environmental buffer zone;</li> <li>• <b>BUT DOES NOT INCLUDE</b> a fence which by any statute is required to be erected and maintained.</li> </ul>
<b>“five hours”</b> or <b>“(5) five working hours”</b>	means five (5) consecutive <i>“ordinary working hours”</i> .
<b>“foreshore, cliff and escarpment environmental buffer zones”</b>	include steep slopes or batters with a gradient steeper than 1(v): 4(h).
<b>“function”</b>	<p>includes:</p> <ul style="list-style-type: none"> <li>• a power, authority and duty; and</li> <li>• unless stated to the contrary in an instrument of delegation or Schedule 2 a power to repeal, revoke, rescind, amend, alter or vary.</li> </ul>
<b>“hazard”</b>	means a source of potential harm or a situation with a potential to cause injury or damage.
<b>“Hazards found shall be reported immediately.”</b>	means: as soon as reasonably practicable having regard to the mode and method of communication available to report the hazard—“reasonably practicable” has the meaning ascribed to it in this dictionary.

WORD OR PHRASE	DEFINITION
<p><b><i>“immediate”</i></b> or <b><i>“immediately”</i></b> or <b><i>“immediate steps”</i></b></p>	<p>means, in relation to the rectification of an unsafe defect or condition or the erection of safety measures, to cause the unsafe defect or condition to be rectified or safety measures to be erected, by others, as soon as is reasonably practicable having regard to the seriousness and location of the unsafe defect or condition and resource availability.</p>
<p><b><i>“inspection frequency”</i></b></p>	<p>means: where an inspection or an inspection frequency (“management standard”) is set in this policy, that the inspection shall be carried out once during the stated time period (subject to the day or time of performance being set at the discretion of a delegate or responsible person). Provided always that a delegate or responsible person may, at will, decide to vary the date/time set within the parameter of the stated management standard.</p>
<p><b><i>“inspection”</i></b></p>	<p>means:</p> <ol style="list-style-type: none"> <li>1. The carrying out of a planned (programmed) inspection of an asset or part thereof as an integral part of a formal preventative or routine maintenance program; or</li> <li>2. An inspection of an asset or service or part thereof carried out in response to a specific request, complaint or work request made to Council by any person including a Councillor, a member of the public, an employee of Council or a contractor engaged by Council <b>PROVIDED ALWAYS</b> that such an inspection is <b>EXPRESSLY</b> restricted to the substance and immediacy of the complaint or work request.</li> <li>3. Unless specifically provided for in this policy it <b>EXCLUDES</b> any person who carries out any: <ul style="list-style-type: none"> <li>• management, supervision or regulatory functions; or</li> <li>• construction, maintenance, repair or cleaning activities.</li> </ul> </li> <li>4. For the purpose of 3., the words “management”, “supervision”, “regulatory function”, “construction”, “maintain”, “maintained”, “maintenance”, “repair”, “cleaning activities” or any like words or terms shall not include or be deemed to include the act of carrying out an “inspection”.</li> <li>5. An inspection excludes the discovery of any latent defect which could not have been discovered by reasonable visual examination by the naked eye, or in the case of a person wearing spectacles, that person whilst wearing spectacles.</li> </ol>

WORD OR PHRASE	DEFINITION
<b>“LOGOV”</b>	means LOGOV Risk Management Services Pty Limited ABN 91 471 420 207.
<b>“maintenance frequency”</b>	means: <ol style="list-style-type: none"> <li>1. That maintenance may be carried out at any time during the stated time period or interval.</li> <li>2. That a delegate or a responsible person may, at his or her discretion, during the stated time period or interval, change the day and/or time that maintenance shall be carried out at will in accordance with resource availability, or an emergency.</li> </ol>
<b>“maintenance”</b> or <b>“Maintenance performed only on demand, or in response to complaints”</b>	means that a delegate or responsible person shall determine at his or her discretion: <ol style="list-style-type: none"> <li>1. Whether to carry out maintenance at all;</li> <li>2. When and to what extent any maintenance will be carried out;</li> <li>3. The time within which maintenance will be carried out; and</li> <li>4. To set, change, vary or rescind at will any maintenance program or the date and time any asset, service or thing or part of anything is to be maintained.</li> </ol>
<b>“maintenance”</b>	includes cleaning and sweeping.
<b>“management standard(s)”</b>	includes: relevant statutory standards; the level and standard of management, supervision, staff allocation to service any particular Council service or management standard, control, design, construction, inspection, maintenance, repair, cleaning, enforcement, lifesaving and rescue activities, specification, plan, code of practice, work method statement, safe work method statement, rule, guideline, instruction, survey, and a Council policy or standard specifically applying to the work or service.
<b>“may”</b>	means a discretionary function.
<b>“month”</b>	means a calendar month.
<b>“mowing”</b> or <b>“mow”</b>	includes slashing, hand mowing and whipper-snipping.
<b>“naturally occurring hazard danger”</b> or	includes for the purpose of 14.12 h) any artificial or non-natural thing or structure not created, erected or placed by Council and over which Council has no management or control.

WORD OR PHRASE	DEFINITION
<b><i>“No routine or preventative inspection carried out”</i></b>	means that a delegate or responsible person shall determine at his or her discretion: <ol style="list-style-type: none"> <li>1. Whether to carry out an inspection at all;</li> <li>2. When and to what scope, level or standard any inspection will be carried out;</li> <li>3. The time within which an inspection will be carried out; and</li> <li>4. To set, change, vary or rescind at will any inspection, or inspection program or the date and time any asset, service or thing or part of anything is to be inspected.</li> </ol>
<b><i>“notification”</i></b>	see “complaint”.
<b><i>“operational limitation or limitations”</i></b>	an operational limitation(s) occurs when labour, plant or material is not available due to any of the following occurring: <ul style="list-style-type: none"> <li>• industrial action or dispute;</li> <li>• an emergency;</li> <li>• wet or extreme hot or cold weather;</li> <li>• non-availability of staff due to: ‘rostered days off (RDO)’; sickness or illness; annual holidays; absenteeism; rest, lunch or toilet breaks; sickness; long service or annual or special leave; or during staff training;</li> <li>• plant and equipment not available or not available for use;</li> <li>• material not available or not available for use.</li> </ul>
<b><i>“ordinary working hours”</i></b> and <b><i>“ordinary hours”</i></b>	means as determined by Council, a responsible person and/or by industrial award or agreement.
<b><i>“paved footpath”</i></b>	means a footpath, walking trail or track which is sealed with a substantially impervious membrane of bitumen, asphaltic concrete, concrete, brick pavers or blocks or a combination of any or all of these things.
<b><i>“permanent safety measures”</i></b>	means that safety measures erected or taken are robust and make safe the unsafe defect or condition.
<b><i>“pictogram”</i></b> or <b><i>“symbolic symbol”</i></b>	has the same meaning that is ascribed to “symbol” in Clause 1.3.25 of Australian Standard AS 2342—1992 as amended.
<b><i>“reasonably practicable”</i></b>	means within the limits of “available resources” and s.14.14.
<b><i>“reasonably safe condition”</i></b>	means that a responsible person in his/her <b>ABSOLUTE OPINION</b> has formed one or more of the following views:

WORD OR PHRASE	DEFINITION
	i) that safety measures were not required; ii) that safety measures taken were adequate and sufficient for a particular circumstance; iii) that safety measures were erected in accordance with any statutory requirement; iv) that works carried out were in accordance with the relevant management standard. determined under this policy; or v) that works carried out conformed with the relevant management standard adopted by Council but not included in (iv).
<b><i>“recognised professional or technical standards”</i></b>	includes technical standards, guidelines, practices, and procedures approved and published by The Institution of Engineers Australia
<b><i>“request for service”</i></b>	see “complaint”.
<b><i>“request”</i></b>	see ‘complaint’.
<b><i>“resource available”, “available resources” or “resource availability”</i></b>	means within: <ul style="list-style-type: none"> <li>• the restraint of Council’s adopted budget</li> <li>• the constraints of management plans including management plans required to be established in accordance with the Local Government Act, 1993, or under any other Act of Parliament</li> <li>• financial and operational resources</li> <li>• the limits of works programmes, travelling time and seasonal commitments as resolved by Council or determined by a responsible person</li> <li>• the effect and impact of environmental conditions such as weather, storm and tempest, etc</li> <li>• the effect of emergencies on works and works programmes</li> </ul>
<b><i>“responsible person”</i></b>	means an employee and/or a particular position as provided for in Schedule 2.
<b><i>“risk management”</i></b>	means the systematic application of management policies, procedures and practices to the tasks of identifying, analysing, evaluating, treating and monitoring risk.



WORD OR PHRASE	DEFINITION
<b>“risk”</b>	means the chance of something happening that will have an impact upon objectives. It is measured in terms of consequences and likelihood.
<b>“road”</b> or <b>“public road”</b>	has the same meaning ascribed to it in section 3 of the Local Government Act 1993.
<b>“safety measures”</b>	includes the erection of any, all or a combination of the following: lights/lighting; lock out devices/tags; danger, hazard, cautionary, instruction or prohibited activity signs; safety meshing; safety barriers or fencing; temporary traffic control devices or signals; gates, chains and locks, painted lines and any other matter or thing erected or installed for the purpose of warning or protecting the public as deemed appropriate by the responsible person in the particular circumstance.
<b>“shall”</b>	means requiring mandatory action <b>UNLESS</b> : <ul style="list-style-type: none"> <li>• the Council;</li> <li>• a delegate (or sub-delegate); or</li> <li>• a responsible person;</li> </ul> determines to the contrary.
<b>“should”</b>	means non-mandatory, ie advisory or recommended.
<b>“shrub”</b>	means a woody plant of bushy habit having a mature maximum trunk or limb girth, at a height of one metre from the ground, of less than 100mm.
<b>“standard”</b>	means unless otherwise determined by a responsible person, that the management standard required to be performed: <ul style="list-style-type: none"> <li>• in the case of a “frequency” will be carried out once during the stated time period; and</li> <li>• in accordance with any “Conditions of Performance” as may be set out in the policy or in any Schedule.</li> </ul>
<b>“statutory emergency service”</b>	means: <ul style="list-style-type: none"> <li>• the NSW Police Service;</li> <li>• the NSW Rural Fire Service;</li> <li>• the NSW State Emergency Service;</li> <li>• the NSW Ambulance Service; and</li> <li>• an accredited “rescue unit” under Part 3, Division 4 of the State Emergency And Rescue Management Act 1989.</li> </ul>

WORD OR PHRASE	DEFINITION
<b>“stormwater drainage system capacity standard(s)”</b>	means the design standard to which existing (or future) stormwater drainage systems are designed and refers to a systems capacity to carry a sudden, excessive run-off of water following a storm of a particular magnitude expressed in terms of “average recurrence interval” (ARI) or “annual exceedance probability” (AEP) as is appropriate in each particular circumstance.
<b>“stormwater drainage system”</b>	includes kerb & gutters, overland flow paths, piped systems, open channels and retarding or retention or detention basins and siltation dams.
<b>“technical inspection”</b>	means an inspection carried out for specific financial, engineering, technical or scientific reasons. Such an inspection shall be task specific <b>PROVIDED ALWAYS</b> that the discovery of maintenance or any other defects shall be <b>STRICTLY LIMITED</b> to the immediacy of the asset or part thereof or service under inspection. A technical inspection is not a preventative or routine maintenance inspection.
<b>“telephone”</b>	includes public address system, mobile telephone, two-way radio or any other means by which the public telephone network can be accessed.
<b>“temporary safety measures”</b>	means safety measures erected which may be of a lesser standard than that demanded at common law, until reasonable and appropriate permanent safety measures can be erected or the hazard or danger eliminated at the earliest possible opportunity.
<b>“the public” “or general public”</b>	means all classes of persons, and all individuals within each class of persons which comprises the public.
<b>“tree”</b>	means a perennial plant, other than a shrub, with a woody trunk and branches.
<b>“unformed footpath”</b>	means: that area in a public road reserve which is usually set aside for the construction of a footpath, but upon which Council has not resolved or determined to construct and form or to maintain a footpath. It is usually characterised by a dirt or grassed area off to either side of a public road. Any general maintenance, cleaning or slashing/mowing of this area is for roadside cleanliness and beautification purposes only. a walking track or trail formed by the public through common usage in a public road reserve, any public place, or

WORD OR PHRASE	DEFINITION
<b>“unpaved footpath”</b>	means a footpath which is constructed and formed with gravel or similar material or a natural surface but has not been paved ( <i>cf.</i> “paved footpath” & “unformed footpath”).
<b>“unsafe defect”</b>	means a defect or condition which is a reasonably foreseeable risk to a person or property.
<b>“unsupervised”</b>	<p>means for the purpose of s.14:</p> <ul style="list-style-type: none"> <li>• Except where this policy provides otherwise;</li> <li>• Except for any statutory management standard;</li> <li>• Except for any general information or regulatory signage or artificial traffic or pedestrian control devices, signs, marks or signals and the like which may be erected and maintained at, in, on or about any of the assets to regulate or control the use and behaviour of the public using an asset or service;</li> </ul> <p>the public shall not be physically supervised or controlled (and this includes the provision of beach lifesaving and rescue services) by any Council employee, agent, volunteer or contractor whilst at or using any of the assets or services provided by Council.</p>
<b>“visually obvious”</b>	means by the naked eye without resort to non-destructive or invasive or non-invasive technical means.
<b>“warn”</b> or <b>“warning”</b>	means when applied in the context of a safety sign that a situation is likely to be hazardous.
<b>“watercourse”</b>	includes any natural river, creek or tidal or inter-tidal estuary.
<b>“week”</b>	means the period Monday to Friday inclusive.
<b>“within five (5) working hours”</b>	means that the required response must be completed before five working hours has expired (time commences to run from the time of notification).
<b>“work method statement”</b>	means: a written statement setting out the safest practical method of carrying out a particular task, action or activity. <i>See also Code of Practice.</i>
<b>“work request”</b>	see ‘complaint’.
<b>“work”</b> or <b>“works”</b>	includes a service and vice versa.
<b>“working day”</b> or <b>“day”</b>	means Monday to Friday inclusive subject to the “ordinary working hours” of Council.

WORD OR PHRASE	DEFINITION
“ <i>worksite</i> ”	means and includes any specific place or places at which construction or maintenance works are being carried on by or under the actual direction and control of Council.
“ <i>year</i> ”	means a calendar year.

### SCHEDULE 1

—This is Schedule 1 to the Strategic Asset Management Policy—

#### Asset Groups Attaching to the Policy

Asset Groups
<input type="checkbox"/> Car Parks (free standing)
<input type="checkbox"/> Flood & Stormwater Drainage Systems
<input type="checkbox"/> Footpaths, Walking Trails & Tracks
<input type="checkbox"/> Parks & Reserves (inc. sporting facilities).
<input type="checkbox"/> Public (Ocean) Beaches
<input type="checkbox"/> Public Buildings & Facilities
<input type="checkbox"/> Public Roads
<input type="checkbox"/> Public Wharves, Jetties & Boat Ramps
<input type="checkbox"/> Swimming Centres (Murwillumbah, Kingscliff and Tweed Heads)

### SCHEDULE 1A

#### Supervised (Patrolled) Beaches

Table 1

#### Patrol service performed by contractor

Beach	Period of Supervision (Patrol Season)	Limit of Supervision
<input type="checkbox"/> Duranbah <input type="checkbox"/> Fingal <input type="checkbox"/> Kingscliff <input type="checkbox"/> Cabarita <input type="checkbox"/> Hastings Point <input type="checkbox"/> Pottsville	School Holidays as  Determined each year	As per the Contract with  Surf Life Saving NSW

**Table 2**  
**Beaches where no patrol or rescue provided**

<b>Beach</b>
<input type="checkbox"/> All other beaches not above mentioned

## SCHEDULE 2

—This is Schedule 2 to the Strategic Asset Management Policy—

### DETERMINATION OF RESPONSIBLE PERSONS

I, **Dr John Griffin**, General Manager of Tweed Shire Council, hereby delegate to:

- 1) The **Director Engineering Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Engineering Services Division **EXCEPT** the power and authority to repeal the policy.
- 2) The **Director Development Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Development Services Division **EXCEPT** the power and authority to repeal the policy.
- 3) The **Director Environment and Community Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Environmental and Community Services Division **EXCEPT** the power and authority to repeal the policy.
- 4) The **Director Corporate Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Corporate Services Division **EXCEPT** the power and authority to repeal the policy
- 5) The **Manager Works** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Engineering Services Division **EXCEPT** the power and authority to repeal the policy
- 6) The **Manager Recreation Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Recreation Services Department **EXCEPT** the power and authority to repeal the policy
- 7) The **Manager Environment & Health Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to

assets and services under the management of the Environment & Health Services Department **EXCEPT** the power and authority to repeal the policy

- 8) The **Manager Building Services** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management of the Building Services Department **EXCEPT** the power and authority to repeal the policy
- 9) The **Maintenance Engineer** authority to exercise and perform all functions, authorities, duties and matters contained in this policy in relation to assets and services under the management and control of the Maintenance Engineer **EXCEPT** the power and authority to repeal the policy
- 10) The undermentioned functions to the **responsible person** described adjacent to the relevant Function in each instance. Function includes the power and authority necessary to effectively carry out each particular function.

Dated this .....day of .....2002.

Signed.....

**GENERAL MANAGER**

1	2	3
PART SECTION SUB - SECTION	FUNCTION	RESPONSIBLE PERSON
Part 2	<b>DETERMINATION BY A DELEGATE OR RESPONSIBLE PERSON</b>	
14.10	<p><b>Trees</b> Determine management standards for:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> inspection (s.14.10.2);</li> <li><input checked="" type="checkbox"/> technical inspections (s.14.10.2)</li> <li><input checked="" type="checkbox"/> maintenance (s.14.10.6);</li> <li><input checked="" type="checkbox"/> authorised persons (s.14.10.2);</li> <li><input checked="" type="checkbox"/> tree removal and replacement (s.14.10.4);</li> <li><input checked="" type="checkbox"/> declaration of hazardous or dangerous trees (s.14.10.3);</li> <li><input checked="" type="checkbox"/> selection of tree species for planting (s.14.10.5);</li> <li><input checked="" type="checkbox"/> risk management (impact) assessment for the selection of tree species planting (s.14.10.5);</li> </ul>	
14.10	<p><b>Tree Inspections</b> To determine:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> to carry out tree inspections.</li> <li><input checked="" type="checkbox"/> a tree dangerous to life or property.</li> </ul>	
14.29	<b>Murwillumbah, Kingscliff &amp; Tweed Heads Swimming Centres</b>	
14.29.4.2	<p><b>Signage—Placement &amp; Density of Signs</b> To determine the location and density (number of signs) to be placed at the respective assets or services whether or not such signs are listed in <b>Schedule 6</b> provided always that before any such decision is made Council's risk manager is consulted.</p>	



## SCHEDULE 4A

—This is Schedule 4A of the Strategic Asset Management Policy—

**TABLE 1**

MURWILLUMBAH, KINGSCLIFF AND TWEED HEADS SWIMMING CENTRES

**Maintenance Service Level Specification**

<b><u>Item No.</u></b>	<b><u>Activity</u></b>	<b><u>Standard/Frequency</u></b>
<b>1.0</b>	<p><b><u>Inspection</u></b> — Murwillumbah, Kingscliff and Tweed Heads Swimming Centres</p> <p>A) Perimeter security fencing, signs, mass seating structures, lawns, outdoor furniture, playground &amp; playground equipment, and swimming pool;</p> <p>B) Pathways (internal only), foyer and kiosk floor areas;</p> <p>C) Mats &amp; carpets;</p> <p>D) Amenities, toilets &amp; change rooms;</p> <p>E) Stairs &amp; steps;</p> <p>F) Tables &amp; chairs;</p> <p>G) Buildings &amp; Structures;</p> <p>H) Trees &amp; shrubs;</p> <p>I) All electrical/electronic equipment, switchboards, lighting, pumps, motors, earth leakage protection etc;</p> <p>J) Commercial/industrial boilers &amp; pressure vessels, water heaters &amp; refrigeration equipment;</p>	<p>Inspected <u>once per day</u> and thereafter on complaint or as determined by a responsible person.</p> <p>Inspected <u>once per day</u> and thereafter on complaint or as determined by a responsible person.</p> <p>Inspected <u>once daily</u>.</p> <p>Inspected <u>once per day</u> and thereafter on complaint or as determined by a responsible person.</p> <p>Inspected <u>once per day</u>.</p> <p>Inspected <u>once per day</u>.</p> <p>Inspected <u>once annually</u> for structural defects by a qualified building inspector.</p> <p>Visually inspected once every six (6) months and thereafter on complaint or as determined by a responsible person.</p> <p>Inspected/tested in accordance with statute and manufacturers technical requirements, and thereafter, on complaint or as determined by a responsible person.</p> <p>Inspected/tested in accordance with statute and manufacturers technical requirements, and thereafter, on complaint or as determined by a responsible person.</p>

K) Plant & Equipment

Inspected/tested in accordance with statute and manufacturers technical requirements, and thereafter, on complaint or as determined by a responsible person.

## SCHEDULE 4A

—This is Schedule 4A of the Strategic Asset Management Policy—

**TABLE 1**

MURWILLUMBAH, KINGSCLIFF AND TWEED HEADS SWIMMING CENTRES

### **Maintenance Service Level Specification**

<b><u>Item No.</u></b>	<b><u>Activity</u></b>	<b><u>Standard/Frequency</u></b>
2.0	<p>L) Seating and mass seating structures;</p> <p>M) Pool Chemical dosing equipment;</p> <p><b><u>Maintenance</u></b> — Murwillumbah, Kingscliff and Tweed Heads Swimming Centres</p> <p>A) Perimeter security fencing;                      B) Signs;                      C) Mass seating structures;</p> <p>D) Lawns &amp; gardens;                      E) Outdoor furniture;                      F) Playground &amp; playground equipment;                      G) Swimming pools.                      H) <b>Cleaning:</b></p> <ul style="list-style-type: none"> <li>• entrance foyer;</li> <li>• swimming pools;</li> <li>• floors;</li> <li>• toilets;</li> <li>• change rooms;</li> <li>• kiosk floor area;</li> <li>• pathways;</li> <li>• building &amp; structures;</li> <li>• mats &amp; carpets</li> <li>• pool tiles &amp; surrounds</li> </ul>	<ul style="list-style-type: none"> <li>• Once daily by pool staff.</li> <li>• Structural integrity. Once every six months by a qualified engineer or building inspector or as determined by the engineer or building inspector.</li> </ul> <p>Inspected once daily and thereafter as determined by a responsible person.</p> <p>a) Subject to the responsible person determining otherwise the following maintenance frequencies set out in this section shall apply; and</p> <p>b) Unless set out in a Code of Practice or a Work Method Statement, the responsible person shall determine the standard, method and frequency of maintenance to be applied in any of the following circumstances set out in this section.</p> <p>Maintenance as demanded by inspection or by complaint.</p> <p>Subject to a responsible person determining otherwise:                      Once daily                      Vacuumed once daily                      Hosed once daily                      Hosed &amp; scrubbed once daily                      Hosed &amp; scrubbed once daily                      Mopped once daily                      Once daily or as required                      As required by inspection                      Once daily or as required                      Once daily or as required</p>

## SCHEDULE 4A

—This is Schedule 4A of the Strategic Asset Management Policy—

**TABLE 1**

**MURWILLUMBAH, KINGSCLIFF AND TWEED HEADS SWIMMING CENTRES**

### **Maintenance Service Level Specification**

I) Mats & carpets;	As required by inspection
J) Pool tiles & surrounds;	As required by inspection
K) Mowing of lawns;	Once weekly or as required
L) Amenities, toilets & change rooms;	Once daily or as required
M) Stairs & steps;	As required by inspection
N) Tables & chairs;	As required by inspection
O) Buildings & structures;	As required by inspection or complaint
P) Trees & shrubs;	As required by inspection
Q) All electrical/electronic equipment, switchboards, lighting, pumps, motors, earth leakage protection, etc;	Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.
R) Commercial/industrial boilers & pressure vessels, water heaters & refrigeration equipment;	Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.
S) Plant & Equipment;	Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.
T) Pool Chemical dosing equipment;	Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.
U) Commercial/industrial boilers & pressure vessels, water heaters & refrigeration equipment;	Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.
<b>3.0</b>	
<b><u>Testing</u></b>	
<b>A) Pools</b>	
(Murwillumbah, Kingscliff and Tweed Heads Swimming Centres)	<ol style="list-style-type: none"> <li>1) Subject to any statutory requirements, water quality testing shall be carried out.</li> <li>2) Special or additional testing and frequency to be determined by a responsible person.</li> <li>3) Water quality tests shall comply with statutory health standards and testing protocols.</li> </ol>
B) Air conditioner/cooling water testing;	In accordance with statutory health standards and testing protocols.
C) Plant & Equipment;	As required by inspection.

## SCHEDULE 4A

—This is Schedule 4A of the Strategic Asset Management Policy—

**TABLE 1**

MURWILLUMBAH, KINGSCLIFF AND TWEED HEADS SWIMMING CENTRES

**Maintenance Service Level Specification**

	<p>D) Electrical systems and equipment;</p> <p>E) First aid equipment and oxygen resuscitation equipment;</p>	<p>As required by inspection</p> <p>Tested in accordance with relevant standard and manufacturer's recommendations.</p>
<b>4.0</b>	<b><u>Management, Supervision &amp; Enforcement</u></b>	Once weekly or as required
	<p>A) Pools &amp; Grounds</p> <p>(Murwillumbah, Kingscliff and Tweed Heads Swimming Centres)</p> <p>B) Aerobic classes</p> <p>C) Learn to swim classes</p> <p>D) All electrical/electronic equipment, switchboards, lighting, pumps, motors, earth leakage protection, etc;</p>	<p>1) The management supervision and enforcement activities (including standard, method and frequency) provided at the Murwillumbah, Kingscliff and Tweed Heads pools shall be determined by and at the <b><u>ABSOLUTE DISCRETION</u></b> of a responsible person provided that:</p> <p style="margin-left: 20px;">a) all pools shall be supervised, patrolled, monitored and controlled on an ongoing basis whilst they are open to patrons, the public, schools, special groups and for coaching or training;</p> <p style="margin-left: 20px;">b) Such other matters as condition of signs, patron control within the centres, and general safety be monitored while patrols are being undertaken;</p> <p>One instructor per class shall be provided for class supervision. Supervision shall be provided by qualified instructors at an instructor/student ratio determined by the respective pool manager having regard to relevant professional instructor standards.</p> <p>Maintained in accordance with statute and manufacturers technical requirements, or as determined by a responsible person.</p>

## SCHEDULE 4A

—This is Schedule 4A of the Strategic Asset Management Policy—

**TABLE 1**

MURWILLUMBAH, KINGSCLIFF AND TWEED HEADS SWIMMING CENTRES

**Maintenance Service Level Specification**

5.0	<p><b>All Centres (terms &amp; conditions of entry).</b></p>	<p>To be determined by the General Manager and be affixed or displayed at designated locations as determined by a responsible person in consultation with the Risk Manager.</p>
6.0	<p><b>External Car Parks, Roads &amp; Footpaths</b></p> <p>A) Inspection, repair &amp; maintenance</p> <p>1) Inspection</p> <p>2) Repair &amp; Maintenance</p>	<p>Unless otherwise determined by a responsible person:</p> <p>a) Subject to Council's adopted Policy on Footpaths, no inspection of a public roadway, which includes footpaths shall be undertaken by Centre staff;</p> <p>b) No inspection of car parks shall be undertaken by Centre staff;</p> <p>Repair and maintenance (including standard, method and frequency of repair or maintenance) of car parking areas, public roadways including footpaths, shall only be carried out at the <b><u>ABSOLUTE DISCRETION</u></b> of a responsible person, subject to funds and resources voted by Council for that purpose.</p>

**Dictionary**

“**as required**” means that maintenance will be carried out if an inspection reveals the need.

“**on demand**” has the same meaning as “as required”.

“**once daily**” (where any frequency or time period for performance is stated) means that a responsible person may, at his/her discretion, determine to carry out the stated function at any time during the stated time period.

## SCHEDULE 6

—This is Schedule 6 of the Strategic Asset Management Policy—

### SIGNAGE – DETERMINATION OF ERECT SIGNS

#### SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
1	Swimming Centres	The Murwillumbah, Kingscliff and Tweed Heads Swimming Pools	<ol style="list-style-type: none"> <li>1. <b><u>Olympic &amp;/or Main Pool</u></b> <ul style="list-style-type: none"> <li>• Along each side and at each end of the pool where the water depth is less than 1800mm deep.</li> </ul> </li> <li>2. <b><u>Learners' and Toddlers' Pools</u></b> <ul style="list-style-type: none"> <li>• At not greater than 5 metre intervals around each pool area.</li> </ul> </li> <li>3. <b><u>Depth Markers – All Pools</u></b></li> </ol>	<p>“WARNING (red) Shallow Water (insert water depth (m)) (insert pictogram #228 per AS2416-2002) DIVE WITH CARE”</p> <p>“WARNING (red) Shallow Water  (“No Diving” pictogram) NO DIVING/JUMPING”</p>
		The Murwillumbah, Kingscliff and Tweed Heads Swimming Pools.		

## SCHEDULE 6

—This is Schedule 6 of the Strategic Asset Management Policy—

### SIGNAGE – DETERMINATION OF ERECT SIGNS

#### SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
			<p>a) Depth markers, in metric dimensions, are to be erected, placed or installed around all pools in an appropriate position immediately above the water level – or if this location is impossible – then around the edge of each pool on the coping, concourse or tiled area close to the waters edge.</p> <p>b) Depth markers are to be erected, placed or installed:</p> <ul style="list-style-type: none"> <li>• immediately above any significant change in water depth; and</li> <li>• <b>EXCEPT</b> for Learners and Toddlers Pools, at not greater than 8 metre intervals around the Olympic &amp;/or Main Pool; and</li> <li>• for the Learners and Toddlers Pools, at not greater than 5 metre intervals around all pools.</li> </ul>	<p>Metric water depth marks in metres (m) showing the depth of water in whole metres or fractions thereof.</p>



## SCHEDULE 6

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### SIGNAGE – DETERMINATION OF ERECT SIGNS

SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
		The Murwillumbah, Kingscliff and Tweed Heads swimming Pools.	<p>4. <b><u>Running/Slippery Surface Warning</u></b></p> <p>a) “No Running” &amp; “Slippery Surface” signs to be installed, erected or placed:</p> <ul style="list-style-type: none"> <li>• <u>once</u> at each entry/exit point to change rooms/toilets;</li> <li>• <u>twice</u> within each change room/toilet</li> <li>• at <u>regular intervals</u> on each footpath, pathway or concourse area;</li> <li>• at <u>regular intervals</u> around each swimming pool.</li> </ul> <p>b) Despite a), at Tweed Heads (where the floor is carpeted) signs will be erected on moveable double-sided “sandwich boards” and placed around the pool at regular intervals as determined by a responsible person.</p>	<p>“WARNING (red)            (“No Running”/ “Slippery Surface” pictogram)            Floor/Walkway may be slippery when wet            NO RUNNING”</p>

## SCHEDULE 6



—This is Schedule 6 of the Strategic Asset Management Policy—

### SIGNAGE – DETERMINATION OF ERECT SIGNS

#### SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
2	Public (Ocean) Beaches	All Public Beaches	At all designated entrances to unpatrolled public beaches where Council provides access to such beaches.	<ol style="list-style-type: none"> <li>1. Sign as it is to be used on patrolled beaches listed in Schedule 1A Table 1.</li> <li>2. The sign with modified words (<input checked="" type="checkbox"/>) to be used at all beaches listed in Schedule 1A Table 2.</li> </ol>

“(insert name) BEACH  
WARNING (red)  
This beach & coastline is unpatrolled

PLEASE TAKE CARE  
Dangerous currents, sea conditions, submerged hazards and sea creatures may exist at this beach.

NOTE

For unsupervised and unpatrolled beaches only, delete the words “here” and “today” and insert “at this beach” after “service”.

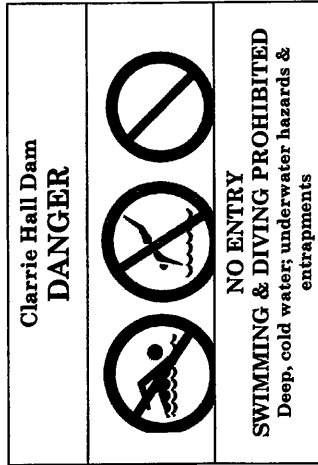
## SCHEDULE 6

—This is Schedule 6 of the Strategic Asset Management Policy—

### SIGNAGE – DETERMINATION OF ERECT SIGNS

#### SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
5	Parks & Reserves	Clarrie Hall Dam	<ul style="list-style-type: none"> <li>• One sign at the entrance to the road across the dam wall and spillway.</li> <li>• One sign in the centre of the wall facing the spillway.</li> </ul>	Sign is set out below.



## **Related Legislation**

Not applicable

## **Compliance**

Not applicable

## **Forms**

Not applicable

## **Review Period**

This policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any legislative changes or change in circumstances.

## **Useful Links**

[Tweed Shire Council website](#)

**Version Control:**

<b>Version History</b>		
<b>Version #</b>	<b>Summary of changes made</b>	<b>Date changes made</b>
1.1	Incorporated into new policy template	20/06/2013

