

**5.5.3 Delegations for the Period 1 October 2014 – 31 December 2014**

<b>Ward:</b>	Both	<b>Date:</b>	27 February 2015
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0018
<b>Attachments:</b>	001 – Delegation Reports		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	S Butler, Manager Ranger and Community Safety Services P Morrice, Team Leader Ranger Administration		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That Council:

- ENDORSES** the delegations for the period 1 October 2014 to 31 December 2014 as shown in Attachment 001; and
- APPROVES BY AN ABSOLUTE MAJORITY** to write-off infringement notices/costs to the value of \$52,968 for the reasons as detailed below:

Description	Amount
Failure to Display Resident or Visitor Permit	\$12,195
Ranger/Administrative Adjustment	\$10,755
Interstate or Overseas Driver	\$9,750
Other (Financial Hardship, Disability, Police On-duty, Etc)	\$7,395
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$4,680
Unenforceable through Fines Enforcement Registry	\$3,045
Details Unknown/Vehicle Mismatched	\$1,570
Signage Incorrect or Insufficient	\$1,490
Equipment Faulty (Confirmed by Technicians)	\$1,285
Pound Fees Modified	\$473
Breakdown/Stolen (Proof Produced)	\$330
Litter Act	\$0
Dog Act	\$0
Planning Act	\$0
Health Act	\$0
<b>TOTAL</b>	<b>\$52,968</b>

**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the City's Administration for the period 1 October 2014 to 31 December 2014 and to obtain Council approval to write-off infringement notices.

**BACKGROUND:**

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The Chief Executive Officer, Directors and specific Managers exercise the delegated authority in accordance with the Council's policies.

**DETAILS:**

The area where most Infringement Notices are withdrawn is a resident or visitor not displaying the necessary permits. It is envisaged the number of infringements withdrawn in this category will be reduced over the next 12 months, as the City's withdrawal policy in respect of Residential and Visitor Parking Permits will be enforced. Previously all infringements issued to Residents and Visitors were withdrawn on confirmation that a valid permit was held.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the Chief Executive Officer the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a Chief Executive Officer to further delegate to an employee of the City; and states that the Chief Executive Officer is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

It is considered appropriate to report to the Council on a quarterly basis on the delegations utilised by the City's Administration. A copy of these for the quarter are shown in Attachment 001.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** It is a statutory requirement to report matters approved under Delegation Authority to the Council.

**STRATEGIC IMPLICATIONS:**

The above is in accordance with the City's *Strategic Plan 2013-2017* where Objective 4.1.2 (a) states:

*"4.1.2(a) Continue to adopt best practise to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Council's Auditors recommend that infringement notices be reported to the Council for a decision to write-off the value of the infringement notices. In these cases, it is the opinion of the Co-ordinator Ranger Services and/or the Parking Appeals Review Panel that infringement notices cannot be legally pursued to recover the money or it is uneconomical to take action as this will exceed the value of the infringement notice.

**COMMENTS:**

It is recommended that the delegations be endorsed by the Council and the write-off of the Infringement Notices be approved.

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