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| <b>Adopted at Council Ordinary Meeting on</b> | 24 March 2020 |                        |
| <b>Date of Review</b>                         | 24 March 2024 |                        |

## 1. Statement

Council may issue a Penalty Infringement Notice (PIN) for a parking, local law or animal related matter. Property clearing charges may also be added to the rates of a property if, Council has had to engage a contractor to perform work when there has been non-compliance to a remedial notice issued by Council.

Ipswich City Council (Council) will provide logical, reasonable, unbiased and transparent decision making of all written applications received requesting the review of a PIN and/or property clearing charges, that may be applied to the rates of a property.

## 2. Purpose and Principles

This policy guides Council's decision making based on criteria for consideration in any written application for property clearing charges or a PIN to be withdrawn.

Council will achieve its commitment to address this policy as follows:

- The decision maker will possess sound understanding of current legislation relating to the alleged offence;
- The decision maker will be compliant with internal policies, procedures and work instructions;
- Decisions will be transparent and consistent in accordance with good governance practice;
- Decisions will not be reviewed by the person who made the original decision.

## 3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme:

- A Trusted and Leading Organisation

## 4. Regulatory Authority

- *State Penalties Enforcement Act 1999*
- *State Penalties Enforcement Regulation 2014*
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Local Law 1 (Administration 2013)*
- *Human Rights Act 2019*

## 5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

## 6. Scope

This policy applies to the management of withdrawing a PIN or property clearing charges that may be applied to the rates of a property by the decision maker taking into consideration all facts presented.

## 7. Roles and Responsibilities

Customer Service Officers (CSO's) provide customers with advice based on scripting contained in MyCouncil and carry out the initial processing of review applications.

Customer Liaison Officers (CLO's) from the Complaints Management Unit (CMU) are responsible for review of all applications and liaison with customers until the matter is finalised.

## 8. Key Stakeholders

- Legal and Governance Branch
- Planning and Regulatory Services Department
- Finance Branch
- Libraries and Customer Services Branch

## 9. Monitoring and Evaluation

Applications received for consideration of the withdrawal of property clearing charges or a PIN will be assessed against this policy and the criteria provided in the Review of Property Clearing Charges Procedure or the Review of Penalty Infringement Notices Procedure.

The CMU will review these procedures annually to ensure they remain fit for purpose.

## 10. Definitions

*Decision Maker* means the Chief Executive Officer or the delegated officer

*Applicant* means a person requesting a review of the decision

*Remedial Notice* is a notice that requires the owner or occupier of a property to take action under a Local Government Act in relation to the property (including fencing a pool for example)

## 11. Policy Owner

The General Manager (Corporate Services Department) is the policy owner and the Integrity and Complaints Manager is responsible for authoring and reviewing this policy.