



GLEN EIRA
CITY COUNCIL

MEDIA RELEASE

Tuesday 25 February 2020

Statement from Glen Eira Mayor Cr Margaret Esakoff

The Ombudsman has today tabled a report in Parliament — *Investigation into three councils' outsourcing of parking fine internal reviews*. The report makes recommendations for the State Government and for the three councils subject to the review — including Glen Eira City Council.

The investigation considered the appropriateness of councils outsourcing their infringement appeals processes after the introduction of the *Infringements Act 2006*.

A risk in the legislative interpretation relating to the definition of an enforcement agency under the *Infringements Act* was first identified in 2016. Since that time councils, including Glen Eira, have proactively sought resolution in a manner that was in the best interests of the communities that they serve.

As the matter has been vexed by multiple and conflicting legal opinions and unclear communications from State Government agencies, we have welcomed the Ombudsman's investigation as a means to bring greater clarity and focus to the matter. Despite this, the legal interpretation has not yet been tested in court and therefore remains unresolved.

While we have always held the view that we were conducting reviews lawfully, we have welcomed the Ombudsman's consideration, and will be guided by her recommendations. I expect that Council will this evening consider a report on this issue as a matter of Urgent Business. The report will outline how Council intends to implement the Ombudsman's recommendations, including the details of a Refund Scheme.

I will issue a further statement tomorrow, once Council has had the opportunity to consider the Urgent Business item this evening.

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