

## INSTRUMENT OF DELEGATION

### INSTRUMENT OF DELEGATION UNDER THE EXPIATION OF OFFENCES ACT 1996

28 OCTOBER 2022



CITY OF  
MITCHAM

## Delegation Sources

- Expiation of Offences Act 1996

## Positions

Abbreviation	Position	Name
Administration Officer Parking	Administration Officer Parking	
Business Partner Transition Policy Planning	Business Partner Transition Policy Planning	
Cadet Planner	Cadet Planner	
Community Safety Officer - Bushfire Prevention and Preparedness	Community Safety Officer - Bushfire Prevention and Preparedness	
Compliance Officer	Compliance Officer	
Environmental Health Officer	Environmental Health Officer	
GM Development and Community Safety	General Manager Development and Community Safety	
Manager Development Services	Manager Development Services	
Manager Environmental Services and Community Safety	Manager Environmental Services and Community Safety	
Senior Building Officer	Senior Building Officer	
Senior Compliance Officer	Senior Compliance Officer	
Team Leader Building and Compliance	Team Leader Building and Compliance	
Team Leader Community Safety	Team Leader Community Safety	
Team Leader Environmental Health Services -	Team Leader Environmental Health Services -	

Abbreviation	Position	Name
1	1	
Team Leader Environmental Health Services - 2	Team Leader Environmental Health Services - 2	
Team Leader Planning and Business Support	Team Leader Planning and Business Support	

### Positions Groups

Positions Group	Position	Positions
Building Officers	Building Officers	Building Officer - 1, Building Officer - 2, Building Officer - 3
Community Safety Officers	Community Safety Officers	Community Safety Officer - 1, Community Safety Officer - 2, Community Safety Officer - 3, Community Safety Officer - Animal Management, Community Safety Officer - 4, Community Safety Officer - 5, Community Safety Officer - 6, Community Safety Officer - 7, Community Safety Officer - 8, Community Safety Officer - 9, Community Safety Officer - 10, Community Safety Officer - 11
Planning Officers	Planning Officers	Planning Officer - 1, Planning Officer - 2, Planning Officer - 3, Planning Officer - 4, Planning Officer - 5
Senior Planners	Senior Planners	Senior Planner - 1, Senior Planner - 2, Senior Planner - 3
Team Leader Environmental Health Services	Team Leader Environmental Health Services	Team Leader Environmental Health Services - 1, Team Leader Environmental Health Services - 2

## Instrument of Delegation under the Expiation of Offences Act 1996

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 5(1)	Give an expiation notice to an alleged offender	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Business Partner Transition Policy Planning, Cadet Planner, Environmental Health Officer, Community Safety Officer - Bushfire Prevention and Preparedness, Administration Officer Parking, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Team Leader Environmental Health Services - 2 , Building Officers, Planning Officers, Community Safety Officers, Senior		issuing authority

## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Planners, Team Leader Environmental Health Services		
section 8A(2)	Require applicant to provide further information	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Environmental Health Officer, Administration Officer Parking, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Team Leader Environmental Health Services - 2 , Building Officers, Team Leader Environmental Health Services		issuing authority
section 8A(3)	Require application to be verified by a statutory declaration	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building		issuing authority

## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Environmental Health Officer, Administration Officer Parking, Senior Building Officer, Compliance Officer, Senior Compliance Officer, Team Leader Environmental Health Services - 2 , Building Officers, Team Leader Environmental Health Services		
section 8A(4)	Determine application	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer, Administration Officer Parking, Team Leader Environmental Health Services -		issuing authority

## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		2 , Team Leader Environmental Health Services		
section 11(1)	Issue an expiation reminder notice to alleged offender	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Environmental Health Officer, Administration Officer Parking, Team Leader Environmental Health Services - 2 , Team Leader Environmental Health Services		issuing authority
section 12	Accept a later payment of amount due under an expiation notice	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team		issuing authority

## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Leader Environmental Health Services - 1, Team Leader Community Safety, Environmental Health Officer, Administration Officer Parking, Team Leader Environmental Health Services - 2 , Team Leader Environmental Health Services		
section 16(1)	Withdraw an expiation notice in prescribed circumstances	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Team Leader Environmental Health Services - 2 , Team Leader Environmental Health Services		issuing authority
section 16(5)	Prosecute offence following withdrawal of expiation notice	GM Development and Community Safety, Manager Development Services,		issuing authority



## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Manager Environmental Services and Community Safety		
section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Environmental Health Officer, Administration Officer Parking, Team Leader Environmental Health Services - 2 , Team Leader Environmental Health Services		issuing authority
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	GM Development and Community Safety, Team Leader Planning and Business Support, Team Leader Building and Compliance, Manager Development Services, Manager Environmental		issuing authority

## Expiation of Offences Act 1996

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Services and Community Safety, Team Leader Environmental Health Services - 1, Team Leader Community Safety, Environmental Health Officer, Administration Officer Parking, Team Leader Environmental Health Services - 2 , Team Leader Environmental Health Services		
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	GM Development and Community Safety, Manager Development Services, Manager Environmental Services and Community Safety, Team Leader Community Safety, Administration Officer Parking		issuing authority