

# WHITEHORSE CITY COUNCIL

## Position description

<b>Job title:</b> Planning Enforcement Officer	
<b>Classification:</b> Band 6	<b>Effective Date:</b> May 2022
<b>Reports to:</b> Team Leader Planning Enforcement	<b>Tenure:</b> Temporary Full Time

### About Us:

At Whitehorse City Council, community is at the heart of everything we do.

We aspire to be a healthy, vibrant, prosperous and sustainable community. We enable this through strong leadership and community partnerships.

We strive to stay ahead of evolving changes and needs of our community.

Our five key principles empower our employees to be innovative and to provide an excellent customer experience. We are a resilient organisation where everyone belongs.



**Excellent Customer  
Experience and  
Service Delivery**



**Great  
Organisational  
Culture**



**Innovation  
and Continuous  
Improvement**



**Good Governance  
and Integrity**



**Long Term  
Financial  
Sustainability**

### CREATe - Our Values and Behaviours:

Our shared values and behaviours are integral to how we go about our work, interact with each other and our community. Our employees 'live' these shared values. In living these values we also ensure that everyone has a voice and that everyone matters.

#### Collaboration

We work flexibly together to achieve outcomes and solve problems.

#### Respect

We actively listen, value diversity and care.

#### Excellence

We adapt, respond, learn and grow.

#### Accountability

We take responsibility and follow through on our promises.

#### Trust

We act with integrity and are empowered to make decisions.



# WHITEHORSE CITY COUNCIL

## Position description

City of Whitehorse is a culturally and linguistically diverse community. We are proud of the diversity of our workforce and recognise the strength this provides in meeting the needs of our community. We are committed to upholding a safe, inclusive and respectful workplace that values the contribution of all.

Whitehorse City Council is committed to being a child safe organisation. We recognise our responsibilities to keep children and young people safe from harm and have established policies, procedures and training to achieve these commitments.



## Goal Statement

To ensure that the provisions of the Whitehorse Planning Scheme, the *Planning & Environment Act 1987*, any Planning Permits issued and other relevant legislation are complied with and enforced appropriately throughout the City of Whitehorse.

## Key Responsibilities

### *Position Specific Responsibilities*

Deliver a range of high quality and responsive planning enforcement services across the Municipality, encompassing:

- Conducting and monitoring of routine inspections of approved uses and developments to ensure compliance with the Whitehorse Planning Scheme and relevant Planning Permits.
- Keeping a register of the properties reactively and proactively inspected through Pathways and the Customer Service Request system.
- Investigation of complaints and assessment of alleged non-compliance with the Whitehorse Planning Scheme, any relevant Planning Permits and other relevant legislation, providing guidance to ensure compliance and initiating and following through on enforcement where required.
- Interview alleged offenders, prepare briefs for prosecution, assist Council Solicitors and assist with prosecutions in Court or the Victorian Civil and Administrative Appeals Tribunal as a representative of Council where necessary.
- Issuing of Planning Infringement Notices as appropriate and keeping a register of these Planning Infringement Notices.
- Investigating planning complaints in a timely manner.
- Provide a high standard of clear, accurate, technical and general advice

### *Additional Responsibilities (as required)*

- Undertake proactive and reactive inspections of building sites that have a Construction Management Plan (CMP) to ensure compliance with the relevant planning permit, approved plans and CMP issued under the Planning & Environment Act (the Act) and the Whitehorse Planning Scheme (the Planning Scheme) and other relevant legislation.
- Provide advice to developers, builders and private contractors and direct stakeholders (external and internal) to ensure compliance with the planning permit, CMP, Whitehorse Planning Scheme, Council's Local Laws and other relevant legislation pertaining to the site.



- Ensure public safety is maintained and protection of Council's assets where works are being undertaken on or adjacent to any Council Land.
- Take appropriate enforcement action to ensure compliance with the relevant legislation and permit.

Provide excellent customer service to all external and internal customers, including referral of residents to other Government Agencies or Council departments where required or appropriate.

Assist the planning department with the answering of phone calls or counter enquiries regarding enforcement issues and similar enquiries.

Provide advice to managers and staff across the organisation on all operational planning enforcement issues and assist staff from other departments with investigation of wider Council compliance matters.

Be involved in the preparation of policies and procedures relating to the implementation and enforcement of the Planning and Environment Act.

At all times be aware of risk and make decisions accordingly.

### ***Corporate Responsibilities***

- Adherence to all Corporate Policies, Procedures and the Overarching Principles in the current Whitehorse City Council Collective Agreement.
- To understand and adhere to the Risk Management Policy (as it relates to the employees work area) and related procedures that are designed to minimise injury and/or loss to individuals, assets and equipment.
- Reporting of any matters that may impact on the safety of Council employees or citizens, assets and equipment.

### **Authority**

Budget: Nil

Staff responsibility: Nil

Decision Making:



- The nature of this role is specialised with methods, procedures and processes developed from theory or precedent.
- The incumbent will be required to respond to new situations using established procedures and specific guidelines although there is a frequent requirement to use professional judgement in interpreting various legislation, the Whitehorse Planning Scheme, Codes of Practice and Planning Permits to ensure enforcement and compliance decisions are made in accordance with legislative requirements.
- Required to set own work priorities to ensure that tasks are completed within required timeframe and to required standard.

## Key Relationships

- Works as a team with one other Planning Enforcement Officer and as part of the broader Statutory Planning Team.
- Liaises and provides specialist advice to all staff on planning enforcement issues.
- The position is required to maintain professional relationships with all staff, Councillors, Applicants, Consultants, Government Authorities, Department of Infrastructure, VCAT, Community Groups, Planning Enforcement Association and others.
- The position reports to the Team Leader Statutory Planning Enforcement.

## Role Requirements (Essential)

### Qualifications/Certificates/Licences and Experience

- Degree or Advanced Diploma in planning investigation, law enforcement or similar; or lesser qualifications with substantial experience in statutory planning or planning enforcement.
- Substantial experience in the enforcement/investigation field within a local government planning or other compliance environment is required.
- Must have an understanding of broad planning issues confronting metropolitan local governments.
- A valid Victorian driver's licence.
- Satisfactory National Criminal History Check.

### Technology

- Well-developed computer literacy and keyboard skills.
- Skills in the use of mobile technology.
- Ability to use a dumpy level.



## **Other technical skills**

- Working knowledge of the Magistrates Court, Victorian Civil and Administrative Tribunal and other relevant enforcement procedures.
- A thorough knowledge of the Victorian planning legislation framework and planning system as they relate to enforcement.
- Ability to interpret the Planning and Environment Act 1987, the Planning Scheme and various applicable acts and regulations relating to planning matters and ability to enforce the relevant legislation to obtain compliance.
- Proven ability to conduct investigations, instigate appropriate enforcement action, conduct interviews of those involved and present this evidence in a court of law.
- Prepare Evidence Briefs as required.
- Good presentation skills and the ability to disseminate information in a way that is readily understood by the audience.

## **Interpersonal**

- Outstanding oral and written communication skills and the ability to mediate, influence, convince others and gain cooperation.
- The ability to handle and resolve conflict, remain calm in stressful situations and maintain a courteous and helpful approach under all circumstances.
- Must be able to work effectively with others.
- Must be able to prepare letters, briefs and other written documentation as required for the various aspects of the position.
- Ability to develop and gain cooperation and assistance from others within the Unit and Council organisation.

## **Leadership/management:**

- Strong skills in managing time, planning of own work and where appropriate other employees.
- Excellent customer service and a commitment to quality outcomes.
- Exhibit innovation to improve productivity, efficiency and quality of service whilst maintaining agreed standards in carrying out duties.
- Build and maintain a professional working relationship with all stakeholders.
- Must have an understanding of risk and how it would impact on this role, with a view to ensuring own safety and safety of others as a priority.
- Ability to make decisions and problem solve in complex situations.
- Understand the legal and political context in which the organisation operates.



## Other requirements of the role

- Short listed candidates may be required to attend a pre-employment medical examination.
- After hours call-outs are shared with the other Planning Enforcement Officer and are required as part of the role and form part of the contract.

## Key Selection Criteria

- Tertiary qualifications or substantial experience in the enforcement/investigation field within a local government planning or other compliance environment.
- Outstanding oral and written communication skills and the ability to mediate, influence, convince others and gain cooperation.
- Strong skills in managing time, planning of own work and where appropriate other employees.
- Excellent customer service and a commitment to quality outcomes.
- Ability to interpret the Planning and Environment Act 1987, the Planning Scheme and various applicable acts and regulations relating to planning matters.





## Physical Requirements

Physical Functional Demand	Specific Physical Job Tasks	Frequency/Duration of performance of task per day	Comments
<b>Kneeling/Squatting</b> Tasks involve flexion/bending at the knees, ankle, and waist in order to work at low levels.	<ul style="list-style-type: none"><li>▪ Building Inspections</li><li>▪ Development site inspections</li><li>▪ Tree inspections</li></ul>	Regularly	
<b>Hand/Arm Movement</b> Tasks involve use of hand/arms	<ul style="list-style-type: none"><li>▪ Measuring</li><li>▪ Carrying equipment</li><li>▪ Driving</li><li>▪ Typing</li><li>▪ Telephone</li></ul>	Regularly	
<b>Bending/Twisting</b> Tasks involve forward or backward bending or twisting at the waist.	<ul style="list-style-type: none"><li>▪ Measuring</li><li>▪ Moving equipment</li><li>▪ Operating measuring devices</li></ul>	Regularly	
<b>Standing</b> Tasks involve standing in an upright position	<ul style="list-style-type: none"><li>▪ Building Inspections</li><li>▪ Development site inspections</li><li>▪ Tree inspections</li><li>▪ Office duties</li></ul>	Regularly	
<b>Reaching</b> Tasks involve reaching above head, and above and equal to shoulder height	<ul style="list-style-type: none"><li>▪ Operating measuring equipment (yard stick)</li></ul>	Infrequently	
<b>Walking</b> Tasks involve walking on slopes and walking whilst pushing/pulling objects	<ul style="list-style-type: none"><li>▪ Building Inspections</li><li>▪ Development site inspections</li><li>▪ Tree inspections</li></ul>	Infrequently	
<b>Lifting/Carrying</b> Tasks involve raising, lowering and moving objects from one level position to another	<ul style="list-style-type: none"><li>▪ Moving equipment</li><li>▪ Moving Council files</li></ul>	Infrequently	





Physical Functional Demand	Specific Physical Job Tasks	Frequency/Duration of performance of task per day	Comments
<b>Pushing/Pulling</b> Tasks involve pushing/pulling away, from and towards the body	<ul style="list-style-type: none"><li>NIL</li></ul>	N/A	
<b>Keyboard Duties</b> Tasks involve sitting at workstation and using computer.	<ul style="list-style-type: none"><li>Inspection Reports</li><li>Enforcement documents (infringements / briefs of evidence)</li><li>Telephone communication with customers</li></ul>	Regularly	
<b>Satisfactory Vision</b> Standard of vision required equal to that required for driver's licence	<ul style="list-style-type: none"><li>Travelling to site inspections and return to office;</li><li>Attending solicitors offices and return; and</li><li>Attending Magistrates' court and/or VCAT</li><li>Report writing</li></ul>	Regularly	

**Any other relevant comments:**