



Position Details

Position title:	Planning Compliance Officer – Environmentally Sustainable Design (ESD)
Award Classification:	Band 6
Department:	Safety & Amenity
Division:	City Growth & Development
Date Approved:	September 2024
Approved By:	Manager Safety & Amenity

Organisational Relationships:

Reports To:	Coordinator Planning Compliance
Supervises:	N/A
Internal Stakeholders:	Council Employees and Managers, Executive Team and Councillors
External Stakeholders:	Residents, members of the public, government representatives, Statutory Authorities, clients, suppliers, consultants and Contractors.

Position Objectives

- Respond to service requests within agreed standards
- Identify and promptly respond to, investigate, and resolve alleged breaches of the Planning and Environment Act, the Port Phillip Planning Scheme, planning permits and related legislation in relation to Environmentally Sustainable Design (ESD).
- To act as an Authorised Officer of Council and contribute to improving the amenity and safety for residents and visitors of the municipality by ensuring compliance with the Port Phillip Planning Scheme and related permits and other applicable legislation, specifically with a focus on ESD.
- To investigate, collect and record evidence of alleged planning breaches that specifically relate to ESD, present that evidence in a court of competent jurisdiction, or at the Victorian Civil and Administrative Tribunal (VCAT).



Key Responsibilities and Duties

Investigation and Compliance Monitoring

- Undertake investigations, inspections and activities relating to the functions of the Planning Compliance Unit to ensure compliance with Planning Scheme requirements, with specific focus on ESD, including related permits and applicable legislation
- Ensure that service requests are handled in a timely, accurate and customer service-oriented manner, with investigations and actions being consistent with State Legislation and Council requirements
- Act as the informant and issue Infringement Notices for breaches of Planning requirements and/or relevant State Legislation, and where required prepare Briefs of Evidence for prosecution by Council's prosecutor and provide evidence in the Victorian Civil and Administrative tribunal (VCAT) or other courts of competent jurisdiction
- Ensure investigations and requests for service are properly documented and maintained up to date in Council's computer system and files

Customer Service

- Provide effective communication and information to affected parties regarding the unit's service standards and the requirements of the Planning Scheme and related permits and legislation
- Ensure the timely resolution of disputes to the satisfaction of all parties by the effective use of oral and written communication skills, liaison and mediation skills, whilst adhering to the relevant Council service standards and State Legislative requirements
- Manage and prioritise workload to ensure cases are progressed and resolved in a timely manner to agreed standards

Other Duties

- Act in accordance with Council Policies and Procedures
- Ability to demonstrate Council's values of working together, creative and strategic thinking, personal growth and performance, courage and integrity, accountability
- Define and implement agreed working procedures with the Sustainability and Climate Change team to identify, document and resolve ESD planning compliance cases
- Undertake a range of other duties that are within the limits of the employee's skill, competence, training and authority

Accountability and Extent of Authority

- Understanding of Local Government procedures and State Legislation, its processes, requirements and procedures, and possesses the ability to convey those requirements to internal and external clients
- Ensure that service standards are met, or exceeded, and discretion to act within established operating guidelines whilst exercising all powers as authorised by Council under all relevant legislation
- Responsible for tracking and monitoring planning compliance outcomes for ESD whilst maintaining their personal time management schedules ensuring tasks are completed within agreed timelines and standards
- Brief and support Council's legal representatives in relation to investigations resulting in



- legal action
- Liaise with representatives of other government departments to achieve coordinated outcomes
- Undertake enforcement action under the Planning and Environment Act.

Judgement and Decision Making

- Ability to solve problems, utilising Council and Legislative guidelines, professional and technical knowledge and/or experience
- The ability to initiate and facilitate meetings of parties in a timely manner to resolve issues/disputes
- Guidance and advice is usually available

Specialist Skills and Knowledge

- Ability to accurately identify and respond to breaches of Planning Scheme requirements and related legislation
- Investigative skills and experience including evidence collection, with the ability to present the investigation in VCAT and the Magistrates' Court
- Effective oral and written communication skills, effective conflict resolution skills, including assertion skills
- Sound Planning technical knowledge and ability to interpret and apply planning enforcement legislation
- Good knowledge of the Planning and Environment Act, Local Government Act and other relevant legislation
- Knowledge of the application of ESD in statutory planning and associated policy and regulations, such as the National Construction Code and the building permit process
- Strong computer skills and knowledge of relevant software packages

Management Skills

- Ability to manage own time, plan & organise own work and set priorities to achieve deadlines to units' service standards in a busy environment
- The ability to manage relationships, initiate and facilitate meetings of parties to resolve disputes
- Undertake investigations, prepare reports and make recommendations whilst utilising a proactive and seamless approach to problem resolution, including coordinating with other Council inspection services when applicable
- Ability to coordinate with other stakeholders where applicable for collaborative and comprehensive outcomes

Interpersonal Skills

- Excellent communication, conflict resolution and liaison skills including the ability to understand and tactfully deal with all parties fairly while maintaining confidentiality and privacy



- Proven ability to communicate effectively with other Council Officers, Departments and external stakeholders to discuss and resolve specialist problems.
- Effective oral and written communication skills with proven ability to prepare reports for both internal and external presentation, including preparing Briefs of Evidence
- Effective team member who works collaboratively to positively contribute to the team

Qualifications and Experience

- **Academic:** A tertiary qualification in Planning, Planning Law or equivalent (highly desirable) or lesser formal qualifications with substantial relevant experience
- **Experience:** Experience in investigation and enforcement, including giving evidence at various courts and tribunals of competent jurisdiction
- Demonstrated technical knowledge of enforcement procedures under the Planning and Environment Act, Victorian Civil and Administrative Tribunal Act and other relevant legislation

Mandatory Requirements

- Victorian Driver Licence

Child-Safe Standards

- Maintain a child safe culture at City of Port Phillip by understanding and activating your role in preventing, detecting, responding and reporting suspicions of child abuse to the relevant authorities by adhering to relevant City of Port Phillip policies and relevant legislation.

Occupational Health and Safety Responsibilities

- All employees of City of Port Phillip are responsible for maintaining and ensuring the OHS programs in their designated workplace as required by the Occupational Health and Safety Act 2004. Where applicable this includes taking every reasonably practicable step to ensure the health and safety of employees, contractors, visitors, and members of the public through identifying hazards, assessing risk, and developing effective controls within the area of responsibility and by adhering to relevant City of Port Phillip policies and legislation. Our leaders are responsible for championing and enhancing safety in our organisation.

Diversity and Equal Employment Opportunity

- The City of Port Phillip welcomes people from diverse backgrounds and experiences, including Aboriginal and Torres Strait Islander peoples, people from culturally and linguistically diverse (CALD) backgrounds, LGBTIQ+, people with disability, as diversity and inclusion drives our success. Our leaders are responsible for championing and enhancing diversity and inclusion in our Organisation and City.



Security Requirements and Professional Obligations

Pre-employment screening will apply to all appointments.

Prior to a formal letter of offer, preferred applicants will be asked to provide:

- Evidence of mandatory qualifications/registrations/licences
- Sufficient proof of their right to work in Australia
- Sufficient proof of their identity.
- Complete a National Police Check completed **via** City of Port Phillip's Provider.
- Evidence of a Working with Children Check (employee type with City of Port Phillip registered as the organisation).

Key Selection Criteria

- Experience in planning compliance in a local government context or in a related industry field.
- Good understanding and knowledge of enforcement procedures, particularly in relation to the Planning and Environment Act and Victoria Civil and Administrative Tribunal (VCAT).
- Ability to work collaboratively across different teams and establish effective working processes involving multiple stakeholders.
- Ability to calmly and rationally interpret requests for service and advise on the requirements of relevant State Legislation as necessary to solve the underlying problem.
- Ability to provide a process to obtain compliance by utilising effective conflict resolution skills whilst adhering to processes and standards.
- Proven experience in investigation and enforcement procedures including issuing of compliance notices, preparing briefs of evidence and experience in presenting evidence at VCAT and the Magistrates' Court.
- Highly developed interpersonal skills and proven written and oral communication skills.

City of Port Phillip celebrates a vibrant and diverse work environment and community, which includes people of Aboriginal and/or Torres Strait Islander background, people of diverse sexual orientation and gender, people from culturally and linguistically diverse backgrounds and people of varied age, health, disability, socio-economic status, faith and spirituality. Employees are able to develop both professionally and personally whilst planning and delivering a range of important services and programs to the community.