

Position Description



Job Details

Job Title:	Investigation Officer
Reports to:	Coordinator - Compliance
Group:	City Development
Position Number:	CD0015
Grade:	4
Date:	February 2024
Objective Doc Ref:	A2953661

Position Purpose/Job Summary

To achieve Council's Vision through the equitable application of Council's policies and Community Education, whilst meeting statutory obligations through the investigation of complaints relating to un-authorised and prohibited uses, non-compliance with development consents, unsafe and unhealthy conditions of premises.

Selection Criteria - Knowledge, Skills, Qualifications and Experience required

Essential

- Higher School Certificate or equivalent, as a minimal educational standard.
- Tertiary qualification in investigations or equivalent, to undertake detailed investigations.
- Working knowledge of legislation and regulations administered by Council, to ensure Council meets its statutory obligations,
- Demonstrated ability to apply Equal Employment Opportunities and report Work Health and Safety issues impacting upon the workplace, to ensure equality and safe working practises.
- Driver's license, to be able to use Council vehicles

Desirable

- Tertiary qualification in Planning / Building Surveying, to undertake extensive investigations.

Skills

- Demonstrated skills in negotiation, mediation and problem solving, in the successful resolution of customer enquiries.
- Effective communication, to ensure the message has been communicated correctly,
- Typing speed 25 wpm, for the preparation of reports/correspondence/emails,

Experience

- Demonstrated experience in interpreting legislation, policies, and procedures to fulfil the job requirements and provide advice in a professional and confident manner
- Demonstrated ability to work in a team-based environment by actively providing support for team members, with minimal supervision

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- Maturely and ethically deal with customers and difficult situations, to ensure everyone receives an equal level of professional service,
- Prioritising work, to ensure issues that have the greatest impact on the community are addressed first (e.g., health & safety),
- Experience in gathering information and preparing/compiling reports, to record information
- Preparation of correspondence, to convey information.
- Preparation of court briefs, to present evidence in court.
- Computer software packages – word processing, databases, E-Mail, internet, to assist with written communications

Key Accountabilities – Position Specific

1. Investigate complaints regarding un-authorized and prohibited uses, to gain compliance with legislation and eliminate nuisances created by the use
2. Investigate complaints regarding non-compliance with consents, to ensure the activity is conducted as per the approval
3. Investigate complaints regarding illegal activities (landfill, rubbish dumping), to minimise the impact on the environment
4. Investigate complaints regarding overgrown/rubbish on premises, to ensure these premises do not become a harbourage for vermin
5. Investigate complaints regarding storm water nuisance caused by unsatisfactory guttering, down pipes, and storm water systems, which could directly affect neighbouring premises
6. Investigate complaints regarding surface water nuisance due to obstruction, hard surface run-off, which could directly affect neighbouring properties
7. Issue Notices / Orders in accordance with the relevant legislation, to obtain compliance with legislation administered by Council
8. Preparation of; relevant correspondence (respond to customers), reports (provide/record information), legal referrals (direct solicitor to instigate legal action when a PIN will not resolve/rectify the problem), court briefs (preparation of evidence for Court.
9. Issue investigation fees and penalty infringement notices (PIN) as required, cost recovery and in preference to taking legal action
10. Represent Council in the Local and Land and Environment Courts by presenting evidence.
11. Liaise with statutory and other government bodies to ensure they meet their community obligations.
12. To provide an ethical, effective, and consistent service to all customers that is viewed by the community as being fair and reasonable under the circumstances.
13. Educate the community to enable them to meet responsibilities by making them aware of rights and obligations.
14. Provide customers with alternative courses of action for problem resolution as Council intervention can at times impact upon neighbourhood harmony. Yet, be mindful of the need to ensure Council's Local Environmental Plan (LEP) provisions are not compromised.
15. Actively participate with the implementation of Equal Employment Opportunities and Work Health and Safety policies which impact upon the workplace, to ensure equality and safe working practises.

Key Accountabilities – Core

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1. Use Corporate IT Applications/Systems, ensuring compliance with Council standards and policies, to facilitate achievement of required outcomes.
2. Comply with the requirements of Council's Work Health Safety Management System (WHSMS) and fulfil relevant WHS responsibilities as per WHS-01.1.1 Responsibilities, Authority and Accountability Guideline whilst employed by or acting on behalf of the Council
3. Comply with the reasonable requests and directions of management whilst employed by or acting on behalf of the Council. This includes undertaking other tasks or duties that may be allocated from time to time
4. Comply with Council's Code of Conduct, policy and procedures whilst employed by or acting on behalf of Council
5. All employees are required to treat colleagues and customers with respect and professionalism without regard to non-relevant criteria or distinctions, as well as report any suspected case of discrimination or harassment that they witness. This requirement is in accordance with Fairfield City Council's Values and commitment to equal employment opportunity and a workplace free of discrimination and harassment.

Reporting Relationships
<p>Refer to organisational chart</p> <p>No of Direct: Nil</p> <p>No. of Indirect: Nil</p> <p>Solicitors – feedback on legal matters Contractors engaged by Council on behalf of residents.</p>

Key Relationships	
1 Internal	
Communicating with	Nature of Communication
Coordinator Compliance Senior Investigation Officer Councillors Executive Management Team Departments / Branches within Council	Provides / seeks regular feedback regarding enquiries / complaints, work related issues, risk hazards in the workplace/community. Daily liaison concerning cross-departmental matters.
Key Relationships	
2 External	
Communicating with	Nature of Communication

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State and Federal Member of Parliament	Provide regular feedback regarding issues raised on behalf of constituents.
Residents / Ratepayer, Business community, Chamber of Commerce	Provide / seek regular feedback regarding complaints lodged / issues raised.
Solicitors	Obtain legal advice and direction regarding legal matters.
Regional Illegal Dumping Squad Unions NSW Police Service SafeWork NSW NSW Fire and Rescue Rural Fire Service EPA	Regular liaison concerning joint investigations.

Position Dimensions

This position has delegations in accordance with section 378 of the Local Government Act. Responsibilities are to be exercised in accordance with Council's Delegation of Authority. Contact the Governance and Legal Division for delegations designated to this position.

- Issue investigation fees for non-residential uses, in line with Council's policy.
- Issue penalty infringement notices in line with the guidelines laid down by Revenue NSW
- Issue compliance cost notice when issuing Clean Up Notice, to recover administration costs incurred with issuing the notice.
- Issue Notices and Orders under relevant legislation, to gain compliance with legislation.
- Instigate legal action for non-compliance/breaches, to gain compliance with legislation.
- Proceed by summons to gain compliance with legislation where an Investigation Fee or PIN is not deemed to be appropriate.
- Recover costs associated with investigations and costs incurred by Council (legal expenses) regarding complaints investigated

Decision making Authority & Accountability

- The General Manager authorises you to take the actions required to make your workplace safe and to fulfil your WHS responsibilities in WHS-01.
- Prioritise work in such a manner to ensure accuracy and timeliness of investigations
- All complaints to be investigated in accordance with legislation administered by Council and/or Council's policies and procedures
- The position authorises the: -
 - Investigation of complaints,
 - Issuing of
 - Notices of Intention to Issue Orders,
 - Orders,
 - Penalty infringement notices,

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- Investigation fees,
- Correspondence.
- Instigate legal proceedings for non-compliance with Orders,
- Provide advice (verbal and written) regarding issues normally handled by the position,
- Determine an appropriate course of action to progress matters investigated (Issue fine / instigate legal action)
- Provides recommendations to the Team Leader on an appropriate a course of action to finalise Court matters (withdraw Court action subject to all costs being paid).

Problem Solving

- Communication barriers – ability to deal tactfully and effectively with people at all levels, to convey accurate information and ensure the understanding of the information by the general public.
- To be understanding of, and sensitive towards, socio economic issues. Low-income families may experience financial difficulties/hardship in paying penalties imposed by the position and/or direct reports, which could result in conflict.
- To provide information, guidance and training to the Business Community who do not understand that they need to submit a Development Application/Complying Development Certificate and obtain prior approval prior to operating a business.
- Ensuring accurate and effective interpretation and application of legislative requirements.
- Educate the public to give an understanding of their responsibility regarding illegal landfill – residents in rural area are enticed by advertisements for "free fill". They do not realise, or understand, that they need to submit a Development Application and obtain Council approval prior to bringing fill onto their property, nor the implications of doing so.
- Reading and interpreting building plans,
- Interpreting and applying legislative requirements.
- Introduction of new legislation and changes to current legislation.
- Act as Senior Investigation Officer when required.

Competencies

Performance in this role is also assessed on 'how' staff achieve their goals, based on the same behavioural expectations for all staff. An individual Work Plan, based on your position description will be established in partnership with your supervisor. Your supervisor will meet with you on a regular basis to ensure that you are performing as expected or assign some training to improve performance if needed.

Signature

Employee:	Signature	Date
Authorised by: (Manager)	Signature	Date