

APPENDIX 4

INSTRUMENT OF DELEGATION UNDER THE FINES ENFORCEMENT AND DEBT RECOVERY ACT 2017

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

- MDC - Manager Development & Community
- MWI – Manager Works & Infrastructure
- MCS – Manager Corporate Services
- CO – Compliance Officer
- BO – Building Officer
- PO – Planning Officer
- BS – Building Surveyor
- EHO – Environmental Health Officer

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

INSTRUMENT OF DELEGATION UNDER THE FINES ENFORCEMENT AND DEBT RECOVERY ACT 2017

Provision	Item Delegated / Authorisation	Date of Delegation to CEO	CEO Authorised Sub Delegate / Authorised Officer	Conditions and Limitations	Date of Sub Delegation
S9(2)	<p>1. Amounts Due Under Expiation Notices may be Treated as Part of Pecuniary Sum</p> <p>1.1 The power pursuant to Section 9(2) of the Fines Enforcement and Debt Recovery Act 2017 (the Act) if a debtor requests the making of an aggregation determination but no enforcement determination has been made under Section 22 of the Act in relation to the expiation amount, to pay the prescribed fee.</p>	15 October 2018	BO, BS, CO, EHO, MCS, MDC, MWI, PO		16 October 2018
S20(4)	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.1 The power pursuant to Section 20(4) of the Act to agree with the Chief Recovery Officer the manner in which the Chief Recovery Officer is to give the Council notice of an arrangement entered into under Section 20 of the Act.</p>	15 October 2018	BO, BS, CO, EHO, MCS, MDC, MWI, PO		16 October 2018
S20(18)	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.2 The power pursuant to Section 20(18) of the Act to agree with the Chief Recovery Officer the manner in which, if an arrangement terminates under Sections 20(15) or (17) of the Act, the chief Recovery Officer is to give the Council notice of the termination and the amount then outstanding (taking into account, where the arrangement required the performance of community service, the number of hours of community service to be performed).</p>	15 October 2018	BO, BS, CO, EHO, MCS, MDC, MWI, PO		16 October 2018
S22(1)	<p>3. Enforcement Determination</p> <p>3.1 The power pursuant to Section 22(1) of the Act to enforce an expiation notice against the alleged offender by providing to the Chief Recovery Officer the particulars determined by the Chief Recovery officer relating to:</p> <p>(a) the alleged offender; and</p> <p>(b) the offence or offences that remain unexpiated; and</p> <p>(c) the amount due under the notice; and</p> <p>(d) compliance by the council with the requirements of the Act and any other Act.</p>	15 October 2018	BO, BS, CO, EHO, MCS, MDC, MWI, PO		16 October 2018
S22(2)	<p>3. Enforcement Determination</p> <p>3.2 The power pursuant to Section 22(2) of the Act to pay the prescribed fee.</p>	15 October 2018	BO, BS, CO, EHO, MCS, MDC, MWI, PO		16 October 2018

Head Delegation approved by Council 15 October 2018