

 City of Mount Gambier	E240 EXPIATION NOTICE CANCELLATION AND WAIVER	Version No:	4.0
		Issued:	November, 2017
		Next Review:	November 2020

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the cancellation and waiver of expiation notices.

2. CANCELLATION OF EXPIATION NOTICES

- a) The Chief Executive Officer, General Manager City Growth and General Manager Council Business Services are authorised on behalf of Council to cancel expiation notices in the following circumstances:
- (i) the notice was incorrectly issued;
 - (ii) there is insufficient evidence to achieve a successful prosecution, and the expiation fee has not been paid;
 - (iii) the person to whom the expiation notice was issued:
 - 1. is not a resident of South Australia or Victoria, and
 - 2. cannot be located to issue a reminder notice and the expiation fee has not been paid;
 - (iv) or some other reason which may be in the best interests of Council to cancel such expiation notice.
 - (v) The Chief Executive Officer, General Manager City Growth and General Manager Council Business Services are authorised on behalf of Council to waive expiation fees where mitigating circumstances exist.

3. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council’s principal office during ordinary business hours and on the Council’s website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.

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File Reference:	AF11/1744; AF13/416; AF13/417;
Applicable Legislation:	Expiation of Offences Act 1996
Reference: Strategic Plan – Beyond 2015	Goal - Governance, Strategic Objective 3 & 5
Related Policies:	
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	General Manager City Growth General Manager Council Business Services
Version:	4.0
Last revised date:	21 st November, 2017
Effective date:	21 st November, 2017
Minute reference:	Council Meeting 21 st November 2017 - Strategic Standing Committee Item 13.16
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