



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE EXPIATION  
OF OFFENCES ACT 1996

15 SEPTEMBER 2023

## Positions

Abbreviation	Position
Assessment Manager (72)	Assessment Manager (72)
Chief Executive Officer (95)	Chief Executive Officer (95)
Community Ranger (333)	Community Ranger (333)
Community Ranger (357)	Community Ranger (357)
Community Ranger (358)	Community Ranger (358)
Development Compliance Officer (211)	Development Compliance Officer (211)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Elected Body	Elected Body
Environmental Health Officer (241)	Environmental Health Officer (241)
Environmental Health Officer (294)	Environmental Health Officer (294)
Environmental Health Officer (91)	Environmental Health Officer (91)
Environmental Health Project Officer (97)	Environmental Health Project Officer (97)
Manager Development Services (72)	Manager Development Services (72)

Abbreviation	Position
Manager Property Services (394)	Manager Property Services (394)
Manager Sustainability Waste & Emergency Management (93)	Manager Sustainability Waste & Emergency Management (93)
Property Officer (113)	Property Officer (113)
Property Project Officer (108)	Property Project Officer (108)
Senior Ranger (99)	Senior Ranger (99)
Senior Statutory Planner (490)	Senior Statutory Planner (490)
Senior Statutory Planner (80)	Senior Statutory Planner (80)
Team Leader Building Services (286)	Team Leader Building Services (286)
Team Leader Environmental Health (96)	Team Leader Environmental Health (96)
Team Leader Regulatory Services (196)	Team Leader Regulatory Services (196)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)

## Instrument of Delegation under the Expiation of Offences Act 1996

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 5(1)	Give an expiation notice to an alleged offender	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	Elected Body	NIL	issuing authority
section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	Elected Body	NIL	issuing authority
section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that the offence is trifling	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 8A(2)	Require applicant to provide further information	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 8A(3)	Require application to be verified by a statutory declaration	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services	NIL	issuing authority



<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		(70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
section 8A(4)	Determine application	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property	NIL	issuing authority

Expiation of Offences Act 1996				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		Project Officer (108), Senior Statutory Planner (490)		
section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 11(1)	Issue an expiation reminder notice to alleged offender	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 11A(1)	Issue an expiation enforcement warning notice	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97),	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 11A(2)	Assess acceptability of nomination, statutory declaration or other document provided by alleged offender	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Assessment Manager (72), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99), Development Compliance Officer (211), Environmental Health Officer (241),	Property Project Officer (108), Senior Statutory Planner (490)	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 12	Accept a later payment of amount due under an expiation notice	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Property Officer (113), Community Ranger (333), Community Ranger (357), Community Ranger (358), Senior Ranger (99),	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Development Compliance Officer (211), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 16(1)	Withdraw an expiation notice in prescribed circumstances	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72),	NIL	issuing authority



<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	issuing authority
section 16(5)	Prosecute offence following withdrawal of expiation notice	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93),	NIL	issuing authority

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<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	issuing authority
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and	NIL	issuing authority

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<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
		Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)		
section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	issuing authority

<b>Expiation of Offences Act 1996</b>				
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>	<b>Capacity of Council</b>
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Sustainability Waste & Emergency Management (93), Manager Property Services (394), Manager Development Services (72), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL	issuing authority