



ADELAIDE HILLS COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE LIQUOR
LICENSING ACT 1997

15 SEPTEMBER 2023

Positions

Abbreviation	Position
Assessment Manager (72)	Assessment Manager (72)
Chief Executive Officer (95)	Chief Executive Officer (95)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Duty Planner (265a)	Duty Planner (265a)
Duty Planner (265b)	Duty Planner (265b)
Executive Assistant - Mayor and CEO (1)	Executive Assistant - Mayor and CEO (1)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Governance and Risk Coordinator (414)	Governance and Risk Coordinator (414)
Manager Development Services (72)	Manager Development Services (72)
Manager Property Services (394)	Manager Property Services (394)
Property Project Officer (108)	Property Project Officer (108)
Senior Statutory Planner (490)	Senior Statutory Planner (490)
Senior Statutory Planner (80)	Senior Statutory Planner (80)

Abbreviation	Position
Senior Strategic and Policy Planner (200)	Senior Strategic and Policy Planner (200)
Statutory Planner (195)	Statutory Planner (195)
Statutory Planner (215)	Statutory Planner (215)
Statutory Planner (230)	Statutory Planner (230)
Statutory Planner (82)	Statutory Planner (82)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)

Instrument of Delegation under the Liquor Licensing Act 1997

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL	council
section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL	prescribed body
section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services	NIL	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)	NIL	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 106(4)	Request that the matter proceed direct to a hearing	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)	NIL	council
section 106(5)	Request that the Commissioner determine the matter	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services	NIL	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
		(72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)		
section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)	NIL	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Assessment Manager (72), Statutory Planner (462), Manager Property Services (394), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (82), Team Leader Statutory Planning (326), Property Project Officer (108), Senior Statutory Planner (490)	NIL	council
section 128E(1)	Prepare a draft local liquor accord	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	In consultation with Council	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 128H(3)	Request a variation of a local liquor accord	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	In consultation with Council	council
section 128H(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL	council
section 128H(6)	Request the Commissioner to terminate a local liquor accord	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL	council
section 128H(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	Chief Executive Officer (95), Director Development and Regulatory Services (70), Assessment Manager (72), Manager Development Services (72)	NIL	council

Liquor Licensing Act 1997				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 131(1ab)	Prohibit the consumption or possession or both of liquor in a public place within the council area during a specified period by notice published in the Gazette	Chief Executive Officer (95)	NIL	council
section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	Chief Executive Officer (95), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Executive Assistant - Mayor and CEO (1)	NIL	council
section 131(1c)	Vary or revoke a notice published under section 131(1ab)	Chief Executive Officer (95)	NIL	council