

THE BAROSSA COUNCIL DELEGATIONS REGISTER

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

Preamble

1. To identify when these delegations were made, reviewed or amended, refer to the relevant Council resolution in the Schedule of Amended Delegations on Council's website at www.barossa.sa.gov.au.
2. To identify when the sub-delegations were made, reviewed or amended, refer to the Instrument of Sub-delegation for the individual officer's position in Council's Electronic Document Records Management System.
3. Sub-delegates by Title:

| Abbreviation | Position title |
|--------------|--|
| AO-B | Assessment Officer, Building |
| AO-P | Assessment Officer, Planning |
| BS | Building Surveyor |
| CO-BP | Compliance Officer, Building and Planning |
| DDES | Director, Development and Environmental Services |
| EHO | Environmental Health Officer |
| GI | General Inspector |
| Grad EHO | Graduate Environmental Health Officer |
| MDS | Manager, Development Services |
| MHES | Manager, Health and Environmental Services |
| MRS | Manager, Regulatory Services |

Head delegations reviewed by Council at its Annual Review on 21 May 2019
Sub-delegations amended by the Chief Executive Officer on 6 July 2020

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| Abbreviation | Position title |
|--------------|-------------------------------------|
| PP | Principal Planner |
| SAO-B | Senior Assessment Officer, Building |
| SAO-P | Senior Assessment Officer, Planning |

| FINES ENFORCEMENT AND DEBT RECOVERY ACT 2017 | | | |
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| Provision | Powers and Functions Delegated by Council to the Chief Executive Officer | Sub-Delegate | Conditions and Limitations |
| 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> | AO-B, AO-P, BS, CO-BP, DDES, EHO, GI, Grad EHO, MDS, MHES, MRS, PP, SAO-B, SAO-P | |
| 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> | AO-B, AO-P, BS, CO-BP, DDES, EHO, GI, Grad EHO, MDS, MHES, MRS, PP, SAO-B, SAO-P | |

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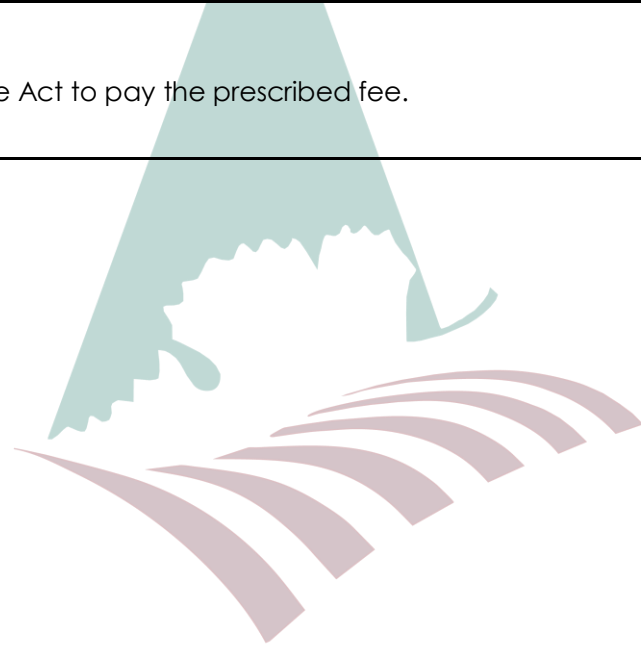
| FINES ENFORCEMENT AND DEBT RECOVERY ACT 2017 | | | |
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| Provision | Powers and Functions Delegated by Council to the Chief Executive Officer | Sub-Delegate | Conditions and Limitations |
| S20(18) | <p>2. Arrangements as to Manner and Time of Payment</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> | AO-B, AO-P, BS, CO-BP, DDES, EHO, GI, Grad EHO, MDS, MHES, MRS, PP, SAO-B, SAO-P | |
| 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> | AO-B, AO-P, BS, CO-BP, DDES, EHO, GI, Grad EHO, MDS, MHES, MRS, PP, SAO-B, SAO-P | |

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| Provision | Powers and Functions Delegated by Council to the Chief Executive Officer | Sub-Delegate | Conditions and Limitations |
| S22(2) | 3. Enforcement Determination 3.2 The power pursuant to Section 22(2) of the Act to pay the prescribed fee. | AO-B, AO-P, BS, CO-BP, DDES, EHO, GI, Grad EHO, MDS, MHES, MRS, PP, SAO-B, SAO-P | |



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