

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIA PUBLIC HEALTH (GENERAL) REGULATIONS 2013

14 NOVEMBER 2023

Delegation Sources

- South Australia Public Health (General) Regulations 2013

Positions

Abbreviation	Position
CEO	Chief Executive Officer
DIES	Director Infrastructure & Environmental Services
EHO	Environmental Health Officer

Instrument of Delegation under the South Australia Public Health (General) Regulations 2013

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 5B(2)	Deliver a notice to the Registrar-General setting out the amount recoverable under section 93 of the South Australian Public Health Act, setting out the land in relation to which the relevant action was taken and requesting the registrar-General to make a notation under regulation 5B in relation to the relevant land	CEO, DIES, EHO		local public health authority
regulation 5B(7)	Recover an amount under section 93 of the South Australian Public Health Act as if it were a rate constituting a charge on land under section 144(2) of the Local Government Act	CEO, DIES, EHO		local public health authority
regulation 8(1)	Operate and maintain a public pool in accordance with regulation 8(1)	CEO, DIES, EHO		public pool/spa pool operator
regulation 8(2)	Take prescribed steps to monitor compliance with regulation 8(1)	CEO, DIES, EHO		public pool/spa pool operator

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 8(3)	Maintain records made under regulation 8(2)	CEO, DIES, EHO		public pool/spa pool operator
regulation 8(4)	Close public pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	CEO, DIES, EHO		public pool/spa pool operator
regulation 9(1)	Operate and maintain a public spa pool in accordance with regulation 9(1)	CEO, DIES, EHO		public pool/spa pool operator
regulation 9(2)	Take prescribed steps to monitor compliance with regulation 9(1)	CEO, DIES, EHO		public pool/spa pool operator
regulation 9(3)	Maintain records made under regulation 9(2)	CEO, DIES, EHO		public pool/spa pool operator

South Australia Public Health (General) Regulations 2013				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
regulation 9(4)	Close public spa pool if filtration system ceases to operate or a reading taken under regulation 9 indicates that the total chlorine concentration in the water exceeds 10mg/L	CEO, DIES, EHO		public pool/spa pool operator
regulation 11A(1)	Refund, reduce or remit payment of a prescribed fee	CEO, DIES, EHO		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013
regulation 11A(2)	Recover a prescribed fee as a debt in a court of competent jurisdiction	CEO, DIES, EHO		relevant authority under South Australian Public Health (Legionella) Regulations 2013 or South Australian Public Health (Wastewater) Regulations 2013

Document history and version control

Date	Council/Chief Executive Officer	Comment
14/11/2023	Reviewed and adopted at 14 November 2023 Special Council meeting	