

# WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on 8 September 2020 at 5.00 pm.

## 1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

### 2. PRESENT

His Worship the Mayor D Noll  
 Cr D Agnew  
 Cr D Burrow  
 Cr S Cox  
 Cr J Drew  
 Cr P Dunnicliff  
 Cr K McGrath  
 Cr D Muhovics  
 Cr M Neagle  
 Cr D Price  
 Cr G Slarks

Messrs BJ Gower (Chief Executive Officer)  
 PA Duka (Director Corporate Services)  
 PA Halton (Director Engineering Services)  
 SW Chapple (Director Development Services)  
 Ms CP Allen (Executive Assistant)

### 3. APOLOGIES

Cr R Paltridge

### 4. DISCLOSURE OF INTERESTS

Cr Muhovics disclosed that he had a Perceived Conflict of Interest in regard to Item 15.2.2.

Cr Neagle disclosed that she had a Material Conflict of Interest in regard to Item 15.3.1.

### 5. CONFIRMATION OF THE MINUTES

#### 5.1 Ordinary Meeting of Council – 11 August 2020 (Folio 9013 – Folio 9021)

Cr Muhovics moved that the Minutes of the Ordinary Meeting dated 11 August 2020 be taken as presented and confirmed.

Cr Dunnicliff seconded

**CARRIED**

#### 5.2 Confidential Meeting of Council – 11 August 2020 (CM 881 – CM 882)

Cr Cox moved that the Minutes of the Confidential Meeting dated 11 August 2020 be taken as presented and confirmed.

Cr Burrow seconded

**CARRIED**

### 6. MATTERS ARISING FROM THE MINUTES

Cr Price asked if there had been any Legal advice in regard to the Millicent RSL Deed – Item 15.2.2.

Mr Ben Gower advised that we had not received any advice at this point in time.

## **7. ADJOURNMENTS**

**NIL**

## **8. MAYORAL COMMUNICATIONS**

### **8.1 Mayoral Communications**

Cr Burrow moved that Mayoral Communications be received and noted.

Cr Agnew seconded

**CARRIED**

## **9. DEPUTATIONS**

### **9.1 Superintendent Phil Hoff – South Australia Police**

[Superintendent Phil Hoff attended the meeting at 5.03 pm]

Superintendent Phil Hoff made a presentation to Council regarding policing issues and domestic violence.

[Superintendent Phil Hoff left the meeting at 5.43 pm]

[Cr Neagle left the meeting at 5.43 pm]

## **10. PETITIONS**

**NIL**

## **11. REPORTS FROM COUNCIL MEMBERS**

Cr McGrath advised that he attended a HAC meeting on 24 August 2020 – Rotary Club will fund raise to renovate the toilets at the Millicent Hospital.

## **12. QUESTIONS WITH NOTICE**

### **12.1 Marketing Strategy / Plan – Cr John Drew**

[Cr Neagle resumed the meeting at 5.45 pm]

#### **Question**

Does Council have a written marketing strategy/plan, if so, could Councillors receive a copy?

#### *Explanation*

*I've been speaking with people (as I do my shopping in town and sign photos) who are concerned about promotion of our district and there seems to be a common theme about marketing. We saw some excellent videos a few months back, how will they be used and when? How do they fit within the overall strategy?*

#### **Answer**

There is not a current marketing plan for the Wattle Range Council area. Council's Economic Development Manager sits on the regional tourism board and is across whole of regional promotion initiatives. Currently the region is developing a tourism strategy with the initial 'Destination Situation Analysis' document soon to be released.

This document will provide an in-depth analysis of the visitor economy for the region. The next step is to develop the 'Destination Tourism + Marketing Plan 2025' which will set priorities to boost the visitor economy across the whole Region for the next 5 years. It will include actions to be implemented and KPIs to be measured to achieve the opportunities that were identified in the Destination Situation Analysis.

Staff are conscious that Council needs to ensure that any forward marketing of townships, tourism opportunities / accommodation, events and other promotional material is closely aligned with the regional strategy to ensure value for dollar.

However, in the interim the Economic Development Manager of Council is currently working on a SA focused promotion utilising a recently produced 30 second tourism video. The Manager is currently developing costs to roll it out through the SA Regional WIN stations, as well as seeking additional support from SATC. Budget variations will be required to fund this marketing exercise.

It should also be noted that, feedback from the region's tourism industry leaders indicates marketing into our key market of Victoria is not applicable at this time and many South Australians are choosing to visit and stay in other areas of the state, rather than the Limestone Coast, given our close proximity to Victoria.

Cr Drew moved that Council develop a strategy to promote our local businesses to our residents and if necessary, prepare a case for funds to achieve the strategy.

[Cr Price left the meeting at 6.09 pm]

Cr Dunnicliff seconded

**CARRIED**

### **13. QUESTIONS WITHOUT NOTICE**

[Cr Price resumed the meeting at 6.11 pm]

Various questions were asked but there was no resolution that entry be made into the Minutes.

### **14. REPORTS FROM COUNCIL COMMITTEES**

#### **14.2 Lake McIntyre Management Committee - Minutes of Meeting held on 12 August 2020**

Cr Drew moved that the Minutes of the Lake McIntyre Management Committee Meeting dated 12 August 2020 be received and noted.

Cr Neagle seconded

**CARRIED**

### **15. REPORTS FROM COUNCIL OFFICERS**

#### **15.1 Chief Executive Officer**

##### **15.1.1 Monthly Project Status Report**

Cr Muhovics moved that Council receive and note the report.

Cr Price seconded

**CARRIED**

##### **15.1.2 Delegations**

Cr Price moved that Council having conducted its annual review of the

Council's Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

## 1. Revocations

- 1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

**1.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005**

**1.1.17 South Australian Public Health Act 2011 the South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013**

Cr Agnew seconded

**CARRIED**

Cr Dunnicliff moved that Council having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

## 2. Delegations made under Local Government Act 1999

- 2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1-3 (each of which is individually identified as indicated below) are hereby delegated this 8<sup>th</sup> day of September 2020 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

**2.1.6 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Attachment 15.1.2.1)**

**2.1.17 South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013 (Attachment 15.1.2.3)**

**2.1.30 Landscape South Australia Act 2019 and Landscape South Australia (General) Regulations 2020 (Attachment 15.1.2.2)**

- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Cr Neagle seconded

**CARRIED**

## **ADJOURNMENT OF MEETING**

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.05 pm.

Cr Price seconded

**CARRIED**

**The meeting adjourned at 6.29 pm.**

**The meeting reconvened at 7.05 pm.**

15.1.3 Council Office – Results from Public Consultation

Cr Cox moved that Council receive and note the report.

Cr Neagle seconded

**CARRIED**

## **Short Term Suspension of Proceedings**

The Mayor, with the approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period sufficient to facilitate informal discussion in relation to the Council Office.

Cr Neagle moved that the meeting be suspended until 7.35 pm

Cr Price seconded

**CARRIED**

The meeting adjourned at 7.07 pm.

Cr Price moved that the meeting be suspended for a further 20 minutes until 7.55 pm

Cr Neagle seconded

**CARRIED**

The meeting reconvened at 7.53 pm.

Cr Price moved that the matter lie on the table.

Cr Neagle seconded

**CARRIED**

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Neagle moved that Council receive and note the 2020/21 August Financial Performance Report.

Cr Muhovics seconded

**CARRIED**

15.2.2 2020/21 Community Grants Program – Round 1

Cr Cox moved that Council having assessed applications in accordance with the Community Financial Assistance Grants Program Guidelines, award grants to the value of \$8,559 to the following 5 Community groups:

Beachport Old Wool and Grain Store Museum (National Trust of South Australia)	\$759
McArthur Park Kindergarten	\$1,800
Lions Club of Beachport Rivoli Bay Inc.	\$2,000
Southend Progress Association Inc.	\$2,000
Riddoch Business & Community Association (RBCA)	\$2,000

Cr Dunnicliff seconded

**CARRIED**

***Cr Muhovics advised that he had a Perceived Conflict of Interest due to his Employers having quoted for two grant applications.***

[Cr Muhovics declared a Conflict of Interest and left the Chamber at 8.07 pm]

Cr Cox moved that Council having assessed applications in accordance with the Community Sport and Recreation Grants Program Guidelines, award grants to the value of \$20,138 to the following 13 Sport and Recreation groups:

Glencoe Football Club	\$858
Kalangadoo Bowling Club	\$2,000
Millicent AH & P Society	\$1,350
Millicent Squash Club	\$1,570
Lower South East Bowls Association	\$1,045
Millicent Bandits Baseball Club	\$2,000
Millicent Bowling Club Inc.	\$1,864
Millicent & District International Basketball Association	\$2,000
Millicent Pony Club	\$1,800
Rendelsham Cricket Club	\$1,379
Beachport Pony Club	\$971
Millicent Croquet Club	\$1,301
Kalangadoo War Memorial Park and Community Sports Club	\$2,000

Cr Agnew seconded

### **AMENDMENT**

Cr Price moved that having assessed applications in accordance with the Community Sport and Recreation Grants Program Guidelines, award grants to the value of \$19,593 to the following 13 Sport and Recreation groups:

Glencoe Football Club	\$858
Kalangadoo Bowling Club	\$2,000
Millicent AH & P Society	\$1,350
Millicent Squash Club	\$1,570
Lower South East Bowls Association	\$500
Millicent Bandits Baseball Club	\$2,000
Millicent Bowling Club Inc.	\$1,864
Millicent & District International Basketball Association	\$2,000
Millicent Pony Club	\$1,800
Rendelsham Cricket Club	\$1,379
Beachport Pony Club	\$971

Millicent Croquet Club	\$1,301
Kalangadoo War Memorial Park and Community Sports Club	\$2,000

Cr Neagle seconded

**THE AMENDMENT WAS PUT AND BECAME THE MOTION  
THE MOTION WAS PUT AND WAS CARRIED**

[Cr Muhovics resumed the Chamber at 8.17 pm]

Cr Cox moved that Council advise the McArthur Park Kindergarten, Millicent & District International Basketball Association, Millicent Pony Club and Millicent Croquet Club that the awarding of their respective Grants is subject to providing Council with the mandatory financial information within 4 weeks of the grant being notified.

Cr Slarks seconded

**CARRIED**

Cr Drew moved that Council advise the Bandits Baseball Club that the awarding of a Grant of \$2,000.00 is subject to the Club finalising and executing the Ground Lease required for the occupation of Council Land within 4 weeks of the grant being notified.

Cr Dunnicliff seconded

**CARRIED**

### 15.3 Director Development Services

#### 15.3.1 Genetically Modified Crops – Community Consultation

Cr Burrow moved that Council receive and note the report.

Cr McGrath seconded

**CARRIED**

***Cr Neagle advised that she had a Material Conflict of Interest due to her and her husband's farming operation including grain production.***

[Cr Neagle declared a Conflict of Interest and left the Chamber at 8.20 pm]

Cr Burrow moved that Council make an application to the Minister for Primary Industries requesting that the Wattle Range Council area be designated a non-GM area.

Cr Cox seconded

## DIVISION

Cr Burrow called for a division:

The Mayor declared the vote set aside.

### **Members voting in the affirmative:**

Councillors Agnew, Burrow, Cox, Slarks

### **Members voting in the negative:**

Councillors Drew, Dunnicliff, McGrath, Muhovics, Price

**The Mayor declared the motion LOST**

Cr Dunnicliff moved that Council not make an application to the Minister for Primary Industries requesting that the Wattle Range Council area be designated a non-GM area.

Cr Muhovics seconded

**CARRIED**

[Cr Neagle resumed the Chamber at 8.33 pm]

#### 15.4 Director Engineering Services

##### 15.4.1 Beachport Playground Update

Cr Cox moved that Council receive and note the report.

Cr Price seconded

**CARRIED**

Cr Dunnicliff moved that Council award the Contract for the Design, Supply and Installation of Playground Equipment ENG028.19 to Option 3 – Kompan Playscapes.

Cr Drew seconded

### **DIVISION**

Cr Cox called for a division:

The Mayor declared the vote set aside.

#### **Members voting in the affirmative:**

Councillors Agnew, Burrow, Drew, Dunnicliff, McGrath, Muhovics, Neagle, Price, Slarks

#### **Members voting in the negative:**

Councillor Cox

**The Mayor declared the motion CARRIED**

##### 15.4.2 Land Division for Provision of Infrastructure

Cr Muhovics moved that Council receive and note the report.

Cr Price seconded

**CARRIED**

Cr Slarks moved that Council proceed to place on public consultation for 21 days, in accordance with its adopted Community Engagement Policy, the draft policy – “Land Division Policy for Provision of Infrastructure”.

Cr Dunnicliff seconded

**CARRIED**

### **16. CORRESPONDENCE**

#### 16.1 Limestone Coast Local Government Association

Cr Neagle moved that the correspondence from Limestone Coast Local Government Association dated 14 August 2020 be received and noted.

Cr Agnew seconded

**CARRIED**



16.2 Deputy Premier regarding South Australian Local Government Grants Commission

Cr Neagle moved that the correspondence from Hon Vickie Chapman MP, Deputy Premier dated 14 August 2020 be received and noted.

Cr Drew seconded

**CARRIED**

16.3 Limestone Coast Prostate Cancer Support Group – Thank You

Cr Cox moved that the correspondence from Richard Harry dated 25 August 2020 thanking Council for the financial support for the transperineal biopsy machine be received and noted.

Cr McGrath seconded

**CARRIED**

16.4 National Redress Scheme for Institutional Child Sexual Abuse – Inclusion of South Australian Local Government Institutions

Cr Burrow moved that the correspondence from Hon Vickie Chapman, MP, Deputy Premier / Attorney General dated 26 August 2020 be received and noted.

Cr Price seconded

**CARRIED**

16.5 Proposed Council Site - MBCA

Cr Burrow moved that the correspondence from MBCA dated 26 August 2020 regarding the proposed Council site be received and noted.

Cr Dunnicliff seconded

**CARRIED**

**17. MOTIONS ON NOTICE**

17.1 Upgrade of Mile Hill Road and Kangaroo Flat – Cr Dale Price

Cr Price moved that Council write to the South Australian Minister for Infrastructure and Transport, Hon Corey Wingard MP seeking a starting date on the upgrade of Mile Hill Road and Kangaroo Flat Road, Glencoe.

Cr McGrath seconded

**CARRIED**

17.2 Rental Accommodation Nangwarry – Cr Dean Burrow

Cr Burrow moved Council write to Michele Lensink MLC, Minister for Human Services, responsible for social housing, requesting that she investigate the substandard condition of the community housing located in Nangwarry. A copy of the letter to be also sent to Member for MacKillop, Nick McBride, MP.

Cr Agnew seconded

**CARRIED**

17.3 Promotion of Penola Township – Cr Dean Burrow

Cr Burrow moved that Council allocate up to \$10,000 for promotion of the Penola Township, unless the Entrance Markers can be installed in the very near future. That the allocated funds be spent on temporary hoardings such as mobile trailers with illuminated signs, old painted trucks/cars/buses/tractors or stacked bales of hay.

Cr Price seconded

**LOST**

**Cr Burrow withdrew his second motion on this issue.**

17.4 New Council Office – Cr Dean Burrow

**Cr Burrow withdrew his four motions on this issue.**

**18. URGENT MOTIONS WITHOUT NOTICE**

**19. ITEMS FOR CONSIDERATION IN CONFIDENCE**

19.1 Confidential – Truck Procurement – Prime Mover

Cr Price moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.1, excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Mr SW Chapple – Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender, seeking expressions of interest for the purchase of a new truck (Prime Mover).

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Neagle seconded

**CARRIED**

***Mayor Noll stated:***

***To all members of the gallery, I advise that Council has resolved that this matter is to be considered in confidence pursuant to section 90 of the Local Government Act 1999 because the matter relates to tenders for the supply of goods, the provision of services or the carrying out of works.***

***Accordingly I have to ask all members of the public and press to leave the Council Chambers.***

***Thank you***

Cr Price moved that Council:

1. Receive and note the report.
2. Authorise the purchase of the Kenworth T610 truck through Barry Maney Group for a value of \$248,000 plus GST.

Cr Slarks seconded

**CARRIED**

Cr Agnew moved that:

1. Pursuant to Section 91(7) of the *Local Government Act, 1999*, Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:

- **The Report of Item No. 19.1 of 8 September 2020**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender, seeking expressions of interest for the purchase of a new truck (Prime Mover).

This order shall operate until **8 September 2021** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Neagle seconded

**CARRIED**

## 19.2 Confidential – Southend Caravan Park and Bush Camp Project Update

Cr Dunnicliff moved that:

1. Pursuant to Sections 90(2) and 90(3)(a)(k) of the *Local Government Act, 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 19.2, excepting the following persons:
  - Mr BJ Gower – Chief Executive Officer
  - Mr PA Duka – Director Corporate Services
  - Mr PA Halton – Director Engineering Services
  - Mr SW Chapple – Director Development Services
  - Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.2 information the disclosure of which:

- a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

Specifically, the present matter relates to information pertaining to the personal affairs of the respondents of the Expression of Interest for the Operation and management of Southend Caravan Park.

The disclosure of this information would be unreasonable because the information is confidential to the respondents and is not a matter of public knowledge.

- k) Tenders for the supply of goods, the provision of services or the carrying out of works;

Specifically, the present matter relates to Expression of Interest for the operation and management of Southend Caravan Park and bush camp and the Request for Quote for the demolition project at Southend Caravan Park.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Agnew seconded

**CARRIED**

Cr Dunnicliff moved that Council receive and note the report.

Cr Cox seconded

**CARRIED**

Cr Dunnicliff moved that Council authorise the Chief Executive Officer to commence negotiations with Bronwyn and Craig Clark and Claire and Jack Hubbard for the Operation and Management of Southend Caravan Park.

Cr McGrath seconded

**CARRIED**

Cr Neagle moved that Council proceed with the demolition, removal and disposal of the structures itemised in Option 1 as outlined in the report but excluding the removal of the grey water sullage points.

Cr Muhovics seconded

**CARRIED**

Cr Dunnicliff moved that Council proceed with the purchase and installation of the Jayco transportable multi-use facility as outlined in the report.

Cr Drew seconded

#### **AMENDMENT**

Cr Cox moved that Council proceed with the purchase and installation of the Dynamic Modular Construction transportable 12x3 male / female ablution facility as outlined in the report.

Cr Agnew seconded

**LOST**

**THE ORIGINAL MOTION WAS PUT AND WAS CARRIED**

Cr Dunnicliff moved that Council authorise a budget variation of \$167,364.18 to carry out the above works.

Cr McGrath seconded

**CARRIED**

Cr Cox moved that:

1. Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a)(k) of the Act:

- **The Report and Attachments of Item No 19.2 of 8 September 2020**

On the grounds that the document(s) (or part) is:

- a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

Specifically, the present matter relates to information pertaining to the personal affairs of the respondents of the Expression of Interest for the Operation and management of Southend Caravan Park.

The disclosure of this information would be unreasonable because the information is confidential to the respondents and is not a matter of public knowledge.

- k) Tenders for the supply of goods, the provision of services or the carrying out of works;

Specifically, the present matter relates to Expression of Interest for the operation and management of Southend Caravan Park and bush camp and the Request for Quote for the demolition project at Southend Caravan Park.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Slarks seconded

**CARRIED**

Meeting closed at 9.39 pm.

Taken as presented and confirmed.

.....  
**MAYOR**

.....  
**DATE**

# Wattle Range Council

## Fire and Emergency Services - Delegations to CEO

### Delegation Sources

- Fire and Emergency Services Act 2005
- Fire and Emergency Services Regulations 2005

### Titles

Title	Position	Name
CEO	Chief Executive Officer	Benjamin James Gower
DCS	Director Corporate Services / Deputy CEO	Paul Allen Duka
DDS	Director Development Services	Stephen Walter Chapple

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
133850	A	Fire and Emergency Services Act 2005	s4A(3)	1. Areas of Urban Bushfire Risk 1.1 The power pursuant to Section 4A(3) of the Fire and Emergency Services Act 2005 ('the Act'), to consult with and make submissions to the Commission before the Commission publishes a notice in the Gazette designating pursuant to Section 4A(1) of the Act an area within a fire district as an area of urban bushfire risk, varies an area designated under Section 4A(1) of the Act or revokes the designation of an area under Section 4A(1) of the Act. (Note: only applies to Councils with areas within a 'fire district')		CEO, DCS
133851	A	Fire and Emergency Services Act 2005	s71C	2. Use of Facilities - State Bushfire Coordination Committee 2.1 The power pursuant to Section 71C of the Act to make arrangements with the State Bushfire Coordination Committee for the State Bushfire Coordination Committee to make use of the services of the staff, equipment or facilities of the Council.		CEO, DCS
133852	A	Fire and Emergency Services Act 2005	s72D	3. Use of Facilities - Bushfire Management Committees 3.1 The power pursuant to Section 72D of the Act to make arrangements with a Bushfire Management Committee for the Bushfire Management Committee to make use of the services of the staff, equipment or facilities of the Council.		CEO, DCS
133853	A	Fire and Emergency Services Act 2005	s73A(7)	4. Bushfire Management Area Plans 4.1 The power pursuant to Section 73A(7) of the Act, in relation to a proposal of a bushfire management committee to create or amend a Bushfire Management Area Plan for its area, to consult with and make submissions to the bushfire management committee where the Council's area is wholly or partly within the relevant bushfire management area. (Note: only relevant where Council's area is wholly or partly within a 'bushfire management area')		CEO, DCS
133854	A	Fire and Emergency Services Act 2005	s103(1)	5. Fire Control Officers 5.1 The power pursuant to Section 103(1) of the Act to request that the Chief Officer of the SACFS appoint a person as fire control officer for a designated area of the State (whether inside or outside a council area).		CEO, DCS
133855	A	Fire and Emergency Services Act 2005	s103(2)	5. Fire Control Officers 5.2 The power pursuant to Section 103(2) of the Act to consult with and make submissions to the Chief Officer of the SACFS before the Chief Officer of the SACFS of his or her own initiative appoints a person as a fire control officer for a designated area of the State (whether inside or outside a council area) in relation to the proposed appointment.		CEO, DCS
133856	A	Fire and Emergency Services Act 2005	s104	6. Giving of Expiation Notices 6.1 The duty pursuant to Section 104 of the Act to not authorise a person (under		CEO, DCS, DDS

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
				Section 6(3)(b) of the Expiation of Offences Act 1996) to give expiation notices for alleged offences under Part 4 of the Act unless the person is a fire prevention officer.		
133857	A	Fire and Emergency Services Act 2005	s105	7. Appropriation of Penalties 7.1 The duty pursuant to Section 105 of the Act if a summary offence against Part 4 of the Act is committed in the area of the Council and the complaint is laid by the Council (or an officer of the Council), to pay any fine recovered from the defendant into the general revenue of the Council (rather than into the Consolidated Account).		CEO, DCS
133858	A	Fire and Emergency Services Act 2005	s105A	8. Interpretation 8.1 The power pursuant to Section 105A of the Act to authorise for the purposes of Part 4A of the Act an authorised person appointed by the Council under the Local Government Act 1999.		CEO, DCS
133859	A	Fire and Emergency Services Act 2005	s105B(1)	9. Fire Prevention Officers 9.1 The power and duty pursuant to Section 105B(1) of the Act and subject to Sections 105B(2) and 105B(3) of the Act, to appoint at least one person as a fire prevention officer for the Council's area.		CEO, DCS
133860	A	Fire and Emergency Services Act 2005	s105B(3)	9. Fire Prevention Officers 9.2 The duty pursuant to Section 105B(3) of the Act to -  9.2.1 in determining the number of fire prevention officers to appoint under Section 105B(1) of the Act; and  take into account any policy developed by SACFS for the purposes of Section 105B of the Act.		CEO, DCS, DDS
133891	A	Fire and Emergency Services Act 2005	s105B(3)	9. Fire Prevention Officers 9.2 The duty pursuant to Section 105B(3) of the Act to -  9.2.2 in assessing the qualifications or experience of a person for the purposes of Section 105B(2) of the Act,  take into account any policy developed by SACFS for the purposes of Section 105B of the Act.		CEO, DCS, DDS
133861	A	Fire and Emergency Services Act 2005	s105B(3)	9.3 The power pursuant to Section 105B(3) of the Act to apply to the Chief Officer of the SACFS for an exemption for the Council from the requirement to appoint a fire prevention officer under Section 105B of the Act.  (Note: paragraphs 9.1 - 9.3 only relevant to 'rural councils' or councils that have a 'designated urban bushfire risk area' within their area)		CEO



ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
133862	A	Fire and Emergency Services Act 2005	s105E	<p>10. Reports</p> <p>10.1 The duty pursuant to Section 105E of the Act to, where required by written notice from the Commission, the State Bushfire Safety Coordination Committee or a bushfire management committee in whose bushfire management area the Council's area is wholly or partly located, provide to the Commission, the State Bushfire Coordination Committee or the bushfire management committee (within a period stated in the notice or at stated intervals) any report, or reports relating to the performance, exercise or discharge of the functions, powers or responsibilities of the fire prevention officer or officers (if any) for the Council's area, as the Commission, the State Bushfire Coordination Committee or the bushfire management committee (as the case may be) thinks fit.</p>		CEO, DCS, DDS
133863	A	Fire and Emergency Services Act 2005	s105F(2)	<p>11. Private Land</p> <p>11.1 The duty pursuant to Section 105F(2) of the Act, in determining the standard required to comply with Section 105F(1) of the Act (but subject to Section 105F(4) of the Act), to take into account the following matters (insofar as may be relevant and without limiting any other relevant matter):</p> <p>11.1.1 the nature of the land;</p> <p>11.1.2 whether the land is in a country, metropolitan, township or other setting;</p> <p>11.1.3 the activities carried out on the land (including whether flammable or combustible materials or substances are used or stored on the land);</p> <p>11.1.4 other statutory standards or requirements that apply to or in relation to the land.</p>		CEO, DCS, DDS
133864	A	Fire and Emergency Services Act 2005	s105F(5)	<p>11. Private Land</p> <p>11.2 The power pursuant to Section 105F(5) of the Act, if the Delegate believes on reasonable grounds -</p> <p>11.2.1 that an owner of private land has failed to comply with Section 105F(1) of the Act; or</p> <p>11.2.2 that measures should be taken in respect of particular private land for the purpose of -</p> <p>11.2.2.1 preventing or inhibiting the outbreak of fire on the land; or</p> <p>11.2.2.2 preventing or inhibiting the spread of fire through the land; or</p> <p>11.2.2.3 protecting property on the land from fire,</p>		CEO, DCS, DDS

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
				to, by notice in writing that complies with any requirements set out in the regulations, require the owner of the private land to take specified action to remedy the default or to protect the land or property on the land, within such time as may be specified in the notice.		
133865	A	Fire and Emergency Services Act 2005	s105F(6)	<p>11. Private Land</p> <p>11.3 The power pursuant to Section 105F(6) of the Act and without limiting the operation of Section 105F(5) of the Act, to include in a notice under Section 105F(5) of the Act directions -</p> <p>11.3.1 to trim or remove vegetation on the land; or</p> <p>11.3.2 to remove flammable or combustible materials or substances, or to store flammable or combustible materials or substances in a specified manner; or</p> <p>11.3.3 to eliminate a potential ignition source; or</p> <p>11.3.4 to create, establish or maintain fire breaks or fuel breaks.</p>		CEO, DCS, DDS
133866	A	Fire and Emergency Services Act 2005	s105F(7)	<p>11. Private Land</p> <p>11.4 The duty pursuant to Section 105F(7) of the Act, in acting under Section 105F(5) of the Act, to apply any guidelines prepared or adopted by the Minister for the purposes of Section 105F(5) of the Act and published by the Minister in the Gazette.</p>		CEO, DCS, DDS
133867	C	Fire and Emergency Services Act 2005	s105F(9)	<p>11. Private Land</p> <p>11.5 The power pursuant to Section 105F(9) of the Act to give a notice under Section 105(5) of the Act -</p> <p>11.5.1 personally; or</p> <p>11.5.2 by post; or</p> <p>11.5.3 if the delegate cannot, after making reasonable inquiries, ascertain the name and address of the person to whom the notice is to be given -</p> <p>11.5.3.1 by publishing the notice –</p> <p>(A) on a website determined by the Minister; or</p> <p>(B) in a newspaper circulating in the locality of the land; and</p>		CEO, DCS, DDS

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				11.5.3.2 by leaving a copy of the notice in a conspicuous place on the land.		
133868	A	Fire and Emergency Services Act 2005	s105F(10)	11. Private Land 11.6 The power pursuant to Section 105F(10) of the Act to, by further notice in writing, vary or revoke a notice under Section 105(5) of the Act.		CEO, DCS, DDS
133869	A	Fire and Emergency Services Act 2005	s105F(11)	11. Private Land 11.7 The duty pursuant to Section 105F(11) of the Act, if a notice under Section 105F(5) of the Act is directed to an occupier of land, to take reasonable steps to serve (personally or by post) a copy of the notice on the owner.		CEO, DCS, DDS
133870	A	Fire and Emergency Services Act 2005	s105G(5)	12. Council Land 12.1 The power pursuant to Section 105G(5) of the Act to consult with and make submissions to the Minister on the referral of a matter under Section 105G(4) of the Act.		CEO, DCS, DDS
133871	A	Fire and Emergency Services Act 2005	s105G(7)	12. Council Land 12.2 The duty pursuant to Section 105G(7) of the Act, to comply with a notice under Section 105G(6) of the Act.		CEO, DCS, DDS
133872	A	Fire and Emergency Services Act 2005	s105J(1)	13. Additional Provision in Relation to Powers of Authorised Officers 13.1 The power pursuant to Section 105J(1) of the Act, for a purpose related to the administration, operation or enforcement of Part 4A of the Act, to -  13.1.1 at any reasonable time, after giving reasonable notice to the occupier of the land, enter the land; or  13.1.2 with the authority of a warrant issued by a magistrate, or in circumstances in which the delegate reasonably believes that immediate action is required, use reasonable force to break into or open any part of, or anything in or on, the land.		CEO, DCS, DDS
133873	A	Fire and Emergency Services Act 2005	s105J(3)	13. Additional Provision in Relation to Powers of Authorised Officers 13.2 The power and duty pursuant to Section 105J(3) of the Act to apply for a warrant -  13.2.1 either personally or by telephone; and  13.2.2 in accordance with any procedures prescribed by the regulations.		CEO, DCS, DDS
133874	A	Fire and Emergency Services Act 2005	s105J(4)	13. Additional Provision in Relation to Powers of Authorised Officers 13.3 The power pursuant to Section 105J(4) of the Act, in exercising a power under Part 4A of the Act, to -  13.3.1 give directions with respect to the stopping, securing or movement of a vehicle, plant, equipment or other thing;		CEO, DCS, DDS

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				13.3.2 take photographs, films, audio, video or other recordings;  13.3.3 give any other directions reasonably required in connection with the exercise of the power.		
133875	A	Fire and Emergency Services Act 2005	s105J(5)	13. Additional Provision in Relation to Powers of Authorised Officers 13.4 The power pursuant to Section 105J(5) of the Act, in exercising a power under Part 4A of the Act, to be accompanied by such assistants as may reasonably be required in the circumstances.		CEO, DCS, DDS
133876	A	Fire and Emergency Services Act 2005	s105J(6)	13. Additional Provision in Relation to Powers of Authorised Officers 13.5 The power pursuant to Section 105J(6) of the Act, if an owner of land refuses or fails to comply with the requirements of a notice under Section 105F(5) of the Act, to proceed to carry out those requirements.		CEO, DCS, DDS
133877	A	Fire and Emergency Services Act 2005	s105J(7)	13. Additional Provision in Relation to Powers of Authorised Officers 13.6 The power pursuant to Section 105J(7) of the Act to authorise a person for the purposes of Section 105J(6) of the Act, to take action under Section 105J(6) of the Act on the Council's behalf.		CEO, DCS, DDS
133878	A	Fire and Emergency Services Act 2005	s105J(8)	13. Additional Provision in Relation to Powers of Authorised Officers 13.7 The power pursuant to Section 105J(8) of the Act, to recover the reasonable costs and expenses incurred by an authorised person in taking action under Section 105J(6) of the Act as a debt from the person who failed to comply with the requirements of the relevant notice, if the relevant notice was given by the Council or a fire prevention officer or an authorised person appointed by the Council and authorised for the purposes of Part 4A of the Act.		CEO, DCS, DDS
133879	A	Fire and Emergency Services Act 2005	s105J(9)	13. Additional Provision in Relation to Powers of Authorised Officers 13.8 The power pursuant to Section 105J(9) of the Act, if an amount is recoverable from a person by the Council under Section 105J(8) of the Act, to recover the amount as if it were rates in arrears.		CEO, DCS, DDS
133880	A	Fire and Emergency Services Act 2005	s129	14. Power to Provide Sirens The power pursuant to Section 129 of the Act to erect a siren in a suitable place for the purpose of giving warning of the outbreak or threat of a fire or the occurrence or threat of an emergency, and the power to test and use the siren.		CEO, DCS, DDS
133881	A	Fire and Emergency Services Regulations 2005	Reg19(2)(e)(i)	15 SACFS Group Committee 15.1 The power pursuant to Regulation 19(2)(e)(i) of the Fire and Emergency Services Regulations 2005 ('the Regulations') to nominate a representative from the Council to be a member of a SACFS group committee, where the Council's area lies wholly or partially within the area of the group.		CEO, DCS, DDS

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
133882	A	Fire and Emergency Services Regulations 2005	Reg 32A(4)	16. Fires Permitted under Section 79(2) of Act 16.1 The power pursuant to Regulation 32A(4) of the Regulations to consult with and make submissions to the Chief Officer before the Chief Officer makes a notice under Regulation 32A of the Regulations.		CEO, DCS, DDS
133883	A	Fire and Emergency Services Regulations 2005	Reg 34(3)	17. Special Provision relating to Gas and Electric Cooking Appliances 17.1 The power pursuant to Regulation 34(3) of the Regulations, in addition to Regulation 34(1) and Regulation 34(2) of the Regulations, by notice in the Gazette, to declare part of the Council area to be an area where a person may, in accordance with the terms of the notice, operate a gas fire or electric element for cooking purposes in the open air contrary to the terms of a total fire ban in accordance with Regulation 34(4) of the Regulations, and such notice:  17.1.1 shall be in the form set out in Schedule 11; and  17.1.2 may be limited in its operation to particular times of the day, and to particular days of the year; and  17.1.3 will operate subject to the following conditions:  17.1.3.1 that the space immediately around and above the gas fire or electric element must be clear of all flammable material to a distance of at least 4 metres;  17.1.3.2 that a person who is able to control the gas fire or electric element must be present at all times while it is lighted or charged; and  17.1.3.3 that an appropriate agent adequate to extinguish a fire must be at hand;  17.1.4 will operate subject to such other conditions (if any) as may be specified by the Council or the Chief Officer of the SACFS (as the case may be); and  17.1.5 may be varied or revoked by further notice in the Gazette.	Only the CEO may vary or revoke by further notice in the Gazette	CEO, DCS, DDS
133884	A	Fire and Emergency Services Regulations 2005	Reg 34(5)	17. Special Provision relating to Gas and Electric Cooking Appliances 17.2 The duty pursuant to Regulation 34(5) of the Regulations, if a notice is published in accordance with Regulation 34 of the Regulations, to immediately send a copy of the notice to the Chief Officer of the SACFS.		CEO, DCS
133885	A	Fire and Emergency Services Regulations 2005	Reg 52(2)	18. Identity cards 18.1 The duty pursuant to Regulation 52(2) of the Regulations issue to each fire prevention officer or assistant fire prevention officer appointed by the Council a certificate of identity in a form approved by the Chief Officer of the SACFS.		CEO, DCS

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133886	A	Fire and Emergency Services Regulations 2005	Reg 54(2)	<p>19. Roadside Fire Protection</p> <p>19.1 The power pursuant to Regulation 54(2) of the Regulations, where the Council has the care, control and management of a road in the country, or roadside vegetation in the country, for the purpose of providing fire protection on a road, or the verge of a road, to -</p> <p>19.1.1 light a fire on the road, or on the verge of the road; and</p> <p>19.1.2 while the fire is burning, prohibit, direct or regulate the movement of persons, vehicles or animals along the road; subject to Regulation 54(3) of the Regulations.</p>		CEO, DCS, DDS
133887	A	Fire and Emergency Services Regulations 2005	Reg 54(3)	<p>19. Roadside Fire Protection</p> <p>19.2 The duty pursuant to Regulation 54(3) of the Regulations to obtain a permit to light and maintain a fire under Regulation 54 of the Regulations during the fire danger season. (Note: only relevant to Councils with roads in the 'country').</p>		CEO, DCS, DDS
133888	A	Fire and Emergency Services Regulations 2005	Reg 56(2)	<p>20. Special Fire Areas</p> <p>20.1 The duty pursuant to Regulation 56(2) of the Regulations to consult with and make submissions to the Chief Officer of the SACFS regarding the inclusion of the area or part of the area of the Council within a special fire area.</p>		CEO
133889	A	Fire and Emergency Services Regulations 2005	Reg 56(4)(a)	<p>20. Special Fire Areas</p> <p>20.2 The power pursuant to Regulation 56(4)(a) of the Regulations to nominate one or more representatives of the Council to a committee of management established under Regulation 56(3) of the Regulations.</p>		CEO
133890	A	Fire and Emergency Services Regulations 2005	Reg 65(b)	<p>21. Coronial Inquests</p> <p>The power pursuant to Regulation 65(b) of the Regulations to make representations to the South Australian Fire and Emergency Services Commission or an emergency services organisation that a coronial inquest should be held in relation to a fire or other emergency.</p>		CEO

## Wattle Range Council

### Instrument of Delegations under the Landscape South Australia Act 2019 and Landscape South Australia (General) Regulations 2020

#### Delegation Sources

- Landscape South Australia (General) Regulations 2020
- Landscape South Australia Act 2019

#### Titles

Title	Position	Name
CEO	Chief Executive Officer	Benjamin James Gower
DCS	Director Corporate Services / Deputy CEO	Paul Allen Duka

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
387904	N	Landscape South Australia Act 2019	s32(7)	1. Special Vesting of Infrastructure 1.1 The power pursuant to Section 32(7) of the Landscape South Australia Act 2019 (the Act) to consent in writing to the Governor making a proclamation under Sections 32(1), (2) or (6) of the Act in relation to infrastructure or land vested in or under the care, control or management of the Council.		CEO, DCS
387905	N	Landscape South Australia Act 2019	s37(1)(c)	2. Power of Delegation 2.1 The power pursuant to Section 37(1)(c) of the Act to approve a regional landscape board delegating a function or power of the board under the Act or any other Act to the Council or an officer of the Council.		CEO, DCS
387906	N	Landscape South Australia Act 2019	s41	3. Use of Facilities 3.1 The power pursuant to Section 41 of the Act to make arrangements with a regional landscape board for the regional landscape board to make use of the services of the staff, equipment or facilities of the Council.		CEO, DCS
387907	N	Landscape South Australia Act 2019	s47(7)	4. Key Features of Plan 4.1 The power pursuant to Section 47(7) of the Act to, when performing functions or exercising powers under the Local Government Act 1999 or any other Act, have regard to any regional landscape plan that applies within the relevant area and in particular to give consideration to the question whether the Council should implement changes to the manner in which, or the means by which, it performs a function or exercises a power or undertakes any other activity that has been identified in the plan as requiring change.		CEO, DCS
387908	N	Landscape South Australia Act 2019	s51(5)(b)	5. Annual Business Plan 5.1 The power pursuant to Section 51(5)(b) of the Act, if a regional landscape board is intending to include in its annual business plan any proposal referred to in Section 51(4) of the Act, which relates to the payment (or proposed payment) of contributions by the Council under Part 5 Division 1 Subdivision 1 of the Act, to make submissions to the regional landscape board to the extent required by the regulations.		CEO, DCS
387909	N	Landscape South Australia Act 2019	s67(1)	6. Payment of Contributions by Councils 6.1 The power pursuant to Section 67(1) of the Act, subject to Section 67(2) of the Act to pay the Council's share of the amount to be contributed by the constituent councils in approximately equal instalments on 30 September, 31 December, 31 March and 30 June in each year to which the contribution relates.		CEO, DCS
387910	N	Landscape South Australia Act 2019	s67(2)	6. Payment of Contributions by Councils 6.2 The power pursuant to Section 67(2) of the Act, if notice of a regional landscape levy imposed by the Council in respect of a financial year could not be included in the notice of general rates for that year because the regional landscape board's annual business plan was not finalised (and, if necessary, approved by the Minister) on or before 1 June preceding that		CEO, DCS



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				year, to pay the Council's share in approximately equal instalments on 31 December, 31 March and 30 June in that year.		
387911	N	Landscape South Australia Act 2019	s69(10)	7. Imposition of Levy by Councils 7.1 The power pursuant to Section 69(10) of the Act, if the Council writes off a debt constituted by an unpaid regional landscape levy (or part of a regional landscape levy) under Section 143 of the Local Government Act 1999, to apply to the regional landscape board in accordance with the regulations, for a refund of an amount equal to the amount of the levy (not including any related interest) that has been written off.		CEO, DCS
387912	N	Landscape South Australia Act 2019	s72(6)	8. Board May Declare a Levy 8.1 The power pursuant to Section 72(6) of the Act to arrange with a regional landscape board for service of a notice to be effected as part of any other notice served by the Council and arrange with a regional landscape board for collection of a levy to be effected by the Council.		CEO, DCS
387913	N	Landscape South Australia Act 2019	s101(6)	9. Declaration of Prescribed Water Resources 9.1 The power pursuant to Section 101(6) of the Act to make submissions to the Minister in accordance with the notice served by the Minister on the Council.		CEO, DCS
387914	N	Landscape South Australia Act 2019	s202(4)	10. Authorised Officers 10.1 The power pursuant to Section 202(4) of the Act to agree to the Minister appointing an officer of the Council as an authorised officer under Section 202 of the Act.		CEO
387915	N	Landscape South Australia Act 2019	s219(3)	11. Management Agreements 11.1 The power pursuant to Section 219(3) of the Act to make submissions to the Minister within a period specified by the Minister in relation to a proposal to provide for the remission of any Council rates under Section 219(2)(j) of the Act.		CEO, DCS
387916	N	Landscape South Australia (General) Regulations 2020	r13(3)	12. Refunds to Councils in Relation to Unpaid Regional Landscape Levies (Section 69(10) of the Act) 12.1 The power pursuant to Regulation 13(3) of the Landscape South Australia (General) Regulations 2020 (the General Regulations) if: 12.1.1 the Council writes off a debt constituted by an unpaid regional landscape levy (or part of a levy); and 12.1.2 a refund is made to the Council under Section 69(10) of the Act in relation to the unpaid levy; and 12.1.3 the Council subsequently recovers an amount (the relevant amount) with respect to the unpaid levy as part of steps taken by the Council to recover rates in arrears under the Local Government Act 1999, to pay the relevant amount to the regional landscape board that made the refund under Section 69(10) of the Act.		CEO, DCS
387917	N	Landscape South Australia (General) Regulations 2020	r14(4)	13. Cost of Councils (Section 70 of the Act) 13.1 The power pursuant to and subject to Regulation 14(4) of the General Regulations to recover establishment costs the amount being:		CEO, DCS

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				<p>13.1.1 fair costs incurred by the Council with respect to:</p> <p>13.1.1.1 consulting with the relevant regional landscape board in relation to the basis for the regional landscape levy; and</p> <p>13.1.1.2 establishing the ability of the Council's rating system to deal with the regional landscape levy; and</p> <p>13.1.1.3 making any amendments to the Council's rating system on account of the imposition of the regional landscape levy; and</p> <p>13.1.1.4 conducting any tests involving the Council's rating system on account of the imposition of the regional landscape levy; and</p> <p>13.1.1.5 setting up and assigning codes within the Council's rating system on account of the imposition of the regional landscape levy; and</p> <p>13.1.1.6 obtaining any new assessment or valuation information on account of the imposition of the regional landscape levy; and</p> <p>13.1.1.7 confirming the imposition of the appropriate levy with respect to rateable land in the area of the Council; or</p> <p>13.1.2 \$10,848 (indexed), plus 71 cents (indexed) for each assessment of levy against a piece of rateable land, adjusted, if necessary under Regulation 14(6) of the General Regulations.</p>		
387918	N	Landscape South Australia (General) Regulations 2020	r14(8)	<p>13. Cost of Councils (Section 70 of the Act)</p> <p>13.2 The power pursuant to and subject to Regulation 14(7) of the General Regulations to recover as ongoing costs the amount being:</p> <p>13.2.1 fair costs as described in Regulation 14(3)(b) of the General Regulations; or</p> <p>13.2.2 \$2,532 (indexed), plus 25 cents (indexed) for each assessment of levy against a piece of rateable land.</p>		CEO, DCS
387919	N	Landscape South Australia (General) Regulations 2020	r14(8)	<p>13. Cost of Councils (Section 70 of the Act)</p> <p>13.3 The power pursuant to Regulation 14(8) of the General Regulations, if the Council is claiming transitional costs from two or more regional landscape boards with respect to a particular financial year to agree as between them the respective shares of those boards.</p>		CEO, DCS
387920	N	Landscape South Australia (General) Regulations 2020	r14(9)	<p>13. Cost of Councils (Section 70 of the Act)</p> <p>13.4 The power pursuant to Regulation 14(9) and subject to Regulation 14(11) of the General Regulations, if the Council is seeking to recover any costs with respect to a particular financial year, other than the 2020/2021 financial year, to as a preliminary step, furnish to the relevant regional landscape board or boards, a reasonable estimate of the costs that the Council expects to claim under Regulation 14 of the General Regulations.</p>		CEO, DCS

# Wattle Range Council

## South Australian Public Health Act 18 June 2013

### Delegation Sources

- South Australian Public Health (Fees) Regulations 2018
- South Australian Public Health (General) Regulations 2013
- South Australian Public Health (Legionella) Regulations 2013
- South Australian Public Health (Wastewater) Regulations 2013
- South Australian Public Health Act 2011

### Titles

Title	Position	Name
CEO	Chief Executive Officer	Benjamin James Gower
DCS	Director Corporate Services / Deputy CEO	Paul Allen Duka
DDS	Director Development Services	Stephen Walter Chapple
EHO	Environmental Health Officer	Ana Catarina Santos
MFS	Manager Financial Services	Aaron Craig Peek
ND	Not Delegated	

ID	Status Code	Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
229562	A	South Australian Public Health (Fees) Regulations 2018	Clause 2(1), Schedule 1	35. Refund and Recovery of Fees 35.1 The power pursuant to Clause 2(1) of Schedule 1 of the South Australian Public Health (Fees) Regulations 2018 (the Fees Regulations), to, where the Council is the relevant authority within the meaning of the respective regulations specified in Schedule 1 of the Fees Regulations, refund, reduce or remit payment of a fee payable under those regulations if the delegate considers that appropriate in the circumstances.		CEO, DCS, EHO, MFS
229563	A	South Australian Public Health (Fees) Regulations 2018	Clause 2(2), Schedule 1	35. Refund and Recovery of Fees 35.2 The power pursuant to Clause 2(2) of the Fees Regulations to recover a fee payable to the Council by action in a Court of competent jurisdiction as a debt due to the Council.		CEO, DCS
134714	A	South Australian Public Health Act 2011	s18(2)	1. Power to Require Reports 1.1 The power pursuant to Section 18(2) of the South Australian Public Health Act 2011 (the Act) to, if required by the Minister, provide a report on any matter relevant to the administration or operation of the Act.		CEO, DCS, DDS, EHO
134715	A	South Australian Public Health Act 2011	s18(3)	1. Power to Require Reports 1.2 The power pursuant to Section 18(3) of the Act to, if required by the Minister, in a case involving the Council provide a combined report with 1 or more other councils.		CEO, DCS, DDS, EHO
134716	A	South Australian Public Health Act 2011	s18(5)	1. Power to Require Reports 1.3 The power pursuant to Section 18(5) of the Act to provide the report in accordance with the requirements of the Minister.		CEO, DCS, DDS, EHO
134717	A	South Australian Public Health Act 2011	s22(2)	2. Risk of Avoidable Mortality or Morbidity 2.1 The power pursuant to Section 22(2) of the Act, if the Council receives a request under Section 22(1) of the Act, to consider the request and then respond in accordance with Section 22(3) of the Act to the Chief Public Health Officer within a reasonable time.		CEO, DCS, DDS, EHO
134718	A	South Australian Public Health Act 2011	s22(3)	2. Risk of Avoidable Mortality or Morbidity 2.2 The power pursuant to Section 22(3) of the Act to include in a response under Section 22(2) of the Act details about:  2.2.1 any steps already being taken by the Council that may be relevant in the circumstances; and  2.2.2 any plans that the Council may have that may be relevant in the circumstances; and		CEO, DCS, DDS, EHO

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				2.3 any steps that the Council is willing to take in the circumstances; and 2.4 any other matter relating to the Council that appears to be relevant.		
134719	A	South Australian Public Health Act 2011	s39(1)	3. Cooperation Between Councils 3.1 The power pursuant to Section 39(1) of the Act to, in performing the Council's functions or exercising the Council's powers under the Act, act in conjunction or partnership with, or cooperate or coordinate the Council's activities with, 1 or more other councils		CEO, DCS, DDS, EHO
134720	A	South Australian Public Health Act 2011	s39(2)	3. Cooperation Between Councils 3.2 The power pursuant to Section 39(2) of the Act to, if requested by the Chief Public Health Officer, cooperate with 1 or more other councils.		CEO, DCS, DDS, EHO
134721	A	South Australian Public Health Act 2011	s39(3)	3. Cooperation Between Councils 3.3 The power pursuant to Section 39(3) of the Act to, if the Council receives a request under Section 39(2) of the Act, within 28 days after receiving the request or such longer period as the Chief Public Health Officer may specify, furnish the Chief Public Health Officer with a written report on the action that the Council intends to take in response to the request.		CEO, DCS, DDS, EHO
134722	A	South Australian Public Health Act 2011	s40(2)	4. Power of Chief Public Health Officer to Act 4.1 The power pursuant to Section 40(2) of the Act to consult with the Chief Public Health Officer.		CEO, DCS, DDS, EHO
134723	A	South Australian Public Health Act 2011	s41(1)	5. Council Failing to Perform a Function Under Act 5.1 The power pursuant to Section 41(1) of the Act to consult with the Minister in relation to the Minister's opinion that the Council has failed, in whole or in part, to perform a function conferred on the Council under the Act.		CEO, DCS, DDS, EHO
134724	A	South Australian Public Health Act 2011	s41(6)	5. Council Failing to Perform a Function Under Act 5.2 The power pursuant to Section 41(6) of the Act to:  5.2.1 make written submissions to the Minister in relation to the matter within a period specified by the Minister; and  5.2.2 request in the written submissions to the Minister that the Minister discuss the matter with a delegation representing the Council; and  5.2.3 appoint a delegation representing the Council to discuss the matter with the Minister.		CEO, DCS, DDS, EHO
134725	A	South Australian Public Health Act 2011	s42(1)	6. Transfer of Function of Council at Request of Council 6.1 The power pursuant to Section 42(1) of the Act to request, in accordance		CEO, DCS, DDS, EHO

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				with Section 42(2), of the Act that a function of the Council under the Act be performed by the Chief Public Health Officer.		
134726	A	South Australian Public Health Act 2011	s42(10)	6. Transfer of Function of Council at Request of Council 6.2 The power pursuant to Section 42(10) of the Act to enter into an agreement with the Minister for the Minister to recover costs and expenses associated with the Chief Public Health Officer acting under Section 42 of the Act.		CEO, DCS, DDS, EHO
134727	A	South Australian Public Health Act 2011	s42(11)	6. Transfer of Function of Council at Request of Council 6.3 The power pursuant to Section 42(11) of the Act to request that the Minister vary or revoke a notice under Section 42 of the Act.		CEO, DCS, DDS, EHO
134733	A	South Australian Public Health Act 2011	s42(11)	6. Transfer of Function of Council at Request of Council 6.4 The power pursuant to Section 42(11) of the Act to consult with the Minister in relation to the Minister varying or revoking a notice under Section 42 of the Act.		CEO, DCS, DDS, EHO
134734	A	South Australian Public Health Act 2011	s44(1) s45	7. Local Authorised Officers 7.1 The power pursuant to Section 44(1) of the Act, subject to Section 45 of the Act, to, by instrument in writing, appoint a suitably qualified person to be a local authorised officer.		CEO, DCS, DDS, EHO
134735	A	South Australian Public Health Act 2011	s44(2)	7. Local Authorised Officers 7.2 The power pursuant to Section 44(2) of the Act to make an appointment under Section 44 subject to such conditions or limitations as the Delegate thinks fit.		CEO, DCS, DDS, EHO
134736	A	South Australian Public Health Act 2011	s44(4)	7. Local Authorised Officers 7.3 The power pursuant to Section 44(4) of the Act to direct a local authorised officer.		CEO, DCS, DDS, EHO
134737	A	South Australian Public Health Act 2011	s44(6)	7. Local Authorised Officers 7.4 The power pursuant to Section 44(6) of the Act to vary or revoke an appointment at any time.		CEO, DCS, DDS, EHO
134738	A	South Australian Public Health Act 2011	s44(7)	7. Local Authorised Officers 7.5 The power pursuant to Section 44(7) of the Act to notify the Chief Public Health Officer in accordance with Section 44(8) of the Act, if the Council or the Delegate:  7.5.1 makes an appointment under Section 44 of the Act; or  7.5.2 revokes an appointment under Section 44 of the Act.		CEO, DCS, DDS, EHO

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134739	A	South Australian Public Health Act 2011	s44(9)	7. Local Authorised Officers 7.6 The power pursuant to Section 44(9) of the Act to determine the number of local authorised officers who should be appointed for the Council's area and in determining the number of local authorised officers who should be appointed for the Council's area, take into account any policy developed by the Chief Public Health Officer for the purposes of Section 44 of the Act.		CEO, DCS, DDS, EHO
134740	A	South Australian Public Health Act 2011	s46(1) s46(2)	8. Identity Cards 8.1 The power pursuant to Section 46(1) of the Act to issue in accordance with Section 46(2) of the Act to an authorised officer appointed under the Act an identity card in a form approved by the Chief Public Health Officer:  8.1.1 containing the person's name and a photograph of the person; and  8.1.2 stating that the person is an authorised officer for the purposes of the Act; and  8.1.3 setting out the name or office of the issuing authority.		CEO, DCS, DDS, EHO
134728	A	South Australian Public Health Act 2011	s49(1)	9. Specific Power to Require Information 9.1 The power pursuant to Section 49(1) of the Act to require a person to furnish such information relating to public health as may be reasonably required for the purposes of the Act.		CEO, DCS, DDS, EHO
134741	A	South Australian Public Health Act 2011	s51(1), (2), (5), (6), (8), (9), (11), (12), (13), (15)	10. Regional Public Health Plans 10.1 The power pursuant to Section 51(1) of the Act to in accordance with Sections 51(2), (5), (6), (8), (9), (11), (12), (13) and (15) of the Act prepare and maintain a plan or, if the Minister so determines or approves, with a group of councils, prepare and maintain a plan, for the purposes of the operations of the Council or Councils under the Act (a regional public health plan).		CEO, DCS, DDS, EHO
134742	A	South Australian Public Health Act 2011	s51(10), (11)	10. Regional Public Health Plans 10.2 The power pursuant to Section 51(10) of the Act, to, subject to Section 51(11), amend a regional public health plan at any time.		CEO, DCS, DDS, EHO
134743	A	South Australian Public Health Act 2011	s51(11) s51(12)	10. Regional Public Health Plans 10.3 The power pursuant to Section 51(11) of the Act to, in relation to any proposal to create or amend a regional public health plan:  10.3.1 prepare a draft of the proposal; and  10.3.2 when the draft plan is completed, subject to Section 51(12) of the Act:		CEO, DCS, DDS, EHO

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				<p>10.3.2.1 give a copy of it to:</p> <p>(a) the Minister; and</p> <p>(b) any incorporated hospital established under the Health Care Act 2008 that operates a facility within the region; and</p> <p>(c) any relevant public health partner authority under Section 51(23); and</p> <p>(d) any other body or group prescribed by the regulations; and</p> <p>10.3.2.2 take steps to consult with the public.</p>		
134744	A	South Australian Public Health Act 2011	s51(12) s51(11)	<p>10. Regional Public Health Plans</p> <p>10.4 The power pursuant to Section 51(12) of the Act to, if required by the Minister, consult with the Minister, or any other person or body specified by the Minister, before the Council or the Delegate releases a draft plan under Section 51(11).</p>		CEO, DCS, DDS, EHO
134745	A	South Australian Public Health Act 2011	s51(13)	<p>10. Regional Public Health Plans</p> <p>10.5 The power pursuant to Section 51(13) of the Act to, before bringing a regional public health plan into operation, submit the plan to the Chief Public Health Officer for consultation.</p>		CEO, DCS, DDS, EHO
134746	A	South Australian Public Health Act 2011	s51(15)	<p>10. Regional Public Health Plans</p> <p>10.6 The power pursuant to Section 51(15) of the Act to take into account any comments made by the Chief Public Health Officer, SAPHC, and any other body within the ambit of a determination under Section 51(14) of the Act, at the conclusion of the consultation processes envisaged by Sections 51(13) and (14).</p>		CEO, DCS, DDS, EHO
134747	A	South Australian Public Health Act 2011	s51(16)	<p>10. Regional Public Health Plans</p> <p>10.7 The power pursuant to Section 51(16) of the Act to then adopt a plan or amend a plan with or without alteration.</p>		CEO, DCS, DDS, EHO
134748	A	South Australian Public Health Act 2011	s51(17)	<p>10. Regional Public Health Plans</p> <p>10.8 The power pursuant to Section 51(17) of the Act to undertake the processes set out in Section 51 of the Act in conjunction with the preparation and adoption of its strategic management plans under Section 122 of the Local Government Act 1999 (and the power if the delegate thinks fit, incorporate a regional public health plan into the Council's strategic management plans under that Act).</p>		CEO, DCS, DDS, EHO



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134749	A	South Australian Public Health Act 2011	s51(18)	10. Regional Public Health Plans 10.9 The power pursuant to Section 51(18) of the Act to provide in a regional public health plan, by agreement with the public health partner authority, for a public health partner authority to take responsibility for undertaking any strategy, or for attaining any priority or goal, under the plan.		CEO, DCS, DDS, EHO
134750	A	South Australian Public Health Act 2011	s51(19)	10. Regional Public Health Plans 10.10 The power pursuant to Section 51(19) of the Act to review a regional public health plan at least once in every 5 years.		CEO, DCS, DDS, EHO
134751	A	South Australian Public Health Act 2011	s51(20)	10. Regional Public Health Plans 10.11 The power pursuant to Section 51(20) of the Act to, in preparing and reviewing the Council's regional public health plan insofar as is reasonably practicable, give due consideration to the plans of other councils insofar as this may be relevant to issues or activities under the Council's plan.		CEO, DCS, DDS, EHO
134752	A	South Australian Public Health Act 2011	s51(21)	10. Regional Public Health Plans 10.12 The power pursuant to Section 51(21) of the Act to, when performing functions or exercising powers under the Act or any other Act, insofar as may be relevant and reasonable, have regard to the State Public Health Plan, any regional public health plan that applies within the relevant area and any other requirement of the Minister, and in particular to give consideration to the question whether the Council or the Delegate should implement changes to the manner in which, or the means by which, the Council or the Delegate performs a function or exercises a power or undertakes any other activity that has been identified in the State Public Health Plan as requiring change.		CEO, DCS, DDS, EHO
134753	A	South Australian Public Health Act 2011	s52(1)	11. Reporting on Regional Public Health Plans 11.1 The power pursuant to Section 52(1) of the Act to, in relation to a regional health plan for which the Council is responsible, on a 2 yearly basis, prepare a report that contains a comprehensive assessment of the extent to which, during the reporting period, the Council has succeeded in implementing its regional public health plan to the Chief Public Health Officer in accordance with Sections 52(2), (3) and (4) of the Act.		CEO, DCS, DDS, EHO
134729	A	South Australian Public Health Act 2011	s66(6)	12. Action to Prevent Spread of Infection 12.1 The power pursuant to Section 66(6) of the Act to recover as a debt costs and expenses reasonably incurred in exercising powers under Section 66(5) of the Act from the person who failed to take the required action.		CEO, DCS, DDS, EHO
134730	A	South Australian Public Health Act 2011	s66(5)	12. Action to Prevent Spread of Infection 12.2 The power pursuant to Section 66(9) of the Act to, if the Chief Public Health Officer informs the Council of the occurrence of a disease constituting a		CEO, DCS, DDS, EHO

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				notifiable condition, take such action as is reasonably open to the Delegate to assist in preventing the spread of the disease.		
134754	A	South Australian Public Health Act 2011	s92(1)	<p>13. Notices</p> <p>13.1 The power pursuant to Section 92(1) of the Act and subject to Sections 92(2), (3), (4), (5) and (12) of the Act to issue a notice for the purpose of:</p> <p>13.1.1 securing compliance with a requirement imposed by or under the Act (including the duty under Part 6 or a requirement imposed under a regulation or a code of practice under the Act); or</p> <p>13.1.2 averting, eliminating or minimising a risk, or a perceived risk, to public health.</p>		CEO, DCS, DDS, EHO
134755	A	South Australian Public Health Act 2011	13. Notices	<p>13. Notices</p> <p>13.2 The power pursuant to Section 92(2) of the Act and subject to Section 92(12) of the Act, to, before issuing a notice to secure compliance with the general duty under Part 6 of the Act:</p> <p>13.2.1 have regard to:</p> <p>13.2.1.1 the number of people affected, or potentially affected, by the breach of the duty;</p> <p>13.2.1.2 the degree of harm, or potential degree of harm, to public health on account of the breach of the duty;</p> <p>13.2.1.3 any steps that a person in breach of the duty has taken, or proposed to take, to avoid or address the impact of the breach of the duty,</p> <p>and such other matters as the Delegate thinks fit; and</p> <p>13.2.2 subject to Section 92 of the Act, give the person to whom it is proposed that the notice be given a preliminary notice in writing:</p> <p>13.2.2.1 stating the proposed action, including the terms of the proposed notice and the period within which compliance with the notice will be required; and</p> <p>13.2.2.2 stating the reasons for the proposed action; and</p> <p>13.2.2.3 inviting the person show, within a specified time (of a reasonable</p>		CEO, DCS, DDS, EHO

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				period), why the proposed action should not be taken (by making representations to the Delegate or a person nominated to act on behalf of the Council).		
134756	A	South Australian Public Health Act 2011	s92(2)(b)(iii)	13. Notices 13.3 The power pursuant to Section 92(2)(b)(iii) of the Act to nominate a person to act on behalf of the Council.		CEO, DCS, DDS, EHO
134757	A	South Australian Public Health Act 2011	s92(3)	13. Notices 13.4 The power pursuant to Section 92(3) of the Act to, in a case where Section 92(2)(b) of the Act applies, after considering representations made within the time specified under Section 92(2)(b) of the Act:  13.4.1 issue a notice in accordance with the terms of the original proposal; or  13.4.2 issue a notice with modifications from the terms of the original proposal; or  13.4.3 determine not to proceed further under Section 92.		CEO, DCS, DDS, EHO
134758	A	South Australian Public Health Act 2011	s92(4)	13. Notices 13.5 The power pursuant to Section 92(4) of the Act to:  13.5.1 not give notice under Section 92(2)(b) of the Act if the Delegate considers that urgent or immediate action is required in the circumstances of the particular case; and  13.5.2 not give further notice before issuing a notice with modifications under Section 92(3)(b) of the Act.		CEO, DCS, DDS, EHO
134759	A	South Australian Public Health Act 2011	s92(5)	13. Notices 13.6 The power pursuant to Section 92(5) of the Act issue a notice under Section 92 of the Act:  13.6.1 in the form of a written notice served on the person to whom it is issued; and  13.6.2 specifying the person to whom it is issued (whether by name or by a description sufficient to identify the person); and  13.6.3 directing 2 or more persons to do something specified in the notice jointly; and		CEO, DCS, DDS, EHO

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				<p>13.6.4 without limiting any other provision, in the case of a notice that relates to the condition of any premises, to any person who:</p> <p>13.6.4.1 is the owner or occupier of the premises; or</p> <p>13.6.4.2 has the management or control of the premises; or</p> <p>13.6.4.3 is the trustee of a person referred to in Section 92(5)(i) or (ii) of the Act or is managing the affairs of such a person on some other basis; and</p> <p>13.6.5 stating the purpose for which the notice is issued and giving notice of the requirement or the risk to which it relates; and</p> <p>13.6.6 imposing any requirement reasonably required for the purpose for which the notice is issued including 1 or more of the following:</p> <p>13.6.6.1 a requirement that the person discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from a relevant authority;</p> <p>13.6.6.2 a requirement that the person not carry on a specified activity except at specified times or subject to specified conditions;</p> <p>13.6.6.3 a requirement that the person take specified action in a specified way, and within a specified period or at specified times or in specified circumstances;</p> <p>13.6.6.4 a requirement that the person take action to prevent, eliminate, minimise or control any specified risk to public health, or to control any specified activity;</p> <p>13.6.6.5 a requirement that the person comply with any specified code or standard prepared or published by a body or authority referred to in the notice;</p> <p>13.6.6.6 a requirement that the person undertake specified tests or monitoring;</p> <p>13.6.6.7 a requirement that the person furnish to a relevant authority specified results or reports;</p>		

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				<p>13.6.6.8 a requirement that the person prepare, in accordance with specified requirements and to the satisfaction of the relevant authority, a plan of action to secure compliance with a relevant requirement or to prevent, eliminate, minimise or control any specified risk to public health;</p> <p>13.6.6.9 a requirement prescribed under or for the purposes of the regulations; and</p> <p>13.6.7 stating that the person may, within 14 days, apply for a review of the notice under the provisions of the Act.</p>		
134760	A	South Australian Public Health Act 2011	s92(9)	<p>13. Notices</p> <p>13.7 The power pursuant to Section 92(9) of the Act by written notice served on a person to whom a notice under Section 92 of the Act has been issued by the Delegate or the Council, vary or revoke the notice.</p>		CEO, DCS, DDS, EHO
134761	A	South Australian Public Health Act 2011	s95(15)	<p>13. Notices</p> <p>13.8 The power pursuant to Section 92(15) of the Act to, not comply with any other procedure, or hear from any other person, except as provided by Section 92 of the Act before the Delegate issues a notice under Section 92 of the Act.</p>		CEO, DCS, DDS, EHO
134762	A	South Australian Public Health Act 2011	s93(1)	<p>14. Action on Non-compliance with Notice</p> <p>14.1 The power pursuant to Section 93(1) of the Act if the requirements of a notice under Part 12 of the Act are not complied with, to take any action required by the notice.</p>		CEO, DCS, DDS, EHO
134763	A	South Australian Public Health Act 2011	s93(2)	<p>14. Action on Non-compliance with Notice</p> <p>14.2 The power pursuant to Section 93(2) of the Act to authorise a person for the purpose of taking action on the Council's behalf under Section 93(1) of the Act.</p>		CEO, DCS, DDS, EHO
134764	A	South Australian Public Health Act 2011	s93(4)	<p>14. Action on Non-compliance with Notice</p> <p>14.3 The power pursuant to Section 93(4) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 93 of the Act as a debt from the person who failed to comply with the requirements of the notice.</p>		CEO, DCS, DDS, EHO
134765	A	South Australian Public Health Act 2011	s93(5)	<p>14. Action on Non-compliance with Notice</p> <p>14.4 The power pursuant to Section 93(5) of the Act, if an amount is recoverable from a person by the Council under Section 93, to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.</p>		CEO, DCS, DDS, EHO

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134766	A	South Australian Public Health Act 2011	s94(5)	15. Action in Emergency Situations 15.1 The power pursuant to Section 94(5) of the Act to recover the reasonable costs and expenses incurred by a local authorised officer in taking action under Section 94 from any person who caused the risk to which the action relates, as a debt.		CEO, DCS, DDS, EHO
134731	A	South Australian Public Health Act 2011	s95(13)	16. Reviews - Notices Relating to General Duty 16.1 The power pursuant to Section 95(13) of the Act to appear in proceedings before the Review Panel as a representative of the Council.		CEO, DCS, DDS, EHO
134732	A	South Australian Public Health Act 2011	s95(15)	16. Reviews - Notices Relating to General Duty 16.2 The power pursuant to Section 95(15) of the Act to make an application to the Review Panel to:  16.2.1 dismiss or determine any proceedings that appear:  16.2.1.1 to be frivolous or vexatious; or  16.2.1.2 to have been instituted for the purpose of delay or obstruction, or for some other improper purpose;  16.2.2 bring any proceedings to an end that appear:  16.2.2.1 to be more appropriate suited to proceedings before the Tribunal rather than the Review Panel; or  16.2.2.2 to be unable to be satisfactorily resolved (or resolved within a reasonable period) by proceedings before the Review Panel; or  16.2.3 bring any proceedings to an end for any other reasonable cause.		CEO, DCS, DDS, EHO
134767	C	South Australian Public Health Act 2011	s96(3)	17. Appeals 17.1 The power pursuant to Section 96(3) of the Act and subject to Section 96(4) of the Act, to apply to the Tribunal under Section 34 of the South Australian Civil & Administrative Tribunal Act 2013 for a review of the outcome of review proceedings by the Review Panel under Section 95 of the Act.		CEO, DCS, DDS, EHO
134768	A	South Australian Public Health (Legionella) Regulations 2013	r5(3)	18. Duty to Register High Risk Manufactured Water System 18.1 The power pursuant to Regulation 5(3) of the South Australian Public Health (Legionella) Regulations 2013 (the Legionella Regulations) to, on application made in a manner and form approved by the Council or Delegate and payment of the prescribed fee to the Council, register the high risk manufactured water system to which the application relates.		CEO, DCS, DDS, EHO

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134769	A	South Australian Public Health (Legionella) Regulations 2013	r5(6)	18. Duty to Register High Risk Manufactured Water System 18.2 The power pursuant to Regulation 5(6) of the Legionella Regulations, to, on application made in a manner and form approved by the Council or Delegate and payment of the prescribed fee to the Council, renew the registration of the high risk manufactured water system to which the application relates.		CEO, DCS, DDS, EHO
134770	A	South Australian Public Health (Legionella) Regulations 2013	r6(2)	19. Register of High Risk Manufactured Water Systems 19.1 The power pursuant to Regulation 6(2) of the Legionella Regulations and subject to Regulation 6(3) of the Legionella Regulations to determine the manner and form of a register of high risk manufactured water systems registered by the Council.		CEO, DCS, DDS, EHO
134771	A	South Australian Public Health (Legionella) Regulations 2013	r6(3)	19. Register of High Risk Manufactured Water Systems 19.2 The power pursuant to Regulation 6(3) of the Legionella Regulations to include in relation to each high risk manufactured water system on the register:  19.2.1 the type of water system; and  19.2.2 the address of the premises on which the water system is installed; and  19.2.3 the location of the water system on the premises; and  19.2.4 the full name and residential and business addresses of the owner of the premises; and  19.2.5 the full name, residential and business addresses, and residential and business telephone numbers, of the person nominated by the owner of the premises as being responsible for the operation and maintenance of the water system,  and such other information as the Delegate thinks fit.		CEO, DCS, DDS, EHO
134772	A	South Australian Public Health (Legionella) Regulations 2013	r15(2)	19. Register of High Risk Manufactured Water Systems 19.3 The power pursuant to Regulation 15(2) of the Legionella Regulations to, at least once in every 12 months, give the owner of each of the premises on which a high risk manufactured water system registered with the Council is installed, written notice:  19.3.1 requiring the owner, within the period specified in the notice:  19.3.1.1 to cause an inspection of the water system to be carried out by a		CEO, DCS, DDS, EHO

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				competent person (not being the owner or person responsible for the operation and maintenance of the system); and  19.3.1.2 to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896: (a) of at least 1 sample of water taken from a cooling water system; and (b) of at least 2 samples of water taken from a warm water system, to determine the presence and number of colony forming units of Legionella in the water; and		
134773	A	South Australian Public Health (Legionella) Regulations 2013	r15(2)	19. Register of High Risk Manufactured Water Systems 19.4 requiring the owner to submit to the Council written reports setting out the findings of the inspection and the results of the microbiological testing within 1 month of receiving the reports.		CEO, DCS, DDS, EHO
134774	A	South Australian Public Health (Legionella) Regulations 2013	r16(1)	20. Power of Council to Require Microbiological Testing in Other Circumstances 20.1 The power pursuant to Regulation 16(1) of the Legionella Regulations, if:  20.1.1 the Council is investigating the occurrence of Legionellosis in the near vicinity of premises on which a high risk manufactured water system is installed; or  20.1.2 the Council or Delegate has reason to believe that a high risk manufactured water system installed on premises situated in its area is not being maintained as required by these regulations, to give the owner of the premises written notice:  20.1.3 requiring the owner (either immediately or within a period specified in the notice) to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896, of water taken from the system, to determine the presence and number of colony forming units of Legionella in the water; and  20.1.4 requiring the owner to submit to the Council a written report setting out the results of the microbiological testing within 24 hours of receiving the report.		CEO, DCS, DDS, EHO
134775	A	South Australian Public Health (Legionella) Regulations 2013	r21(3)	21. Fees 21.1 The power pursuant to Regulation 21(3) of the Legionella Regulations, if a person is liable to pay a fee to the Council, to give the person written notice requiring the person to pay the fee within the period specified in the notice.		CEO, DCS, DDS, EHO



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134800	A	South Australian Public Health (Legionella) Regulations 2013	r21(4)	21. Fees 21.2 Deliberately left blank.		ND
134801	A	South Australian Public Health (Legionella) Regulations 2013	r21(5)	21. Fees 21.3 Deliberately left blank.		ND
134776	A	South Australian Public Health (Wastewater) Regulations 2013	r6(1)	22. Relevant Authority 22.1 The power pursuant to Regulation 6(1)(b) of the South Australian Public Health (Wastewater) Regulations 2013 (the Wastewater Regulations) to, agree to act as the relevant authority for a matter relating to an on-site wastewater system with a capacity that does not, or will not, on completion of wastewater works, exceed 40 EP and that is located or to be located in another council area if the system is to be operated by another council or wastewater works related to the system are to be undertaken by another council, or by a person acting in partnership, or in conjunction with that other council.		CEO, DCS, DDS, EHO
134777	A	South Australian Public Health (Wastewater) Regulations 2013	r8(1)	23. Public Notification of Proposed Community Wastewater Management System 23.1 The power pursuant to Regulation 8(1) of the Wastewater Regulations to, if the Council proposes to establish a community wastewater management system for the whole or part of its area in the interests of public and environmental health, to give notice to the owners of land in the area affected by the proposal containing the prescribed details relating to the proposal and inviting submissions in relation to the proposal within a period (which must be at least 21 days) specified in the notice.		CEO, DCS, DDS, EHO
134778	A	South Australian Public Health (Wastewater) Regulations 2013	r9(1)	24. Connection to Community Wastewater Management System 24.1 The power pursuant to Regulation 9(1) of the Wastewater Regulations and subject to Regulation 9(2) of the Wastewater Regulations on obtaining a wastewater works approval for a community wastewater management system, to, by written notice, require the operator of an on-site wastewater system:  24.1.1 to connect the system to the community wastewater management system; and  24.1.2 for that purpose, to complete and submit an application to the Council, within the period specified in the notice, for a wastewater works approval for:  24.1.2.1 the connection; and		CEO, DCS, DDS, EHO

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				24.1.2.2 if necessary, consequential alterations to the on-site wastewater system.		
134779	A	South Australian Public Health (Wastewater) Regulations 2013	r9(4)	24. Connection to Community Wastewater Management System 24.2 The power pursuant to Regulation 9(4) of the Wastewater Regulations, if the operator of an on-site wastewater system does not submit an application within the period specified in a notice under Regulation 9(1) of the Wastewater Regulations, to grant a wastewater works approval for the required wastewater works as if the application had been made.		CEO, DCS, DDS, EHO
134780	A	South Australian Public Health (Wastewater) Regulations 2013	r9(6)	24. Connection to Community Wastewater Management System 24.3 The power pursuant to Regulation 9(6) of the Wastewater Regulations, if wastewater works are not carried out in accordance with a wastewater works approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, to cause the requirements to be carried out (and a person authorised to do so by the Council may enter land at any reasonable time for the purposes of carrying out the relevant work).		CEO, DCS, DDS, EHO
134781	A	South Australian Public Health (Wastewater) Regulations 2013	r9(6)	24. Connection to Community Wastewater Management System 24.4 The power pursuant to Regulation 9(6) of the Wastewater Regulations to if wastewater works are not carried out in accordance with a wastewater approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, authorise a person to enter land at any reasonable time for the purpose of carrying out the relevant work.		CEO, DCS, DDS, EHO
134782	A	South Australian Public Health (Wastewater) Regulations 2013	r9(7)	24. Connection to Community Wastewater Management System 24.5 The power pursuant to Regulation 9(7) of the Wastewater Regulations to recover as a debt the costs and expenses reasonably incurred in exercising a power under Regulation 9(6) of the Wastewater Regulations and the prescribed fee that would have been payable had the application been made as required under Regulation 9(1) of the Wastewater Regulations from the person who failed to comply with the notice.		CEO, DCS, DDS, EHO
134783	A	South Australian Public Health (Wastewater) Regulations 2013	r10(3)	25. Exemptions 25.1 The power pursuant to Regulation 10(3) of the Wastewater Regulations to give an exemption by written notice and subject to conditions determined by the Delegate and stated in the notice.		CEO, DCS, DDS, EHO
134784	A	South Australian Public Health	r10(4)	25. Exemptions 25.2 The power pursuant to Regulation 10(4) of the Wastewater Regulations to		CEO, DCS, DDS, EHO

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		(Wastewater) Regulations 2013		vary or revoke an exemption by further written notice to the holder of the exemption.		
134785	A	South Australian Public Health (Wastewater) Regulations 2013	r15(3)	26. Exemptions From Prescribed Codes 26.1 The power pursuant to Regulation 15(3) of the Wastewater Regulations to give an exemption by written notice and is subject to conditions determined by the Delegate and stated in the notice.		CEO, DCS, DDS, EHO
134786	A	South Australian Public Health (Wastewater) Regulations 2013	r15(5)	26. Exemptions From Prescribed Codes 26.2 The power pursuant to Regulation 15(5) of the Wastewater Regulations to vary or revoke an exemption by further written notice to the holder of the exemption.		CEO, DCS, DDS, EHO
134787	A	South Australian Public Health (Wastewater) Regulations 2013	r23(2)	27. Application 27.1 The power pursuant to Regulation 23(2) of the Wastewater Regulations to, by written notice, ask the applicant to provide the Council with further technical specifications, information or documents relevant to the application or to modify the technical specifications submitted for approval.		CEO, DCS, DDS, EHO
134788	A	South Australian Public Health (Wastewater) Regulations 2013	r24(1)	28. Determination of Application 28.1 The power pursuant to Regulation 24(1) of the Wastewater Regulations to refuse to grant a wastewater works approval:  28.1.1 if the applicant fails to satisfy the Delegate of either or both of the following:  28.1.1.1 that the technical specifications for the wastewater works comply with the prescribed codes;  28.1.1.2 that the wastewater works will not, if undertaken in accordance with the conditions of approval, adversely affect or threaten public or environmental health; or  28.1.2 for any other sufficient reason.		CEO, DCS, DDS, EHO
134789	A	South Australian Public Health (Wastewater) Regulations 2013	r24(2)	28. Determination of Application 28.2 The power pursuant to Regulation 24(2) of the Wastewater Regulations, if an application for a wastewater works approval relates to the connection of a community wastewater management system to SA Water sewerage infrastructure or a significant increase in the amount of wastewater to be discharged from a community wastewater management system to SA Water sewerage infrastructure, to give SA Water a reasonable opportunity to comment on the application and take into account any comments so made.		CEO, DCS, DDS, EHO

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134790	A	South Australian Public Health (Wastewater) Regulations 2013	r25(2)	<p>29. Conditions of Approval</p> <p>29.1 The power pursuant to Regulation 25(2) of the Wastewater Regulations to impose:</p> <p>29.1.1 any 1 or more of the following prescribed expiable conditions:</p> <p>29.1.1.1 a condition that sets out mandatory notification stages during the progress of wastewater works when a person is required to notify the Council in a specified manner and stop the work pending an inspection carried out at the person's expense;</p> <p>29.1.1.2 a condition that requires the display of specified notices on the premises on which the wastewater system is located;</p> <p>29.1.1.3 a condition that requires a person to monitor the performance of the wastewater system in a specified manner (including by inspections carried out at specified times at the person's expense) and to provide the Council with specified information in a specified manner and at specified times;</p> <p>29.1.1.4 a condition that provides that specified material must not, or that only specified material may, be discharged into, or from, the wastewater system;</p> <p>29.1.1.5 a condition that requires the wastewater system to be operated, maintained or serviced by a person of a specified class;</p> <p>29.1.1.6 a condition that requires records of a specified kind to be created, maintained, and provided to the Council; or</p> <p>29.1.2 any other conditions including any 1 or more of the following:</p> <p>29.1.2.1 a condition that requires decommissioning of the wastewater system:</p> <p>(a) after a specified trial period; or</p> <p>(b) in specified circumstances; or</p> <p>(c) on written notice to the operator of the system;</p> <p>29.1.2.2 a condition that requires a wastewater system to be connected to a community wastewater management system;</p> <p>29.1.2.3 a condition that prevents activities that would adversely affect the operation or maintenance of a drain or treatment or disposal system or the</p>		CEO, DCS, DDS, EHO

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				<p>reuse of wastewater from the wastewater system;</p> <p>29.1.2.4 a condition that requires a wastewater system to have various access points for maintenance or inspection (raised to or terminating at surface level, or as required by the Council);</p> <p>29.1.2.5 a condition that provides that a wastewater system must not be used unless or until it has been inspected or tested by an independent wastewater engineer and the Council supplied with a certificate given by that expert certifying that the wastewater works have been undertaken in accordance with the approved technical specifications;</p> <p>29.1.2.6 a condition that otherwise specifies requirements relating to:</p> <ul style="list-style-type: none"> <li>(a) the installation of the waste watersystem; or</li> <li>(b) the decommissioning of the wastewater system; or</li> <li>(c) the connection of the wastewater system to a community wastewater management system or SA Water sewerage infrastructure or the disconnection of the wastewater system from a community wastewater management system or from SA Water sewerage infrastructure; or</li> <li>(d) the operation, servicing and maintenance of the wastewater system; or</li> <li>(e) the reuse or disposal of wastewater from the wastewater system.</li> </ul>		
134791	A	South Australian Public Health (Wastewater) Regulations 2013	r25(3)	<p>29. Conditions of Approval</p> <p>29.2 The power pursuant to Regulation 25(3) of the Wastewater Regulations to impose a condition of approval that:</p> <p>29.2.1 provides that a matter or thing is to be determined according to the discretion of the Council or some other specified person or body; and</p> <p>29.2.2 operates by reference to the manuals referred to in a product approval for the wastewater system; and</p> <p>29.2.3 operates by reference to a specified code as in force at a specified time or as in force from time to time.</p>		CEO, DCS, DDS, EHO
134792	A	South Australian Public Health (Wastewater) Regulations 2013	r25(6)	<p>29. Conditions of Approval</p> <p>29.3 The power pursuant to Regulation 25(6) of the Wastewater Regulations to, on application and payment of the prescribed fee, by written notice to the applicant, vary or revoke a condition of a wastewater works approval.</p>		CEO, DCS, DDS, EHO
134793	A	South Australian Public Health	r25(7)	<p>29. Conditions of Approval</p> <p>29.4 The power pursuant to Regulation 25(7) of the Wastewater Regulations</p>		CEO, DCS, DDS, EHO

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		(Wastewater) Regulations 2013		to, on the Delegate's own initiative, by written notice to the operator of a wastewater system to which a wastewater works approval applies, vary or revoke a condition of the approval or impose a further condition, provided that the variation, revocation or imposition does not take effect until at least 6 months after the giving of the notice unless:  29.4.1 the operator consents; or  29.4.2 the Delegate states in the notice that, in his/her opinion, the variation, revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.		
134794	A	South Australian Public Health (Wastewater) Regulations 2013	r26(2)	30. Expiry of Approval 30.1 The power pursuant to Regulation 26(2) of the Wastewater Regulations to, on application and payment of the prescribed fee, postpone the expiry of a wastewater works approval for a specified period.		CEO, DCS, DDS, EHO
134795	A	South Australian Public Health (Wastewater) Regulations 2013	r27(3)	31. Registers of Wastewater Works Approvals 31.1 The power pursuant to Regulation 27(3) of the Wastewater Regulations, to extend the registers to include wastewater works approvals granted under the revoked regulations.		CEO, DCS, DDS, EHO
134796	A	South Australian Public Health (Wastewater) Regulations 2013	r27(6)	31. Registers of Wastewater Works Approvals 31.2 The power pursuant to Regulation 27(6) of the Wastewater Regulations to include in the registers other information considered appropriate by the Delegate.		CEO, DCS, DDS, EHO
134797	A	South Australian Public Health (Wastewater) Regulations 2013	r29(1)	32. Requirement to Obtain Expert Report 32.1 The power pursuant to Regulation 29(1) of the Wastewater Regulations, if the Delegate suspects on reasonable grounds that a wastewater system is adversely affecting or threatening public or environmental health, to give the operator of the system a written notice requiring the operator to obtain and provide to the Council a written report from an independent wastewater engineer within a specified period addressing specified matters.		CEO, DCS, DDS, EHO
134802	A	South Australian Public Health (Wastewater) Regulations 2013	r29(3)	32. Requirement to Obtain Expert Report 32.2 The power pursuant to Regulation 29(3) of the Wastewater Regulations, if the requirements of a notice under Regulation 29 of the Wastewater Regulations are not complied with to obtain the required report and recover the costs and expenses reasonable incurred in doing so from the person who failed to comply with the notice, as a debt.		CEO, DCS, DDS, EHO
134798	A	South Australian Public Health	r29(3)	32. Requirement to Obtain Expert Report 32.3 The power pursuant to Regulation 29(3) of the Wastewater Regulations,		CEO, DCS, DDS, EHO

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		(Wastewater) Regulations 2013		to authorise a person to enter land at any reasonable time for the purposes of the report.		
134803	A	South Australian Public Health (Wastewater) Regulations 2013	r33	33. Fees 33.1 Deliberately left blank		ND
134804	A	South Australian Public Health (General) Regulations 2013	r5B(2)	34. Non-compliance with Notices (Section 93(6) of Act) 34.1 The power pursuant to Regulation 5B(2) of the South Australian Public Health (General) Regulations 2013 (the General Regulations), for the purposes of the creation of a charge on land under Section 93 of the Act, to deliver to the Registrar-General a notice, in a form determined by the Minister on the recommendation or with the approval of the Registrar General:  34.1.1 setting out the amount recoverable under Section 93 of the Act; and  34.1.2 setting out the land in relation to which the relevant action was taken; and  34.1.3 requesting the Registrar-General to make a notation under Regulation 5B of the General Regulations in relation to the relevant land.		CEO
134805	A	South Australian Public Health (General) Regulations 2013	r5B(8)	34. Non-compliance with Notices (Section 93(6) of Act) 34.2 The power pursuant to Regulation 5B(8) of the General Regulations, if or when the amount to which the charge relates is paid, to by further notice in writing to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar General) cancel the charge.		CEO