



Board of Management

2 April 2020



local councils working together to protect the health of the community



**EASTERN HEALTH AUTHORITY
BOARD OF MANAGEMENT SPECIAL MEETING**

THURSDAY – 2 APRIL 2020

Notice is hereby given that a special meeting of the Board of Management of the Eastern Health Authority will be held remotely via Microsoft Teams on Thursday 2 April 2020 commencing at 4.30pm.

A handwritten signature in black ink, appearing to read 'M Livori', is positioned above the printed name.

**MICHAEL LIVORI
CHIEF EXECUTIVE OFFICER**

AGENDA

EASTERN HEALTH AUTHORITY BOARD OF MANAGEMENT SPECIAL MEETING

THURSDAY – 2 APRIL 2020

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3 REGIONAL RESPONSE TO MONITORING SOCIAL DISTANCING REQUIREMENTS IN RESPONSE TO COVID-19, SUBDELEGATION OF POWERS TO COUNCIL STAFF AND EHA OPERATIONAL RESPONSE TO COVID-19

Author: Michael Livori
Ref: AF20/22

Summary

The Chief Public Health Officer has communicated the intent to limit the spread (flatten the curve) of COVID-19 through social distancing and prohibiting non-essential mass gatherings.

SA Health have asked councils to operationalise the direction of the Chief Public Health Officer to educate, support, monitor and undertake surveillance of businesses and community.

It is expected that councils will take a role in ensuring government shutdowns are enforced and social distancing at premises to limit the spread of COVID-19.

Eastern Health Authority administration has communicated with its Constituent Councils who have agreed that a coordinated and regional approach would be an appropriate way to manage these requirements and expectations.

Background

Pursuant to the *South Australian Public Health Act 2011* (the Act) councils are the local public health authorities for their area. Therefore, councils have an active role to protect the health and wellbeing of individuals and the community from the spread of COVID-19 through education, surveillance and support.

The Act recognises the functions of councils (s. 37) in protecting and promoting public health and preventing public health risks. Councils are required to implement the objects and principles of the Act when undertaking their functions including actions taken under the Act

Objects of the Act (s. 4)

Relevant Objects of the Act include:

- (a) to promote health and wellbeing of individuals and communities and to prevent disease, medical conditions, injury and disability through a public health approach;
- (b) to protect individuals and communities from risks to public health and to ensure, so far as is reasonably practicable, a healthy environment for all South Australians and particularly those who live within disadvantaged Communities;

- (c) to provide for the prevention, or early detection, management and control, of diseases, medical conditions and injuries of public health significance;

Principles to be recognised under the Act (s. 6 - 14)

Relevant principles to consider:

- Precautionary principle;
- Proportionate principle;
- Principle of prevention;
- Population focus principle;
- Participation principle.

Functions of Council (s. 37)

Having regard for the Objects of the Act, a Council, as the local public health authority for its area needs to:

- take action to preserve, protect and promote public health within its area;
- cooperate with other authorities involved in the administration of the Act;
- ensure that activities do not adversely affect public health;
- identify risks to public health within its area;
- ensure remedial action is taken to reduce or eliminate adverse impacts or risks to public health
- assess activities and development to determine and respond to public health impacts
- provide or support the provision of educational information about public health and to support activities within its area to preserve, protect or promote public health; and
- provide or support the provision of immunisation programs for the protection of public health.

Co-ordinated and Regional Response to Social Distancing Monitoring Efforts

Representatives from each Constituent Council recently met via video conference to consider how to move forward with a co-ordinated regional response to social distancing monitoring.

A summary of the outcomes of this meeting are detailed below:

1. EHA and its Constituent Councils will act on a regional basis to monitor and enforce social distancing and other government-imposed requirements relating to the COVID-19 crisis to assist SAPOL, the State and Commonwealth Governments.
2. At this point in time, Constituent Council staff will monitor and educate the community and businesses in respect to social distancing and other government requirements, where breaches are observed.

3. If there is a need to escalate, such breaches will be referred to EHA for further monitoring and enforcement if the need arises.
4. EHA will co-ordinate/refer serious non-conformance matters to SAPOL.
5. Sub delegations will be provided to nominated Constituent Council staff from the EHA Board of Management, apart from Walkerville who can subdelegate from their CEO.
6. EHA will arrange for a Special EHA Board of Management meeting to be held as soon as is practicable to delegate the required powers to nominated Constituent Council staff.
7. EHA staff will provide video-based training for all EHA Constituent Council staff delegated to undertake monitoring of social distancing and government-imposed requirements relating to the COVID-19 crisis before such monitoring begins.
8. The training can be undertaken as soon as the names of Constituent Council staff are provided to EHA and which may be before the Special Board meeting to delegate powers.
9. The training will be based on the material posted this week to the LGA website, that has been developed by the Local Government Function Support Group and which can be found at <https://www.lga.sa.gov.au/page.aspx?u=6850> - Click on EHO COVID-19 Information and Resources.

The LGA Functional Working Group has been formed in response to the Local Government Association initiating the incident management protocol in response to COVID-19.

Nadia Conci, Team Leader Environmental Health from EHA was a key member of this group which developed the material to support local governments role in monitoring social isolation.

The documents include the following:

- Framework for Council's response in response to COVID-19 for Environmental Health Officers
- Proposed response flow chart
- Template General Duty Notice under s. 92(1) *SA Public Health Act 2011*
- Risk assessment tool for General Duty breach of *SA Public Health Act 2011*
- Script for issuing oral Emergency Notice under s. 92(7) *SA Public Health Act 2011*
- Evidence recording tool for Authorised Officers issuing Emergency Notices
- Reporting mechanisms template
- Frequently Asked Questions

Local Government Social Distancing Monitoring Role

It is expected that the Local Government monitoring role will involve **responding to reports of non-compliance with public health measures such as social distancing through an escalated approach which is risk-based.**

It is expected that each council will need to have regard for the unique features of its jurisdiction, such as where crowds may gather. Focus should be on the risk presented at each situation encountered by council staff.

Restrictions and requirements are ever-changing and may scale up or down. It is expected that councils will keep in mind the principles of the Act and the General Duty provision under s. 56 which provide that a person must take all reasonable steps to prevent or minimise the harm to public health caused by, or likely to be caused by, anything done or omitted to be done the person.

Examples may include –

- Hairdressers, barber shops not instituting appropriate social distancing and hygiene practices.
- Mass gatherings within the council areas on either private or public land which may contribute to the spread of COVID-19.
- Retail stores still permitted to open but fail to institute social distancing and/or have appropriate hygiene practices.

What are the specific situations where council would enact their powers in response to COVID-19?

1. Premises that are prohibited from operating as defined by declarations under Emergency Management Act.

Council must act in response to customer complaints or observations by council staff and be involved in education and advice as a first measure. However, primarily enforcement of this declaration is to be undertaken by SAPOL under the *Emergency Management Act 2004* in accordance with declarations by the Police Commissioner.

Nevertheless, councils should give regard to its obligations under the Act, particularly in situations where SAPOL assistance is not available and an opinion is formed by the officer that a risk or perceived risk (s. 56) is occurring or to avert, eliminate or minimise a risk to public health (s. 92).

2. Limits on social distancing and non-essential mass gatherings

Council must act in response to public health concerns relating to social distancing and mass gatherings that are NOT captured by prohibitions under the *Emergency Management Act 2004* (Commissioner Stevens' Declarations).

The initial interaction with facilities, businesses and individuals would generally involve advice and education regarding breaches of s. 56 of the Act depending on the risks to public health and the response from the public as a result of the council involvement.

Authorised Officers are to **undertake enforcement through issuing of Notice(s) under s. 92 of the Act**. Oral Emergency Notices can be issued **only by EHOs** under s. 92(6) of the Act (**not delegated officers or employees of councils**).

A written s. 92 Notice (whether emergency or otherwise) can be issued by EHOs or delegated employees pursuant to s. 92 of the Act. Failure to comply with the s. 92 Notice(s) are to be reported to SAPOL for enforcement under s. 66 (Action to prevent spread of infection) of the Act.

To assist an EHO / or delegated authorised person / employee of council with the assessment of the social distancing requirements of non-essential business and other gatherings closure directions, the updated declaration from the Emergency Management State Coordinator should be regularly refer to.

Responsibility will ultimately lie with businesses and within the community to manage social distancing requirements in line with the protocols.

Work in partnership

This may involve an EHO or key council representatives engaging with businesses to assist with consideration of social distancing and assistance with education and general community advice.

Discussions may also occur with relevant council departments (e.g. Planning, General Inspectors, Economic Development) about observing and educating about social distancing requirements and identifying areas of potential mass gathering.

For example, walking trails and playgrounds that may be popular but do not allow for appropriate social distancing to occur.

Practical examples

Practical advice council may be providing:

- Limit customers queuing in the premises and managing social distancing within confined retail areas.
- Limiting patrons within customer waiting areas with consideration of government mandated requirements of 1.5m spacing and limits of 1 person per 4m²
- Signage within the premises advising of requirements.
- Removing tables and chairs.
- Hairdressers to space out clients.
- Staggering checkouts where possible.
- Asking customers to wait outside until called (take mobile phone numbers).
- Reducing customer touch points (e.g. buzzers, touch pads, self service).
- Markings on the floor to ensure 1.5m spacings. Use of loudspeakers and PA systems in supermarkets.
- What is the role of the LGA Functional Working Group - COVID-19 Response?

What are some of specific roles of council officers?

Environmental Health Officers (EHOs) appointed under the Act have specific statutory functions to administer and enforce the provisions of the Act. Other council officers can provide operational support to EHOs as required. For example, if a Development Compliance Officer observed noncompliance, they should bring this to the attention of the relevant EHO.

Council officers who are not EHOs can be delegated the power to issue Notices pursuant to Section 92 of the Act. Councils may delegate powers as the relevant authority pursuant to Section 92 of the Act to other officers (for example General Inspectors, building compliance officers and waste management officers) as required.

Eastern Health Authority Response to date.

Eastern Health Authority has proactively communicated updated information on COVID-19 to businesses, the community and its Constituent Councils. This has been achieved by displaying appropriate signage; updating information and links on our website; emailing correspondence to food businesses; schools, workplaces and providing information handouts. Information and assistance on specific COVID-19 enquiries and operational protocols, signage and changes to clinic time and locations relating to immunisation have also been provided to the Constituent Councils. EHA has also provided and requested our website link be updated on all Constituent Council's social media to provide the public easy access to all ongoing updates.

It is important that Eastern Health Authority maintain its Constituent Council's regulatory responsibilities during this time. Eastern Health Authority has proactively reviewed its business activities contained within its Annual Business Plan based on work required. These activities have been assessed identified immediate (emergency situations and arising issues), work to be maintained and activities that can be put on hold.

This enables Eastern Health Authority to be flexible with managing Government directives and whilst continuing to fulfil its Constituent Councils statutory responsibilities.

Environmental Health

Eastern Health Authority recognises that there is a risk to their employees and the public during any face to face interactions. Guidance tools for EHO's have been developed to ensure safety of officers and the community when in the field. The tools are also continually updated to recognise any directives issued by the Government.

The Chief Public Health Officer's communicated the intent to limit the spread (flatten the curve) of COVID-19 through social distancing and prohibiting non-essential mass gatherings. Following the announcement on 24 March 2020 Eastern Health Authority EHO's immediately set a plan to identify and effectively communicate, educate and monitor the businesses and local community within the Constituent Council areas to ensure the new social distancing requirements are met and our statutory responsibilities are fulfilled.

The following administrative changes have been implemented:

- Food inspection assessment forms have been changed to reflect COVID-19. As most businesses are not operating at full capacity the EHO's are focusing on 'high risk' priority areas as part of their inspections, i.e. hand washing, sanitising and food processing
- Food inspection reports have been altered to reflect the new changes
- Health Manager (Environmental Health record database) has been updated to reflect COVID-19 inspections and complaint investigations.
- Area and surveillance spreadsheet specific to COVID-19 to record business activities, closures and compliance with social distancing requirements.

Since 26 March 2020 approximately 103 food businesses have temporarily closed. Note this is continually changing and the system is being updated. EHO's have assessed and undertaken the following duties:

- 142 social distancing checks. 131 of these businesses were compliant
- 15 routine food inspections (COVID-19)
- received and follow-up on seven complaints relating to social distancing.

Despite a SA Health requirement for auditors to conduct the audits on-site, many aged care facilities have prevented access to their facilities. To enable these facilities to be audited EHA has arranged for records to be delivered to EHA and a 'virtual' onsite assessment is being conducted. Whilst is not common practice, it is a solution that allows for the statutory requirements of the business to be fulfilled whilst minimising the risk to not only the employees of EHA and the businesses but most importantly to the aged residents.

Immunisation

In the interests of public health, Eastern Health Authority has been proactive in continuing to provide immunisation services through public clinics, school and worksite programs within our capabilities during these unprecedented times.

It is the intention of EHA to continue to conduct public clinics as per our published timetable while guidelines and resources allow. Due to current circumstances and to ensure social distancing requirements can be managed all public clinics within the council facilities are conducted at EHA offices, St Peters for the foreseeable future. In addition, to manage the number of people attending and social distancing requirements all clinics are appointment based, with the management of drop-ins where necessary.

The alarming nature of COVID-19 has created a sense of urgency to vaccinate against flu as early as possible. EHA continues to reiterate that SA Health guidelines recommends flu vaccination from mid-April as the ideal commencement date, to allow for the longevity and effectiveness of the vaccine

Understandably, enquiries and demand for influenza vaccination is currently very high; however, where possible EHA will endeavour to offer this service to all members of the public. Additional clinics specific to over 65 years of age, absentees from both work and school and flu only clinics running on a Saturday morning will also be provided.

To ensure the social distancing requirements are met to protect both EHA staff and members of the public, the following measures have been introduced:

- Signage highlighting the guidelines of Federal, State and Local Government and the World Health Organisation for persons restricted from clinic environments, procedure for communication in place.
- Additional signage both inside and outside of building to ensure the new social distancing requirements are met and our statutory responsibilities are fulfilled
- Additional check points with staff, marked floor areas and additional seating 1.5m apart to adhere to social distancing requirements
- Hand sanitiser station
- Separate stations for consent forms to eliminate handling of clip boards
- Staff wiping down work areas, seating and benches each ½ hour
- Necessary protective gear for nurses
- Crowd control for public clinics with large numbers, along with communicative devices for staff

In preparation for our school and workplace visits EHA has sent communication to these respective educative institutions and businesses advising of our measures that are in place to adhere with social distancing and play our part in flattening the curve. All staff attending visits have been updated with requirements for hand sanitising between clients, directive posters to be put up at visit locations and protective gear provided.

EHA has requested that all schools and workplace please adhere to the following regarding staff and workplace facilities:

- Notify us immediately of any COVID-19 cases in the workplace or of workplace lockdown and procedures undertaken to ensure workplace safety and wellbeing
- Provide airy, well-ventilated private room for nurse/s to work in, or where 2 nurses attending at least a divided space for client privacy
- Provide sanitised space, furniture and surfaces
- Ensure staff are well and are NOT experiencing flu-like symptoms (cough, fever, shortness of breath)
- have NOT come into close contact or live with someone who has a confirmed case of COVID-19
- Ensure staff have thoroughly washed hands with soap and water prior to attending
- Provision of hand sanitisers in waiting area
- Space chairs for those waiting at least 1.5m distance
- Limit the number waiting at one time to less than ten people
- Request staff to have completed their consent form prior to coming to waiting area

Enquiries and demand for workplace influenza vaccination is currently very high and our bookings are at capacity. To accommodate the service demand, EHA are working to add additional staffed clinics and visits as an alternative option for vaccinations to be administered at EHA offices. These changes will enable the worksites an opportunity to increase the offer of flu vaccinations to their staff and have an alternative location if their workplace is currently closed.

The operation status of schools is currently in a dynamic and unknown territory. Despite the precautionary control measures EHA has implemented and communicated to the schools, there has been an increase in the numbers of cancellations by the schools and student absentees. Additional absentee specific clinics are being provided at EHA offices to accommodate these students still wanting to receive immunisations. EHA is currently liaising with the schools that have cancelled to arrange for an alternative date later in the year.

Delegations to Constituent Council nominated staff

To expediate the delegation of nominated constituent council staff under section 92 of the *South Australian Public Health Act* EHA sought legal advice regarding the ability of the Eastern Health Authority's Board of Management to sub-delegate powers under the South Australian Public Health Act 2011 (the SAPH Act).

The advice confirms that the Board of Management, having been delegated powers under the Act from each constituent council, may, pursuant to Clause 36 of Schedule 2 to the Local Government Act 1999, subdelegate any of these same powers to an employee of the Authority or of a constituent council.

Alternatively, a constituent council may hold a council meeting and make a head delegation to the chief executive officer of the council and the chief executive officer may then subdelegate the relevant powers to an employee of their council.

An Instrument of Subdelegation is provided as appendix 1 to this report which provides the mechanism for the Board of Management to subdelegate certain powers under Sections 92 and 93 of the SAPH Act to the 55 employees of constituent council(s) listed below.

City of Burnside

Chris Cowley
Martin Cooper
Barry Cant
Magnus Heinrich
Dimitar Uzelac
Matt Deckert
Davin Thompson
Scott Hartmann

Robert Schenscher
Martin Robinson
Troy Ellis
John Winkworth
Nigel Ambagtsheer
Anthony Silvestri
Anthony Skara
Lorraine Vingerhoets
Totem Douangmala

Campbelltown City Council

Paul Di Iulio
Michelle Hammond
Andrian Wiguna
Andrew Nairn
Adrian Forster
Kevin Lowe
Aub Van Ristell
Ernie Icolaro
Rob Johnston
Max Harris
Denis Doupovec
Bret Bobrige
Luke Sobey
Nick Meola
Steve Zenari
Mario Franceshini
David Sorgini
Steve Rowe
Graham Boyle
Rob Chapman
Remo Paolini
Gary Scott
David Challenger
Ian Wise
Darren Adams
Henry Haavisto
Nigel Litchfield

City of Norwood Payneham & St Peters

Mario Barone
Juan Carlos Buzzetti
David Maywald
Peter Collins
Martin Locker
Kieran Fairbrother

City of Prospect

Simon Bradley
Helen Robins
Inger Cassidy
Peter Smith
Ian Hutton

Town of Walkerville

Have indicated at this stage, due to resourcing issues that they will not be sub-delegating s.92 (Public Health Act) delegations to staff.

RECOMMENDATION

1. That:
 - 1.1 having been delegated powers and functions under the *South Australian Public Health Act 2011* (“the Head Delegation”) by the following Councils:
 - 1.1.1 City of Burnside
 - 1.1.2 Campbelltown City Council
 - 1.1.3 City of Norwood Payneham and St Peters
 - 1.1.4 City of Prospect
 - 1.1.5 Corporation of the Town of Walkerville,
 - 1.2 Eastern Health Authority (“EHA”) in exercise of the powers under Section 44(4)(b) and Clause 36 of Schedule 2 of the *Local Government Act 1999*, subdelegates the powers and functions under the *South Australian Public Health Act 2011* specified in the proposed Instrument of Subdelegation contained in Appendix 1 to the Report dated 2 April 2020 and entitled “Regional Response to Monitoring Social Distancing Requirements in response to COVID-19 , Sub Delegation of Powers to Council Staff and EHA Operational Response to COVID-19” to the persons detailed in the proposed Instrument of Subdelegation to be exercised within the respective council areas indicated within the instrument, subject to the conditions and/or limitations specified in the Schedule of Conditions in the proposed Instrument of Subdelegation.

INSTRUMENT OF SUBDELEGATION UNDER
THE SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011

1. In exercise of the powers under Clause 36 of Schedule 2 to the *Local Government Act 1999*, the Authority's Board of Management by resolution dated 2 April 2020 sub-delegates such of those powers and functions as are set out in the table below to the employee(s) of the specified constituent council or to the authorised person(s) identified below.

2. The sub-delegated powers and functions may be exercised individually by each sub-delegate in respect of any particular matter where the sub-delegate is required or proposing to act in the course of their duties.

Signature

Chair, Board of Management

Date

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011**

**PERSONS TO WHOM POWERS AND FUNCTIONS SUBDELEGATED
IN THIS INSTRUMENT**

City of Burnside

Chris Cowley
Martin Cooper
Barry Cant
Magnus Heinrich
Dimitar Uzelac
Matt Deckert
Davin Thompson
Scott Hartmann
Robert Schenscher
Martin Robinson
Troy Ellis
John Winkworth
Nigel Ambagtsheer
Anthony Silvestri
Anthony Skara
Lorraine Vingerhoets
Totem Douangmala

Campbelltown City Council

Paul Di Iulio
Michelle Hammond
Andrian Wiguna
Andrian Nairn
Adrian Forster
Kevin Lowe
Aub Van Ristell
Ernie Icolaro
Rob Johnston
Max Harris
Denis Doupovec
Brett Bobrige
Luke Sobey
Nick Meola
Steve Zenari
Mario Franceshini
David Sorgini
Steve Rowe

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011**

Graham Boyle
Rob Chapman
Remo Paolini
Gary Scott
David Challenger
Ian Wise
Darren Adams
Henry Haavisto
Nigel Litchfield
Mitch Yorston
Steve Miller
Craid Rodericks
Mark Turner
Jeff Zajax

City of Norwood Payneham & St Peters

Mario Barone
Juan Carlos Buzzetti
David Maywald
Peter Collins
Martin Locker
Kieran Fairbrother

City of Prospect

Simon Bradley
Helen Robins
Inger Cassidy
Peter Smith
Ian Hutton

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011**

POWERS AND FUNCTIONS SUBDELEGATED IN THIS INSTRUMENT

Delegation	
1. Notices	
1.1	The power pursuant to Section 92(1) of the <i>South Australian Public Health Act 2011 (the Act)</i> and subject to Sections 92(2), (3), (4), (5) and (12) of the Act to issue a notice for the purpose of:
1.1.1	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
1.1.2	averting, eliminating or minimising a risk, or a perceived risk, to public health.
1.2	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:
1.2.1	have regard to:
1.2.1.1	the number of people affected, or potentially affected, by the breach of the duty;
1.2.1.2	the degree of harm, or potential degree of harm, to public health on account of the breach of the duty;
1.2.1.3	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,
	and such other matters as the Delegate thinks fit; and
1.2.2	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:
1.2.2.1	stating the proposed action, including the terms of the proposed notice and the period within which compliance with the notice will be required; and

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011**

1.2.2.2	stating the reasons for the proposed action; and
1.2.2.3	inviting the person show, within a specified time (of a reasonable 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).
1.3	The power pursuant to Section 92(2)(b)(iii) of the Act to nominate a person to act on behalf of the Council.
1.4	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:
1.4.1	issue a notice in accordance with the terms of the original proposal; or
1.4.2	issue a notice with modifications from the terms of the original proposal; or
1.4.3	determine not to proceed further under Section 92.
1.5	The power pursuant to Section 92(4) of the Act to:
1.5.1	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
1.5.2	not give further notice before issuing a notice with modifications under Section 92(3)(b) of the Act.
1.6	The power pursuant to Section 92(5) of the Act issue a notice under Section 92 of the Act:
1.6.1	in the form of a written notice served on the person to whom it is issued; and
1.6.2	specifying the person to whom it is issued (whether by name or by a description sufficient to identify the person); and

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
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1.6.3	directing 2 or more persons to do something specified in the notice jointly; and
1.6.4	without limiting any other provision, in the case of a notice that relates to the condition of any premises, to any person who:
1.6.4.1	is the owner or occupier of the premises; or
1.6.4.2	has the management or control of the premises; or
1.6.4.3	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
1.6.5	stating the purpose for which the notice is issued and giving notice of the requirement or the risk to which it relates; and
1.6.6	imposing any requirement reasonably required for the purpose for which the notice is issued including 1 or more of the following:
1.6.6.1	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;
1.6.6.2	a requirement that the person not carry on a specified activity except at specified times or subject to specified conditions;
1.6.6.3	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;
1.6.6.4	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;
1.6.6.5	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;
1.6.6.6	a requirement that the person undertake specified tests or monitoring;

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011**

1.6.6.7	a requirement that the person furnish to a relevant authority specified results or reports;
1.6.6.8	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;
1.6.6.9	a requirement prescribed under or for the purposes of the regulations; and
1.6.7	stating that the person may, within 14 days, apply for a review of the notice under the provisions of the Act.
1.7	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.
1.8	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.
2.	Action on Non-compliance with Notice
2.1	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.
2.2	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.
2.3	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.
2.4	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.

**INSTRUMENT OF SUBDELEGATION UNDER THE SOUTH
AUSTRALIAN PUBLIC HEALTH ACT 2011****SCHEDULE OF CONDITIONS****CONDITIONS OR LIMITATIONS
APPLICABLE TO SUBDELEGATIONS
CONTAINED IN THIS INSTRUMENT**

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
	NIL