

South Australia

South Australian Public Health (Fees) Regulations 2018

under the *South Australian Public Health Act 2011*

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1—Short title

These regulations may be cited as the *South Australian Public Health (Fees) Regulations 2018*.

2—Commencement

These regulations will come into operation on 1 July 2018.

Schedule 1—Fees under *South Australian Public Health Act 2011*

Part 1—Preliminary

1—Interpretation

- (1) In this Schedule, unless the contrary intention appears—
Act means the *South Australian Public Health Act 2011*.
- (2) For the purposes of this Schedule, unless the contrary intention appears—
 - (a) subject to paragraph (b), words and expressions used in this Schedule have the same respective meanings as in the Act; and
 - (b) a word or expression used under a heading that refers to specified regulations has the same meaning as in the regulations so specified.

2—Refund and recovery of fees

- (1) A relevant authority within the meaning of the respective regulations specified in this Schedule may refund, reduce or remit payment of a fee payable under those regulations if the relevant authority considers that appropriate in the circumstances.
- (2) A fee payable to a relevant authority may be recovered by the relevant authority by action in a court of competent jurisdiction as a debt due to the relevant authority.

Part 2—Fees relating to *South Australian Public Health (Legionella) Regulations 2013*

3—Fees relating to *South Australian Public Health (Legionella) Regulations 2013*

The following fees are payable for the purposes of the Act and the *South Australian Public Health (Legionella) Regulations 2013*:

- 1 On application to the relevant authority for registration of a high risk manufactured water system—
 - (a) for registration of 1 system \$37.75
 - (b) for registration of each additional system installed on the same premises \$25.25

2	On application to the relevant authority for renewal of registration of a high risk manufactured water system (for each system)	\$19.00
3	For inspection of a high risk manufactured water system—	
	(a) for inspection of 1 system	\$151.00
	(b) for inspection of each additional system installed on the same premises	\$101.00
4	On application to the Minister for a determination or approval under the regulations	\$633.00

Part 3—Fees relating to *South Australian Public Health (Wastewater) Regulations 2013*

4—Fees relating to *South Australian Public Health (Wastewater) Regulations 2013*

The following fees are payable for the purposes of the Act and the *South Australian Public Health (Wastewater) Regulations 2013*:

1	Application for a product approval under regulation 16	\$479.00
2	Application for a wastewater works approval if the relevant authority is a council under regulation 23—	
	(a) for the installation or alteration of a temporary on-site wastewater system—	
	(i) if the system's capacity does not exceed 10 EP	\$48.00
	(ii) if the system's capacity exceeds 10 EP	\$96.50
		plus \$23.70 for each 2 EP in excess of 10 EP
	(b) for the installation or alteration of an on-site wastewater system (other than a temporary on-site wastewater system)—	
	(i) if the system's capacity does not exceed 10 EP	\$108.00
	(ii) if the system's capacity exceeds 10 EP	\$108.00
		plus \$23.70 for each 2 EP in excess of 10 EP
	(c) for the connection of an on-site wastewater system to a community wastewater management system—	
	(i) in the case of an existing on-site wastewater system	\$108.00
	(ii) in the case of a new on-site wastewater system—	
	• if the system's capacity does not exceed 10 EP	\$108.00
	• if the system's capacity exceeds 10 EP	\$108.00
		plus \$23.70 for each 2 EP in excess of 10 EP
3	Application for a wastewater works approval if the relevant authority is the Minister under regulation 23	\$479.00
4	Application for variation or revocation of a condition of a wastewater works approval under regulation 25—	

(a)	if the relevant authority is a council	\$108.00
(b)	if the relevant authority is the Minister	\$479.00
5	Application for postponement of expiry of a wastewater works approval under regulation 26	\$108.00
6	Inspections—	
(a)	fee for an inspection in connection with an application or other matter under these regulations if the relevant authority is a council	\$120.00
(b)	fee for an inspection in connection with an application or other matter under these regulations if the relevant authority is the Minister—	
(i)	for the first inspection	nil
(ii)	for each subsequent inspection	\$189.00

Schedule 2—Related variations

Part 1—Preliminary

1—Variation provisions

In this Schedule, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *South Australian Public Health (Legionella) Regulations 2013*

2—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *prescribed decontamination procedure* insert:

prescribed fee means the fee prescribed by regulation under the Act;

3—Variation of regulation 5—Duty to register high risk manufactured water system

(1) Regulation 5(3)—delete "registration fee specified in Schedule 1" and substitute:

prescribed fee

(2) Regulation 5(6)—delete "renewal fee specified in Schedule 1" and substitute:

prescribed fee

4—Variation of regulation 18—Determinations and approvals

Regulation 18(1)(b)—delete "appropriate application fee specified in Schedule 1" and substitute:

prescribed fee

5—Variation of regulation 21—Fees relating to high risk manufactured water systems

- (1) Regulation 21(1)—delete "appropriate fee specified in Schedule 1" and substitute:
prescribed fee
- (2) Regulation 21(4) and (5)—delete subregulations (4) and (5)

6—Revocation of Schedule 1

Schedule 1—delete the Schedule

Part 3—Variation of *South Australian Public Health (Wastewater) Regulations 2013*

7—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *prescribed expiable condition* insert:
prescribed fee means the fee prescribed by regulation under the Act;

8—Variation of regulation 9—Connection to community wastewater management system

Regulation 9(7)—after "and the" insert:
prescribed

9—Variation of regulation 16—Application

Regulation 16(2)(d)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

10—Variation of regulation 19—Conditions of approval

Regulation 19(5)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

11—Variation of regulation 20—Identification of manuals

Regulation 20(2)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

12—Variation of regulation 22—Register of product approvals

Regulation 22(7)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

13—Variation of regulation 23—Application

Regulation 23(1)(f)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

14—Variation of regulation 25—Conditions of approval

Regulation 25(6)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

15—Variation of regulation 26—Expiry of approval

Regulation 26(2)—delete "fee fixed by Schedule 1" and substitute:
prescribed fee

16—Revocation of regulation 33

Regulation 33—delete the regulation

17—Revocation of Schedule 1

Schedule 1—delete the Schedule

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 21 June 2018

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