

PORT PIRIE REGIONAL COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

05 FEBRUARY 2024

Delegation Sources

RelianSys® Delegations - Exported from Library

Note - Exported provisions are sorted by Delegation Source and Section.

- Roads (Opening and Closing) Act 1991

Positions

Abbreviation	Position
Director Corporate & Community	Director Corporate & Community
Director Development & Regulation	Director Development & Regulation
Director Infrastructure	Director Infrastructure
Manager Assets	Manager Assets

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448017	A*	Roads (Opening and Closing) Act 1991	section 5	Commence a road process in relation to a road or a proposed road	Not Sub-Delegated		council
448018	A*	Roads (Opening and Closing) Act 1991	section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable enquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448019	A*	Roads (Opening and Closing) Act 1991	section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the Surveyor-General with the prescribed fee	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448020	A*	Roads (Opening and Closing) Act 1991	section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448021	A*	Roads (Opening and Closing) Act 1991	section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable enquiry	Director Infrastructure, Director Development & Regulation, Manager Assets , Director		relevant authority

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					Corporate & Community		
448022	A*	Roads (Opening and Closing) Act 1991	section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority
448023	A*	Roads (Opening and Closing) Act 1991	section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		council

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448024	A*	Roads (Opening and Closing) Act 1991	section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448025	A*	Roads (Opening and Closing) Act 1991	section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448026	A*	Roads (Opening and Closing) Act 1991	section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land		Not Delegated to CEO	council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448027	A*	Roads (Opening and Closing) Act 1991	section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448028	A*	Roads (Opening and Closing) Act 1991	section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448029	A*	Roads (Opening and Closing) Act 1991	section 13(3)	Receiving an objection or application in respect of a proposed road process	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corp & Community		relevant authority

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448030	A*	Roads (Opening and Closing) Act 1991	section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448031	A*	Roads (Opening and Closing) Act 1991	section 15(1)	Determine whether or not to make a road process order	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448032	A*	Roads (Opening and Closing) Act 1991	section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448033	A*	Roads (Opening and Closing) Act 1991	section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	Director Infrastructure, Director Development & Regulation, Manager Assets , Director		relevant authority

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					Corporate & Community		
448034	A*	Roads (Opening and Closing) Act 1991	section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority
448035	A*	Roads (Opening and Closing) Act 1991	section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448036	A*	Roads (Opening and Closing) Act 1991	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448037	A*	Roads (Opening and Closing) Act 1991	section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448038	A*	Roads (Opening and Closing) Act 1991	section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448039	A*	Roads (Opening and Closing) Act 1991	section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448040	A*	Roads (Opening and Closing) Act 1991	section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to	Director Infrastructure, Director Development & Regulation, Manager Assets		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	, Director Corporate & Community		
448041	A*	Roads (Opening and Closing) Act 1991	section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority
448042	A*	Roads (Opening and Closing) Act 1991	section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
448043	A*	Roads (Opening and Closing) Act 1991	section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority
448044	A*	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		relevant authority
448045	A*	Roads (Opening and Closing) Act 1991	section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	Director Infrastructure, Director Development & Regulation, Manager Assets		council

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					, Director Corporate & Community		
448046	A*	Roads (Opening and Closing) Act 1991	section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448047	A*	Roads (Opening and Closing) Act 1991	section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council

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				the total amount of compensation that the council proposes to pay to the person and dividing that amount so far as practicable into separate components			
448048	A*	Roads (Opening and Closing) Act 1991	section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448049	A*	Roads (Opening and Closing) Act 1991	section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Director Infrastructure, Director Development & Regulation, Manager Assets , Director		council

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					Corporate & Community		
448050	A*	Roads (Opening and Closing) Act 1991	section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister		Not Delegated to CEO	council
448051	A*	Roads (Opening and Closing) Act 1991	section 33(4)	Sell or otherwise deal with additional land acquired under section 33		Not Delegated to CEO	council
448052	A*	Roads (Opening and Closing) Act 1991	section 33(4)	Apply the proceeds from the sale of additional land to defraying expenses incurred by the council in connection with the road opening	Director Infrastructure, Director Development & Regulation, Manager Assets, Director Corporate & Community		council

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448053	A*	Roads (Opening and Closing) Act 1991	section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448054	A*	Roads (Opening and Closing) Act 1991	section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448055	A*	Roads (Opening and Closing) Act 1991	section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	Director Infrastructure, Director Development & Regulation, Manager Assets		council

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					, Director Corporate & Community		
448056	A*	Roads (Opening and Closing) Act 1991	section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council
448057	A*	Roads (Opening and Closing) Act 1991	section 34B(2)(c)	Make written submissions on the proposal to open or close a road	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		council

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448066	A*	Roads (Opening and Closing) Act 1991	section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	Director Infrastructure, Director Development & Regulation, Manager Assets , Director Corporate & Community		relevant authority
448067	A*	Roads (Opening and Closing) Act 1991	section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	Director Infrastructure, Director Development & Regulation, Manager Assets , Director C & Community		council
448068	A*	Roads (Opening and Closing) Act 1991	section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in	Director Infrastructure, Director Development & Regulation, Manager Assets , Director		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				the boundary of the road and abutting the land	Corporate & Community		