

PORT PIRIE REGIONAL COUNCIL

ENVIRONMENT PROTECTION ACT 1993
&
ENVIRONMENT PROTECTION
REGULATIONS 2009

05 FEBRUARY 2024

Delegation Sources

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

- Environment Protection Act 1993

Positions

Abbreviation	Position
Director Development & Regulation	Director Development & Regulation

- Environment Protection Regulations 2009

Positions

Abbreviation	Position
Director Development & Regulation	Director Development & Regulation

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
446909	A*	Environment Protection Act 1993	section 14(c)	Approve the use by the Environment Protection Authority of the services of council officers or employees	Director Development & Regulation		council
446910	A*	Environment Protection Act 1993	section 18A(2)	Request the Minister to declare the council as an administering agency under the Environment Protection Act	Director Development & Regulation		council
446911	A*	Environment Protection Act 1993	section 18A(3)	Participate in consultation with the Minister as to whether the council will cease to be an administering agency under the Environment Protection Act	Director Development & Regulation		council
446912	A*	Environment Protection Act 1993	section 18A(3)	Request the Minister to declare that the council will cease to be an administering agency under the Environment Protection Act	Director Development & Regulation		council

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
446913	A*	Environment Protection Act 1993	section 18B(1)	Administering and enforcing the Environment Protection Act in the council area	Director Development & Regulation		administering agency
446914	A*	Environment Protection Act 1993	section 18C(1)	Delegate a function conferred on the administering agency under Division 1A, Part 3	Not Sub-Delegated		administering agency
446915	A*	Environment Protection Act 1993	section 18D	Report to the Environment Protection Authority on performance of functions under Division 1A, Part 3	Director Development & Regulation		administering agency
446916	A*	Environment Protection Act 1993	section 59(1)	Enter into an environment performance agreement with the Minister	Director Development & Regulation		public authority
446917	A*	Environment Protection Act 1993	section 59(4)	Approve provision for the remission of rates or taxed payable to the council in an environment performance agreement	Not Delegated		council

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446918	A*	Environment Protection Act 1993	section 85(3)	Appoint authorised officers	Director Development & Regulation		council
446919	A*	Environment Protection Act 1993	section 85(4)	Impose conditions on the appointment of an authorised officer	Director Development & Regulation		council
446920	A*	Environment Protection Act 1993	section 85(5)	Revoke the appointment of an authorised officer	Director Development & Regulation		council
446921	A*	Environment Protection Act 1993	section 85(5)	Vary or revoke the conditions applying to the appointment of an authorised officer	Director Development & Regulation		council
446922	A*	Environment Protection Act 1993	section 87(8)(b)	Agree with another council that an authorised officer may exercise power in the other council's area	Director Development & Regulation		council

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446923	A*	Environment Protection Act 1993	section 87(9)	Make good any damage caused by an authorised officer exercising powers under section 87	Director Development & Regulation		council
446924	A*	Environment Protection Act 1993	section 93(1)	Issue an environment protection order	Director Development & Regulation		administering agency
446925	A*	Environment Protection Act 1993	section 93(2a)	Provide notice to the authority under the Natural Resource Management Act 2004	Director Development & Regulation		administering agency
446926	A*	Environment Protection Act 1993	section 93(5)	Confirm an emergency environment protection order by issuing and serving a written environment protection order	Director Development & Regulation		administering agency
446927	A*	Environment Protection Act 1993	section 93(7)	Revoke or vary an environment protection order	Director Development & Regulation		administering agency

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446928	A*	Environment Protection Act 1993	section 94(1)	Apply to the Registrar General for registration of an environment protection order as a charge on land	Director Development & Regulation		administering agency
446929	A*	Environment Protection Act 1993	section 94(4a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Director Development & Regulation		administering agency
446930	A*	Environment Protection Act 1993	section 94(6)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	Director Development & Regulation		administering agency
446931	A*	Environment Protection Act 1993	section 95(1)	Take action required by an environment protection order which has not been undertaken by the recipient of that order	Director Development & Regulation		administering agency

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446932	A*	Environment Protection Act 1993	section 95(2)	Authorise a person to take action on behalf of the council under section 95(1)	Director Development & Regulation		administering agency
446933	A*	Environment Protection Act 1993	section 95(3)(a)	Issue an instrument of authority to a person authorised under section 95(2) who is not an authorised officer	Not Sub-Delegated		administering agency
446934	A*	Environment Protection Act 1993	section 95(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 95 as a debt from the person who failed to comply with the environment protection order	Director Development & Regulation		administering agency
446935	A*	Environment Protection Act 1993	section 95(4a)	Recover from the person to whom an environment protection order was issued an amount prescribed by regulation as being recoverable in respect to the registration of an order as a	Director Development & Regulation		administering agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				charge on land or the cancellation of such registration			
446936	A*	Environment Protection Act 1993	section 95(5)(a)	Fix a period by notice within which an amount recoverable by the council under section 95 must be paid	Director Development & Regulation		administering agency
446937	A*	Environment Protection Act 1993	section 96(1)	Issue an information discovery order	Director Development & Regulation		administering agency
446938	A*	Environment Protection Act 1993	section 96(4)	Vary or revoke an information discovery order	Director Development & Regulation		administering agency
446939	A*	Environment Protection Act 1993	section 97(1)	Take action to obtain information required by an information discovery order or a condition of an environment authorisation if person to whom order was issued or condition applies fails to do so	Director Development & Regulation		administering agency

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446940	A*	Environment Protection Act 1993	section 97(2)	Authorise a person to take action on behalf of the council under section 97(1)	Director Development & Regulation		administering agency
446941	A*	Environment Protection Act 1993	section 97(3)(a)	Issue an instrument of authority to a person authorised under section 97(2) who is not an authorised officer	Director Development & Regulation		administering agency
446942	A*	Environment Protection Act 1993	section 97(4)	Recover the reasonable costs and expenses incurred by the council taking action under section 97 as a debt from the person who failed to provide the information	Director Development & Regulation		administering agency
446943	A*	Environment Protection Act 1993	section 99(1)	Issue a clean-up order	Director Development & Regulation		administering agency
446944	A*	Environment Protection Act 1993	section 99(2a)	Give notice to the relevant authority under the Natural Resources Management Act	Director Development & Regulation		administering agency

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				2004 of proposed issuing or variation of a clean-up order			
446945	A*	Environment Protection Act 1993	section 99(5)	Confirm an emergency clean-up order by issuing a written clean-up order	Director Development & Regulation		administering agency
446946	A*	Environment Protection Act 1993	section 99(7)	Vary or revoke a clean-up order	Director Development & Regulation		administering agency
446947	A*	Environment Protection Act 1993	section 101(1)	Apply to the Registrar General for registration of a clean-up order as a charge on land	Director Development & Regulation		administering agency
446948	A*	Environment Protection Act 1993	section 101(5a)	Notify the owners and occupiers of land to which a charge has been registered by the Registrar General of the charge and obligations of the owners and occupiers	Director Development & Regulation		administering agency

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446949	A*	Environment Protection Act 1993	section 101(8)	Apply to the Registrar General to cancel the registration of an environment protection order as a charge on land	Director Development & Regulation		administering agency
446950	A*	Environment Protection Act 1993	section 102(1)	Take action required by a clean-up order if the person to whom the order was issued fails to do so	Director Development & Regulation		administering agency
446951	A*	Environment Protection Act 1993	section 102(2)	Authorise a person to take action on behalf of the council under section 102(1)	Director Development & Regulation		administering agency
446952	A*	Environment Protection Act 1993	section 102(3)(a)	Issue an instrument of authority to a person authorised under section 102(2)	Director Development & Regulation		administering agency
446953	A*	Environment Protection Act 1993	section 103(1)	Recover reasonable costs and expenses incurred in council taking action on non-compliance with a clean-up order	Director Development & Regulation		administering agency

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446954	A*	Environment Protection Act 1993	section 103(2a)	Recover an amount prescribed by regulation in respect of a registration of a clean-up order on land or the cancellation of that registration	Director Development & Regulation		administering agency
446955	A*	Environment Protection Act 1993	section 103(3)(a)	Fix a period by notice within which an amount recoverable by the council under section 103 must be paid	Director Development & Regulation		administering agency
446956	A*	Environment Protection Act 1993	section 104(1)(d)	Apply for an order from the Environment, Resources and Development Court against a person who committed a contravention of the Environment Protection Act or a repealed environment law for payment of the reasonable costs and expenses of the council in taking action to prevent or mitigate environmental harm	Director Development & Regulation		public authority
446957	A*	Environment Protection Act 1993	section 104(7)(a)	Apply for an order under section 104	Director Development & Regulation		administering agency

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446958	A*	Environment Protection Act 1993	section 104(7)(b)	Apply for an order under section 104	Director Development & Regulation		council
446959	A*	Environment Protection Act 1993	section 109(3a)	Provide details of actions taken by the council which must be included in the register to the Authority	Director Development & Regulation		administering agency
446960	A*	Environment Protection Act 1993	section 116(a)	Waive the payment of the whole or part of a fee or levy or refund the whole or part of a fee or levy	Director Development & Regulation		administering agency
446961	A*	Environment Protection Act 1993	section 116(b)	Allow the payment a fee or levy by instalments	Director Development & Regulation		administering agency
446962	A*	Environment Protection Act 1993	section 120	Require the verification of information by statutory declaration	Director Development & Regulation		administering agency

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446963	A*	Environment Protection Act 1993	section 120A	Apply to the court for an order that a convicted person pay to the council the reasonable costs and expenses incurred in carrying out an investigation or taking action as a result of a false or misleading report	Director Development & Regulation		administering agency
446964	A*	Environment Protection Act 1993	section 130	Advise a person who submits a report to the council of the action which the council has taken or proposes to take in respect of the allegation	Director Development & Regulation		administering agency
446965	A*	Environment Protection Act 1993	section 135(1)	Issue a notice requiring a person who has contravened the Environment Protection Act to pay a fee fixed by, or calculated in accordance with, the regs. Or reasonable costs and expenses incurred by the council in taking action to ensure that the person has complied with requirements imposed as a consequence of the contravention or in taking	Director Development & Regulation		administering agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
				sample or conducting tests, examination or analyses			
446966	A*	Environment Protection Act 1993	section 135(2)	Fix the period for payment of an amount under section 135	Director Development & Regulation		administering agency
446967	A*	Environment Protection Act 1993	section 135(3)(a)	Extend the period for payment of an amount under section 135	Director Development & Regulation		administering agency
446968	A*	Environment Protection Act 1993	section 135(3)(b)	Waive or reduce the amount for payment of an amount under section 135	Director Development & Regulation		administering agency
446969	A*	Environment Protection Act 1993	section 135(8)	Recover an unpaid amount under section 135 as a debt	Director Development & Regulation		administering agency
446970	A*	Environment Protection Act 1993	section 138(1)	Exercise the powers of a mortgagee under the Real Property Act 1886 in regard to a default on the payment of money secured by the mortgage in the event that	Director Development & Regulation		administering agency

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				there is a default in the payment of an amount subject to a charge on land in favour of the council			
446971	A*	Environment Protection Act 1993	section 139(1)(a)	Execute a certificate certifying as to a matter relating to an environmental authorisation of other authorisation under the Environment Protection Act	Director Development & Regulation		administering agency
446972	A*	Environment Protection Act 1993	section 139(1)(b)	Execute a certificate certifying as to a matter relating to the appointment of non-appointment of a person as an authorised officer or analyst or otherwise under the Environment Protection Act	Director Development & Regulation		administering agency
446973	A*	Environment Protection Act 1993	section 139(1)(c)	Execute a certificate certifying as to a matter relating to a delegation or authority under the Environment Protection Act	Director Development & Regulation		administering agency

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446974	A*	Environment Protection Act 1993	section 139(1)(d)	Execute a certificate certifying as to a matter relating to a notice, order, requirement or direction under the Environment Protection Act	Director Development & Regulation		administering agency
446975	A*	Environment Protection Act 1993	section 139(1)(e)	Execute a certificate certifying as to a matter relating to any other decision of the council	Director Development & Regulation		administering agency
446976	A*	Environment Protection Act 1993	section 139(1)(f)	Execute a certificate certifying as to a matter relating to the receipt or non-receipt of a notification or information required to be given to the Environment Protection Authority or Minister under the Environment Protection Act	Director Development & Regulation		administering agency
446977	A*	Environment Protection Act 1993	section 139(2)	Execute a certificate detailing the costs and expenses incurred by the council and the purpose for which the costs and expenses were incurred	Director Development & Regulation		public authority

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446978	A*	Environment Protection Act 1993	section 140(3a)(b)	Certify a code, standard or other document for the purposes of legal proceedings	Director Development & Regulation		administering agency

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446979	A*	Environment Protection Regulations 2009	regulation 75(2)	Elect by written notice to the Environment Protection Authority not to comply with regulations 71 and 71(2) in respect of solid waste and to take the solid mass of waste to be as calculated in accordance with the formula in regulation 75(2)(b)	Director Development & Regulation		council