



Environmental Protection Act 1986

Environmental Protection (Delegation) Notice (No. 2) 2005

Made by the Acting Chief Executive Officer of the Department of the Environment, with the approval of the Minister for the Environment, under section 20 of the *Environmental Protection Act 1986*.

1. Citation

This notice is the *Environmental Protection (Delegation) Notice (No. 2) 2005*.

2. Commencement

This notice comes into operation on the day on which it is published in the *Gazette*.

3. Delegation

- (1) The powers and duties of the CEO under Part V Division 2 (other than sections 51E(1)(a), 51M(1)(a) and 51S) and sections 107 and 110 of the *Environmental Protection Act 1986* are delegated to the Director, Environment Division of the Department of Industry and Resources and, separately, to the Deputy Director-General, Mineral and Petroleum Services of the Department of Industry and Resources in respect of clearing that is the result of carrying out —
 - (a) an activity under an authority granted, or a requirement imposed, under the *Mining Act 1978*, the *Petroleum Act 1967*, the *Petroleum Pipelines Act 1969* or the *Petroleum (Submerged Lands) Act 1982*; or
 - (b) an activity under a government agreement administered by the Department of Industry and Resources.
- (2) This delegation is subject to the condition that a decision about a clearing matter in respect of clearing that is the result of carrying out an activity referred to in subclause (1)(a) must not be made unless —
 - (a) the authority or requirement under which the activity is to take place has been granted or imposed; or
 - (b) an application for the authority has been refused.

(3) In this clause —

“clearing matter” means —

- (a) an application for a clearing permit; or
- (b) an amendment of a clearing permit;

“government agreement” has the meaning given to that term in section 2 of the *Government Agreements Act 1979*.

Date: 23 June 2005.

Made by:

DEREK CAREW-HOPKINS.

Approved by:

JUDY EDWARDS.

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