

South Australia

Environment Protection (Variation of Act, Schedule 1) Regulations 2020

under the *Environment Protection Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection (Variation of Act, Schedule 1) Regulations 2020*.

2—Commencement

These regulations come into operation on 1 April 2021.

3—Variation provisions

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

Part 2—Variation of *Environment Protection Act 1993*

4—Variation of Schedule 1 of the Act—Prescribed activities of environmental significance

- (1) Schedule 1, Part A, clause 1(2)—after paragraph (b) insert:

or

- (c) works for the production of hydrogen with a production capacity of more than 100 tonnes per year.
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(2) Schedule 1, Part A, clause 5—after subclause (4) insert:

(5) **Poultry Farms—broiler**

the conduct of a broiler farm, being premises for the growing of poultry meat where the total area of the sheds or structures used to keep the poultry is 13 500 square metres or more.

In this subclause—

poultry means chicken, turkey, guinea fowl, duck, geese, pheasants, quail, squab (pigeons), muttonbirds or other avian species but does not include ratites.

(3) Schedule 1, Part A, clause 8—after subclause (8) insert:

(9) **Pumped hydroelectricity production works**

the conduct of works or a facility for the generation of electricity by means of passing water through a turbine with a total full-load sustained output capacity of 30 megawatts or more.

Schedule 1—Transitional provisions

1—Transitional provision

- (1) The Authority must, despite Part 6 of the principal Act (except section 47(3)), grant a licence to a person to enable the person to conduct a broiler farm within the meaning of Schedule 1 Part A clause 5(5) of the principal Act as inserted by these regulations (to have effect from the commencement of this clause), if the applicant for the licence is, immediately before the commencement of this clause, an accredited poultry grower under the *Primary Produce (Food Safety Schemes) (Meat) Regulations 2017* in respect of the business of growing poultry at the broiler farm.
- (2) The Authority is not required to grant a licence pursuant to this clause except on application and payment of the appropriate application fee and authorisation fee under Part 6 of the principal Act.
- (3) A licence granted under this clause—
 - (a) has effect for a term determined by the Authority; and
 - (b) is—
 - (i) except as specified in this clause—subject to the principal Act; and
 - (ii) subject to any conditions of the licence imposed by the Authority under Part 6 of the Act and specified in the licence.
- (4) Public notice is not required to be given under Part 6 of the principal Act in respect of an application for the grant of a licence pursuant to this clause.
- (5) In this clause—

principal Act means the *Environment Protection Act 1993*.

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 17 December 2020

No 311 of 2020