TASMANIA

PULP MILL ASSESSMENT AMENDMENT (CLARIFICATION) BILL 2009

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 8 amended (Effect of approval)
5. Repeal of Act
PULP MILL ASSESSMENT AMENDMENT
(CLARIFICATION) BILL 2009

(Brought in by the Minister for Planning, the Honourable
David Edward Llewellyn)

A BILL FOR

An Act to amend the Pulp Mill Assessment Act 2007

Be it enacted by His Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the Pulp Mill
Assessment Amendment (Clarification) Act 2009.

2. Commencement

This Act commences on the day on which this
Act receives the Royal Assent.

3. Principal Act

In this Act, the Pulp Mill Assessment Act 2007*
is referred to as the Principal Act.

*No. 4 of 2007
4. Section 8 amended (Effect of approval)

Section 8 of the Principal Act is amended by inserting after subsection (3) the following subsections:

(4) The Pulp Mill Permit lapses if the project is not substantially commenced before the end of the period of 4 years commencing on the date on which the Pulp Mill Permit comes into force.

(5) A permit that is to be taken, in accordance with section 8(1)(c), to be issued—

(a) under the Land Use Planning and Approvals Act 1993 only lapses under section 53(5) of that Act when the Pulp Mill Permit lapses, if at all, under subsection (4); or

(b) under the Water Management Act 1999 lapses under section 159(8) of that Act at the end of the period of 4 years commencing on the date on which the Pulp Mill Permit comes into force if the dam works within the meaning of that Act are not substantially completed within that 4-year period.

(6) A permit that—

(a) is to be taken, in accordance with section 8(1)(c), to be issued under
the Land Use Planning and Approvals Act 1993 or the Water Management Act 1999; and

(b) would have, but for this subsection, lapsed under that Act on and from a day (the “relevant day”) before this subsection commences –

is to be taken, on and from the relevant day, to have not so lapsed on and from the relevant day.

5. Repeal of Act

This Act is repealed on the ninetieth day from the day on which it commences.