

TASMANIA

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**PULP MILL ASSESSMENT AMENDMENT  
(CLARIFICATION) BILL 2009**

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**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.

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\*No. 4 of 2007

*Pulp Mill Assessment Amendment (Clarification) Act 2009*  
*Act No. of*

s. 4

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**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

*Pulp Mill Assessment Amendment (Clarification) Act 2009*  
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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.