Development Assessment Flowchart

Is development assessment required?

Land Use Planning and Approvals Act 1993 & Environmental Management and Pollution Control Act 1994

Local Council

- Permitted → Approval with conditions
- Prohibited → No permit can be granted
- Discretionary → Level 1 Activity

Level 1 Activity → Assessment against planning scheme

Level 2 Activity or Activities 'called in' → Board of EPA → Tasmanian Heritage Council

Mining Company prepare EER or DPEMP

Assessment against planning scheme → Publically advertised
Level 1 or 2A - 14 days
Level 2B - 28 days
Level 2C - 42 days

Representations from public → Assessment by local council / EPA

- Approval with conditions
- Refusal

* If the EPA directs the local council to refuse the application, it must be refused.

Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

Is the mining project a controlled action?

- Yes → Assessed under Bilateral
- No → No Federal approval required

Assessed under Bilateral → Mining Company prepare EER or DPEMP

Not assessed under Bilateral → See EPBC flowchart

Project is a controlled action under the EPBC Act → Federal Environment Minister considers assessment documents

- Approval with conditions
- Refusal

State Policies and Projects Act 1993 (Level 3)

Tasmanian Planning Commission (TPC)

Terms of reference released

Mining Company prepares IIS

Publically advertised

Hearing

Recommendation by TPC

Tasmanian Premier: Approve / Refuse

* If contrary to recommendations, they must be passed by both Houses of Parliament.