

## **Legislative Requirements Summary**

### **Ecological and Cultural Site Inspection – Tasmania**

Before undertaking any works that may impact the natural environment or cultural values in Tasmania, site inspections must consider and comply with relevant legislative and regulatory requirements at Commonwealth, State, and Local levels.

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#### **Commonwealth (Federal) Legislation**

- **Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)**
    - Protects nationally significant matters of environmental importance (MNES) such as threatened species, ecological communities, migratory species, World Heritage Areas, and Ramsar wetlands.
    - Works that may significantly impact these require referral and approval under the EPBC Act.
    - EPBC Act – Department of Climate Change, Energy, the Environment and Water
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#### **Tasmanian (State) Legislation**

##### **Environmental & Biodiversity Protection**

- **Nature Conservation Act 2002**
    - Framework for protection of native flora, fauna, and habitats.
    - Regulates taking, keeping, trading, and disturbance of listed species.
  - **Threatened Species Protection Act 1995**
    - Provides for the listing and protection of threatened species.
    - Site inspections must identify any threatened species present.
  - **Living Marine Resources Management Act 1995**
    - Relevant where works may impact estuarine or coastal ecosystems.
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##### **Land, Water & Vegetation Management**

- **Land Use Planning and Approvals Act 1993 (LUPAA)**
  - Oversees development applications and planning schemes.

- Local councils implement requirements through development approvals.
  - **Water Management Act 1999**
    - Regulates water usage, dam construction, and activities impacting waterways.
  - **Forest Practices Act 1985**
    - Governs forestry operations, clearing, and disturbance of native vegetation.
    - May require a Forest Practices Plan (FPP) for certain works.
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## Cultural Heritage

- **Aboriginal Heritage Act 1975**
    - Protects Aboriginal sites, artefacts, and places of significance.
    - It is an offence to destroy, damage, deface, or otherwise interfere with Aboriginal heritage without approval.
    - Aboriginal Heritage Tasmania
  - **Historic Cultural Heritage Act 1995**
    - Protects historic buildings, places, and precincts listed on the Tasmanian Heritage Register.
    - Works may require permits or approvals from the Tasmanian Heritage Council.
    - Tasmanian Heritage Council
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## Local Government Requirements

- Local councils enforce **planning schemes** under LUPAA.
- Development applications may require:
  - Vegetation clearing permits
  - Heritage assessments
  - Environmental impact assessments
- Always check with the relevant local council before commencing works.

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✓ **Key Compliance Steps During Site Inspection**

1. **Identify environmental values** – native vegetation, threatened species, sensitive ecosystems.
2. **Check cultural heritage registers** – Aboriginal and historic heritage sites.
3. **Assess water and land impacts** – rivers, wetlands, catchments, soil stability.
4. **Consult planning requirements** – local council development approvals.
5. **Seek permits/approvals** – where activities may trigger legislative protections.
6. **Document findings** – maintain accurate records for compliance and reporting.