How does the MTPF Act process work?

Declaration
Premier assesses project. Project 'declared' under the MTPF Act 2009.

The Premier assesses the economic, social and environmental significance of a project to the State or a region within it. The assessment is made having regard to the project declaration guidelines. The Premier can declare a transport project to be a 'declared project' to which the whole or part of the MTPF Act would apply. Following declaration, a Project Minister and project proponent are appointed for the project.

Project proposal
Proponent prepares and submits a project proposal to the Minister for Planning.

The project proponent prepares a project proposal in accordance with the project proposal guidelines and submits it to the Minister for Planning.

Assessment pathway
Minister for Planning considers the proposal and determines assessment pathway.

The Minister for Planning considers the proposal and, within 5 business days, determines whether an impact management plan (IMP) or comprehensive impact statement (CIS) is required:
● An IMP can be applied where the land is wholly owned by a public authority or reserved for a public purpose and certain approvals are either not required or have been granted.
● A CIS can be applied if the project does not meet the criteria for an IMP.

Scoping directions
Minister for Planning prepares scoping directions for the assessment pathway.

The Minister for Planning prepares scoping directions for the IMP or CIS, within 25 or 10 business days respectively, of making the determination on the assessment pathway.
In exceptional circumstances, draft scoping directions for a CIS can be released for public comment or further information can be sought from the project proponent.
If a CIS is required, the Minister for Planning will establish an Assessment Committee and provide them with terms of reference.

Preparing the assessment
Proponent prepares IMP or CIS to satisfy the requirements set out in the scoping directions.

The project proponent prepares the IMP or CIS to satisfy the requirements set out in the scoping directions as well as under the Act.
If a CIS is prepared, the Secretary to the Department (or his/her delegate) must determine if it is adequate for exhibition, and the Minister for Planning must determine an appropriate exhibition period (between 20 and 30 business days).

Public review
Public exhibition of the CIS.

Once the Secretary (or delegate) has determined that a CIS is adequate, the project proponent releases the CIS for public comment. Public submissions are made to the Assessment Committee.
The Assessment Committee may consult with submitters to clarify their submissions. Within 20 business days after the end of the public exhibition period, the Assessment Committee must conduct a preliminary hearing and give the project proponent an issues report or statement (if directed to do so in the terms of reference).
The project proponent must then publish the revised CIS and give notice of its publication.

Public hearing
Assessment Committee conducts formal public hearing.

For a CIS pathway, the Assessment Committee conducts formal public hearings. During these hearings, applicable law decision-makers may give advice on the project to the Assessment Committee and public submissions can be made.

Making an Assessment
The Minister for Planning considers relevant information.

For an IMP pathway, the Minister for Planning receives a copy of the IMP and consults with the identified applicable law decision-makers.
For a CIS pathway, the Assessment Committee makes recommendations to the Minister for Planning. If a Works Approval is required, the Assessment Committee must give a copy of its recommendations to the EPA. The EPA has 30 business days after the last day of the formal public hearing to provide advice to the Minister for Planning on the Works Approval.

Approval decision
The Minister for Planning makes an approval decision.

For an IMP pathway, the Minister for Planning makes a decision whether to approve the project within 20 business days of receipt of the IMP.
For a CIS pathway, the Minister makes a decision whether to approve the project within 20 business days of the receipt of the recommendations of the Assessment Committee.
In making his/her decision, the Minister can grant relevant 'applicable approvals', which are identified in Schedule 1 of the Act.