



What is considered a major project?

Major projects assessment system: fact sheet 2

A particular development or development type may be declared a major project to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Minister for Planning's approval is required for these projects and they are ordinarily assessed by the Department of Planning.

Major projects are identified either in:

- State Environmental Planning Policy (Major Projects) 2005 (also known as the Major Projects SEPP), or
- an order by the Minister for Planning published in the NSW Government Gazette.

PROJECTS IDENTIFIED IN THE MAJOR PROJECTS SEPP

Development types

Schedule 1 of the Major Projects SEPP provides a list of the types (also known as classes) of development which can be considered major projects. These development types include:

- agriculture, timber, food and related industries;
- mining, petroleum production, quarries and associated processing industries;
- chemical, manufacturing and related industries;
- general manufacturing, distribution and storage facilities
- tourism and recreational facilities;
- health and public service facilities;
- transport, energy and water infrastructure;
- resource and waste-related industries.

Schedule 1 commonly sets thresholds (such as a total capital investment value or the number of operational employees) before a proposal may be considered a major project. For example, for a proposed timber mill the relevant threshold is that it would have to employ more than 100 people full time or have a capital investment value of more than \$30 million.

If the Minister forms the opinion that a particular project meets the threshold, then it is declared a major project.

Specified sites

Schedules 2 and 3 of the Major Projects SEPP lists the types of developments that can be considered major projects because of where they are located. These include:

- Extractive industries, landfill facilities, some subdivisions, recreation and tourist facilities, tall buildings and other development in the coastal zone. The consideration of these projects by the NSW Government means the objectives of the NSW Coastal Policy can be more easily implemented;
- Some development within mapped areas, including Chatswood Railway Interchange, Kurnell, Honeysuckle, Penrith Lakes, Port and Related Employment Lands, Fox Studios, Sydney Harbour Foreshore Sites, Taronga Zoo, Australian Museum, Sydney Olympic Park and some sites in Ku-ring-gai Council;
- Some development within State significant sites such as Sydney Opera House, Luna Park, Royal Ryde Rehabilitation Site, Redfern–Waterloo Sites, Dan Lands, Channel 7, Kings Forest.

If the Minister forms the opinion the development proposal meets the location and other requirements laid out in the Major Projects SEPP, then it is declared a major project. The Minister does have the discretion to decide that some coastal proposals, including tall buildings, subdivisions or recreational or tourist facilities, are only of local significance and can be determined by the local council.

Retail, residential or commercial projects

Under the Major Projects SEPP, the Minister must decide that a residential, commercial or retail project (outside of the City of Sydney) with a capital investment value over \$50 million is also important to achieving State or regional planning objectives, before such development is declared to be a major project.

See Guideline: *Criteria for declaring development to be a major project* — for a residential, commercial or retail project with a capital investment value of more than \$50 million.

Some rail and related transport facilities

Under the Major Projects SEPP, the Minister must decide that commercial, residential or retail development, or a container packing, storage or examination facility, or a bus interchange development, with a capital investment value of more than \$30 million within a railway corridor or associated with railway infrastructure is of strategic State or regional planning significance before such development is declared to be a major project.

Marina projects

The Minister can also decide to determine that certain marina proposals which meet the size or location criteria in the Major Projects SEPP are of only local planning significance, and hence should be determined by the local council.

MAJOR PROJECTS DECLARED BY ORDER UNDER THE EP&A ACT

The Minister has the ability to publish an order in the NSW Government Gazette to deal with development which may not be listed in the Major Projects SEPP where the Minister considers the development to be of State or regional environmental planning significance. The Minister may issue an order which applies to a particular development or to classes of development.

The Minister in July 2005 published an order that State government infrastructure projects which were likely to significantly affect the environment, must be determined by the Minister under Part 3A rather than the State Government's proponent agency. These types of projects include motorways, railways, water supply projects and electricity transmission projects.

CRITICAL INFRASTRUCTURE PROJECTS

A project may also be declared to be a critical infrastructure project if the Minister considers it to be essential for the State for economic, environmental or social reasons (section 75C of the EP&A Act). The Part 3A assessment process applies to critical infrastructure projects as for other projects. The critical infrastructure provision is rarely used, with only seven projects declared to be critical infrastructure between August 2005 and April 2007.

Examples of projects declared to be critical infrastructure include the Kurnell desalination plant and the Hume and Pacific Highway upgrades. For further information please read the fact sheet *Critical infrastructure*.

FURTHER INFORMATION

- Register of major projects on the Department's website.
- NSW major development monitor 2005–06 (Department of Planning 2006).
- Department of Planning website: www.planning.nsw.gov.au