



Critical infrastructure

Major projects assessment system: fact sheet 7

OVERVIEW

From time to time, a major project may be considered to be essential to the State for economic, social or environmental reasons. Under Part 3A of the *Environmental Planning and Assessment Act 1979*, these projects can be declared to be 'critical infrastructure'.

The critical infrastructure provisions:

- ensure the timely and efficient delivery of essential infrastructure projects
- allow the Government and the planning system to rapidly and readily respond to the changing needs of the State
- provide certainty in the delivery of these projects
- provide for rigorous scrutiny to ensure environmental outcomes are appropriate
- focus on delivering outcomes essential to the NSW community.

THE ENVIRONMENTAL ASSESSMENT PROCESS

A project that is declared to be essential to the State is the subject of a full and thorough environmental assessment by the Director-General — with particular emphasis given to ensuring the proposal goes ahead in an environmentally appropriate and sustainable manner.

The environmental assessment process for critical infrastructure projects is the same as for any other major project. See the fact sheet *Steps in the major project assessment process*.

CONSULTATION AND PUBLIC PARTICIPATION

As for all major projects, key assessment documents are made publicly available on the Department's website at each step of the process.

Key consultative steps include:

- issuing requirements for the environmental assessment — these are prepared in consultation with relevant agencies and other key parties and outline the key matters the proponent must address, as well as consultation requirements
- the proponent's environmental assessment must be publicly exhibited for a minimum of 30 days, and the community is invited to make submissions
- the proponent is required to respond to submissions and this response is made available on the Department's website
- the Director-General also considers submissions and the proponent's response in preparing the Director-General's assessment report to the Minister.

As the project has been declared essential to the State, there is no merit appeal available in relation to critical infrastructure and no procedural appeal without the Minister's support. The critical infrastructure provision is rarely used.

PROJECTS DECLARED TO BE CRITICAL INFRASTRUCTURE

Examples of projects that have been declared critical infrastructure include:

- An 850 kilometre gas pipeline from the Hunter Valley to Queensland — this \$700 million infrastructure investment will boost the State's supply of greener energy and deliver almost 1000 construction and permanent jobs in the region. Construction will secure gas supplies to the North West, Hunter, Newcastle and Sydney as well as encouraging gas exploration and production and stimulating regional development. It will provide a missing link in the East Coast Gas Network from Queensland to Victoria.
- Pacific Highway upgrade — projects will be considered as critical infrastructure as part of the Pacific Highway upgrade to ensure this crucial project will not get bogged down in red tape and the upgrade will be completed as soon as possible, providing improved safety to NSW motorists.
- Hume Highway upgrade — the Hume Highway is the major interstate corridor between Sydney and Melbourne. The upgrade will not only significantly improve the performance and efficiency of this key freight and passenger route, but will also improve safety and ensure the Hume has sufficient capacity to meet future demand.
- Kurnell desalination plant — the desalination plant proposal was declared critical infrastructure in September 2005 to help secure Sydney's water supply.

FURTHER INFORMATION

- Fact sheet: *Steps in the major project assessment process*
- Department of Planning website: www.planning.nsw.gov.au