



# Assessment process for New South Wales major projects

## State Significant Infrastructure

State Significant Infrastructure (SSI) in NSW includes major transport developments which have wide community significance due to their size, economic value or potential impacts. Such projects are assessed via an SSI application and an Environmental Impact Statement (EIS) under the NSW *Environment Planning and Assessment Act 1979* (EP&A Act).

## Environmental assessment of major projects

The EIS outlines the project's key features, assesses its potential environmental and social impacts during construction and operation, and offers proposed mitigation measures.

It captures feedback from landowner consultation and other stakeholders such as councils, industry and the wider community.

Once complete, the EIS is submitted to the NSW Department of Planning, Industry and Environment (DPIE) as required under the SSI assessment process set out in the EP&A Act.

The EIS is then put on public exhibition for a minimum of 28 days. Community members and other stakeholders can provide feedback and make formal submissions which will be considered by DPIE when assessing the project.

The NSW Minister for Planning and Public Spaces makes the final decision on whether the project is approved for construction.

## Commonwealth requirements

Major projects which could have a significant impact on matters of national environmental significance may also require a referral to the Australian Government's Department of the Environment and Energy (DoEE) in addition to Ministerial approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Once a referral is submitted, the Australian Government Minister for the Environment and Energy has 20 days to determine whether the project is 'a controlled action' (i.e. it impacts matters of national environmental significance).

During this time, there is a 10-day period for public comment on the project.



## Key steps in assessing Inland Rail major projects

**1 SSI lodgement** – ARTC lodges a State Significant Infrastructure (SSI) application with the Department of Planning, Industry and Environment (DPIE)

**2 EPBC Act referral** – ARTC refers the project to the Australian Government Department of Environment and Energy (DoEE) to determine whether the project is a 'controlled action' for which approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is required

**3 Public comment**  
– 10-day public comment period for EPBC Act referral



**4 Controlled action** – A controlled action determination is made by DoEE

**5 SEARs issued** – DPIE issues Secretary's Environmental Assessment Requirements (SEARs)

**6 Environmental assessment** – ARTC undertakes an Environmental Impact Assessment (EIA) and drafts an Environmental Impact Statement (EIS) according to the requirements of the SEARs

**7 Lodgement of EIS** – ARTC carries out targeted consultation and technical studies as required by the SEARs during the EIS development, then drafts and finalises the EIS, lodging it with DPIE

**8 Public comment**  
– DPIE accepts the EIS and it then goes on public exhibition for at least 28 days



**9 EIS submissions** – DPIE provides ARTC with submissions received, which are also made publicly available on DPIE's website for the project

**10 Response to submissions** – ARTC provides responses via a Submissions Report and, if required, a Preferred Infrastructure Report (PIR)

**11 Assessment** – DPIE assesses the project – the assessment and recommendation are set out in the department's Environmental Assessment Report to the Minister

**12 Recommendation** – DPIE makes a recommendation to approve the project, including either conditions of consent or reasons for refusal, and refers to the Minister or delegate for determination

**13 Minister's decision** – The Minister makes a decision to approve, approve with conditions, or not to approve the proposed project

**14 Decision under bilateral agreement** – Under the bilateral agreement between NSW and Commonwealth Governments for matters governed by state and federal environmental law, the DPIE's Environmental Assessment Report and Minister's decision is forwarded to DoEE, with a recommendation for the Australian Government Minister on whether the controlled action should be approved, with or without conditions.



### Want to know more?

ARTC is committed to working with landowners, communities, state and local governments as a vital part of our planning and consultation work, and we value your input. If you have any questions or comments, please let us know.

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# ARTC

The Australian Government is delivering Inland Rail through the Australian Rail Track Corporation (ARTC), in partnership with the private sector.

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