

Chapter 2

Approval framework



2 Approval framework

2.1 Summary of statutory requirements

The planning and statutory requirements for the project, and other NSW and Commonwealth legislation and approvals that may apply, are detailed in Chapter 4 (Statutory context) of the EIS. The assessment and approval process under Division 5.2 of the EP&A Act and where the project is in this process is illustrated in Figure 2.1.

As described in section 4.1 of the EIS, the project is declared State significant infrastructure by operation of Part 5, Division 5.2 of the EP&A Act, State Environmental Planning Policy (Planning Systems) 2021 (the Planning Systems SEPP), and State Environment Planning Policy (Transport and Infrastructure) 2021 (the Transport and Infrastructure SEPP).

In accordance with section 5.13 of the EP&A Act, State significant infrastructure may also be declared to be critical State significant infrastructure if it is of a category that, in the opinion of the Minister, is essential for the State for economic, environmental or social reasons. Subsequent to public exhibition, the Minister for Planning declared by Order made on 21 December 2022 that the project is critical State significant infrastructure. The project would remain subject to assessment and approval under Division 5.2 of the EP&A Act. As critical State significant infrastructure, the NSW Minister for Planning remains the approval authority for the project.

Further information about the approval framework for the project is provided in Chapter 4 of the EIS.

2.2 Statutory compliance of the proposed amendments

Transport is proposing amendments to the project described in the EIS. This amendment report has been prepared in accordance with section 179(3) of the EP&A Regulation.

The proposed amendments do not change the permissibility of the project or its declaration as critical State significant infrastructure. The assessment and approval requirements under the EP&A Act, including pre-conditions and mandatory considerations, are described in sections 4.2 and 4.3 of the EIS.

An updated statutory compliance table for the amended project is provided in Appendix C (Updated statutory compliance table) of this report.

Assessment and approval process

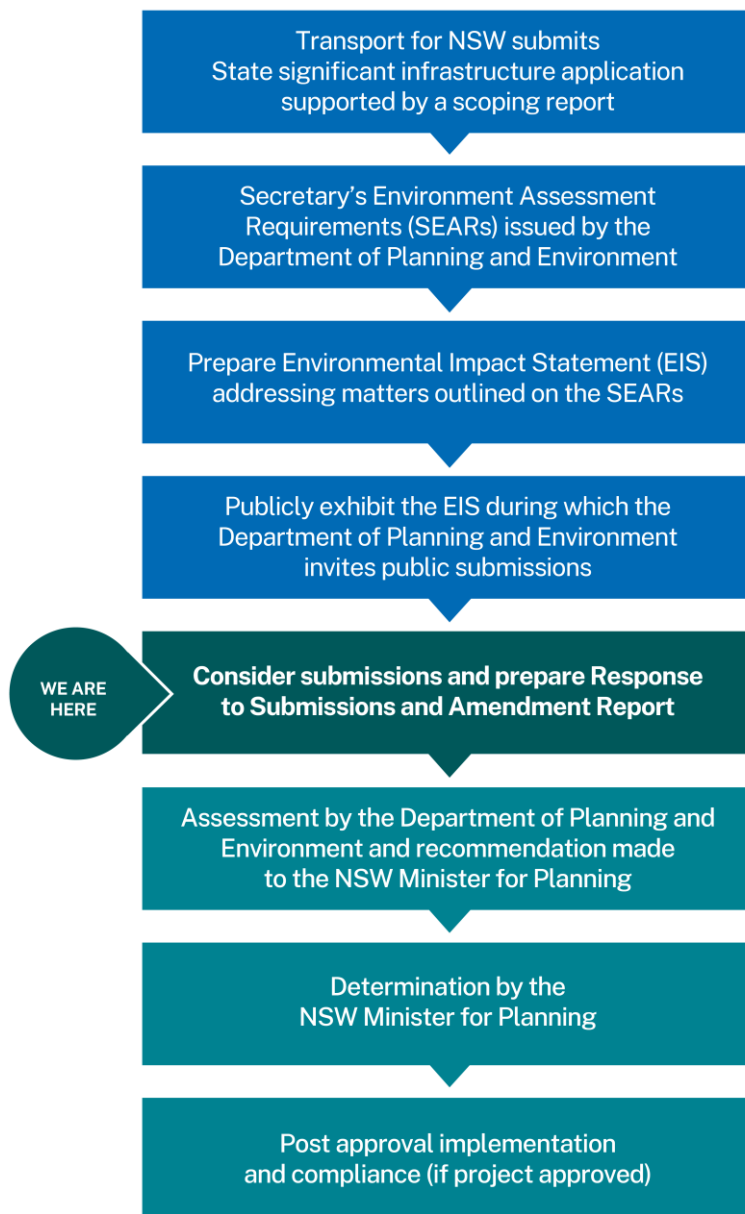


Figure 2.1 Assessment and approval process