



Preparing a Preferred Infrastructure Report

State Significant Infrastructure Guide

Exhibition Draft

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1. Introduction

1.1 Changing an SSI application

Under the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation)¹, the Planning Secretary may require the proponent of State significant infrastructure (SSI) to submit a response to the issues raised in submissions, and a Preferred Infrastructure Report (PIR).

An Amendment Report may contain similar information to a PIR. Amendments to an application are initiated by a proponent whereas a PIR is prepared at the request of the Planning Secretary and outlines any proposed changes to the SSI to minimise its environmental impact or deal with any other issues raised during the assessment of the application.

1.2 Purpose of a PIR

The purpose of the PIR is to describe changes to the SSI and assess the economic, environmental and social impacts of the preferred infrastructure. This will help the community, local councils, agencies and the consent authority to get a better understanding of the preferred infrastructure and its impacts so they can make informed submissions (if the report is exhibited) or decisions on the merits of the preferred infrastructure.

1.3 Assessing and determining the preferred infrastructure

As soon as it is received, the Department will publish the PIR on the Major Projects website and proceed to complete its assessment of the application.

If the changes involve greater than minimal environmental impact, the Department will publicly exhibit the PIR for at least 14 days before completing its assessment. This is to give the community a chance to read the PIR and make a submission on the merits of the preferred infrastructure.

In most cases, the PIR is not exhibited as the changes documented in a PIR are typically made to reduce the environmental impact of the SSI.

Prior to determining the preferred infrastructure, the approval authority is required to evaluate the its merits, having regard to the economic, environmental and social impacts of the preferred infrastructure and the principles of ecologically sustainable development.

After determining the application, the approval authority is required to publish a notice setting out the reasons for the decision and how community issues were taken into account during the making of the decision.²

1.4 Purpose of this guide

This guide provides a detailed explanation of the Department's form and content requirements for PIRs.

It seeks to ensure that the PIR submitted to the Department to support changes to an SSI application are prepared to a high standard and consistent. It also seeks to ensure that all PIRs are:

- as succinct as possible and easy to understand
- clearly describe the proposed changes

¹ See section 5.17(6) of the EP&A Act.

² See section 5.28 of the EP&A Act.

- reflect community views
- contain a technically robust assessment of the impacts of the changes
- evaluate the preferred infrastructure as a whole, having regard to its economic, environmental and social impacts and the principles of SSI.

This guide sets clear expectations for the preparation of all PIRs for SSI projects.

1.5 Application of this Guide

Under the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation), the PIR for an SSI project must be prepared having regard to the SSI guidelines prepared by the Planning Secretary³.

This guide forms part of the relevant SSI guidelines, and proponents must have regard to the requirements in this guide when they prepare a PIR for an SSI project.

³ See proposed clause 3(2) of schedule 2 of the EP&A Regulation in the *Environmental Planning and Assessment Amendment (Major Projects) Regulation 2020*.

2. General Requirements

The proponent must prepare the PIR to a high standard and comply with the following general requirements.

2.1 Form

The Preferred Infrastructure Report must be divided into two parts:

- the main report, which describes the proposed changes, summarises the findings of any community engagement and the detailed assessment of the impacts of the changes, and evaluates the preferred infrastructure as a whole having regard to its economic, environmental and social impacts and the principles of ecologically sustainable development
- the appendices to the main report, which should include:
 - an updated project description, incorporating the proposed changes
 - an updated statutory compliance table
 - an updated table of the approved mitigation measures for the project (excluding any measures that form part of the physical design and layout of the project)
 - any supporting information, including any detailed community engagement or technical reports.

The main report must contain an accurate summary of the detailed reports in the appendices and use suitable cross-referencing to reduce repetition between the two parts of the PIR.

2.2 Structure & length

The structure for a PIR is shown in Appendix A and must be used in all PIRs for SSI projects. If some sections are not relevant, the proponent should adjust the structure of the report accordingly.

While the length of the PIR will vary depending on the scale and nature of the matters requiring detailed assessment, the main report must be as succinct as possible.

To assist in this regard, the Department has set indicative page limits for each section of the main report in Appendix A. These limits should only be used as a guide, as the primary objective is to ensure the PIR provides a serious evaluation of the preferred infrastructure as a whole

2.3 Presentation

The PIR must make it easy for people to understand the proposed changes, community views on the changes and the likely impacts of the changes so they can make informed submissions or decisions on the merits of the preferred infrastructure.

To ensure the PIR is prepared to a high standard, the proponent should:

- ensure the PIR has a clear narrative, clearly explaining why the proposed changes are necessary through the findings of any community engagement and the detailed assessment of the potential impacts of the changes to the evaluation of the preferred infrastructure as a whole
- structure the information in the PIR in a clear and logical way, making it easy for readers to draw a clear link between the summary of the findings of the detailed assessment in the main report and the appendices of the PIR, and between these findings and the evaluation of the preferred infrastructure as a whole

- use objective analysis and provide reasons and evidence to support any conclusions reached
- use plain English to explain complex information simply
- avoid using jargon
- use maps, photographs, interactive digital tools, figures, graphics and tables to improve the presentation of information where possible
- ensure the visual presentation of material is consistent with the text presentation of the same material and that two presentations are located close to one other
- ensure the PIR does not contain any false or misleading information⁴.

2.4 GIS data specifications

The proponent must:

- maintain appropriate geo-referenced file formats of all the maps used in the Preferred Infrastructure Report
- supply all relevant GIS data to the Department as polygon datasets in one of the following file formats:
 - shapefile
 - file geodatabase or
 - MapInfo TAB
- use the following coordinate system details:
 - Datum: GDA 1994
 - Projection: GCS GDA 1994.

2.5 General map requirements

Maps presented in the Preferred Infrastructure Report should build on a standard base map for the project and include:

- a north arrow (for maps in plan view)
- a scale (or where a cross section is not to scale, an indication of the elevation of key features and vertical exaggeration)
- a legend clearly indicating each line type that is not labelled on the map
- the source data of the base map (where applicable).

2.6 Accessibility & navigation

The PIR must generally conform with the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and relevant material about creating accessible documents on the NSW Government's website.

In particular, the PIR must:

- be provided as accessible PDF files⁵ (commonly referred to as "tagged" PDF files)
- have a navigable table of contents

⁴ See section 10.6 of the EP&A Act.

⁵ An accessible PDF file provides hidden, structured, textual representation of the PDF content that is presented to screen readers.

- present information in a linear and easy to follow format
- use headings – in Microsoft Word this means using heading styles (e.g. Heading 1, Heading 2, Normal)
- use captions for tables, pictures and figures
- include a header row in any tables
- provide alternate text descriptions for all images (except for images that are decorative) - preferably under 100 characters
- use text to convey information rather than, or in addition to, images where possible
- use a contrast ratio of 3:1 for large text (18+ points or 14+ points bold) and at least 4.5:1 for text and images of text, unless the text is decorative or unimportant (use the Vision Australia colour contrast analyser to check the contrast ratio of colour combinations)
- not rely on colour to convey information and instead use text labels, patterns and symbols to supplement colour.

3. Content of a Preferred Infrastructure Report

The Preferred Infrastructure Report must contain the following information.

3.1 Introduction

This section should set the context for the description of the changes. It should include a short summary of the project in the original application, a map of the site / corridor in its regional setting, a description of the assessment process to date, and the reasons why the project is being changed.

3.2 Strategic context

This section should describe the strategic context for the changes. In most cases, this will involve summarising the description of the strategic context in the original EIS to the extent relevant. If the strategic context has changed since the original application was submitted, the changes should be described in detail in this section of the Preferred Infrastructure Report. This description should be prepared having regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

3.3 Description of the changes

This section should provide an overview of the changes with suitable maps, plans and figures showing the changed project, and a table comparing the changed project to the original project (see example in Appendix B).

This overview should be supplemented by a detailed description of the proposed changes. This description should have regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

An updated description of the changed project should be included as an appendix to the Preferred Infrastructure Report.

3.4 Statutory context

If the statutory context has changed since the original application was submitted or the changes trigger new statutory requirements, these changes should be identified in this section of the report.

This section should be prepared having regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

The detailed consideration of the statutory requirements should occur in the relevant assessment or evaluation sections of the Preferred Infrastructure Report.

If the statutory context has not changed since the original application was submitted, the proponent should state that the statutory context has not changed.

3.5 Engagement

If community engagement was carried out for the changes, this section should summarise the:

- engagement that was carried out
- key issues raised during this engagement
- engagement to be carried out if the changed project is approved.

This summary should be presented having regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

Any detailed engagement reports should be included as an appendix to the Preferred Infrastructure Report.

3.6 Assessment of impacts

If further assessment of the impacts was carried out, this section should provide a detailed summary of the findings of that assessment, including details about the impacts of the changes and the impacts of the changed project. The summary should be prepared having regard to:

- any relevant:
 - Government plans, policies and guidelines (e.g. *Noise Policy for Industry, Approved Methods for the Modelling and Assessment of Air Pollutants, Water Sharing Plans*).
 - issues arising from the analysis of the strategic context.
 - statutory requirements.
 - community views
 - the Department's *Assessing Cumulative Impacts* guide.
- the findings of any specialist studies or investigations undertaken for the project.

This section should include a table summarising the changes to the impacts of the project due to the changes, and it should be prepared having regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

A table of the proposed mitigation measures for the changed project must be included as an appendix to the Preferred Infrastructure Report. Any detailed technical reports should also be included as appendices to the Preferred Infrastructure Report.

3.7 Evaluation of the preferred infrastructure

This section should include an evaluation of the preferred infrastructure as a whole, which integrates the findings of all sections of the PIR and considers the principles of ecologically sustainable development.

This section should summarise the relevant findings from the EIS or Modification Report and incorporate any new findings relating to the changes.

This section should be prepared having regard to the relevant guidance in the *Preparing an Environmental Impact Statement* guide.

4. Glossary

Amendment	A change in what the proponent is seeking approval for during the assessment process. It requires changes to the project description in the EIS or Modification Report and amendments to the associated infrastructure application or modification application. Applications can only be amended with the agreement of the Planning Secretary.
Amendment Report	A report prepared by the proponent to support amendments to an infrastructure application or modification application (see the <i>Preparing an Amendment Report</i> guide).
Approval authority	The approval authority for an SSI application or SSI modification application. This will be the Minister or the Minister's delegates in the Department.
Certify	A REAP may certify an EIS for an SSI project and other environmental assessment reports required for SSI projects against the criteria in the <i>Registered Environmental Assessment Practitioner</i> guide before they are submitted to the Department.
Department	Department of Planning, Industry and Environment.
Determination	A decision by an approval authority for an SSI application to either approve the application subject to modifications or conditions or refuse to approve the application.
EIS	An Environmental Impact Statement prepared by the proponent to support an SSI application (see the <i>Preparing an EIS</i> guide).
Environmental assessment reports	Reports required to be submitted to the Department by a proponent seeking approval for an SSI application or modification application. These reports include Scoping Reports, EISs, Submissions Reports, Amendment Reports, Preferred Infrastructure Reports and Modification Reports.
Environmental planning instrument	Means an environmental planning instrument (including a SEPP or Local Environmental Plan) made under part 3 of the EP&A Act.
EP&A Act	<i>Environmental Planning and Assessment Act 1979.</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000.</i>
Major Projects website	www.majorprojects.planningportal.nsw.gov.au
Matter	An element of the environment that may be affected by an SSI (e.g. air, amenity, biodiversity, economic, social).
Minister	The Minister for Planning and Public Spaces.
Mitigation	Actions or measures to reduce the impacts of a project.
Modification	Changing the scope or terms of an SSI approval, including revoking or varying a condition of approval. A modification requires approval under the EP&A Act.

Amendment	A change in what the proponent is seeking approval for during the assessment process. It requires changes to the project description in the EIS or Modification Report and amendments to the associated infrastructure application or modification application. Applications can only be amended with the agreement of the Planning Secretary.
Modification application	An application seeking to modify an SSI approval under section 5.25 of the EP&A Act.
Modification Report	A report prepared by the proponent to support a modification application (see the <i>Preparing a Modification Report</i> guide).
Planning Secretary	The Planning Secretary of the Department.
Preferred Infrastructure Report	A report prepared by an SSI proponent at the request of the Planning Secretary that outlines any proposed changes to the SSI to minimise its environmental impact or to deal with any other issue raised during the assessment of the application concerned (see the <i>Preparing a Preferred Infrastructure Report</i> guide).
Project	An SSI proposal, which is the subject of an infrastructure application or modification application.
Proponent	The proponent seeking approval for an SSI application or modification application.
REAP	A registered environmental assessment practitioner who is a member of a professional scheme that is accredited under the EP&A Regulation. REAPs may certify the EISs for SSI projects and other documents required for SSI projects before they are submitted to the Department (see the <i>Registered Environmental Assessment Practitioner</i> guide).
Refinement	A change that fits within the limits set by the project description and does not change what the proponent is seeking approval for or require an amendment to the infrastructure application for the project.
Scoping	The process of identifying the matters that require further assessment in an EIS.
Scoping Report	A report prepared by the proponent to inform the setting of SEARs for an SSI project (see the <i>Preparing a Scoping Report</i> guide).
SEARs	The Planning Secretary's environmental assessment requirements for the preparation of an EIS for an SSI project.
SSI / CSSI	Development that is declared to be State significant infrastructure under section 5.12 of the EP&A Act and critical State significant infrastructure under section 5.13 of the EP&A Act.
SEPP	State Environmental Planning Policy.
Submission	A written response from an individual or organisation, which is submitted to the Department during the public exhibition of an EIS, Amendment Report, Preferred Infrastructure Report or Modification Report for State significant infrastructure.
Submissions Report	A report prepared by the proponent to respond to the issues raised in submissions (see the <i>Preparing a Submissions Report</i> guide).

Appendix A – Recommended structure of a Preferred Infrastructure Report

Preferred infrastructure report	
Section	Indicative page limit*
Executive summary	3
1 Introduction	3
2 Strategic context	3
3 Description of changes	10
4 Statutory context	3
5 Engagement	5
6 Assessment of impacts	1-10** per issue
7 Evaluation of merits	5
8 References	
Appendices	
A Updated project description	
B Updated mitigation measures table	
C Supporting information, including any detailed engagement or technical reports	

* Indicative page limits do not include maps, plans and figures

** Limits apply to individual matter (for example, it may be possible to report the findings of a simple standard assessment in 1 page whereas a more complex, detailed assessment may require 10 pages)

Appendix B – Examples of a project summary table describing changes to the project

The following table provides an example of how the proposed changes could be compared to the original project.

Project Element	Summary of the approved project	Summary of the proposed changes	Fig ref
Operations			
Description	New dual carriageway motorway between XX – YY, approximately 16 kms, two lanes in each direction with capacity to expand to three lanes in each direction	Change of alignment at location XX	Fig XX
Operational footprint	Approximately 285 ha	Approximately 290 ha	Fig XX
Intersections	Three intersections / interchanges		Fig XX
Bridge structure / creek crossings	19 bridge structure crossing Creeks 1, 2, 3 and local roads A, B, C...	Additional crossing at local road D	Fig XX
Active transport	Pedestrian and cyclist facilities through the provision of pedestrian bridges and off road shared user paths		Fig XX
Local road network	Modifications to the local road network including local road 1, local road 2, local road 3		Fig XX
Utilities	Adjustment, protection or relocation of existing utilities		
Ancillary facilities	Ancillary facilities to support motorway operations, smart motorways operation in the future and the existing M7 Motorway operation, including gantries, electronic signage and ramp metering		
Roadside furniture	Other roadside furniture including safety barriers, signage and street lighting		
Waterways	Adjustments of waterways, where required, including Creeks 1, 2, 3		Fig XX
Permanent water Management	Permanent water quality management measures including swales and basins		
Construction			
Construction footprint	Approximately 350 ha	Approximately 360 ha	Fig XX

Project Element	Summary of the approved project	Summary of the proposed changes	Fig ref
Workforce	Average of 400 per year over a three year construction period		
Cut / fill	Net deficit of fill material of approximately 2 million cubic metres	Reduction in net deficit to 1.8 million cubic metres	
Ancillary facilities	Various locations: material and earthworks stockpiling areas (including early stockpiling), construction support areas for bridges, a main project office and compound area, material testing laboratories, secondary offices located as needed along the length of the construction footprint, workshops for servicing plant and equipment, double-handling and laydown areas, concrete precast elements casting yards and concrete and/or asphalt batching plants		Fig XX
Temporary facilities	Establishment and use of temporary ancillary facilities, temporary construction sedimentation basins, access tracks and haul roads during construction		Fig XX
Dewatering	Dewatering of up to 15 farm dams		
Property	Permanent and temporary property adjustments and property access refinements		Fig XX
Capital Investment	\$1.75 bn		
Construction footprint	Approximately 350 ha	Approximately 360 ha	Fig XX
Workforce	Average of 400 per year over a three year construction period		
Cut / fill	Net deficit of fill material of approximately 2 million cubic metres	Reduction in net deficit to 1.8 million cubic metres	
Ancillary facilities	Various locations: material and earthworks stockpiling areas (including early stockpiling), construction support areas for bridges, a main project office and compound area, material testing laboratories, secondary offices located as needed along the length of the construction footprint, workshops for servicing plant and equipment, double-handling and laydown areas, concrete precast elements casting yards and		Fig XX

Project Element	Summary of the approved project	Summary of the proposed changes	Fig ref
	concrete and/or asphalt batching plants		
Temporary facilities	Establishment and use of temporary ancillary facilities, temporary construction sedimentation basins, access tracks and haul roads during construction		Fig XX
Dewatering	Dewatering of up to 15 farm dams		
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Capital Investment	\$1.75 bn		