

# Environmental Assessment - Part 3A

Upgrading the Pacific Highway



The NSW Roads and Traffic Authority (RTA) is required under the Environmental Planning and Assessment Act to undertake an environmental assessment of all projects to upgrade the Pacific Highway. This fact sheet explains the process.

## Part 3A

The *Environmental Planning and Assessment Amendment [Infrastructure and Other Planning Reform] Act 2005* amends the *Environmental Planning and Assessment Act, 1979* (EP&A). Assessment of most of the RTA's major infrastructure projects will now be conducted under part 3A of the EP&A Act. Part 3A applies to all infrastructure projects that would have otherwise required an environmental impact statement (EIS) under Part 5 of the EP&A Act, most development previously classified as State Significant, and other projects, and plans or programs of works as declared by the Minister for Planning. Part 3A of the Act commenced on 1 August 2005.

Projects which are not assessed under Part 3A would be assessed under Parts 4 or 5 of the EP&A Act as appropriate.

## Assessing project impacts

The focus of the new Part 3A assessment is to ensure that the community is consulted and an environmental assessment is undertaken. This assessment will focus on the key issues that are identified by the Department of Planning (DoP) and other agencies as important to evaluate the proposal, including potential social, economic or environmental impacts.

Part 3A also provides that concept plans for projects may be required by, or submitted to, DoP for approval. Concept plan approvals may consider route development options and determine the future assessment requirements for a project.

## The environmental assessment process

To commence environmental assessment for a project under Part 3A, the RTA would lodge an application for project approval and a preliminary environmental assessment with the Director General of the DoP. The application will be advertised and posted on the Department's website within 14 days of submission.

After the application is submitted the Director-General consults various public agencies and councils before providing the RTA with a list of requirements for the environmental assessment.

The RTA then undertakes the assessment in accordance with these requirements and submits the assessment to the Director-General of the DoP for consideration.

The environmental assessment may contain a draft Statement of Commitments indicating the measures proposed by the RTA to minimise the impact of the proposal on the environment.

The Director General will consider the adequacy of the environmental assessment and may request additional information or a revised assessment.

After it is accepted by the Director-General, the environmental assessment will be publically displayed for at least 30 days and written submissions may be made by any person within that time.

At the end of the display, the Director General may provide the RTA with a copy of the submissions or a summary of the issues raised. The RTA will be asked to respond to the issues and may modify the proposal and the draft Statement of Commitments to minimise impacts on the environment.

If the RTA changes the proposal or the Statement of Commitments in response to the issues raised, a preferred project report describing the revised project would be prepared and made publically available for information.

The Director-General then consults with agencies and councils and provides an assessment report for consideration by the Minister for Planning.

The Minister for Planning decides whether to approve the proposal, with or without conditions.

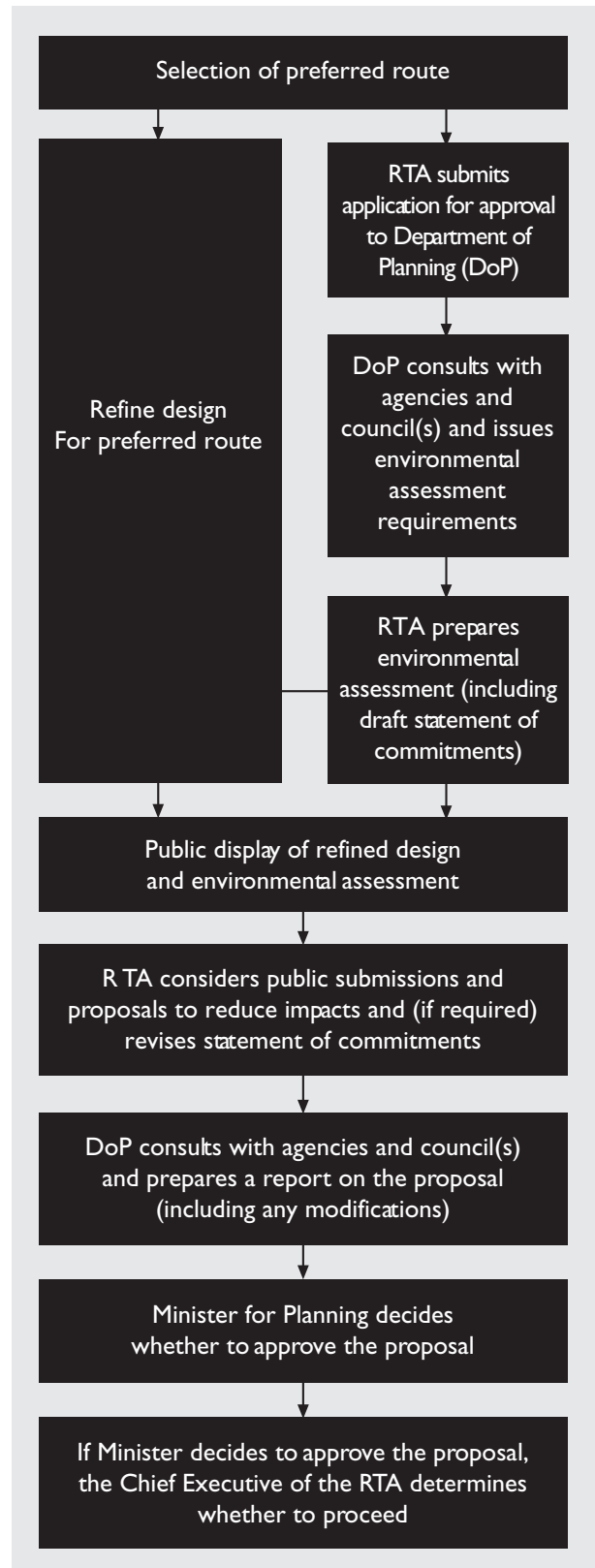
If the Minister approves the proposal, the Chief Executive of the RTA considers the approval and determines whether to proceed.

The assessment report and Minister's decision will be placed on the Department of Planning's website and potentially in other locations within 14 days. The RTA would also upload the assessment to its website.

The following diagram describes the major steps under the new Part 3A assessment and approval process.

### When will the RTA conduct Part 3A environmental assessment?

The assessment required for approval of the project takes place once the Director General's requirements are received. The design and environmental assessment are then displayed for community comment after the Department of Planning has accepted the assessment as meeting its requirements, and prior to the DoP's report on the application and determination by the Minister for Planning (see diagram opposite).



Part 3A of EP&A Act, simplified approval process chart