



Infrastructure (Wales) Act 2024

2024 asc 3

PART 1

SIGNIFICANT INFRASTRUCTURE PROJECTS

Energy

2 Electricity infrastructure

- (1) The following kinds of development are significant infrastructure projects—
- (a) the construction of—
 - (i) a generating station in Wales (other than a wind generating station), or
 - (ii) a generating station in the Welsh marine area,that is expected to have an installed generating capacity of between 50 and 350 megawatts when constructed;
 - (b) the extension or alteration of—
 - (i) a generating station in Wales (other than a wind generating station), or
 - (ii) a generating station in the Welsh marine area,where the effect of the extension or alteration is expected to increase the installed generating capacity by at least 50 megawatts, but not so that the installed generating capacity exceeds 350 megawatts;
 - (c) the construction of a wind generating station in Wales that is expected to have an installed generating capacity of at least 50 megawatts when constructed;
 - (d) the extension or alteration of a wind generating station in Wales where the effect of the extension or alteration is expected to increase the installed generating capacity by at least 50 megawatts;
 - (e) the installation of an electric line above ground in Wales that is—
 - (i) expected to have a nominal voltage of 132 kilovolts and be no less than 2 kilometres long (to the extent it is in Wales), and
 - (ii) associated with the construction, extension or alteration of a generating station to which paragraphs (a) to (d) apply.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(2) In this section—

“installed generating capacity” (“*capasiti cynyrchu gosodedig*”) means the maximum capacity of electricity generation (in megawatts) at which that generating station could be operated for a sustained period without damage being caused to it (assuming the source of energy used to generate electricity is available without interruption);

“wind generating station” (“*gorsafynni gwyni*”) means a generating station which generates electricity from wind.

3 **Liquefied natural gas facilities**

(1) The construction of an LNG facility in Wales or the Welsh marine area is a significant infrastructure project if—

- (a) the storage capacity of the facility is expected to be at least 43 million standard cubic metres, or
- (b) the maximum flow rate of the facility is expected to be at least 4.5 million standard cubic metres per day.

(2) The alteration of an LNG facility in Wales or the Welsh marine area is a significant infrastructure project if the expected effect of the alteration is to increase—

- (a) the storage capacity of the facility by at least 43 million standard cubic metres, or
- (b) the maximum flow rate of the facility by at least 4.5 million standard cubic metres per day.

(3) In this section—

“LNG facility” (“*cyfleuster LNG*”) means a facility for—

- (a) the reception of liquid natural gas from outside Wales and the Welsh marine area,
- (b) the storage of that gas, and
- (c) the regasification of that gas;

“maximum flow rate” (“*cyfradd llif uchaf*”) means the maximum rate at which gas is able to flow out of the facility, on the assumption that—

- (a) the facility is filled to maximum capacity, and
- (b) the rate is measured after regasification of the liquid natural gas and any other processing required on the recovery of the gas from storage;

“storage capacity” (“*cynhwysedd storio*”) means the capacity of the facility for storage of liquid natural gas measured as if the gas were stored in regasified form.

4 **Gas reception facilities**

(1) The construction of a gas reception facility is a significant infrastructure project if—

- (a) the facility is in Wales or the Welsh marine area,
- (b) the facility is within subsection (3), and
- (c) the maximum flow rate of the facility is expected to be at least 4.5 million standard cubic metres per day.

(2) The alteration of a gas reception facility is a significant infrastructure project if—

- (a) the facility is in Wales or the Welsh marine area,

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- (b) the facility is within subsection (3), and
 - (c) the expected effect of the alteration is to increase the maximum flow rate of the facility by at least 4.5 million standard cubic metres per day.
- (3) A gas reception facility is within this subsection if the gas handled by the facility—
- (a) does not originate in—
 - (i) Wales or the Welsh marine area,
 - (ii) England or waters adjacent to England up to the seaward limits of the territorial sea,
 - (iii) Scotland or waters adjacent to Scotland up to the seaward limits of the territorial sea, or
 - (iv) the Renewable Energy Zone,
 - (b) does not arrive at the facility from England or Scotland, and
 - (c) has not already been handled at another facility after its arrival in Wales or the Welsh marine area.
- (4) In this section—
- “gas reception facility” (“*cyfleuster derbyn nwy*”) means a facility for—
 - (a) the reception of natural gas in gaseous form from outside Wales and the Welsh marine area, and
 - (b) the handling of natural gas (other than its storage);
 - “maximum flow rate” (“*cyfradd llif uchaf*”) means the maximum rate at which gas is able to flow out of the facility;
 - “Renewable Energy Zone” has the meaning given by section 84(4) of the Energy Act 2004 (c. 20).

5 Hydraulic fracturing for oil and gas and coal gasification

The following developments are significant infrastructure projects—

- (a) the exploration, appraisal or production of coal bed methane, shale oil or shale gas using hydraulic fracturing in Wales or the Welsh marine area, except the making of exploratory boreholes for the purpose of core sampling in a way that does not involve the carrying out of hydraulic fracturing;
- (b) the gasification of coal in the strata in Wales or the Welsh marine area, except the making of exploratory boreholes for the purpose of core sampling.

6 Open cast coal mining

The carrying out of operations in Wales for the purpose of—

- (a) creating an open cast coal mine, or
 - (b) winning and working of coal from an open cast mine,
- is a significant infrastructure project.