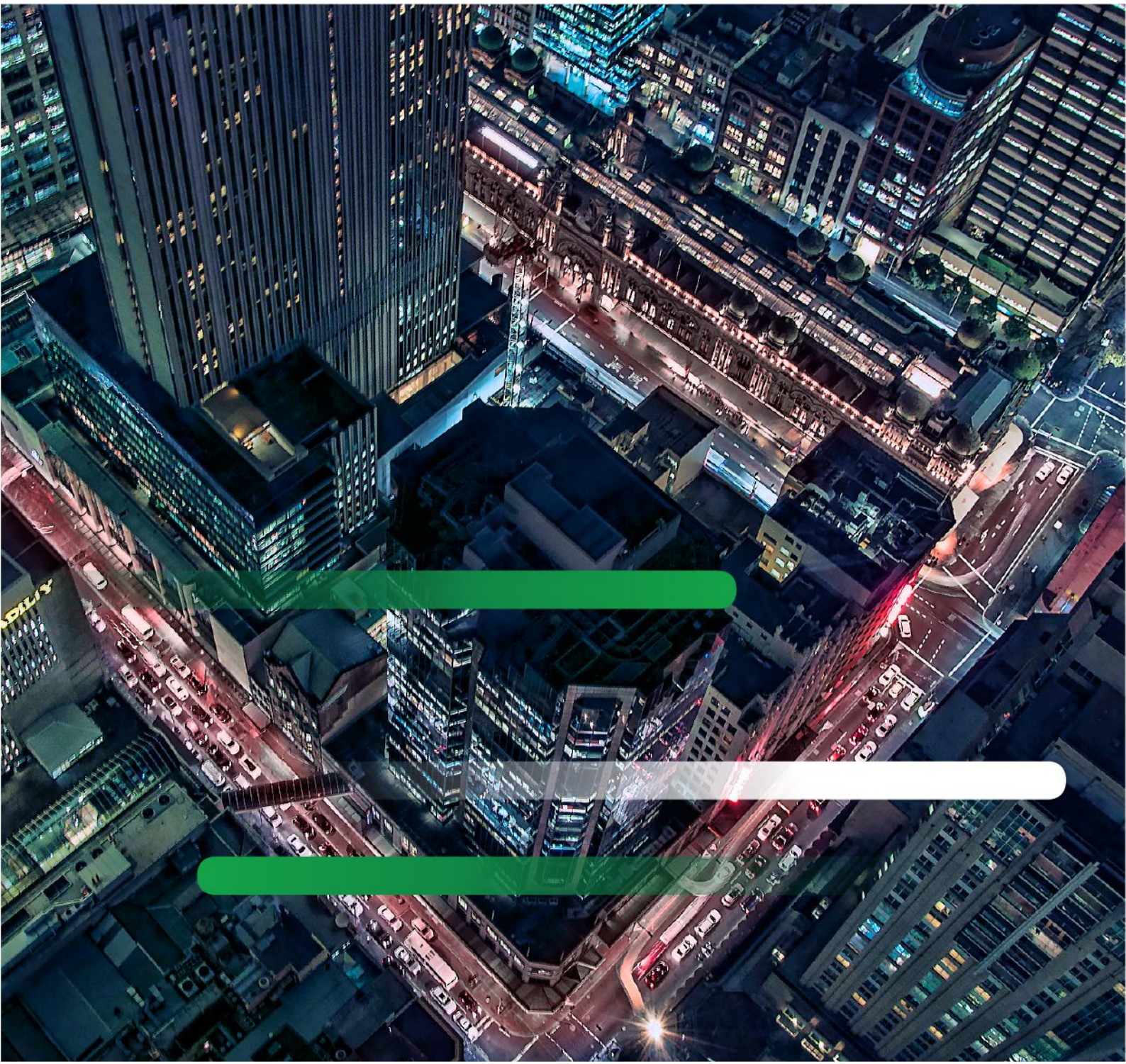
Transurban

# Exposure Draft of the Security Legislation Amendment (Critical Infrastructure) - Transurban Submission (November 2020)



As a trusted government partner, the Transurban Group (**Transurban**) welcomes the opportunity to work with the Commonwealth Department of Home Affairs (**Home Affairs Department**) in the development of clear, concise and transparent critical infrastructure regulations that aim to both protect and enhance the nation‘seconomic prosperity and security affairs.. we are pleased to respond to the "*Exposure Draft of the Security Legislation Amendment (Critical Infrastructure)*" (**Critical Infrastructure Security Legislation**) released on 9 November 2020.

Transurban, as Australia's leading toll road owner and operator, has unique insight and understanding into the importance of road infrastructure to the nations on-going economic prosperity. As a company that is heavily invested in the development and operation of smart motorway technologies, we are also acutely aware of, and sensitive to, the current global cyber security challenges, and the increasing threat posed by highly sophisticated actors in this regard.

It is against this background of market leading expertise and experience that Transurban supports the scope of the Critical Infrastructure Security Legislation being narrowed specifically towards the freight infrastructure and services sectors, as opposed to the "transport sector" in general.

Following a comprehensive review of the relevant exposure draft, Transurban has assessed that none of our assets fall within the definitions of a "critical infrastructure asset" or a "critical freight services asset" (as those terms are currently defined under the draft legislation). In particular, we note that none of Transurban's assets can be categorised as either a: (1) road network (or a part of a road network) that functions as a **critical** corridor for the transportation of goods between 2 States, a state or territory, 2 territories, or two cities or towns with populations of 10,000 or more; or (2) network used by an entity carrying on a business that is **critical** to the transportation of goods by road.

In particular, Transurban notes that while our assets provide significant time, and associated cost, savings to Australian motorists and logistics providers, access to such toll roads is not exclusive, and that a range of road and/or other transport solutions are available to commuters and freight operators in the Australian urban environment. As such, Transurban's assets should not meet the threshold of being classified as either "critical freight infrastructure assets" or "critical freight services assets". In addition, even if such assets were maliciously targeted, various physical and technological solutions exist, and indeed would be rapidly and proactively deployed by Transurban, in order to minimise the flow-on effect to our customers.

In respect of the application of the legislation more generally, Transurban believes that the Critical Infrastructure Security Legislation would be significantly enhanced by the inclusion of further guidance as to what will be considered "critical" in the context of infrastructure assets (e.g. that freight infrastructure assets will only be critical if there is no alternative route). Such guidance will help to avoid unnecessary confusion and provide assistance to market participants as to the application of the legislation to their particular commercial offerings.

Transurban looks forward to continuing to work with the Federal Government in ensuring that Australia's approach to protecting critical infrastructure is fit for purpose and proportionate to the outcomes that the Critical Infrastructure Security Legislation is looking to achieve.

To the extent that you have any comments or queries in relation to Transurban's submission, please contact Andre Bertrand, Chief Information Security Officer ([redacted]).