

Consultation Protocol for Review of Environmental Factors for Class 4 and 5 Activities

In accordance with the NSW Code of Practice for Authorised Network Operators

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1 Introduction

This Consultation Protocol (the Protocol) has been prepared accordance with the [NSW Code of Practice for Authorised Network Operators \(DPE, 2015\) \(the Code\)](#).

The Code was developed by the NSW Government as part of its plans to lease part of NSW's transmission and distribution network to private interests. These privately managed network businesses are referred to as Authorised Network Operators (ANOs) by the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW) (Authorised Transactions Act). Endeavour Energy is an ANO and must operate in accordance with the Code.

The Government has developed the Code to verify that assessments under Part 5 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) are conducted in a manner that supports proper environmental assessment including appropriate community consultation. The Code states that:

“An ANO must develop a Consultation Protocol...setting out the Additional Consultation Requirements it will observe when conducting environmental impact assessments for Class 4 and 5 Activities in respect of consultation with, and notification of, both Government Agencies and members of the public...”

The reference to Class 4 and 5 Proposals represents potential construction while in the application or development stage. The reference to Class 4 and 5 Activities represents the active project stage. The characteristics of Class 4 and 5 Activities are explained in detail in the Code and in the following pages however these two classes in general require more detailed assessment as the activities:

- are expected to have impacts that are complex.
- affect a large number of people.
- have a number of likely environmental impacts or a single significant impact; and/or
- have environmental impacts that are medium to high risk.

For the Class 4 or 5 Proposals a detailed Environmental Impact Assessment (EIA) is required. In accordance with the Code this EIA is prepared as a Review of Environmental Factors (REF). This REF will document and assess all the potential environmental impacts of an activity, such as plans to build a new substation or an underground electricity line.

The REF also outlines how these impacts can be reduced or mitigated, and any consultation undertaken with various stakeholders.

Compliance with the Code is required as a licence condition for Endeavour Energy under the *Electricity Supply Act 1995*. Independent Pricing and Regulatory Tribunal (IPART) are responsible for monitoring our compliance with this Code.

2 Purpose and Scope of the Consultation Protocol

The purpose of the Protocol is to document the processes that Endeavour Energy follows when conducting environmental assessments and consultation for Class 4 and 5 activities with specific reference to the requirements outlined in the Code. The Protocol also involves various aspects of our existing policies and procedures which have been used to confirm effective stakeholder consultation when preparing a REF .

Endeavour Energy’s engagement and consultation with the community and government agencies for Class 4 and 5 proposals and associated activities are embedded throughout the company’s policies and procedures.

The Code classifies proposals into six classes and states that this Protocol only applies to those proposals classified as Class 4 or 5. As outlined in Table 1 below, these are activities that are expected on a reasonable basis to have impacts which go beyond minor impacts, and/or impacts that are extensive and/or complex. As required by the Code, Endeavour Energy will prepare a REF for these activities.

Table 1: Definition for Class 4 and 5 Proposals (*NSW Code of Practice for Authorised Network Operators*, page 14)

Class of proposal	Characteristics
<p>Class 4: A Review of Environmental Factors (REF) must be prepared for the proposal.</p>	<p>To belong to Class 4, a proposal must:</p> <ol style="list-style-type: none"> 1. fall outside Classes 1 and 2 2. fall outside Class 3 because the proposal: <ol style="list-style-type: none"> a. is expected on a reasonable basis to have impacts which go beyond minor impacts; or b. is expected on a reasonable basis to have impacts which are extensive and/or complex; or c. both (a) and (b) above; or d. is for any other reason considered by the ANO, in its discretion, to be a proposal for which it is appropriate for the ANO to produce a REF. For example, an ANO may decide it is appropriate to prepare a REF for a proposal that is likely to be of considerable interest to the public. e. fall outside Class 5 (see below); and f. fall outside Class 6 (see below).
<p>Class 5: A REF and a Species Impact Statement (SIS), but not an Environmental Impact Statement is required for the proposal.</p>	<p>A proposal belongs to Class 5 if a SIS, but not an EIS, is required for a proposal. The ANO is the determining authority for a Class 5 proposal. However, the concurrence of the Environment and Heritage Group (within the Department of Environment and Heritage (DPE)) and/or NSW Fisheries (part of the Department of Primary Industries, if the proposal is in connection with fish or marine vegetation) is required for a Class 5 proposal in accordance with Part 5 Division 5.1 of the <i>EP&A Act</i>. Amongst other things, under Part 5 Division 5.1 of the <i>EP&A Act</i>, the ANO is required to comply with the public consultation requirements under Section 5.8, Schedule 1 (clause 11) of the <i>EP&A Act</i>.</p> <p>A REF must be prepared for a Class 5 Proposal.</p>

Table 2: Key stakeholders and respective impacts from Endeavour Energy during Class 4 and 5 activities would typically include but not be limited to:

Stakeholder	Impact
Local residents	Traffic / delays / parking / access interruptions Noise & night works Visual pollution / impacts Disruption to services
Local business, industry, developers and landowners	Traffic / parking / access interruptions / opening hours. Noise and visual pollution Disruption to services Loss of business
Non-industrial or residential neighbours including schools and nursing homes	Amenity impacts such as noise / visual pollution. Safety issues Night works Parking & access
Local interest groups (precinct committees, Bush Care etc.)	Natural vegetation impacts Drainage and natural waterway impacts Amenity impacts such as noise / visual pollution. Company vehicle use on local roads and recreational areas
Local Councils	Review of Class 4 or 5 REF Approvals Amenity impacts such as noise / visual pollution. Usage and altering local road networks. Resident complaints Community engagement pathway
Local Member of Parliament	Possible impacts for members of the electorate during activities Engagement procedures
Government agencies (Transport for NSW, NSW Department of Planning and Environment (including the Environment and Heritage Group within DPE and NSW National Parks and Wildlife Service (NPWS)), Water NSW, Sydney Water, NSW Fisheries (part of the Department of Primary Industries), Commonwealth Department of Climate Change, Energy, Environment and Water for any relevant Federal matters).	Approvals Potential impacts on: <ul style="list-style-type: none"> ○ Roads (e.g., excavation & repairs) ○ Traffic (e.g., flow, diversion, parking & public transport) ○ Waterways ○ Heritage items ○ Biodiversity ○ Government buildings ○ Recreational areas (e.g., loss of access and Government engagement / consultation process)
Local media	Advertising of activities affecting the community Advertising of milestones and project wins
Local utility companies	Potential impacts on service infrastructure

3 Endeavour Energy's Stakeholder Engagement Framework

Engaging the community and other key stakeholders in open, honest, and respectful two-way dialogue is critical to the success of Endeavour Energy's business operations.

This approach is consistent with our corporate values and Code of Conduct and the principles outlined in the Australian Energy Regulator's Consumer Engagement Guideline which sets out a framework for electricity service providers to better engage with consumers.

The Consumer Engagement Guideline informs our Community and Stakeholder Engagement Plan, which drives engagement on many subjects including electricity reliability, prices, safety, street lighting, vegetation management and capital projects.

The views of stakeholders, especially those most likely to be impacted by Endeavour Energy's operations, including capital works projects, are part of several important elements considered by Endeavour Energy in the decision-making process. Other factors include public safety, environmental, health, economic, technical, and operational considerations.

3.1 Relationship between Consultation and Project Planning

Endeavour Energy's Company Policy 14.9 – Community and Stakeholder Engagement for Capital Projects, outlines the principles that the company will follow when undertaking community and other stakeholder engagement where its business operations are likely to impact on local communities. The policy applies particularly to the planning, construction, and review of capital projects.

Community engagement provides the opportunity to understand and consider stakeholders' needs, issues, concerns and expectations into its planning and implementation of network projects, and their subsequent operations. This engagement may include informing, consulting, and involving stakeholders at various points in project planning, design and implementation.

Engagement minimises the risk of misunderstanding and assists in closing the gap between stakeholders' expectations and Endeavour Energy's business operations. If effective engagement is not factored into project planning, then projects risk varying degrees of community and stakeholder concern, which may lead to varying degrees of community opposition, and, in turn, to delays to the Endeavour Energy's business imperatives.

Endeavour Energy is committed to working with the community and other stakeholders to actively and positively manage and, where possible, resolve issues that could potentially arise during the planning, construction, and operational stages of a project.

It is the responsibility of Endeavour Energy's managers to specify the level of engagement selected according to project-related issues, and to make these clear to participants before engagement begins.

Endeavour Energy's approach to consultation and engagement is informed by The International Association of Public Participation (IAP2) Spectrum. The IAP2 Spectrum helps to define the public's role in any public participation process. IAP2 has identified five levels of engagement, ranging from providing information to empowering the community to make decisions, as outlined in Table 3: IAPS's Participation Spectrum.

Table 3: IAP2's Public Participation Spectrum

INCREASING LEVEL OF PUBLIC INVOLVEMENT IN DECISIONS >>>				
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public participation goal:	Public participation goal:	Public participation goal:	Public participation goal:	Public participation goal:
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and /or decisions.	To work directly with the public throughout the process to confirm that the public's concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision - making in the hands of the public.
Promise to the public:	Promise to the public:	Promise to the public:	Promise to the public:	Promise to the public:
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to confirm that your concerns and aspirations are directly reflected in the alternatives developed and Provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

4 Community Engagement

Endeavour Energy's policy and approach to community engagement is detailed in Company Policy 14.9 and Procedure GMM 0010 Community and Stakeholder Engagement for Capital Projects.

Community engagement can take the form of community surveys, focus groups or public meetings, for example. For community consultation to be truly effective, the views gathered from the community should be used to inform future service planning and development.

Engagement includes community consultation, but may also go beyond this, to include the more active processes in which communities play a greater role in formulating plans or influencing local developments. This can include formal partnerships between statutory agencies and community representatives.

During the preparation of the EIA documentation to be made available to the public, for compliance with the Code, as a minimum an ANO must:

- include a plain English description of the Activity including its geographic location, relationship to the site environment, an identification of landowners, and a description of current land uses.
- explain the need for the Activity and its justification including an assessment of any alternative options considered; and
- document the ANO's consideration of whether early community consultation is required.
- When undertaking community and other stakeholder engagement, the Company is committed to:
 - providing information to all stakeholders in a timely and accurate manner.
 - being respectful, open, and honest with all stakeholders.
 - developing strong and open relationships between the Company and the community to enhance skills, knowledge and understanding.
- identifying any stakeholder groups that are difficult to access or have barriers to participation (such as people with a disability, those of diverse cultural and linguistic backgrounds, indigenous communities, youth, the aged) and to providing reasonable opportunities for participation.
- ensuring that the Company's decision-making processes respond to issues raised during consultation.
- taking a proactive approach to community engagement rather than a reactive approach.
- listening and responding to the opinions of community representatives.
- providing information back to the community outlining how their input was/was not addressed in the process.
- learning from past community engagement experiences, sharing these learnings amongst colleagues within the Company; and continuing to improve performance.
- creating an organisational culture that embraces consultation as a key to good governance.
- developing and implementing internal communication and consultation processes to ensure all workers are working towards a shared vision.
- developing a process that enables the Company and the community to understand when relevant and appropriate consultation will be undertaken.
- developing and maintaining relationships with all levels of government and peak agencies for the benefit of the community.
- ensuring that every project has adequate resources to undertake community engagement; and
- evaluating our performance in community engagement.

4.1 Community Engagement Tools

An assessment of the types of tools appropriate to use on a given project should be undertaken on a case-by-case basis and included in the Environmental Management Plan (EMP).

A number of factors need to be considered when determining which tools are appropriate including:

- the type of project – its size, length of project works.
- its impact on local communities – both during construction and in the long term; and
- the composition of local communities – language groups, young families, older people, indigenous communities, shift workers.

An interactive self-service community engagement toolkit has been developed for Project Managers and contractors when planning community engagement activities for capital works projects. The toolkit will ensure a consistent approach when engaging with the community across all projects. Key components of the toolkit include:

- information on our community engagement protocols included in this procedure.
- how to identify key stakeholders and issues.
- details on the roles and responsibilities for community engagement.
- a timeline of when communication activities need to take place at key stages of the project; and
- access to template and sample community letters and the Community and Stakeholder Engagement for Capital Projects Company policy and procedure.

This toolkit is available on the Endeavour Energy intranet.

Typical community engagement aspects and controls in relation to Endeavour Energy's activities are listed in Appendix 1. Appendix 1 will be referenced to identify the relevant areas of community engagement and controls required.

4.2 Public consultation via website and newspaper notice

In respect of consultation with members of the public for Class 4 & 5 REF's, as required by the Code, Endeavour Energy will:

- publish a notice on its website and in a newspaper which circulates in the region of the location of the proposed Activity, or in NSW generally (where appropriate), which:
 - describes briefly the proposed Activity, including its location.
 - describes briefly the types of environmental impacts which the proposed Activity may have.
 - invites members of the public to make submissions on the proposed Activity by a nominated date, no earlier than 20 business days from the date of the publication of the notice (the Public Consultation Period); and
 - provides the contact details of a nominated contact person at Endeavour Energy to receive submissions in writing.
- take into account any submissions received from a member of the public regarding the proposed Activity during the Public Consultation Period (or any further period agreed by Endeavour Energy) and document in the REF how this has been done.

5 Government Agency Engagement

Government Agencies are defined in the Code as:

- a) a public authority constituted by or under an Act.
- b) a government Department
- c) a statutory body representing the Crown.
- d) a statutory State-owned corporation (and its subsidiaries) within the meaning of the *State-Owned Corporation Act 1989*
- e) a person, not being an ANO, prescribed by the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*, for the purposes of the definition of 'public authority' under the *EP&A Act*.

Typical Government Agencies and their likely interests in relation to Endeavour Energy's activities are listed in Appendix 2. Appendix 2 will be referenced to identify the Government agencies that are considered to have relevant interest in a proposed activity.

In respect of consultation with Government Agencies, Endeavour Energy will write to each of the Government Agencies the ANO considers relevant to:

- describe briefly the proposed Activity, including its location.
- describe briefly the types of environmental impacts which Endeavour Energy reasonably apprehends (from Stage 1 of the EIA process under the Code) that the proposed Activity may have.
- invite the agencies to make submissions on the proposed Activity to Endeavour Energy within a period of time ending no earlier than 20 business days from the date of the correspondence (the Government Agency Consultation Period); and
- provide the contact details of a nominated contact person at Endeavour Energy to receive submissions in writing.

5.1 Strategic Transport Land

In a case where a proposed Activity is intended to be carried out within, or partially within, Strategic Transport Land, there is an objection to the proposed Activity from a Government Agency, a basis for that objection is that the proposed Activity is claimed to materially interfere with a Government Agency's present or future provision of transport infrastructure, and that claim is particularised in the objection by reference to a plan or strategy which has been adopted by a Government Agency:

- write to the Secretary to explain the nature of the objection by the Government Agency and Endeavour Energy's position on that objection, and to request the Secretary's written advice in relation to the objection; and
- defer the final discharge of its duty under Section 5.5 of the *EP&A Act* until either:

i. the Secretary provides written advice in relation to the objection; or

ii. fifteen business days pass from the date upon which the Secretary received the ANO's written notice.

Endeavour Energy will take into account any submissions received from a Government Agency regarding the proposed Activity during the Government Agency Consultation Period (or any further period agreed by Endeavour Energy), and any advice received from the Secretary regarding the proposed Activity, and document, during Stage 3, how this was done.

5.2 Environmentally Sensitive Areas of State Significance

Environmentally sensitive areas of State significance are defined in *State Environmental Planning Policy (Planning Systems) 2021* as:

- (a) coastal waters of the State, or

- (b) land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map (within the meaning of *State Environmental Planning Policy (Resilience and Hazards) 2021*), or
- (c) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*, or
- (d) a declared Ramsar wetland within the meaning of the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth, or
- (e) a declared World Heritage property within the meaning of the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth, or
- (f) land identified in an environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, or
- (g) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*, or
- (h) land, places, buildings or structures listed on the State Heritage Register under the *Heritage Act 1977*, or
- (i) land reserved or dedicated under the *Crown Land Management Act 2016* for the preservation of flora, fauna, geological formations or for other environmental protection purposes, or
- (j) land identified as being critical habitat under the *Biodiversity Conservation Act 2016* or Part 7A of the *Fisheries Management Act 1994*.

In the case of a proposed Activity that is intended to take place within, or partially within, an Environmentally Sensitive Area of State Significance, Endeavour Energy will:

- notify the Secretary in writing that it proposes to carry out the Activity in an Environmentally Sensitive Area of State Significance; and
- describe briefly the proposed Activity, including its location; and
- identify the Environmentally Sensitive Area of State Significance in question.

In the event that the Activity ultimately takes place, write to each Government Agency that made a submission regarding the Proposed Activity to state:

- when the Endeavour Energy expects to commence the Activity; and
- how the Government Agency can obtain a copy of the EIA documentation and Decision Statement for the Activity from the Endeavour Energy’s website.

In the case of an Activity involving construction work, within 20 business days of the construction phase being completed, Endeavour Energy will notify in writing any Government Agency that had previously requested notification of the completion of construction.

5.3 National Parks and Wildlife Service (NPWS)

On some occasions, for Class 4 and 5 Activities located on NPWS land, NPWS may require that Endeavour Energy prepares the REF using a NPWS REF template. NPWS may also elect to determine the REF with endorsement from Endeavour Energy depending on the type of activity proposed. Early consultation with NPWS is required during the concept design stage to resolve the desired approach.

6 General Law

Endeavour Energy must still abide by the general law in relation to community consultation and notification, including the provisions in State *Environmental Planning Policy (Transport and Infrastructure) 2021*, the *EP&A Act*, the *EP&A Regulation*, the *Electricity Supply Act 1995* relating to agency and public notification.

The relevant general laws and requirements for Class 4 and 5 proposals are listed below:

Electricity Supply Act 1995

- Section 45(4) of the *Electricity Supply Act 1995* requires that the local Council be given a reasonable opportunity (no less than 40 days from the date on which the notice was given) to make submissions on the proposal. All submissions must be considered prior to the commencement of the works.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)

- Sections 2.10, 2.11, 2.12 and 2.14 of the *T&I SEPP* require that consultation is undertaken with the local council if the development has impacts on council-related infrastructure or services, local heritage, or flood liable land.
- Section 2.13 of the *T&I SEPP* requires that consultation is undertaken with the State Emergency Service (SES) for development with impacts on flood liable land.
- Section 2.15 of the *T&I SEPP* requires that consultation is undertaken with public authorities other than council, in certain circumstances. Specifically, notification of the following relevant authorities is required, and Endeavour Energy must take into consideration any response to the notification received by these specified authorities within 21 days after the notice was given:
 - Environment and Heritage Group within the Department of Planning and Environment (DPE), and National Parks and Wildlife Service for development adjacent to land reserved under the *National Parks and Wildlife Act 1974* and development on land in Zone C1 National Parks and Nature Reserves;
 - Transport for NSW for development comprising a fixed or floating structure in or over navigable waters.
 - the Director of the Siding Spring Observatory for development that may increase the amount of artificial light in the night sky and that is one land within the dark sky region as per the dark sky region map.
 - the Secretary of the Commonwealth Department of Defence for development on defence communications facility buffer land.
 - the Mine Subsidence Board for development on land in a mine subsidence district within the meaning of the *Mine Subsidence Compensation Act 1961*;
 - the World Heritage Advisory Committee and Heritage NSW for development on, or reasonable likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property.
 - the Western Parkland City Authority for development within a Western City operational area specified in the *Western Sydney Parkland City Authority Act 2018*, Schedule 2 with a capital investment value of \$30 million or more.
- Section 2.45 of the *T&I SEPP* provides that written notification must be given to the local council and the occupiers of adjoining land for development for the purpose of a new or existing electricity substation. Any responses received within 21 days after the notice is given must be taken into consideration.

6.1 Class 5 proposals (where a SIS is required)

Section 5.8 of the *EP&A Act* ('Publicity and examination of environmental impact statements') also applies to a fauna impact statement and a SIS (refer Section 5.8, clause 8 of the *EP&A Act*). Under the Code, a SIS is required to be prepared for Class 5 activities.

Section 5.8, Schedule 1 (clause 11) of the *EP&A Act* and Section 194 of the *EP&A Regulation*, require:

- Exhibition of the SIS for 30 days at various locations - the proponents head office, Department of Planning and Environment, each Local Council affected by the activity;
- Notice published on the NSW Planning Portal;
- Newspaper advertisements of the exhibition in a daily newspaper circulating throughout the state and a local newspaper; and
- Provision for submissions to be made during the exhibition phase, and for those submissions to be considered.

7 Consultation Where a Modification is Required

Sometimes it may be necessary or desirable to change a proposal. This may occur prior to or after, or during the implementation or construction phase. For example, it may become apparent that:

- A new technology or construction method is identified which could alter the way in which the activity is carried out or the impacts of the activity.
- A new location or alignment option is available which would reduce the impacts of the activity.
- A new impact on the environment is identified that was not previously assessed (for example, a new heritage item or threatened species).
- The impacts of the activity are more substantial, or less substantial, than originally determined during the assessment phase (for example as a result of design changes following submissions).

The above are examples only and are not exhaustive of the circumstances that might result in a change to a proposal.

In circumstances where a change to a proposal is required, some or all of the processes outlined in this protocol may need to be re-applied to address the proposed change. The level and scope of any additional consultation to address the modification will depend on the scale of the proposed modification and the potential for new or different environmental impacts.

Where an Activity is modified, either before or after a determination has been made, such that Endeavour Energy carries out further consultation for the Activity, only the aspects of the Activity which are proposed to be modified in a material way are required to be the subject of that further consultation.

7.1 Modification of an Activity Prior to a Determination

If a proposed activity is modified in a material way before Stage 4 (Determination) and the modification would increase the environmental impacts of the activity overall, the ANO must repeat the steps outlined in Stage 2 (Assessment & Evaluation) of the Code in respect of the modification to the proposed activity and also produce an addendum to or produce a new REF.

7.2 Modification of an Activity after a Determination

A determination made under the Code can be modified by an authorised person issuing a further Decision Statement.

If the proposed modified activity would have increased the environmental impacts compared to the activity the subject of the original Decision Statement, the assessment and consultation phases, must be followed in respect of the modification before any such further determination is permitted to be made. A Decision Statement modifying a determination must state the reasons for the modification.

8 Publication of Final Class 4 & 5 REF's on ANO Website

In accordance with the Code, copies of final REF documentation for Class 4 and 5 Activities will be published on the Endeavour Energy website within 20 business days of the issue of a Decision Statement relating to the activity.

Decision statements will also be published within 20 business days of issue.

A copy of the Code and this Consultation Protocol will also publish on the website, as required by the Code.

9 Responsibilities and Accountabilities

It is the responsibility of the Environmental Services Team to:

- Undertake preliminary environmental assessment for Class 4 & 5 Activities
- Support preparation of the REF
- If a specific community consultation plan is required engage with corporate affairs to prepare plan and undertake consultation
- If a specific consultation plan is not required, the Environmental Services Team will prepare consultation material and letters and notify all necessary authorities and government agencies and residents affected by the proposal as per company Policies and Procedures
- It should be noted that notification is always required; however, the type of notification and preparation of a consultation plan will be determined by the location of the activity, the potential impact on surrounding environment, residents and / or industries.
- Both the Environmental Services Team and Corporate affairs to respond to enquiries as applicable
- Collate responses.
- Incorporate into REF as applicable.
- Support the preparation of the Construction Environmental Management Plan (CEMP) as applicable.
- Prepare Decision Statements.

It is a requirement of the Code that Endeavour Energy keeps written records of all consultation undertaken. Records will be:

1. kept for five years after the communication to which they relate took place
2. be capable of being produced to a third party within a reasonable time frame, being in no case longer than 20 business days
3. kept to a standard where a reasonable person inspecting the records can understand the essential nature of the communications that took place.

It is the responsibility of an appropriately authorised person to determine the REF (refer to EMS0001 Annexure B - Authority for Preparation and Determination of EIAs). As required by the Code, this must not be the same person who conducted the assessment.

During construction, the following actions must be undertaken:

- Environmental Services Team undertakes site audits against the CEMP.
- Project manager to undertake site audits against the CEMP.
- Project manager to respond to complaints and enquiries and escalate to either Environmental Services Team or Corporate affairs if required.
- Project manager to organise for final site inspection prior to completing post commissioning review.

Appendix 1 – Community Engagement

Aspects and impacts which may need to be managed and mitigated prior to and during project works could include:

Aspect	Level of Impact	Mitigation / Management	Examples of Controls
Safety	Moderate	Risk and hazard assessment for employees, contractors and public onsite and in surrounding areas	Traffic management, signage, secure access
Community expectation	Low	Provide information, undertake dialogue with interested parties	Newsletters, doorknocking, direct mail, website, artist impressions
History on site	High	Research, archaeological survey	Past media clips, discussions with employees, archive files
Other projects in the area	Moderate	Co-ordinate with appropriate employees	Consult with Project Directors, Project Managers, Regional Managers
Construction impacts	Low	Consult with local affected parties	Doorknocking, direct mail
Visual impacts	Moderate	Works should not decrease the visual amenity of the Company's assets or the surrounding area	Engage architect for design
Environmental impacts	High	Minimise noise, odour, dust, impact on flora and fauna during and post construction	Review of Environmental Factors, noise report, flora & fauna report
Traffic & transport	Moderate	Work with local council, Transport for NSW to minimise impact	Phone calls, meetings, traffic management plan
Social impacts	Low	Education	EMF report

Appendix 2 – Government Agency Engagement

Typical Government Agencies for Endeavour Energy Proposals

Issue	Level of Impact
NSW Department of Planning, and Environment (DPE)	<p>Proposals that may lead to potential conflicts with existing and future land use. Proposals which may impact on the delivery of any regional or local plans or strategies. Allowing new growth areas have sufficient electricity infrastructure.</p> <p>In relation to the former NSW Department of Industry – Resources and Energy, new large scale energy infrastructure. Energy efficiency. Alternative non-network options. Renewable energy. Impact on customers relating to pricing, consumption, and efficiency.</p>
Environment and Heritage Group within DPE Heritage NSW	<p>Proposals with the potential to impact on Aboriginal country, culture and heritage, and built heritage</p>
NSW Department of Primary Industries (DPI) (includes Fisheries NSW)	<p>DPI manages a broad range of initiatives from resource to industry, including natural resource management, research and development, pest and disease management, food safety, biosecurity, industry engagement, and market access and competition. Proposals that involve waterway crossings or other works likely to impact fish habitat/estuarine environments.</p>
NSW Department of Education	<p>Proposals that may impact schools and students – construction noise, student safety, general amenity</p>
NSW Government – Members of Parliament	<p>Impacts on residents and businesses operating within their electorate e.g., visual impact, construction impacts, safety, perceived loss of property value, financial impact of capital projects on electricity prices, vegetation removal.</p>
NSW Emergency Services (NSW Fire Brigades, NSW Police, Rural Fire Service)	<p>Impacts of construction works and infrastructure on traffic and access. Vegetation management and bush fire mitigation procedures. Emergency procedures during high-risk construction works or for high-risk sites e.g. During bushfire danger season or within bush fire prone areas.</p>
Environment Protection Authority (part of the NSW Department of Planning and Environment)	<p>Potential impacts on the quality of air, water or noise amenity or radiation levels (including Electromagnetic Fields (EMF)). Proposals involving contaminated land or water, dangerous goods or hazardous wastes. Compliance with any licence conditions under the POEO Act.</p>
Local Government	<p>Impacts on:</p> <ul style="list-style-type: none"> • local roads and traffic, including road surface disturbances, parking. • parks and recreation areas • vegetation management under power lines. Types of species to be planted under power lines.
Civil Aviation Safety Authority/Air services	<p>Potential impacts to protected air space, airports, airfields etc.</p>

Issue	Level of Impact
Commonwealth Department of Climate Change, Energy, Environment and Water (DCCEEW)	Potential significant impacts to matters of national environmental significance (as defined in the <i>Environment Protection and Biodiversity Conservation Act 1999</i>) or significant impacts on Commonwealth land.
Ministry of Health (NSW Health)	Impacts on hospitals or other public health facilities.
Rail Agencies – NSW and Sydney Trains; Transport for NSW	Impacts on rail infrastructure or working near rail infrastructure.
Maritime Services; Transport for NSW	Safe and efficient operation of roads and waterways. Impacts to road traffic movements, loss of parking, loss of access to cycle paths. Impacts on ferry services or associated infrastructure.
Greater Cities Commission	Impact on economic development and delivery of State significant priorities and projects.
Cabinet Office and Premier’s Department	Impact of operations on the NSW State Plan, the economy, safety, regional development, employment.
Independent Pricing and Regulatory Tribunal (IPART)	Compliance with regulation (State)
Australian Energy Regulator (AER)	Compliance with regulation (Federal)
Specific government agencies or State-Owned Corporations (SOCs) that own or manage land	Impacts to land owned or managed by government agencies or SOCs such as education or health facilities, forestry land, Crown land, Sydney harbour foreshore, Landcom land, ports, Commonwealth land etc.
WaterNSW	Impacts on drinking water catchment areas or other water infrastructure. Potential impact on infrastructure.
NSW National Parks and Wildlife Service	Impacts on NSW national parks and state conservation areas. Potential impact on NPWS infrastructure.

