

Environmental Impact Assessment and Environmental Management Plans

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Contents

1	Documentation Scope	4
2	References	4
3	Definitions and Abbreviations	5
4	Actions	9
4.1	General	9
4.2	Classification of projects and Environmental impact assessments (EIAs)	10
4.3	Notification and consultation requirements	17
4.4	Determination by an Authorised person - Decision Statements	20
4.5	Implementation - Environmental Management Plans (EMPs) and Construction Environmental Management Plans (CEMPs)	22
4.6	Modifications	24
4.7	Retention of and access to EIA documents	24
4.8	Monitoring and review	25
4.9	Enforcing compliance with the CoP and reporting	26
5	Authorities and Responsibilities	26
	Annexure A – EIA Guidance Table	29
	Annexure B – Authorities for Preparation and Approval of EIAs (SER's and REF's)	31

1 Documentation Scope

To provide guidance on the appropriate level of Environmental Impact Assessment (EIA), environmental impact mitigation and determination of EIA's for Endeavour Energy network related projects in accordance with the *NSW Code of Practice for Authorised Network Operators* (DPE, 2015) (the CoP) relevant legislation (referred to in Endeavour Energy Compliance Obligations Register) and other appropriate standards.

An EIA and associated Environmental Management Plans (EMPs), as set out in this Standard, must be completed prior to commencing construction works associated with a proposed activity not exempted by relevant legislation.

This Standard applies to all activities identified by either Endeavour Energy or an external Proponent to be carried out on or in relation to the Endeavour Energy network.

This standard does not apply to activities classified as minor electrical works. Minor electrical works are works conducted by an electrical contractor to install insulated low voltage (600/1000 Volts) service equipment connecting the distribution system and consumer premises.

2 References

External Regulations

[NSW Department of Planning and Environment NSW Code of Practice for Authorised Network Operators](#)

External Standards

Standard No.	Year	Title
Nil		

Company Policies and Procedures

[Environmental Compliance Obligations Register](#)
[Board Policy \(Environmental Sustainability\) 4.0](#) – Environment
[EMS Manual](#) – Monitoring, Measurement, Analysis and Continual Improvement of Environmental Performance
Procedure (Environment) GPE 0078 – Environmental Competence, Awareness and Communication
Procedure (Health & Safety) GSY 1066 – Worksite Hazard and Risk Assessment
Workplace Instruction (Network Connections) WPJ 4140 – Inspections Performed by Contractor Inspectors
[Company Form \(Environment\) FPE 0011](#) – Environmental Site Inspection Checklist for Class 4 and Class 5 Works
[Company Form \(Environment\) FPE 0012](#) – Environmental Site Inspection Checklist for Class 3 Works
Form (Network Connections) FPJ 4683 – Environmental Site Inspection Checklist for Contestable Works
[Mains Maintenance Instruction MMI 0013 – Vegetation Clearance Management](#)
Environmental Guidelines Handbook
Environmental Impact Assessment (EIA) Tool

Company Standards	
Environmental Management Standard EMS 0004	Managing Vegetation Near Electrical Infrastructure and Pest, Weed and Disease Mitigation
Environmental Management Standard EMS 0006	Maintenance and construction of access tracks
Environmental Management Standard EMS 0007	Waste Management
Environmental Management Standard EMS 0008	Environmental Incident Response and Management
Environmental Management Standard EMS 0012	Notification of access to National Parks, Water NSW Special and Controlled Areas

3 Definitions and Abbreviations

Term	Definition
Activity	The carrying out of work on or associated with the Endeavour Energy network, including material storage and access to the work site, excluding those works deemed to be exempt development under the Transport and Infrastructure SEPP 2021. Activity is defined in Section 5.1 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW) (EP&A Act). Development under Part 5 of the EP&A Act is also referred to as an activity under the Act.
Accredited Service Providers (ASPs)	An Accredited Service Provider (ASP) is a person with accreditation under Part 3 of the Electricity Supply (Safety and Network Management) Regulation 2014 categorised into Levels 1, 2 and 3 as defined by the NSW Department of Climate Change, Energy, the Environment and Water under the Accredited Service Provider (ASP) Scheme for contestable works. An ASP is allowed to perform work on behalf of an Authorised Network Operator (ANO) where the ANO is the Determining Authority for that work, as prescribed by Section 110(1) of the EP&A Act.
Authorised Network Operator (ANO)	A privately managed network business such as Endeavour Energy is referred to as an Authorised Network Operator (ANO) which has the same meaning as that prescribed under the Electricity Network Assets (Authorised Transactions) Act 2015.
Authorised person	An Endeavour Energy employee that has the required capabilities and has undertaken the Endeavour Energy Environmental Impact Assessment Training to be deemed an authorised person on behalf of Endeavour Energy, to either Prepare or Determine a Summary Environmental Report (SER) or a Review of Environmental Factors (REF). If authorised to Determine an SER or REF, then the authorised person is given the authority to discharge the ANO's duty as a determining authority under Section 5.5 of the EP&A Act and prepare an accompanying Decision Statement. Refer Annexure B for Authorities Tables.
Code of Practice for Authorised Network Operators (CoP or the Code)	The <i>NSW Code of Practice for Authorised Network Operators</i> (September 2015) is a code prepared by the NSW Department of Planning and Environment. Reporting against the CoP is undertaken annually to IPART. The CoP provides for how ANOs must exercise their assessment and self-determination powers under Part 5 of the EP&A Act when conducting environmental assessments. Compliance with the CoP is required as a licence condition for an ANO under the <i>Electricity Supply Act 1995</i> (ES Act).
Construction Environmental Management Plan (CEMP)	The Construction Environmental Management Plan (CEMP) describes how activities undertaken during the construction phase will be managed and mitigation measures will be discharged. The CEMP is site specific and outlines the required mitigation measures for the particular site. The CEMP should include the mitigation measures that were specified in the REF or SER and any other conditions that were specified in the Decision Statement.

Term	Definition
Construction works	As defined in the State Environmental Planning Policy (Transport and Infrastructure) 2021 (the Transport and Infrastructure SEPP) and is taken in this Standard to have the same meaning as an activity under Division 5.1 of the EP&A Act. It is taken to mean any physical work to be carried out on or in relation to the network, including additions, alterations, augmentations, relocations, demolitions, excavation and any other works excluding normal maintenance procedures and response to fault and emergency situations.
Consultation Protocol	A protocol published on the Endeavour Energy website setting out the requirements when conducting Class 4 and 5 activities as per the CoP in respect of consultation with, and notification of both Government Agencies and members of the public.
Critical habitat	Critical habitats are areas of land that are crucial to the survival of particular threatened species, populations and ecological communities as declared identified under the <i>Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i> .
Decision Statement	A document which formally records a determination made by an authorised person on behalf of an ANO.
Department of Planning, Housing and Infrastructure	NSW Department of Planning, Housing and Infrastructure is responsible for effective and sustainable planning to support the growth in the state of New South Wales, Australia.
Determining authority	As per the definition of Section 5.1 of the EP&A Act and the prescription of a public authority under Section 5.6 of the Act. That prescription allows an ANO to be a Part 5 Determining Authority for Development for the purposes of an electricity transmission or distribution network. As a determining authority, an ANO can assess and self-determine activities that are not likely to significantly affect the environment and are conducted by or on behalf of the ANO for the purpose of electricity transmission or distribution.
Development	As defined in Section 1.5 of the <i>Environmental Planning and Assessment Act 1979</i>, development is any of the following: (a) the use of land (b) the subdivision of land (c) the erection of a building (d) the carrying out of a work (e) the demolition of a building or work (f) any other act, matter or thing that may be controlled by an environmental planning instrument.
Development (for the purpose of an electricity transmission or distribution network)	As defined in Section 2.44 of the Transport and Infrastructure SEPP, for the purposes of an electricity of distribution network a reference to development includes a reference to development for any of the following purposes: (a) construction works (whether or not in a heritage conservation area), including: (i) laying and installation of cables and cable pits, co-location of cabling and erection of ventilation and access structures, bridges and tunnel adits, and construction of a tunnel or conduit for an underground cable (ii) alteration, demolition or relocation of a local heritage item (iii) alteration or relocation of a State heritage item (iv) installation of overhead wires and associated component parts, including support structures (v) construction of access tunnels or access tracks (b) emergency works or routine maintenance works (c) environmental management works

Term	Definition
	(d) establishment of a new substation or an increase in the area of existing substation yards or the installation of equipment, plant or structures in existing substation yards or substation buildings (e) above or below ground co-location of telecommunications cabling and associated structures (f) an electricity generating unit to provide temporary support to the network, but only if— (i) the combined capacity of all units at the premises where the unit is located, or is intended to be located, does not exceed 5 megawatt (ii) none of the units is operated, or is intended to be operated, for more than 200 hours in any 12 month period.
Environment	Components of the earth, including land, air, water, any organic or inorganic matter and living organism and human-made structures and areas.
Environmental aspect	The factors that need to be taken into account when consideration is being given to the likely impact of an activity on the environment in accordance with Section 171(1) and 171 (2) of the Environmental Planning and Assessment Regulation 2021.
Environmental Impact Assessment (EIA)	The EIA is used to assess the impacts of an activity on the environment and is undertaken in the form of the Summary Environmental Report (SER) or Review of Environmental Factors (REF).
Environmental Impact Statement (EIS)	The EIS (not to be confused with EIA), is prepared if the activity is likely to significantly affect the environment (reference Section 5.7 of the <i>EP&A Act</i>) and is a much more detailed and rigorous environmental assessment that requires approval by the Minister for Planning and Public Spaces.
Environmental Management Plan (EMP)	The Environmental Management Plan includes generic environmental management measures that address how environmental impacts identified in the EIA will be managed for the activity. The EMP includes all environmental controls and mitigation measures identified for environmental aspects in the EIA process.
Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act)	The <i>EP&A Act</i> is the primary legislative instrument regulating land use in NSW. The main parts of the <i>EP&A Act</i> that relate to development assessment and approval are Part 4 (Development Assessment) and Part 5 (Environmental Assessment). Further details are provided in Endeavour Energy's Legal Obligations Register
Environmental Planning and Assessment Regulation (NSW) 2021 (EP&A Regs)	The <i>EP&A Regs</i> contains key provisions for the day-to-day operation of the NSW planning system and supports the <i>EP&A Act</i> .
Environmental Services Team	Endeavour Energy's Environmental Services Team supports the referrals of activities requiring REFs and EIS's. The Environmental Services Team also assists with other general SER/EIA enquiries, operational environmental management issues, incident response, compliance and other environmental matters.
Environmental Specialists	Endeavour Energy Environmental Specialists work within the Environmental Services Team.

Term	Definition
Exempt Development	As referred to in Division 4 of the Transport and Infrastructure SEPP and Section 2.46 of the Transport and Infrastructure SEPP relevant to Exempt Development for Electricity transmission and distribution networks. Exempt Development is not assessable and does not require an EIA under the CoP and relevant legislation.
Further assessment	A more thorough or rigorous environmental impact assessment in the form of a REF or EIS.
Independent Pricing and Regulatory Tribunal (IPART)	An independent authority established under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> and is the independent pricing regulator for water, public transport, local government, electricity and gas industries
Matters of National Environmental Significance (MNES)	Matters of national environmental significance (MNES) are environmental features protected under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). MNES relevant to the Endeavour Energy network area include: • Wetlands of international importance (i.e., Ramsar Wetlands) and marine key features. • Commonwealth listed threatened species or ecological communities. • Commonwealth listed migratory species. • World Heritage properties; and • National Heritage places could have a significant impact on matters of NES or Commonwealth land.
Network	Infrastructure used or associated with the delivery of electrical energy within the Endeavour Energy network area, as set out in the <i>Electricity Supply Act 1995</i> .
Practical Completion	A stage at which a project or program has been commissioned or completed to a point where the planned network need can be achieved, and only minor works are yet to be completed.
Principal	The person who has commissioned the activity.
Proponent	The person or organisation proposing to conduct works on Endeavour Energy's network including Endeavour Energy Designers, Project Officers, Project Managers and ASPs.
Review of Environmental Factors (REF)	An REF is a more detailed EIA that is required for Class 4 and Class 5 activities under the <i>Code of Practice for Authorised Network Operators</i> (CoP).
State Environmental Planning Policy (SEPP)	SEPPs are legal documents made by the Government on the recommendation of the Minister for Planning and Public Spaces. They deal with matters of State or regional environmental planning significance. Details of SEPPs relevant to this standard are provided in the Endeavour Energy Legal Obligations register.
State Significant Development (SSD)	Development that is declared under Section 4.36 of the EP&A Act to be State Significant Development.

Term	Definition
State Significant Infrastructure (SSI)	Development that is declared under Section 5.12 of the EP&A Act to be State Significant Infrastructure.
Statement of Environmental Effects (SEE)	A written report that outlines the likely environmental impacts of a development proposal and is required by all Councils for a Development Application in NSW.
Transport and Infrastructure SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021 which provides the planning framework for infrastructure in NSW. SEPPs provide the rules that control what development can occur on land
Work	Work includes any physical activity in relation to land that is specified by a regulation to be a work for the purposes of the <i>EP&A Act</i> .

4 Actions

4.1 General

This Standard requires that an appropriate level of Environmental Impact Assessment (EIA) is undertaken before an activity can be determined by Endeavour Energy, excluding those works deemed to be exempt development under the State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) (refer to 4.2.1.1).

The EIA must identify all of the environmental aspects relevant to the activity, including consultation requirements with government agencies and members of the public. An Environmental Management Plan (EMP) or Construction Environmental Management Plan (CEMP) must be prepared in conjunction with the EIA to identify mitigation measures to be implemented to avoid and/or reduce the impacts on the environment.

All activities carried out on or in relation to the network will be carried out in accordance with this Standard and any other relevant environmental standard (including associated annexures and references).

Endeavour Energy, as an Authorised Network operator (ANO), is a prescribed determining authority under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. This allows Endeavour Energy to assess and self-determine activities that are not likely to significantly affect the environment and are conducted by or on behalf of Endeavour Energy (including works undertaken by Accredited Service Providers (ASPs)) and are for the purpose of electricity transmission or distribution.

In relation to activities designed by Level 3 Accredited Service Providers (ASPs), Endeavour Energy as the ANO is the determining authority under Part 5 of the *EP&A Act*, as the electrical assets subject to design certification by Endeavour Energy will be transferred to Endeavour Energy and become part of the Endeavour Energy network. In some circumstances, however, the impacts of a larger development (e.g. road construction, residential subdivision) may be assessed by another Proponent. The conditions of approval of such assessments (whether that be another Part 5 determining authority or Council for Part 4 activities) can be relied upon in the preparation of the environmental assessment for Endeavour Energy's determination. The exception to this is if the activity is a State Significant Infrastructure (SSI) project undertaken by an external Proponent, in accordance with Section 5.22 of the *Environmental Planning and Assessment Act 1979*, as these are determined by the Minister for Planning and Public Spaces and the Minister's conditions of approval would apply. State Significant Developments (SSD's) also require preparation of an EIS. The consent authority for a SSD can be a local Council; the Independent Planning Commission (where SSD applications are not supported by relevant Council/s or in other specified circumstances); or the Minister for Planning and Public

Spaces for all other SSD applications. In this situation, the conditions of approval of SSD's would apply and can be relied upon.

4.1.1 Route Selection

Irrespective of the type of environmental assessment carried out, judicious or careful route selection and design is important early in the design process to avoid environmental aspects that can result in unnecessary potential impacts, additional costs, and delays to obtaining approval. In the early concept design stages, and during business case development for major projects, the assessor should carry out desktop searches for environmental aspects, verify them onsite and undertake a site inspection to verify the presence of these environmental aspects. This can be undertaken with assistance from relevant Environmental Specialists from the Environmental Services Team to minimise impacts and enable sustainable outcomes for the project during construction and operation.

4.2 Classification of projects and Environmental impact assessments (EIAs)

Under Section 5.5 of the *EP&A Act* there is a duty for a determining authority to examine and consider an activity's impact on the environment to the fullest extent possible. This includes all matters affecting or likely to affect the environment by reason of that activity. Section 171(2) of the *EP&A Regs* identifies the factors that need to be considered in an EIA.

The requirement for planning approval and the complexity of EIA documentation is dependent on the type of activity and the likely environmental impacts. The EIA process must be carried out in accordance with the Code of Practice for Authorised Network Operators (CoP), the Transport and Infrastructure SEPP and the *EP&A Act*.

The CoP defines activities into 6 classes as set out in the following sections. These classes are used to guide classification of projects and the appropriate level of EIA documentation required. Any ancillary impacts caused by the activity must be considered in the classification process.

Table 1 shows the EIA planning process for each class. Further detail on the classes and EIA process is provided in the following sections. The assessor should re-classify the activity into the appropriate class if deemed necessary during the assessment process.

The EIA Guidance Table (Annexure A) provides further details on the level of EIA required for each class, its likely duration and the likely hours required by the Environmental Specialist from the Environmental Services Team in order to complete the EIA process.

4.2.1 Environmental Impact Assessment (EIA) tool

The Environmental Impact Assessment (EIA) tool is a digital platform that allows users to create and determine environmental impact assessments for Class 2 and Class 3 projects. It replaces the Summary Environmental Report (SER) web-based program. This tool also has provisions to assess Class 2 (exempt development) activities and replaces the previous Exempt Development Environmental Assessment tool.

Any users seeking advice from the environmental service team, including during options analysis, development applications, etc should use the EIA tool to initiate request. The specific application of the EIA tool within each EIA process is discussed further in the section below.

Table 1 EIA Planning Process Table

EIA	CLASS 1 Not considered a development or activity e.g., demolition of temporary structure	CLASS 2 EXEMPT DEVELOPMENT Generally, includes routine repairs and maintenance of existing assets less than 66kV, or emergency works	CLASS 2 DEVELOPMENT APPLICATION (DA) Generally, includes new depots and office buildings, or electrical works carried out by a third-party DA submitted to Council.	CLASS 3 SER Generally, includes new minor works for distribution lines and powerlines. Design drawings are not complex	CLASS 4 REF Generally, includes new transmission or feeder lines, substations, switching stations, large battery sites. Design drawings are more complex	CLASS 5 REF & Species Impact Statement (SIS) Involves significant impact to threatened species	CLASS 6 EIS Generally major projects and/or projects that are likely to significantly affect the environment. Declared to be State Significant Infrastructure
Level of Environmental Impact	N/A	<i>Negligible</i>	<i>Determined during DA Assessment</i>	<i>Minor and neither extensive or complex</i>	<i>Beyond minor, or extensive/complex but not likely to significantly affect the environment</i>	<i>Likely to significantly affect threatened species, where significant effect on threatened species is the only significant impact</i>	<i>Likely to significantly affect the environment</i>
Type of EIA required.	None	None/EXEMPT	DA	SER	REF	REF & SIS	EIS
Planning Pathway under EP&A Act	N/A	s1.6 of EP&A Act, T&I SEPP s2.46	Part 4	Part 5	Part 5	Part 5/BC Act	Part 5.2
Determining Authority	N/A	N/A	Local Council	Endeavour Energy	Endeavour Energy	Endeavour Energy with concurrence from Environment and Heritage Group (EHG) of DPHI	Minister for Planning and Public Spaces
EIA tool	N/A	Applicable to exempt development	N/A	Applicable with the exception of ASPs SER submission	N/A	N/A	N/A
Project Requirements	N/A	- Environmental Guidelines Handbook - Emergency Works Procedure	- Environmental Guidelines Handbook - Permits and licences (as applicable) - SEE - DA Approval Conditions	- Environmental Guidelines Handbook - Permits and licences (as applicable) - SER Approval Conditions	- Environmental Guidelines Handbook - Permits and licences (as applicable) - REF Approval conditions - CEMP	- Environmental Guidelines Handbook - Permits and licences (as applicable) - REF & SIS Approval conditions - CEMP	- Permits and licences (as applicable) - EIS Approval conditions - CEMP

4.2.1 Class 1 and Class 2 activities – minor routine maintenance works

The *EP&A Act* does not regulate every action on land. Class 1 actions (e.g., demolition of a temporary structure) do not amount to ‘development’ or an ‘activity’ under the *EP&A Act* and therefore are not subject to the Act and do not require assessment.

Class 2 activities are activities that are not assessable under Part 5 of the *EP&A Act* and include:

- works subject to an existing development consent.
- works subject to the exemptions within Section 5.4 of the *EP&A Act* (including modification of an activity whose environmental impact has already been considered, that will reduce its overall environmental impact, and routine activities such as the maintenance of infrastructure, that has a low environmental impact)
- Exempt Development (refer section 4.2.1.1 below).
- Development that needs consent (with the consequence that it must be assessed under Part 4 of the *EP&A Act*) (refer section 4.2.1.2 below).

4.2.1.1 Exempt Development

The *EP&A Act* recognises that some activities have a negligible impact on the environment and a full environmental assessment is not warranted. These activities are considered as Exempt Development and comprise minor routine maintenance works described under Section 2.46 of the *Transport and Infrastructure SEPP* for the purposes of an electricity transmission or distribution. Exempt Development is not assessable and does not require an EIA under the *CoP* and relevant legislation.

Section 2.2 of Division 4 of the *Transport and Infrastructure SEPP* specifies that to qualify as exempt development, the development must be carried out by or on behalf of a public authority. Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, Endeavour Energy, as an Authorised Network operator (ANO), is a prescribed determining authority that is considered to be a public authority. However, Exempt Development does not apply for activities carried out by ASPs and an EIA in the form of a Summary Environmental Report (SER) must be submitted by ASPs for these activities.

Exempt Development generally includes like-for-like activities carried out on existing electrical infrastructure or in association with the network that are for the same purpose as the original activity, and that will have a negligible impact on the environment.

Exempt development for the purposes of electricity transmission and distribution is specified in Section 2.46 of the *Transport and Infrastructure SEPP*. In general terms, Exempt Development includes the following:

- emergency works – works for the purpose of maintaining or restoring infrastructure facilities or equipment in order to protect public safety, buildings or the environment due to:
 - a sudden natural event, including a storm, flood, tree fall, bush fire, land slip or coastal inundation.
 - accident, equipment failure or structural collapse
 - damage caused by vandalism or arson.
- most maintenance/repair works on the distribution network such as:
 - street lighting – if the lighting minimises light spill and artificial sky glow in accordance with the Lighting for Roads and Public Spaces Standard or if it is carried out at the request of Council.
 - service lines connecting premises to the network.
 - repair, replacement of poles
 - cable installation within existing conduits
- maintenance of existing access tracks in easements or rights of way if it is required to facilitate the maintenance or repair of electricity lines in accordance with EMS 0006 – Maintenance and Construction of Access Tracks

Environmental Impact Assessment and Environmental Management Plans

- maintenance of vegetation to maintain safety and trimming clearances in accordance with [EMS 0004 – Managing Vegetation Near Electrical Infrastructure And Pest, Weed And Disease Mitigation](#) and [MMI 0013 – Clearances To Be Maintained Between Network Assets And Vegetation](#).

Exempt Development does not include:

- extensions, upgrades and repairs involving deviations in routes, sites and functions
- proposed works designed to operate or convey electricity to a voltage of more than 66kV
- clearing vegetation where clearing has not previously been undertaken
- extensive soil disturbance
- track works beyond the original access track
- works in previously undisturbed areas
- upgrading cables to increase the capacity of the network in voltage
- installation of poles that are not replacement poles in the same location (e.g. a mid-span pole)
- Demolition and removal of electricity works not carried out in accordance with AS 2601—2001, *Demolition of structures* and the development will not be carried out on sites where soil is likely to be contaminated (by reference to the [NSW EPA Contaminated Land Record](#))
- works likely to affect a State or local heritage item or a heritage conservation area
- line diversions
- zone and transmission substation upgrades
- repairing assets in particularly environmentally sensitive areas or where the environmental impacts are unclear or the impacts are likely to be substantial.

If the proposed activity is expected to be Exempt Development and have negligible environmental impact, the applicant should initiate an environmental approval process on the EIA tool to determine/confirm if the project can be classified as exempt. This process requires input such as:

- Project name and location
- Site details and boundary
- Project scope
- Screenshots of Environmental layers
- Other input details.

Based on the environmental sensitivity and associated activity, the class may trigger reclassification to a higher class i.e. an SER. The process is fully automated as per the workflow rules. If there are any queries, the applicant could reach out to an Environmental Specialist for advice anytime throughout the application process by the “pulse” function on the tool.

All works deemed to be Exempt must be carried out in accordance with the [Environmental Guidelines Handbook](#) that can be found on the Environment Support intranet page.

4.2.1.2 Part 4 Development that needs Consent (Development Applications - DA's)

Class 2 proposals also include development under Part 4 Section 4.2 of the *EP&A Act* where SEPPs deem that the works need development consent (ie. the works are not considered to be for the purpose of an electricity transmission or distribution network). This may include erection of a building (e.g., building a depot or other civil works) or demolition of a building.

In this case, a Development Application (DA) must be prepared. The DA must comply with the requirements of the consent authority, which is usually the local Council. A Statement of Environmental Effects (SEE) is required to be prepared and submitted with the DA. The Environmental Specialist can provide advice and assist with the preparation of the SEE, on a case by case basis.

4.2.2 Class 3, Class 4 and Class 5 activities – Part 5 Approval – Development without Consent

An approval under Part 5 of the *EP&A Act* is required for activities that are not deemed to be minor routine maintenance works or Exempt Development.

These activities are defined under Section 2.44 of the *Transport and Infrastructure SEPP* as “Development permitted without consent” and include activities that are “*Development for the purpose of an electricity transmission or distribution network*”. Endeavour Energy is a prescribed determining authority under Part 5 of the *EP&A Act* and this allows Endeavour Energy to assess and self-determine any of its activities which are carried out for the purpose of an electricity transmission or distribution network, where those activities are not likely to significantly affect the environment.

Generally, any new works or construction works for Endeavour Energy’s network will need to be assessed for potential environmental impacts under Part 5 of the *EP&A Act*.

The assessment will take the form of the Summary Environmental Report (SER) for Class 3 activities or a Review of Environmental Factors (REF) for Class 4 and Class 5 activities.

An EIA must assess the environmental impacts of the activity and involves consideration of environmental aspects not only within the actual operational footprint, but also access pathways and any additional areas and construction footprint (e.g. clearance around poles, vegetation clearance required and areas for storage compounds) which are likely to be affected by the activity, either directly or indirectly.

A Level 3 ASP, or their nominated representative, must provide Endeavour Energy with an EIA in accordance with this Standard as part of their design application for certification. The EIA must be reviewed by Endeavour Energy and a decision made whether or not to approve and subsequently certify the design. Endeavour Energy reserves the right to pursue compensation for any actual or potential losses arising from false or misleading information contained in any submitted EIA.

4.2.2.1 Class 3 assessment - Summary Environmental Report (SER)

Majority of the works assessed as an EIA and undertaken by Endeavour Energy fall under Class 3 assessment. To belong to Class 3, a proposal must be expected on a reasonable basis to have impacts which are:

1. minor; and
2. neither extensive nor complex.

For a Class 3 activity that is undertaken by Endeavour Energy, the SER can only be assessed and completed by an authorised person (see Annexure B) or a suitably qualified Environmental Consultant in consultation (if required) with the Environmental Specialist to adequately address all environmental aspects for the activity and to determine whether a higher level of investigation, specialist studies and/or further assessment (REF or Environmental Impact Statement (EIS)) is required. Assessors completing the SER must have undertaken the Endeavour Energy Environmental Impact Assessment Training to demonstrate proficiency in the consideration and assessment of the environmental impacts associated with the activity.

Works involving transmission infrastructure (>66kV) will require referral to the Environmental Services Team. It is recommended that discussions take place with the Environmental Specialist regarding the impacts of the works prior to commencing any design that can potentially impact on transmission assets. A SER must be created and determined via the EIA tool, except for ASPs. ASPs are to follow FAT0038 and prepare SER for submission. ASPs must undertake an appropriate level of investigation to identify and mitigate any key environmental risks. ASPs will provide sufficient evidence of this investigation to allow for design certification. This includes reference to approvals sought by the developer/client that the ASP has been engaged.

Environmental Impact Assessment and Environmental Management Plans

To complete a SER application, the author must also undertake a site inspection. Notes must be made of the inspection stating the date on which it occurred and all relevant field observations (for example presence of vegetation, access suitability, waterways, traffic flow, sensitive community receptors, likelihood of contamination etc.). The characteristics of the site along with accompanying photographs are to be included in the "Site Inspection" section of the SER. This is mandatory and provides considerable assistance in the approval process by clearly showing the environment surrounding an activity, without requiring further site visits.

Subsequent to the input and potential to impact, the submitted SER will either be reviewed by the relevant reviewer or be diverted to Environmental Services team for further assessment and review.

If the impacts of the activity are shown to be minor and predictable following completion of the SER or if the necessary mitigation measures reduce the environmental impact to a minor impact level, no further assessments are required to demonstrate compliance with the requirements of the *EP&A Act*. If the potential environmental risks are uncertain or deemed significant, the reviewer (e.g. Design manager or Customer Network Solution Team) can escalate the relevant aspects to Environmental Services team for verification. The relevant Environmental Specialist will examine the environmental aspects and confirm potential impact and need for further assessment. The SER will determine the environmental aspect sensitivity for the works being assessed, ascertained by the works "selection area" identified from the Application's interaction with GIS layers, and/or the relevant environmental issues or aspects and potential impacts within or in the vicinity of the works (determined by the scope of works and site inspection). Investigative studies and utilisation of additional information supplied by other agencies (for example the provision of heritage and flora and fauna assessments in the case of externally designed activities) may be required to appropriately complete the SER.

ASPs are to undertake an appropriate level of investigation to mitigate environmental aspects and risks and provide sufficient evidence of this investigation to allow for design certification. This is to include reference to approvals sought by the developer/client that the ASP has been engaged. Customer Connections is to escalate the sensitive environmental aspects to the relevant Environmental Specialist. If the impacts of the activity are demonstrated to be minor and predictable following completion of the SER or if the necessary mitigation measures reduce the environmental impact to a minor impact level, no further assessments are required to demonstrate compliance with the requirements of the *EP&A Act*.

4.2.2.2 Class 4 assessments - Review of Environmental Factors (REF)

Where the impacts of the activity have been identified as being complex or unpredictable, further analysis in the form of a REF is required (Class 4).

A REF is a higher level EIA than the SER and may be necessary to qualify that all matters affecting or likely to affect the environment are taken into account. REF preparation can be carried by authorised persons in accordance with Annexure B – Authorities for the Preparation and Approval of EIAs. The REF shall be prepared using the Endeavour Energy REF template.

Within Endeavour Energy, the REF process is supported by the Environmental Services Team. Preparation of a REF can take between 6-12 months or longer depending on the sensitivities and stakeholder engagement and approvals required. These timeframes will need to be considered in project planning.

Preparation of a REF can assist:

- where it is unclear whether the proposed activity is likely to have significant impact and if an EIS or SIS is required ie. precursor to an EIS; or
- Where it is clear there will be impacts that are expected not to be significant impact, with the REF serving as primary document that demonstrates the ANO has examined and taken into account the activity's environmental impacts.

To belong to Class 4, a proposal must:

1. fall outside Classes 1 and 2 (see above)
2. fall outside Class 3 because the proposal:
 - 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

Environmental Impact Assessment and Environmental Management Plans

- c. both (a) and (b) above; or
 - d. is for any other reason considered by Endeavour Energy to be a proposal for which it is appropriate 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.
- 3. fall outside Class 5 (see below); and
 - 4. fall outside Class 6 (see below).

Where an activity is undertaken by an ASP, Endeavour Energy reserves the right to direct a proponent to proceed directly to a further assessment, such as a REF, without completing the SER. Such a directive will be based on the location, the likely environmental impacts and type of the activity.

Completion of an REF does not negate the requirement for obtaining approvals, licences or permits that may be required under Federal and State environmental legislation.

As a minimum, the CoP requires that a REF must contain the following elements:

- description of Proposed Activity including nature, purpose and sites where it will take place
- the proponent, determining authorities and any required approvals
- include viable alternatives
- certification: must contain a statement signed and dated by the person with principal responsibility for preparing the REF (employee, suitably qualified consultant or agent of the ANO) as follows:

"I certify that I have prepared the contents of this REF to the best of my knowledge, it is in accordance with the Code approved under Section 198 of the Environmental Planning and Assessment Regulation 2021, and the information it contains is neither false or misleading"

- existing environment of the Activity
- impacts of the Activity: as a minimum document consideration of each of the factors listed in *Clause 171 of the EP&A Regs*
- mitigating measures
- summary of impacts
- consultation completed in accordance with Section 2.3.7 of the CoP
- conclusions regarding an EIS and/or SIS and describe:
 - whether the Activity is likely to significantly affect the environment, in which case an EIS is required; and
 - whether the Activity is likely to significantly affect Threatened Species, Populations, Ecological Communities or their Habitats, in which case a SIS is required.
- the reasons for the conclusions and may reference the more detailed impact assessments in the body of the REF in support.

In instances where the REF has been prepared by a third party it is important to note that irrespective of the conclusion of the REF, an ANO is ultimately responsible for deciding whether a proposed Activity is likely to significantly affect the environment.

Where a REF determines the activity is likely to significantly affect threatened species, a Species Impact Statement (SIS) will need to be prepared and in accordance with the CoP the activity becomes a Class 5 activity (refer Section 4.2.2.3 below).

4.2.2.3 Class 5 assessment – Species Impact Statement (SIS) and REF

Where a REF determines the activity is likely to significantly affect threatened species, a Species Impact Statement (SIS) will need to be prepared. A proposal belongs to Class 5 if a SIS and REF, but not an EIS, is required for a proposal.

Within Endeavour Energy, the SIS and REF process for Class 5 proposals is supported by the Environmental Services Team.

Concurrence for a Class 5 proposal will also need to be sought from the NSW Environment and Heritage Group, which is part of the NSW Department of Planning, Housing and Infrastructure.

External specialised suitably qualified Consultants will be required to prepare the ecological assessments that will be used to formulate the SIS.

4.2.3 Class 6 assessment - Environmental Impact Statement (EIS)

Where the Part 5 EIA determines the impact is:

“Likely to significantly affect the environment (including critical habitat) or threatened species, populations or ecological communities, or their habitats”

then an EIS must be prepared (Class 6).

In such a case, the activity cannot be self-determined by Endeavour Energy because once an activity is deemed as ‘likely to significantly affect on the environment’ it is declared to be State Significant Infrastructure (refer Schedule 3 Section 1(1) of *State Environmental Planning Policy (Planning Systems) 2021*).

SSI’s cannot be determined by Endeavour Energy and must be determined by the Minister for Planning and Public Spaces following an assessment by the Minister’s department (NSW Department of Planning, Housing and Infrastructure). Input is sought from local Council/s, other NSW government agencies and the community as part of the assessment process. An EIS must be accompanied by a Biodiversity Development Assessment Report (BDAR).

Electricity networks are generally not classed as State Significant Development (SSD) unless it is part of another development that includes SSD. A development proposal for any of the identified development types is SSD if it is over a certain size, is located in a sensitive environmental area or will exceed a specific capital investment as specified in a SEPP. SSD’s also require preparation of an EIS. The consent authority for SSD’s can be a local Council; the Independent Planning Commission (where SSD applications are not supported by relevant Council/s or in other specified circumstances); or the Minister for Planning and Public Spaces for all other SSD applications.

The process for an EIS is very detailed and follows a different planning pathway under Division 5.2 of the *EP&A Act*. The Environmental Services Team will assess and decide whether the impacts of an activity are significant enough to require the preparation of an EIS. This decision may be made either before the proposal proceeds through the SER or REF process, or after it has been through the SER or REF process and becomes reclassified as a Class 6 activity as it is decided that a higher level of assessment in the form of an EIS is required.

4.3 Notification and consultation requirements

A key component of the EIA process is the requirement to notify external stakeholders and the community.

As an ANO, Endeavour Energy must abide by the general law in relation to community consultation and notification including the provisions in *Transport and Infrastructure SEPP*, *EP&A Act* and the *ES Act* relating to Agency and public notification.

Endeavour Energy must also abide by additional consultation requirements under the CoP when undertaking EIA for a Class 4 or Class 5 activity. Consultation requirements for Class 4 or Class 5 activities are included in the [Consultation Protocol](#) (refer to Sections 4.3.1 and 4.3.2 below for further detail).

In addition to the notifying external stakeholders, the assessor should actively engage the internal project team throughout the EIA process. This ensures any design changes are captured in the EIA process and environmental risks have been adequately considered in design. This engagement process should be conducted in a manner that aligns with the engagement approach stated in the PMO [Stakeholder Management Plan](#) and the [PMO Lifecycle Framework](#).

4.3.1 Notification for Class 3 Activities

The following sections summarise the notification requirements for Class 3 Activities.

The author is responsible for preparing and sending the notifications as part of the requirements for completion of the SER.

4.3.1.1 Council notification

Consultation with local councils is required in the circumstances outlined in the table below. The scope of the proposed works must be provided to Council in this notification process and the greater of the two notification timeframes should be utilised if different notification periods are deemed to be relevant.

Legislative reference	Purpose	Notification period *
<i>Electricity Supply Act 1995</i> (Section 45)	Notification of work (other than routine repairs or maintenance work) to the local council for their consideration and opportunity to make a submission.	40 days
<i>Transport and Infrastructure SEPP</i> (Section 2.10)	Consultation with local council for proposed activities that are considered likely to impact on council-related infrastructure or services including a public road.	21 days
<i>Transport and Infrastructure SEPP</i> (Section 2.11)	Consultation with local council for proposed activities that are considered likely to have more than minor or inconsequential impacts on local heritage	21 days
<i>Transport and Infrastructure SEPP</i> (Section 2.12)	Consultation with local council for proposed activities that are considered likely to impact on flood liable land	21 days
<i>Transport and Infrastructure SEPP</i> (Section 2.14)	Consultation with local council for proposed activities that are considered likely to impact on a coastal vulnerability area or if it is considered inconsistent with a certified coastal management program	21 days
<i>Transport and Infrastructure SEPP</i> (Section 2.45)	Consultation with local council for electricity substation development (new or existing)	21 days

* Notification period by which submissions made by Council are considered

4.3.1.2 National Parks and Wildlife Service (NPWS) and Water NSW notification

For activities within land reserved under the *National Parks and Wildlife Act 1974*, consent will be required from NPWS in accordance with Section 2.15 of the *Transport and Infrastructure SEPP*. Endeavour Energy is unable to make a determination without this consent.

For other activities that may impact on the NPWS including the following:

- development adjacent to land reserved under the *National Parks and Wildlife Act 1974* or to land acquired under Part 11 of that Act
- development on land in Zone C1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone, other than land reserved under the *National Parks and Wildlife Act 1974*.

Environmental Impact Assessment and Environmental Management Plans

the Assessor must take into consideration any response to the notification received by NPWS within 21 days after the notice was given.

For activities within Water NSW Designated Area, the assessor must notify Water NSW in accordance to the Water NSW Special and Controlled Areas Consent under section 9 of the Water NSW Regulation 2020.

Please note that consent and consultation outlined here is outside of the requirements for undertaking inspection, maintenance and emergency notifications as per:

- [EMS 0012 - Notification of access to National Parks, Water NSW Special and controlled Areas](#)
- [FAT 0048: Notification of Inspection Work in National Parks or Water NSW Special and Controlled Areas](#)
- [FAT 0049: Notification of Maintenance Work in National parks or Water NSW Special and Controlled Areas](#)

4.3.1.3 Consultation with other authorities

In accordance with Section 2.13 of the *Transport and Infrastructure SEPP*, notification and consultation with the State Emergency Service (SES) is required for proposed activities that are considered likely to impact on flood liable land. Any responses/comments made by the SES received within 21 days of notification must be considered.

In accordance with Section 2.15 of the *Transport and Infrastructure SEPP*, notification and consultation with the following relevant specified authorities is required where relevant to proposed activities and development:

1. development comprising a fixed or floating structure in or over navigable waters —Transport for NSW
2. development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map — the Director of the Observatory (Note: the dark sky region is land within 200 kilometres of the Siding Spring Observatory)
3. development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument — the Secretary of the Commonwealth Department of Defence (Note— Defence communications facility buffer land is located around the defence communications facility near Morundah. See the Defence Communications Facility Buffer Map referred to in clause 5.15 of Lockhart Local Environmental Plan 2012, Narrandera Local Environmental Plan 2013 and Urana Local Environmental Plan 2011)
4. development on land in a mine subsidence district within the meaning of the *Mine Subsidence Compensation Act 1961* — the Mine Subsidence Board
5. development on, or reasonably likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property — the World Heritage Advisory Committee and Heritage NSW
6. development within a Western City operational area specified in the *Western Parkland City Authority Act 2018*, Schedule 2 with a capital investment value of \$30 million or more—the Western Parkland City Authority constituted under that Act.

The Assessor must take into consideration any response to the notification received by these specified authorities within 21 days after the notice was given.

4.3.1.4 Other utilities providers notification

Where an activity has potential to impact on another utility providers asset (e.g. gas line, Telstra feed) then notification of the utility asset owner must be carried out.

The Assessor must take into consideration any response to the notification that is received within 21 days after the notice is given.

4.3.1.5 Community and landowner notification

For a new or existing electricity substation of any voltage (including any associated yard, control building or building for housing plant), consultation with occupiers of adjoining land to the activity must be undertaken in accordance with Section 2.45 of the Transport Infrastructure SEPP.

The author must take into consideration any response to the notification that is received within 21 days after the notice is given.

This notification must also be utilised to notify adjacent land occupiers of the intent to carry out an activity that may impact on the visual amenity of the area or in the case where there may be some other form of perceived impact on the community.

The community notification described here does not replace the construction notification (typically 5-14 days prior to the commencement of works), whereby such construction works may have a potential impact on the community (e.g. impeding access).

4.3.2 Consultation Protocol for Class 4 and 5 Activities

Notification and consultation requirements for Class 4 and 5 Activities are more extensive than for Class 3 activities due to the larger scale and size of these projects and their expected impacts. For Class 4 or Class 5 assessments the [Consultation Protocol](#) must be followed, as required by the CoP.

The Assessor is responsible for meeting the requirements of the Consultation Protocol and following the necessary steps outlined in the Consultation Protocol.

4.4 Determination by an Authorised person - Decision Statements

Following completion of a SER or REF for a proposed activity, the author must submit the SER or REF to an authorised person for approval. The approval is referred to as 'Determination'.

As an ANO, Endeavour Energy's role as a Determining Authority is in respect of the assessment and self-determination of proposed activities to be carried out:

- by Endeavour Energy, or
- on behalf of Endeavour Energy including where an Activity is to be carried out by an ASP on behalf of Endeavour Energy.

An authorised person on behalf of an ANO is responsible for:

- discharging the ANO's duty as a determining authority under Section 5.5 of the *EP&A Act* by considering a Class 3, 4 or 5 activity based on the EIA documentation prepared; and
- preparing a Decision Statement.

To be deemed an authorised person to determine a SER or REF, the person has to be an Endeavour Energy employee and have undertaken the relevant Endeavour Energy Environmental Impact Assessment Training.

Further, the authorised person must not be the same person who conducted the assessment.

SER and REFs can be Determined by an Endeavour Energy employee within the appropriate reporting line in accordance with Annexure B. Note that an Endeavour Energy approver only has authority for decisions within the scope of their normal area of responsibility. The Determination is to be based on the EIA carried out for the activity and the evaluation of the EIA by the person making the Determination.

The Determination must occur after the assessment and evaluation of the proposal and after any required consultation to inform the determination has been conducted (this does not preclude further ongoing consultation). A Decision Statement must be prepared as part of the Determination.

4.4.1 Decision statements for SERs

Following consideration of the SER, the authorised person prepares/makes a Decision Statement and must:

1. State the decision which could be either of the following:
 - a. that no EIS or SIS is required to be prepared in respect of the subject Activity
 - b. that either an EIS or a SIS or both is or are required in respect of the subject Activity
 - c. that there is insufficient information contained in the SER for the authorised person to discharge the duty under Section 5.5 of the EP&A Act such that either:
 - a supplement to the SER should be prepared; or
 - a REF should be prepared
2. Expressly state whether or not the decision (refer above) made by the authorised person on behalf is a conditional decision
3. If a conditional decision is made, the Decisions Statement must record:
 - a. the conditions of the decision; and
 - b. the reasons why these conditions are required.

4.4.2 Decision statements for REFs

For a REF, the CoP requires that a more detailed Decision Statement is required. The REF Decision Statement is the form of a report which documents the authorised person's engagement with the REF, including the documentation of consultation with agencies and the public, and explains clearly the reasons why the key conclusions in the REF were or were not accepted. For the REF Decision statement, following consideration of an REF the authorised person will include in the Decision Statement and decide on behalf of Endeavour Energy one of the following options:

1. State the decision. For an REF the authorised person may decide:
 - a. that no EIS or SIS is required to be prepared in respect of the subject Activity
 - b. that either an EIS or a SIS or both is or are required in respect of the subject Activity.
 - c. that there is insufficient information contained in the SER for the authorised person to discharge the duty under Section 5.5 of the EP&A Act such that a supplement to the REF should be prepared
2. Expressly state whether or not the decision (refer above) made by the authorised person on behalf is a conditional decision.
3. If a conditional decision is made, the Decisions Statement must record:
 - a. the conditions of the decision; and
 - b. the reasons why these conditions are required.

The Endeavour Energy REF Decision Statement Template addresses the above requirements and should be used for a REF determination.

4.5 Implementation - Environmental Management Plans (EMPs) and Construction Environmental Management Plans (CEMPs)

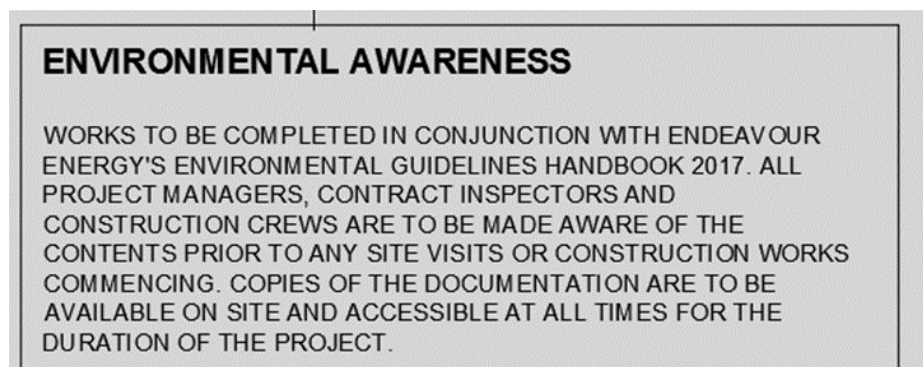
The implementation phase of a project occurs after Determination and is the stage when the mitigation measures identified during the EIA assessment are implemented.

Implementation should not commence until after a Determination has been made or in a case where the Determination is subject to certain conditions being observed, those conditions have been observed. This includes obtaining any necessary approvals and licences that may be required for the activity (e.g. An Environment Protection Licence (EPL) under the POEA Act where it is required).

Endeavour Energy documents the implementation phase in different ways depending on the Class of the activity.

4.5.1 Implementation for Class 1 and Class 2 – Environmental Guidelines Handbook

For Class 1 and Class 2 activities that do not require an EMP, and/or are deemed to be Exempt Development (refer to 4.2.1.1), environmental aspect mitigation is to occur through Endeavour Energy construction workers referencing the [Environmental Guidelines Handbook, mitigations documented via the EIA Tool](#) and inclusion of the relevant environmental aspects in the Worksite Hazard and Risk Assessment (WHRA). A reminder notation is to be included on design drawings. An example of such a notation is shown below.



Note – As per 5.2.1 above, this only applies to Endeavour Energy designed activities, as a SER is required for contestable works for design certification purposes.

4.5.2 Implementation for Class 3 Activities – EMP generated in the SER

The purpose of an EMP is to address how environmental impacts identified in the EIA will be managed during and after construction. It identifies the practical measures and actions that will be implemented to reduce or eliminate potential adverse environmental impacts. An EMP also addresses the environmental management for the activity in the event of non-conformance or for an incident or emergency situation.

For Class 3 Activities where an SER has been prepared, construction impact mitigation measures or ongoing maintenance requirements can be considered as part of the SER and be built into the SER.

Environmental Impact Assessment and Environmental Management Plans

SER mitigation measures along with the [Environmental Guidelines Handbook](#) will need to be available on site to supplement information contained in the EMP.

For activities with high environmental risks, Environmental Services team should be engaged to review and confirm mitigation measures are sufficient or if additional measures are required. For SER prepared by ASPs, the Customer Network Solution team should liaise with the suitably qualified Environmental Consultant or Environmental Specialist to determine if the measures proposed by the ASP are adequate.

The Operations Manager, Project Manager and/or Site Supervisor (or their relevant equivalent) are required to sign-off on the EMP once they have read and understood it and agreed to their assigned responsibilities for its implementation.

4.5.3 Implementation for Class 4 and 5 Activities – CEMP preparation

For Class 4 and 5 Activities the CoP requires that an ANO must prepare an implementation document which is separate to the REF. This document will serve as a practical reference document that enables the ANO to ensure that any mitigation measures designed to mitigate the environmental impacts of the Activity adopted during the REF process and conditions of the Determination made in the Decision Statement are observed during implementation and, where applicable, after implementation is complete.

For Class 4 and 5 Activities where a REF has been prepared, mitigation measures are informed by the REF and referenced in the Decision Statement as part of the determination process.

If a contractor is requested to prepare a Construction Environmental Management Plan (CEMP), the contractor is responsible for including the following items in the CEMP:

- legislation (refer [Endeavour Energy Legal Obligations Register](#)) relevant to the activity including associated regulations and standards
- specific measures to achieve conformance with the relevant provisions from legislation; and
- specific measures to achieve conformance with the Consent Conditions contained in the Decision Statement provided by Endeavour Energy.

The CEMP will vary in its scope and complexity depending on the extent of any potential environmental impacts that may arise from the activity, as well as the size and location of the activity.

Additionally, the CEMP must establish and maintain:

- environmental objectives and targets relevant to the potential environmental impacts arising from the activity under the contract
- programs and written procedures to achieve the objectives and targets
- the role, responsibility and reporting requirements of personnel relevant to the CEMP
- protocol and process for communication with the Principal regarding performance under the CEMP
- relevant training and equipment needs of the contractor or their sub-contractors
- procedures for preventing and responding to incidents and emergencies
- initiatives to monitor and measure implementation of the CEMP.

The CEMP may also require the contractor to prepare an environmental work method statement (EWMS) for high risk environmental activities.

The CoP requires that: for Class 4 and 5 Activities with Determination conditions and/or measures designed to mitigate the environmental impacts of the Activity identified in the REF, how and whether those conditions and measures were observed must be recorded at the conclusion of the construction phase on an Activity. This is done through the Endeavour Energy Monitoring and Review process (refer Section 4.8) which includes environmental inspections and close-out reports.

4.6 Modifications

On occasions, the parameters of an activity may change in response to issues raised by stakeholders, or in response to new information which may alter the environmental impact and lead to a modification of the activity.

Prior to Determination, if the activity is modified in a material way (eg. amendment of a power line route) such that the modification would increase or change the environmental impacts of the activity overall (eg. lead to greater vegetation clearance, soil disturbance, community concerns or impact upon an area not previously assessed) then the EIA must be updated to address the changed impacts.

If an activity is modified subsequent to the Determination and Decision Statement being made and the modification is likely to increase environmental impacts or impact upon an area not previously assessed, an addendum SER or REF or alternatively a new SER or REF must be produced to address the changed impacts.

In the case of Class 3 contestable works carried out by ASPs, the modification must be raised by the Level 1 ASP to the relevant Contractor Inspector, who will then initiate a re-design, re-assessment and subsequent re-certification of the activity through the Level 3 ASP.

A Determination can be modified by an authorised person issuing a further Decision Statement once they have considered the revised assessment. A Decision Statement modifying a determination must state the reasons for the modification.

Aspects of the activity which are proposed to be modified in a material way are required to be the subject of further consultation. The [Consultation Protocol](#) provides for specialised additional consultation requirements for modification.

4.7 Retention of and access to EIA documents

Under the CoP, an ANO must retain environmental assessment documentation according to the following schedule:

Type of Record	Retention Period
Final EIA documentation	At least five years from the date of issue of the Decision Statement
Decision Statement	At least five years from the date of issue of the Decision Statement
Consultation documentation	At least five years from the date of the communication recorded in the document
Implementation documentation	At least five years from the completion date of the implementation of the activity
SER or REF	Until the version being retained is replaced or five years from its creation, whichever is earlier

All final versions of SERs and REFs will be saved and filed on the Endeavour Energy Content Server for easy retrieval. All incomplete and draft SERs that are saved on the Content Server are managed by the SER Application via a dashboard with each approved user seeing their individual project dashboard.

Once finished and submitted, a “master” SER Application copy and the Decision Statement will be saved on the Content Server. This version cannot be edited. The final SER pdf file and Decision Statement must be then included into its respective construction work package.

In compliance with the CoP, the ANO will publish on its website, and make available for download without cost, copies of relevant documentation according to the following schedule:

- all final EIA documentation for a Class 4 or Class 5 activity (ie REF's and SIS's), within 20 business days of the issue of the Decision Statement

Environmental Impact Assessment and Environmental Management Plans

- all Decision Statements for Class 4 and Class 5 activities, within 20 business days of the date of issue
- any final EIA documentation or Decision Statement for a Class 3 activity (ie. SER's) which is released to a member of the public under Section 4 of the CoP, within 20 business days of date of release
- the CoP as in force, and within 20 days of commencement or modification
- any Consultation Protocol in force from time to time under the CoP which relates to the ANO.

Any request for public access to a SER should be made by the customer or community member through contacting the Endeavour Energy Contact Centre, by either calling 133718 or lodging the request at this link: <https://www.endeavourenergy.com.au/contact-us/general-enquiry>. The request will then be managed by the Complaints and Claims Team who will liaise internally with the Environmental Services Team and respond to the customer/community member accordingly and in accordance with the CoP requirements. Further guidance on this process is included in company procedure GPE 0078 Environmental Competence, Awareness and Communication.

4.8 Monitoring and review

Activities that have been Determined by the company under the *EP&A Act* must undergo periodic inspections to check for compliance to the conditions of the SER for Class 3 activities and REF/Decision Statements for Class 4 and 5 activities, including whether environmental incidents if any, have been managed effectively and corrective actions have been sufficiently completed in a timely manner.

4.8.1 Environmental inspection for Class 3 activities

Environmental inspections for Class 3 activities delivered by the company (i.e. Endeavour Energy designed activities) are required to be carried out to assess compliance with the SER and the EMP. Each Class 3 activity must be inspected at least once. For the more sensitive projects, a minimum of three inspections (e.g. at start-up, during implementation and on completion) should be completed and documented by the Project Manager to show compliance against the SER and EMP. Based on project scope and sensitivity, an Environmental Specialist may also carry out inspections as appropriate. Corrective actions for any non-conformances identified from the inspections must be discussed and agreed with the Project Manager/Operations Manager and/or the Site Supervisor and recorded. Corrective actions are managed by the Project Manager/Operations Manager and monitored by the relevant Environmental Specialist from the Environmental Services Team.

Environmental inspections for Class 3 activities delivered by ASPs are conducted by the ASP company's Contractor Inspectors. Each Class 3 activity must be inspected at least once. The inspection must be attended by the ASP representative and recorded on Branch Form FPJ 4683 – Environmental Site Inspection Checklist for Contestable Works. The Contractor Inspector can request the assistance of an Environmental Specialist from the Environmental Services Team if needed. Corrective actions for any non-conformances identified from the inspection must be discussed and agreed with the ASP representative and recorded in the ASP non-conformance database.

4.8.2 Environmental inspections for Class 4 and Class 5 activities

Environmental inspections for Class 4 and Class 5 activities are conducted by the Environmental Services Team at start-up, at completion (close out inspection) and periodically during works for activities being carried out in environmentally sensitive areas or where the activity duration exceeds six months. The frequency of these periodic inspections is determined at the commencement of the construction phase of the works by the Project Manager or the Environmental Services Team.

The inspection must be attended by the Project Manager and/or the Site Supervisor. Start-up and in-progress inspection findings are recorded on [Company Form FPE 0011 – Environmental Site Inspection Checklist for Class 4 and Class 5 Works](#). Close out inspection findings are documented in a report prepared by the Environmental Services Team and are to be included in the Post Completion Review reports prepared by the Project Managers.

Environmental Impact Assessment and Environmental Management Plans

Corrective actions to address any non-conformances identified from the inspection must be discussed and agreed with the Project Manager and/or the Site Supervisor, recorded on the form or close out report and provided to the Project Manager for implementation. Upon completion of corrective actions, the Project Manager is required to inform the relevant Environmental Specialist from the Environmental Services Team to close the non-conformances.

4.9 Enforcing compliance with the CoP and reporting

The process by which reporting of all breaches by Endeavour Energy is documented within [EMS 0008 – Environmental Incident Response and Management](#). Compliance with the CoP is a condition of an ANO's licence and is audited by the Independent Pricing and Regulatory Tribunal (IPART). EMS 0008 – Environmental Incident Response and Management outlines a description of the reporting requirements for all non-compliances with the CoP. An ANO must report a serious breach of the CoP to IPART as soon as reasonably practicable after the ANO becomes aware of the breach. A serious breach includes a breach which has, or is likely to have, a material adverse impact on the environment.

By 31st August each year (or such other date agreed to in writing by IPART), an ANO must provide a report to IPART which records:

- any breach of the CoP at the determination phase of the activity which occurred over the preceding year;
- the ANO's explanation for the breach and a description of measures implemented to avoid a recurrence of the breach; and
- data on any complaints received by the ANO about EIA related matters in the preceding year.

5 Authorities and Responsibilities

Chief Data People and Sustainability Officer has the authority and responsibility for approving this Standard.

Chief Executive Officer has the authority and responsibility for:

- endorsing this Standard; and
- delegating the responsibility for assessment and determination of Class 4 and Class 5 activities to the Head of Sustainability.

Head of Sustainability has the authority and responsibility for administering this Standard and has the authority to approve Decision Statements and make a determination on Class 4 and Class 5 (REF) activities.

Environmental Services Manager has the authority & responsibility for:

- preparing Decision Statements and making a determination on Class 4 and Class 5 activities
- reporting a serious breach of the CoP to IPART as soon as reasonably practicable after Endeavour Energy becomes aware of the breach. A serious breach includes a breach which has, or is likely to have, a material adverse impact on the environment.

Proponent – Determining authorities are taken to be proponents of activities under Section 5.3 of the *EP&A Act*. Under Part 5 of the *EP&A Act* Endeavour Energy is the determining authority and proponent responsible for assessing activities on Endeavour Energy's network in accordance with this Standard.

Environmental Specialists have the authority and responsibility for:

- assisting the employee preparing the SER to assess the environmental aspects identified for the activity, where needed
- assessing Level 3 risks identified in the SER and deciding whether escalation to Class 4 or 5 is required
- conducting environmental inspections of Class 3 activities delivered by the business, where required
- preparing a Decision Statement and making a Determination on Class 3 activities, where needed
- preparing, or supporting the preparation of, a Statement of Environmental Effects where required to

Environmental Impact Assessment and Environmental Management Plans

- accompany a DA for building works for Part 4 approvals
- supporting the preparation of the REF for a Class 4 or Class 5 activity
- submitting the REF for a Class 4 or Class 5 activity to the Environmental Services Manager or an Environmental Specialist for Determination
- assessing and determining whether the impacts of an activity are sufficiently significant as to require a Class 6 assessment
- if the activity is modified in a material way and the determination has not yet been made, ensuring the REF is updated to address the changed impact. If the determination has already been made, ensuring that an Addendum REF is prepared to address the changed impact
- saving and filing finalised REFs to the Content Server
- publishing final REF documentation for Class 4 and 5 activities including Decision Statements on the company's website within 20 business days of the documentation date of issue
- conducting environmental inspections of Class 4 and Class 5 activities
- report a serious breach of the CoP to IPART as soon as reasonably practicable after Endeavour Energy becomes aware of the breach. A serious breach includes a breach which has, or is likely to have, a material adverse impact on the environment.

It should be noted that Endeavour Energy may occasionally engage the services of suitably qualified Environmental Specialists who are contracted and/or seconded to the Environmental Services Team. In this situation, contracted Environmental Specialists have the same authority and responsibility as Environmental Specialists outlined above.

Environmental Specialist Access Track

- prepare SERs to assess the environmental aspects identified for access tracks
- make determinations for Class 3 SER and Class 4 and 5 REF access track activities
- conduct environmental inspections of Class 3, 4 and 5 access track activities.

Project Managers have the authority and responsibility for:

- signing off on the Environmental Management Plan (EMP) generated by the SER Application and agreeing to implementing the control measures identified in the EMP
- scheduling the required environmental inspections into Energy Environmental Services Team to conduct the inspections for Class 3, Class 4 and Class 5 activities
- monitoring environmental performance on their projects by confirming that regular inspections have been conducted
- implementing corrective actions.

Design Managers and Major Contracts Managers have the authority to:

- make a Determination for Class 3 SER activities.

Designers have the authority to:

- prepare SERs to assess the environmental aspects identified for the activity
- assess Level 3 risks identified in the SER Application and decide whether escalation to an Environmental Specialist in the Environmental Services Team is required. If escalation is required then contact an Environmental Specialist
- submit Level 3 SERs to an authorised person for determination.

Suitably Qualified Environmental Consultants have the authority to:

- prepare SERs and REFs to assess the environmental aspects identified for the activity, in accordance with Endeavour Energy and CoP requirements
- REFs prepared by consultants must be certified by them in accordance with the CoP.

Contractor Inspectors have the authority and responsibility for:

- initiating any re-design, SER re-assessment (via an Addendum SER) and submitting for revised Determination of Class 3 activities for which the Level 1 Accredited Service Provider (ASP) has raised modifications; and
- conducting environmental inspections of Class 3 activities delivered by ASPs.

Level 1 Accredited Service Providers (Level 1 ASPs) have the authority and responsibility for:

- raising SER modifications to the relevant Contractor Inspector for re-design, re-assessment and re-submission for further determination of the activity if required; and
- implementing the environmental control measures identified in the Environmental Management Plan (EMP).

Level 3 Accredited Service Providers (Level 3 ASPs) have the authority and responsibility for preparing and submitting the SER for a designed activity to Endeavour Energy for assessment and determination.

Annexure A - EIA Guidance Table

This table is a guide to understanding the activity classification, level of EIA required, the likely EIA duration and the indicative Environmental Specialist hours required to support completion of the EIA process. The table should be used as a guide and is indicative only as environmental impacts for activities may vary depending on the size, scale and location of the activity. Please seek advice from the Environmental Services Team where there is any uncertainty.

No.	Type of Activity (for Classification Guidance)	Example activities/ Notes	Likely Class/ Level of EIA required/ Action needed	Environmental Services Team Hours Required*	Likely EIA Duration#
1	Emergency works	- works due to storm, flood, accident, bushfire etc. - maintaining or restoring infrastructure for urgent electricity supply need with no design input required	Class 2 Assessment Exempted (Exempt Development) Endeavour Energy Emergency works procedure to be used	None	N/A
2	Work that only involves minor maintenance activity	maintenance/repair works on the distribution network such as street lighting, service lines, equipment repairs, assets on existing poles etc.	Class 2 Assessment Exempted (Exempt Development) Self-assessment using EIA tool	None	N/A
3	Work that involves minor/non-complex design/replacement/installation activity	- upgrade to pad-mount substation with minimal excavation from pad mount and not located in a sensitive area - pole replacement into the same location - install joints or assets OH & UG within EE land, easement or road reserve	Class 3 or Class 2 Simple SER or possible exempt development subject to work scope Self-assessment using EIA tool .	None – EIA tool used. Team consulted if required.	N/A
		- replacement of transformer, switchgear, install new/replace poles greater than 1 metre from original location, single-span OH work or short under bore - and activity is <u>not</u> in a sensitive area.	Class 3 Simple SER Self-assessment using EIA tool	None - EIA tool used. Team consulted if required.	N/A
4	Work that involves design/installation activity with expenditure greater than \$250k but less than \$1 million	- new asset installation/ replacement - extensive soil disturbance or pole installation/replacement beyond current pole location	Complex SER (Class 3) or REF (Class 4/5) Expert assessment is required	100 - 280 hours (SER & minimum of 2 site visits (planning and construction	6-12 months

Environmental Impact Assessment and Environmental Management Plans

No.	Type of Activity (for Classification Guidance)	Example activities/ Notes	Likely Class/ Level of EIA required/ Action needed	Environmental Services Team Hours Required*	Likely EIA Duration#
		- multi-span wire replacement/installation, trenching/underbore to install new ducts/joint bays along existing easement - activity is in a Sensitive area - activity is in a National Park		phases) & CEMP review)	
5	Work that involves complex design/development activity with a project expenditure greater than \$1 Million	- establish new substation - long distance electricity infrastructure such as OH/UG feeder - switching station - transmission substation - large Battery site - the project expected to have impacts that are not minor and are expected to be extensive and/or complex	Class 4/5 REF (plus SIS for Class 5) Expert assessment is required	>280 hours (REF prep by consultant with liaison and review with Environmental Specialist; 2 Site visits (planning and construction phases) & CEMP review)	6-12 months
6	Work that involves large-scale activity which has the potential to significantly impact the environment	- significant impact to critical habitat or threatened species, populations or ecological communities or their habitats, heritage - declared to be State Significant Infrastructure (SSI)	Class 6 EIS Expert assessment is required (and Minister of Planning approval is required)	1-3 years (scale dependent)	1-3 years (scale dependent)

* Estimated hours include the following:

- Initial project scoping discussion/correspondence with EE Project Manager
- Time to review consultants scope and review of consultants reports/deliverables
- Internal project meetings
- Other third-party engagement such as with Heritage NSW, interest groups including preparation of external comms such as web page, notification letters etc
- EIA determination and Decision Statement preparation
- Implementation of the EIA conditions/controls including site visits

Project duration estimates will depend on project specific factors eg. requirement for an Aboriginal Heritage Impact Permit (AHIP) which potentially extends the project duration by 3-6 months.

Annexure B – Authorities for Preparation and Approval of EIAs (SER's and REF's)

Table B1 – Authority for the Preparation of Class 3 SERs and Class 4 & 5 REFs

Authorised persons with required capabilities	Prepare Class 3 SERs (and Addendums)	Prepare Class 4 and 5 REFs (and Addendums) and/or support the preparation process where REFs are prepared by Qualified Environmental Consultants	Decide whether an activity is of sufficient impact to require a Class 6 Assessment
Environmental Managers and Environmental Specialists with an Environmental Degree (or equivalent) and a suitable number years of experience, including experience in Environmental Impact Assessment (EIA) Eg. Manager Sustainability & Environment, Environmental Services Manager, Environmental Specialists	Yes	Yes	Yes
Environmental Access Track Personnel with Environmental Degree (or equivalent) and a suitable number of years of experience, including experience in EIA E.g. Environmental Access Track Environmental Specialists	Yes (for Access Track SERs)	Yes (for Access Track REFs)	No
Designers who are suitably qualified with a suitable number of years of experience and have completed required Endeavour Energy Environmental Impact Assessment Training* E.g. Designers, Engineering Officers (Mains, Transmission, Distribution)	Yes	No	No
ASPs and CNS Officers Suitably qualified persons that have completed required Endeavour Energy Environmental Impact Assessment Training*	Yes	Yes (REF must be prepared by a suitably qualified Environmental Consultant on behalf of ASP or CNS)	No
Suitably Qualified Environmental Consultants (engaged by Endeavour Energy directly, or by ASPs)	Yes	Yes	No

*Endeavour Energy Environmental Impact Assessment Training as arranged by the Environmental Services Team.

Table B2 – Authority for the Determination/Approval of Class 3 SERs and Class 4 & 5 REFs

Authorised persons with required capabilities <u>NOTE: The person who prepares a SER or REF cannot be the same person who determines/approves the SER or REF</u>	Determine Class 3 SERs (and Addendums) and prepare Decision Statements	Determine Class 4 and 5 REFs (and Addendums) and prepare Decision Statements
Environmental Managers and Environmental Specialists with an Environmental Degree (or equivalent) and a suitable number years of experience, including experience in Environmental Impact Assessment (EIA) Eg. Manager Sustainability & Environment, Environmental Services Manager, Environmental Specialists	Yes	Yes
Managers of Access Track Environmental Specialists/with Access Track interface who are suitably qualified with a suitable number of years of experience Eg. Contracts Managers, Major Contracts Manager/s	Yes (for Access Track SERs)	Yes (for Access Track REFs)
Design Managers who are suitably qualified with a suitable number of years experience to have completed the required Environmental Impact Assessment Training* Eg. Design Managers, Regional Managers, Senior Designers	Yes	No
CNS Officers (can determine ASP SERs) Suitably qualified persons only that have completed required Environmental Impact Assessment Training*	Yes (can determine ASP SERs)	No

*Endeavour Energy Environmental Impact Assessment Training as arranged by the Environmental Services Team

