



Environmental Procedures Supplementary Notes – EIA Guidelines

NS 174B

Version 11

15 Oct 2013



Document control

Document status	Final
Document type	Guidance
Document suite	Environment
Release Authority	James Hart
Release date	15 Oct 2013
Review period	Annual
Review due by	16 Oct 2014
Security classification	UNCLASSIFIED
Functional application	Provide requirements and guidance on when and how to undertake an environmental assessment and obtain environmental approval for Ausgrid network related projects.
Organisational application	Policy and procedure for environmental assessments for minor works.

Document history

Version	Summary of changes	Author
8	Ausgrid rebrand and updated the process to reflect the new electronic form.	James Hart
9	Updated to reflect the guidance provided in the Environmental Planning Website.	James Hart
10	Updated with 6 Step Process.	Diana Charteris
11	Updated to reflect introduction of new EGN 424 Options Analysis Calculator.	Diana Charteris

Contents

Glossary	4
1 Purpose	6
2 Scope	6
3 The preferred project	6
4 Environmental planning approvals	7
4.1 Incidental / ancillary work	8
4.2 Exempt development	8
4.3 Part 4 Development assessment (with consent)	9
4.4 Part 5 Environmental assessment (without consent)	9
4.4.1 EIA Worksheet	9
4.4.2 Other Part 5 assessments	10
4.5 State significance	10
4.5.1 State significant development.....	10
4.5.2 State significant infrastructure	11
5 Other approvals	11
6 Notification	11
7 Construction Environmental Management Plan	12
8 EIA Worksheet	12
9 Responsibilities	15
10 Related documents	17
11 References	17
Tables	
Table 9-1: Environmental approval responsibilities.....	16

Glossary

Term	Meaning
Accredited designer	A designer accredited to undertake contestable design works.
ASP	Accredited Service Provider: A contractor accredited under Part 10 of the Electricity Supply (General) Regulation 2001 (NSW) for undertaking contestable works.
Assessor	Person responsible for preparing the Environmental Impact Assessment and recommending the controls necessary to proceed. Specific responsibilities are defined in Schedule 1.
Capital works	New works other than Recoverable Works.
CEMP	construction environmental management plan
Contestable works	Works (including design), funded by the developer, and required to enable a new or altered connection where the developer may choose the ASP (Designer or Constructor) to carry out the works (e.g. customer substation, URD).
Control measures	Measures which in addition to the measures defined in the NUS174 series will form all the environmental controls considered necessary to mitigate the impacts to the level described in the EIA Worksheet.
DA	development application (Part 4 assessment process)
DAD	Director – Area Development at Ausgrid
DP&I	NSW Department of Planning and Infrastructure
Determining authority	A public authority by or on whose behalf the activity is or is to be carried out or a public authority whose approval is required in order to enable the activity to be carried out.
Developer	A person who arranges customer connection services for a customer or the reticulation of a subdivision.
Development	Development means: the use of land, subdivision of land, erection of a building, carrying out of a work, demolition of a building or work, or any other act, matter or thing referred to in section 26 of the EP&A Act that is controlled by an EPI, but does not include any development of a class or description prescribed by the EP&A Regulation for the purposes of this definition.
Distribution works	Works other than transmission works.
DoP	NSW Department of Planning
EIA	environmental impact assessment
EIA Worksheet	A document which provides a structured and systematic process for assessing the environmental impacts of a project, for the purposes of satisfying Ausgrid's obligations under section 112 of the EP&A Act.
EIS	environmental impact statement
EM-PD&A	Executive Manager – Project Development & Approvals at Ausgrid
Environmental impact	The consequential change in the environment which is both a function of the extent of the impacts and the sensitivity of the environment.
Environmental risk	The environmental risk is calculated by multiplying the likelihood of the impact occurring by the extent of the managed impacts by the sensitivity of the environment to the managed impacts.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000

Term	Meaning
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	environmental planning instrument
ES Act	<i>Electricity Supply Act 1995</i>
Is an EIS Required?	A document which provides a structured and systematic Environmental Impact Assessment process for use by determining authorities when assessing activities under section 112 of the EP&A Act.
Key impacts	Those important environmental impacts which require attention and resources to minimise the project's environmental risk.
Monopoly works	Works other than contestable works.
NSW	New South Wales
Project specific control measures	Control measures developed specifically for a project.
Qualified consultant	Person(s) with tertiary qualifications specific to the environmental impacts associated with the project which prompted the additional investigations.
Recoverable works	Works on the electricity network undertaken at the request of the developer which are not for the purpose of establishing a new or altered connection to the electricity network (e.g. RMS road widening).
REF	review of environmental factors
SEE	statement of environmental effects
SEO – ON/OS	Senior Environmental Officer – Operations North/Operations South
SEPP	State Environmental Planning Policy
SEWPaC	Commonwealth Department of Sustainability, Environment, Water, Population and Communities
SSI	State significant infrastructure
SSD	State significant development
Transmission	Electricity works greater than 33 kilovolts.
Trigger areas	Environmentally sensitive areas which trigger the requirement for referring an EIA Worksheet to Ausgrid's Environmental Services.
Verifier	Person who makes a decision on behalf of Ausgrid whether to proceed subject to the environmental controls identified in the EIA Worksheet. Specific responsibilities are defined in section 9.

1 Purpose

The purpose of this document is to provide guidance on when and how to undertake an environmental impact assessment (EIA) and obtain environmental approval for Ausgrid network related projects, in accordance with the:

- *Environmental Planning and Assessment Act 1979* (EP&A Act)
- Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

2 Scope

This procedure is applicable to all Ausgrid workers (including employees, contractors and external Accredited Service Providers (ASPs)) undertaking planning work associated with Ausgrid's network.

EIA Worksheets must be prepared and verified by competent persons who hold current Ausgrid *ET 005 Environmental Impact Assessment Training* (EIA Training).

3 The preferred project

A project is defined by the scope of works (what is proposed) and the site (where it is proposed). These two factors determine the planning approval process, other applicable approvals, licences and permits, and the environmental impacts.

When a number of options meet the network need, an options analysis is required to determine the preferred project. Options could include network options or site/route options. In some cases, there may be no other reasonable options or the preferred option may be clear and no assessment of alternative options is necessary.

An options analysis aims to identify the preferred project by finding the best balance of the project's social, environmental, technical and financial objectives. The complexity of the analysis will depend on the nature of these objectives in relation to the options and the extent to which they conflict.

For routine projects with multiple options, a simple desktop analysis is often sufficient to demonstrate why an option is preferred. In some cases site specific studies and/or community consultation will be required to gain a better understanding of the impacts. For multiple options with multiple competing criteria, Ausgrid's Options Analysis Calculator (EGN 424) may assist in determining the preferred option. Note that EGN 424, like any options analysis tool, has limitations that need to be considered during each analysis and it may not be suitable for some projects.

For major projects with multiple options there is no one analysis tool or process that fits all projects. Rather the analysis is undertaken on a project specific basis, utilising internal and external expertise with input from stakeholders, and with a decision made by Ausgrid's Manager – Project Development (M-PD) in consultation with the project team. Where appropriate, this decision is documented in the form of a preferred options report.

Ausgrid is responsible for determining the preferred project for both routine and major projects completed on behalf of Ausgrid.

This preferred project then forms the basis for a detailed assessment under the EP&A Act.

4 Environmental planning approvals

The EP&A Act provides a comprehensive framework for the approval process and assessment of the environmental impact of works proposed by Ausgrid.

The type of process for gaining approval of the works is determined by an assessment of the environmental planning instruments (EPIs) applicable to the scope of works and the site.

Possible planning approval processes may be that the works:

- were previously approved - no assessment or approval is required
- are incidental or ancillary - no assessment or approval is required
- are exempt development - no assessment or approval is required
- are development with consent – a Part 4 assessment is required (usually a Statement of Environmental Effects (SEE) submitted with a Development Application (DA) to council) – contact Environmental Services
- are development without consent, have minor and predictable impacts and are < 33 kV - a Part 5 assessment is required (a self-assessed EIA Worksheet)
- are development without consent, have complex or unpredictable impacts and are > 33 kV - a Part 5 Environmental assessment is required (a self-assessed review of environmental factors (REF)) - contact Environmental Services
- are likely to have a significant affect on the environment – an environmental impact statement (EIS) and Minister for the NSW Department of Planning and Infrastructure (DP&I) approval is required - contact Environmental Services
- are State significant infrastructure (SSI) or State significant development (SSD) – an EIS and approval by the DP&I Minister is required - contact Environmental Services.

Ausgrid's [Approvals Process Calculator](#) can help determine the appropriate environmental approval process for your works. For scenarios not covered in this calculator contact **Environmental Services** on **9394 6659**.

4.1 Incidental / ancillary work

Works which are incidental, ancillary or have already been assessed and approved and which facilitate the existing use will not need approval. For works to be considered incidental or ancillary they must be:

- for the same purpose as the original development
- of negligible additional environmental impact to the impact of the original development.

Generally incidental or ancillary work includes very minor and routine maintenance and repairs such as replacing lamps, poles or mains (because they had, or were about to, fail), termite treatment, building maintenance etc.

Works that are not considered incidental or ancillary include:

- extensions, upgrades, expansions and repairs involving deviations in routes, sites or functions
- clearing vegetation where no clearing has previously been done
- track works beyond the current access track
- upgrading cables or line diversions
- substation upgrades where the impacts are unclear.

4.2 Exempt development

Works outlined in clause 43 and Schedule 1 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) are exempt development and do not need approval. To be considered exempt development, however, the development must meet the criteria listed in clause 20 of the Infrastructure SEPP.

Generally, most routine maintenance and repair works on Ausgrid's network (with minimal environmental impact) will be exempt development. These works include street lighting, service lines, realignment of poles, installation of equipment, emergency works, maintenance and repairs, fencing, vegetation management, etc.

An assessment is generally needed when the impacts are unclear or are likely to be substantial, such as:

- re-establishing an access track
- abrasive blasting of steel towers
- temporary material storage area
- repairing an asset in a particularly sensitive area.

In these cases, an assessment or approval should be undertaken as a matter of precaution.

4.3 Part 4 Development assessment (with consent)

Part 4 of the EP&A Act applies when the works are not exempt, incidental or ancillary and the EPIs deem that the works need development consent (i.e. when the works are not for the purpose of an electricity transmission or distribution network).

The development assessment must comply with the requirements of the consent authority, usually the local council.

4.4 Part 5 Environmental assessment (without consent)

Part 5 of the EP&A Act applies to works for the purpose of an electricity transmission or distribution network. These are listed in clause 41 of the Infrastructure SEPP as development permitted without consent. These works require an assessment where Ausgrid (as the determining authority) examines and takes into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Note: The Infrastructure SEPP does not apply if the works require approval under SEPP No.14 - Coastal Wetlands, SEPP No. 26 - Littoral Rainforests and SEPP (Major Development) 2005. In these cases an assessment will need to be made of the relevant SEPP to determine the approval process.

Generally most new works for Ausgrid's network will be assessed under Part 5 of the EP&A Act. The assessment will take the form of an EIA Worksheet or an REF.

The EIA Worksheet and REF processes are designed to meet the requirements of section 111 of the EP&A Act, clause 228 of the EP&A Regulation and the principles of *Is an EIS Required?* (DoP, 1995).

The decision to proceed with the works or whether a more detailed assessment of environmental impacts is required remains with the determining authority (Ausgrid). Where the Part 5 assessment 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 is required to be prepared. In these cases, the EIS is determined by the DP&I Minister following an assessment by the Department.

4.4.1 EIA Worksheet

The EIA Worksheet is a streamlined process applying to projects which are likely to have minor and predictable impacts. The EIA Worksheet is required to be completed to assess the project and to determine whether a more rigorous environmental impact assessment, in the form of a REF or EIS, is needed. However if it is already known that further assessment is required, this assessment may proceed without the completion of the EIA Worksheet.

The EIA process is streamlined for classes of activities with very predictable impacts such as works:

- which fall within Part 5 of the EP&A Act
- that are likely to have minor and predictable impacts
- which are carried out by, on behalf, or for the approval of, Ausgrid
- involving transmission infrastructure (> 33 kV).

If any of the above criteria does not apply, then refer the EIA Worksheet to Environmental Services to determine whether an alternative assessment is required.

As the environment can change between the time an EIA Worksheet is verified and construction commencing, an EIA Worksheet should be revisited if 2 years have lapsed since verification to ensure that any sensitive issues have not changed.

Further information on completing EIA Worksheets is in section 8 and the [Environmental Planning website](#).

4.4.2 Other Part 5 assessments

For those activities with complex impacts or where further analysis is required to understand the potential impacts, a more comprehensive study will need be prepared. This study is reported in a document called a review of environmental factors (REF). Following an evaluation of the factors in the REF a decision can then be made if the impacts are likely to be significant.

REFs are prepared by Environmental Services in accordance with specific REF procedures and templates. Contact Environmental Services for further information.

Where the impacts are obviously very significant, the determining authorities may decide that an EIS should be prepared without proceeding through the assessment processes of the EIA Worksheet or an REF.

4.5 State significance

SSI and SSD are assessed by the DP&I with input sought from local government, other NSW government agencies and the community as part of the assessment process.

4.5.1 State significant development

A range of development types such as mines and manufacturing plants, as well as warehousing, waste, energy, tourist, education and hospital facilities are classed as SSD if they are over a certain size or located in a sensitive environmental area.

Some projects may be considered SSD because they are located in precincts regarded as important by the NSW Government, including Sydney Olympic Park, Redfern-Waterloo and Barangaroo.

Electricity network works are not classed as SSD, unless it is part of another development that includes SSD.

4.5.2 State significant infrastructure

A range of major infrastructure projects, such as roads, railway lines or pipelines are classed as SSI. Electricity network works are not classed as SSI specifically.

However, development is classed as SSI where the Part 5 assessment determines the impact is “likely to significantly affect the environment (including critical habitat) or threatened species, populations or ecological communities, or their habitats”. In these cases, an EIS is required to be prepared.

Determining “significant affect” on the environment will depend on the circumstances of each activity and its location because all environments differ as do all projects.

5 Other approvals

Environmental planning approvals under the EP&A Act do not negate the need to obtain other approvals, licences and permits that may be required under federal and state environmental laws. Approvals, licences and permits form an integral part of the EIA Worksheet and REF process and need to be considered early in the planning process. Where possible the assessor is to obtain any licences, approvals or permits prior to signing the EIA Worksheet.

Ausgrid's [Approvals Process Calculator](#) can help determine whether other approvals are required for the works.

6 Notification

The *Electricity Supply Act 1995* (ES Act) requires 40 days notice to be given to the local council for all works other than routine repairs, maintenance or emergency works. There is also a requirement to give due consideration to any submissions made.

The Infrastructure SEPP contains notification requirements in addition to those in the ES Act for certain works in certain areas that are undertaken under Part 5 of the EP&A Act. In these cases, there is also a requirement to take into consideration any response to the notice that is received within 21 days after the notice is given.

The full list of notification requirements is contained in Part 2, Division 1 and clause 42 of the Infrastructure SEPP.

7 Construction Environmental Management Plan

A Construction Environmental Management Plan (CEMP) details the environmental controls required for a project to comply with an environmental planning approval. For EIA Worksheets, the minimum controls required are detailed in Ausgrid's [NS 174C Environmental Handbook for Construction and Maintenance](#) (Environmental Handbook), which outlines environmental responsibilities and key requirements for all construction and maintenance work on Ausgrid's network.

Project specific control measures are detailed in the EIA Worksheet or REF. These controls combined with Environmental Handbook form the environmental controls considered necessary to mitigate the environmental impacts of the works.

For complex projects or projects assessed by a REF, the processes for complying with these controls will be documented in the form of a project specific CEMP.

Where there is an inconsistency between the project specific control measures in a CEMP and the Environmental Handbook, the project specific control measures will prevail.

Note: Environmental Handbook does not absolve the contractor from their responsibility to identify all workplace environmental risks and implement all necessary controls to comply with the law.

Note: The Construction Project Manager is responsible for ensuring compliance with the Environmental Handbook and the EIA Worksheet or REF and CEMP.

8 EIA Worksheet

Detailed instruction on completing an EIA Worksheet is available in [EGN 174B EIA Worksheet Guidance Notes](#).

Use the following six steps to determine the likely environmental significance of the impacts of each issue associated with the works and complete the EIA Worksheet.

STEP 1 – Scope

Determine and specify the scope of works because:

- it affects what approvals could be required
- it affects the assessment of impacts
- only those activities covered by the scope are approved by the EIA Worksheet
- a poorly worded scope may restrict what activities can occur

- late changes to the scope may require re-notifying council and having to wait an additional 21 / 40 days for notification.

A current design drawing must be attached to the EIA Worksheet to ensure the appropriate scope has been assessed.

For more information, refer to the [Environmental Planning website](#).

STEP 2 – Collect information

Many issues / requirements could be relevant to your project. Information can be generally categorised to determine:

- the assessment / approval process
- if another approval, licence or permit is required
- the extent and nature of the impacts.

The following information sources are available:

- Ausgrid's [Env GIS](#) (only available to Ausgrid employees - ASPs should request an Environmental GIS Analysis Report from Contestability)
- NSW Heritage database
- Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) Protected Matters Search Tool
- Scout/Balin - Bushfire data (only available to Ausgrid employees)
- EIA Site Inspection Checklist
- local council
- title search
- NSW Government legislation.

An Environmental GIS Analysis Report that is dated within 6 months must be attached to the EIA Worksheet.

For more information, refer to the [Environmental Planning website](#).

STEP 3 – Approval process

The approval process and whether additional approvals, licences or permits are required for new works depend on what you are doing and where you are doing it.

To determine the correct process and approvals for your works, use the [Approvals Process Calculator](#).

STEP 4 – Consult

To determine the notification requirements for your works (refer to section 6), use the [Approvals Process Calculator](#). You must give due consideration to all submissions.

Although not a legal requirement, Ausgrid may choose to undertake additional community consultation such as information displays, newsletters and door knocking.

For more information, refer to the [Environmental Planning website](#).

STEP 5 – Assess EIA

Ausgrid is required by law to assess the environmental impacts of an infrastructure project before determining whether to proceed. Where the EIA Worksheet demonstrates that impacts will be minor and predictable, no additional documentation would be needed to demonstrate compliance with the requirements of the EP&A Act.

Only Ausgrid employees or an ASP current in EIA Training can assess an EIA Worksheet. To remain current in EIA Training, refresher training must be undertaken every two years. Adequately trained individuals, with a good understanding of the project and the receiving environment, should be able to undertake the evaluation outlined in the EIA Worksheet without the need to consult specialists.

Projects which are assessed as high risk or that trigger specific criteria / approvals / issues, need to be referred to Environmental Services and may require an REF or EIS.

Ausgrid must ensure that all necessary approvals, licences and permits have been obtained to assist in adequately assessing the impacts and controls.

[Calculators](#) are available to assist in determining the level of impact. For more information, refer to the [Environmental Planning website](#).

STEP 6 – Verify EIA

Only Ausgrid employees who are current in EIA Training and have achieved an score of at least 85% can verify an EIA Worksheet. To remain current in EIA Training, refresher training must be undertaken every two years. The verifier must check the EIA Worksheet is procedurally adequate using the [EIA Verification Checklist](#).

Only Environmental Services can verify EIA Worksheets assessed as high risk or that trigger specific criteria / approvals / issues.

For more information, refer to the [Environmental Planning website](#).

9 Responsibilities

This schedule of responsibilities is applicable to Ausgrid employees, contractors and ASPs undertaking planning and construction work associated with Ausgrid's network.

Ausgrid's environmental planning process follows a pathway of actions and responsibilities that depend on the type of project, level of consultation and type of environmental assessment.

While the responsible person will vary depending on the assessment, the overall responsibilities for the assessor and verifier remain the same (refer to Table 9-1).

The verifier must be a different person to the assessor.

Assessor

An assessor must, to the best of their knowledge and belief:

- complete an EIA worksheet in accordance with these guidelines
- meet the assessment requirements of section 111 of the EP&A Act and clause 228 of the EP&A Regulation (by completing the EIA Worksheet as best as possible)
- provide information in the EIA Worksheet that is neither false nor misleading
- consider the project has minor and predictable impacts and can proceed subject to specific controls in the EIA Worksheet and Environmental Handbook.

Verifier

A verifier must, to the best of their knowledge and belief:

- adequately review the EIA Worksheet
- check the EIA Worksheet has been prepared by person(s) trained by Ausgrid to undertake the assessment
- check the EIA Worksheet is procedurally adequate using the [EIA Verification Checklist](#)
- check that you are not aware of any information that would alter the EIA assessor's conclusion as to the likely environmental impact of the project.

Reviewer

Some assessments are approved external to Ausgrid. In most of these cases, an Environmental Services environmental officer prepares or organises a consultant to prepare the assessment. An Environmental Services senior environmental officer would then review the assessment prior to submitting it to the Ausgrid project team for their broader network development review.

The final assessment would then be forwarded to the appropriate determining authority for their approval (refer to Table 9-1).

Project Manager

The construction Project Manager is responsible for ensuring compliance with all the approval types listed in Table 9-1 as well as the Environmental Handbook.

The Project Manager may be an Ausgrid employee, contractor or ASP.

Table 9-1: Environmental approval responsibilities

Assessment / approval process	Assessor	Reviewer	Verifier
EIA Worksheet (Part 5) without triggers in Table 2A or 3A, or risk ratings < 30	Ausgrid employees or ASP current in Ausgrid's ET 005 Environmental Impact Assessment Training	Same as verifier	Ausgrid employee different to the Assessor scoring > 85% in Ausgrid's ET 005 Environmental Impact Assessment Training
EIA Worksheet (Part 5) with triggers in Table 2A or 3A, or risk ratings ≥ 30			Environmental Services
REF (Part 5)	Environmental Services	Project team	Major Projects: EM-PD&A or DAD Other projects: SEO – ON/OS
SEE (Part 4)	Contestable work: ASP Designer Non Contestable work: Environmental Services via a qualified consultant	Project team	Consent authority (usually local council)
SSD or SSI	Environmental Services via a qualified consultant	Project team	EM-PD&A
Species Impact Statement	Environmental Services via a qualified consultant	SEO – ON/OS	Minister administering the <i>Threatened Species Conservation Act 1995</i>
EPBC Act referral / approval	Environmental Services via a qualified consultant	SEO – ON/OS	SEWPaC

10 Related documents

Ausgrid's [Environmental Planning website](#)

Guidelines

- EGN 174B EIA Guidance Notes
- Network Standard NS 174 Environmental Procedures
- Network Standard NS 174A Environmental Procedures Supplementary Notes EIA Worksheet
- Network Standard NS 174C Environmental Procedures Supplementary Notes Environmental Handbook

Calculators

- Approvals Process Calculator
- Relative Risk Model (Oil Filled Equipment)
- Construction Noise Calculator
- Transformer Noise Calculator
- EMF Calculator

Forms

- EF 17450 - Verification Checklist
- EF 17410 - EIA Site Inspection Checklist
- EF 17420 - Environmental Data Checklist
- EF 17430 - Contaminated Site Assessment Checklist
- EF 17440 - Movable Heritage Assessment Checklist

Legislation

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Environmental Planning and Assessment Act 1979*
 - Environmental Planning and Assessment Regulation 2000
 - State Environmental Planning Policy (Infrastructure) 2007

11 References

DoP 1995, Is an EIS required? best practice guidelines for part 5 of the Environmental Planning and Assessment Act 1979, New South Wales Government, Department of Planning (DoP), Sydney, NSW.